

APPROVED
MAY 02 2012
**BOARD OF RECREATION
and PARK COMMISSIONERS**

REPORT OF GENERAL MANAGER

NO. 12-122

DATE May 2, 2012

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SEPULVEDA BASIN SPORTS COMPLEX – PHASE I (PRJ1400S)
(W.O. #E170217F) – CONTRACT NO. 3317 – DISCONTINUANCE OF
RETENTION

R. Adams _____ K. Regan _____
H. Fujita _____ *M. Shull MS
V. Israel _____ N. Williams _____

[Signature]
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the request of C. S. Legacy Construction, Inc., to discontinue withholding further retention on all subsequently approved payment claims on the Sepulveda Basin Sports Complex – Phase I (PRJ1400S) (W.O. #E170217F) project, Contract No. 3317; and,
2. Direct the Board Secretary to notify all interested parties regarding said discontinuation of retention.

SUMMARY:

The Department is in receipt of a request from C. S. Legacy Construction, Inc., contractor for the Sepulveda Basin Sports Complex – Phase I (PRJ1400S) (W.O. #E170217F) project, Contract No. 3317, to discontinue withholding further retention for all subsequently approved payment claims as the project is more than 50% complete, per General Requirements, Article 20 (D). The current construction contract amount, including change orders, is \$9,429,458.00. To date, the total retention funds withheld are \$903,048.85. The project is now 90% complete in construction.

Pursuant to Division 01 – General Requirements, Section 20.D.1 and D.2 of the contract, which states, “D.1 – Retention of ten percent (10%) will be held on the original contract value of each approved payment claim until the amount paid of the original contract equals fifty percent (50%). The City may then, at its sole discretion discontinue further retention on the original contract value

REPORT OF GENERAL MANAGER

PG. 2 NO. 12-122

for all subsequently approved payment claims” and that “D.2 – At anytime during the course of the contract, the City may, at its sole discretion, reinstate the ten percent (10%) retention.” This conforms to standard practice on construction contracts.

The contractor has satisfactorily completed 90% of the original contract price, and all further pay requests will be for change orders that have been agreed upon by all the parties. In addition, the Bureau of Engineering (BOE) Project Manager recommends that this request be honored, as C. S. Legacy Construction, Inc., is in good standing and moving forward with this project.

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department’s General Fund as the monies involved are already appropriated to this contract.

This report was prepared by Sean Phan and Cathie Santo Domingo, Project Manager, Recreational and Cultural Facilities Program, Bureau of Engineering (BOE). Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, BOE; and by Deborah Weintraub, Chief Deputy City Engineer, BOE; and by Michael A. Shull, Recreation and Parks, Superintendent, Planning, Construction and Maintenance Division.