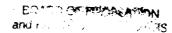
MAR 0 4 2009

### REPORT OF GENERAL MANAGER

NO. 09-047

DATE	March	4,	2009	



C.D. <u>7 and 10</u>

## BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT:

BRAND PARK - COMMUNITY BUILDING (W.O. #E170935F); LAFAYETTE PARK - RECREATION CENTER (W.O. #E170317F); BENNY H. POTTER WEST ADAMS AVENUE MEMORIAL PARK - UNIVERSAL ACCESS PLAYGROUND (#1206L) (W.O. #E1904591) AND KEN MALLOY HARBOR REGIONAL PARK - UNIVERSAL ACCESS PLAYGROUND (#1205L) (W.O. #E1904593) - ACCEPTANCE OF STOP NOTICES ON

CONSTRUCTION CONTRACTS	CONSTRU	<b>JCTION</b>	CONTRA	CTS
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R. Adams		J. Kolb	
H. Fujita		F. Mok	
S. Huntley		K. Regan	<del>-A</del> -
V. Israel		*M. Shull	Our on Mr.
			V
	. /	•	D.,

General Manager

Approved \_\_\_\_\_

Disapproved

Withdrawn

### **RECOMMENDATION:**

That the Board direct staff to withhold the amount claimed in the following Stop Notices, 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 contractors, sureties, and other interested parties that the amount of said claim plus 25% will be withheld.

## SUMMARY:

### STOP NOTICES:

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

Contract 3212

CD 7

Brand Park - Community Building

General

(W.O. #E170935F)

Contractor: Tek-Up Construction

Project Status: 95% complete

Claimant: Zodiac Heating & Air

Conditioning

Project Impact: none

Amount:

\$49,515.00

### REPORT OF GENERAL MANAGER

PG. 2 NO. \_09-047

Contract 3237 CD 10

Lafayette Park – Recreation Center General

(W.O. #E170317F) Contractor: Western Alta Construction

Project Status: 20% complete Claimant: Karcher Environmental, Inc.

Project Impact: none Amount: \$30,569.50

Contract 3227 CD 10

Benny H. Potter West Adams Avenue Memorial General

Park – UAP (#1206L) (W.O. #E1904591)/Ken Contractor: Horizons Construction Co.

Malloy Harbor Regional Park – UAP (#1205L)

(W.O. #E1904593)

Project Status: 95% complete Claimant: Robertson's Project Impact: none Amount: \$3,361.00

# FISCAL IMPACT STATEMENT:

Acceptance of Stop Notices has no impact on the Department's General Fund.

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