

REPORT OF GENERAL MANAGER

APPROVED
JUN 17 2009

NO. 09-164

DATE June 17, 2009

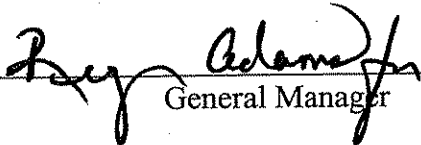
**BOARD OF RECREATION
and PARK COMMISSIONERS**

C.D. 7 and 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: BRAND PARK - COMMUNITY BUILDING (#2800N) (W.O. #E170935F);
LAFAYETTE PARK - RECREATION CENTER (W.O. #E170317F) -
ACCEPTANCE OF AN AMENDED STOP NOTICE AND OF A RELEASE OF
STOP NOTICE ON VARIOUS CONSTRUCTION CONTRACTS

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


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Accept the following Amended Stop Notice and direct staff to withhold the amount claimed herein, 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 contractors, sureties, and other interested parties that the amount of the amended claim plus 25% will be withheld; and,
2. Accept the following Release of Stop Notice.

SUMMARY:

AMENDED STOP NOTICE:

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

<u>Contract 3212</u>	CD 7		
Brand Park - Community Building	General Contractor:	Tek-Up Construction	
(W.O. #E170935F)			
Project Status: 98% Complete	Claimant:	Rester Plumbing, Inc.	

REPORT OF GENERAL MANAGER

PG. 2

NO. 09-164

Project Impact: none

Original Amount: \$96,197.64

Amended Amount: \$97,098.55

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:

Contract 3237 CD 10

Lafayette Park – Recreation Center
(W.O. #E170317F)

General Contractor: Western Alta Construction

Project Status: 23% Complete

Claimant: Karcher Environmental, Inc.

Project Impact: none

Amount: \$30,569.50

FISCAL IMPACT STATEMENT:

The acceptance of an Amended Stop Notice and a Release of Stop Notice does not impact the contract amount, and therefore, the approval of both will have no impact on the Department's General Fund.

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