

APPROVED

REPORT OF GENERAL MANAGER

NO. 15-064

DATE April 01, 2015

APR 01 2015
BOARD OF RECREATION
& PARK COMMISSIONERS

C.D. 6, 8, 13

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MID-VALLEY INTERGENERATIONAL MULTIPURPOSE CENTER (#21063) (W.O. #E170239F); HOLLYWOOD RECREATION CENTER – POOL AND POOL BUILDING (#1402B) (W.O. #E170344F); SOUTHEAST VALLEY ROLLER AND SKATEBOARD RINK – PHASE I (SKATEBOARD RINK/SKATEPARK) PROJECT (W.O. #E170125F) AND ST. ANDREWS RECREATION CENTER – OUTDOOR SPORTS DEVELOPMENT (W.O. #E170302F) – ACCEPTANCE AND RELEASE OF STOP PAYMENT NOTICES ON CONSTRUCTION CONTRACT NOS. 3442, 3454, 3387, AND 3446

R. Adams _____

V. Israel _____

fw *R. Baraja _____

CSD _____

K. Regan _____

H. Fujita _____

N. Williams _____

[Signature]

General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Accept the following two (2) Stop Payment Notices on Contract Nos. 3442 and 3454 respectively and direct staff to withhold the amounts claimed, plus an additional sum equal to 25% thereof, to defray any costs of litigation in the event of court action, if said amounts of said funds are available, and to notify the contractors, sureties, and other interested parties that the amount of said claims plus 25% will be withheld; and,
2. Accept the following Release of an Amended Stop Payment Notice on Contract No. 3387 and a Partial Release of a Stop Payment Notice, on Contract No. 3446.

SUMMARY:

STOP PAYMENT NOTICES:

The Department is in receipt of two (2) legal notices to withhold construction funds, pursuant to California Civil Code Sections 8044, 9100, 9350, 9352, and 9354 on the following contracts:

REPORT OF GENERAL MANAGER

PG. 2 NO. 15-064

<u>Contract 3442</u> CD 6		
Mid-Valley Multipurpose Intergenerational Center (#21063) (W.O. #E170239F1) Project	General Contractor:	Mallcraft, Inc.
Project Status: Construction	Claimant:	Eckles Construction, Inc.
Project Impact: none	Amount:	\$10,548.86

<u>Contract 3454</u> CD 13		
Hollywood Recreation Center – Pool and Pool Building (#1402B) (W.O. #E170344F) Project	General Contractor:	Morillo Construction, Inc.
Project Status: Construction	Claimant:	Dancro Corp.
Project Impact: none	Amount:	\$128,154.00

RELEASE OF STOP PAYMENT NOTICES:

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

<u>Contract 3387</u> CD 6		
Southeast Valley Roller and Skateboard Rink – Phase I (Skateboard Rink/Skatepark) (W.O. # E170125F) Project	General Contractor:	California Landscape & Design, Inc.,
Project Status: Construction	Claimant:	Champion Paving, Inc.
Project Impact: none	Amount:	\$10,005.65

The Department is in receipt of a Partial Release of Stop Notice filed by McWil Sports Surfaces, Inc. The amount currently being withheld for the original stop notice is \$136,108.00. The Board's acceptance of this Partial Release of Stop notice will leave a remaining balance of \$8,248.00 to be withheld. The acceptance of the Partial Release of Stop Notice releases the Board from any and all liability for withholding these funds from the general contractor or the surety:

<u>Contract 3446</u> CD 8		
St. Andrews Recreation Center – Outdoor Sports Development (W.O. #E170302F)	General Contractor:	Pima Corporation
Project Status: Construction	Claimant:	McWil Sports Surfaces, Inc.
Project Impact: none	Amount	\$136,108.00
	Presently on Hold:	
	Balance to be Withheld:	\$8,248.00

REPORT OF GENERAL MANAGER

PG. 3

NO. 15-064

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 Paul Liles, Clerk Typist.