

APPROVED

NOV 03 2010

REPORT OF GENERAL MANAGER

NO. 10-287

DATE November 3, 2010

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 10, 4, 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: STONER SKATE PLAZA (W.O. #E170460F); LINCOLN PARK – OUTDOOR FACILITIES REFURBISHMENT AND EROSION CONTROL (W.O. #E170491F); LAFAYETTE PARK – RECREATION CENTER (W.O. #E170317F); – ACCEPTANCE AND RELEASE OF STOP NOTICES ON CONSTRUCTION CONTRACTS

R. Adams	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
S. Huntley	_____	*M. Shull	<u>MS</u>
V. Israel	_____		

[Signature]
General Manager

Approved [Signature] Disapproved _____ Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Accept the following two (2) Stop Notices and direct staff to withhold the amounts claimed therein, plus an additional sum equal to 25% thereof, to defray any costs of litigation in the event of court action, if said amount of said funds are available, and to notify the contractor, sureties, and other interested parties that the amount of said claims plus 25% will be withheld; and,
2. Accept the following Release of Stop Notice.

SUMMARY:

STOP NOTICE:

The Department is in receipt of legal notice to withhold construction funds, pursuant to California Civil Code Sections 3103 and 3181, on the following contracts:

<u>Contract 3286</u>	CD 11	General Contractor:	California Skateparks, Inc.
Stoner Skate Plaza (W.O. #E170460F)		Claimant:	Pilgrim Fence
Project Status: 95% Complete		Amount:	\$8,250
Project Impact: none			

REPORT OF GENERAL MANAGER

PG. 2

NO. 10-287

<u>Contract 3318</u>	CD 1		
Lincoln Park – Outdoor Facilities Refurbishment and Erosion Control (W.O. #E170491F)		General Contractor:	Simgel Co., Inc.
Project Status: 75% Complete		Claimant:	Greenfields Outdoor Fitness, Inc.
Project Impact: none		Amount:	\$17,425.39

RELEASE OF STOP NOTICE:

The Department is in receipt of a Release of Stop Notice filed by the claimant below, which releases the Board from any and all liability for withholding funds from the general contractor or the sureties:

<u>Contract 3237</u>	CD 10		
Lafayette Park – Recreation Center (W.O. #E170317F)		General Contractor:	Western Alta Construction
Project Status: 85% Complete		Claimant:	Hanson Aggregates LLC
Project Impact: none		Amount:	\$12,506.91

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department's General Fund, as funds have already been appropriated for this purpose.

This report was prepared by LaTonya D. Dean, Commission Executive Assistant.