

APPROVED

APR 15 2009

REPORT OF GENERAL MANAGER

NO. 09-094

DATE April 15, 2009

**BOARD OF RECREATION
and PARK COMMISSIONERS**

C.D. 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LAFAYETTE PARK – RECREATION CENTER (W.O. #E170317F) -
ACCEPTANCE OF STOP NOTICE ON CONSTRUCTION CONTRACT

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

[Signature]
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board direct staff to withhold the amount claimed in the following Stop Notice, 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 NOTICE:

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

Contract 3237 CD 10
Lafayette Park – Recreation Center
(W.O. #E170317F)
Project Status: 20% Complete

General Contractor: Western Alta Construction
Claimant: McKenna General Engineering, Inc.
Amount: \$94,975.71

Project Impact: none

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.