

REPORT OF GENERAL MANAGER

NO. 03-90

DATE March 20, 2003

C.D. 6 & 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: Acceptance of Stop Notices and Release of Stop Notices on Department Construction Contracts - Branford Recreation Center - Childcare Center (#1617D), Imperial Courts Recreation Center New Community Building (#1605D), and Wilmington Multi-Purpose Senior Citizen Center (#1803A)

J. Combs \_\_\_  
A. Corrales \_\_\_  
J. Duggan \_\_\_

H. Fujita \_\_\_  
J. Kolb \_\_\_  
\*B. Lukehart *et al.*

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

1. 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 funds are available, and to notify contractors, sureties and other interested parties that the amounts of said claims plus 25% will be withheld; and
2. That the following Release of Stop Notices be accepted.

SUMMARY:

STOP NOTICES

The Department is in receipt of legal notices to withhold construction funds, pursuant to California Civil Code Section 3103 and 3181, on the contract indicated below:

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Contract 3004

C.D. 6

Branford Recreation Center - Childcare Center (#1617D). Construction of a new childcare center. Contract was awarded to Datum Group, Inc. on June 13, 2001.

Claimant: Phoenix Paving  
Company, Inc.  
Amount: \$10,860.00

Project Status: Complete  
Completion Date: February, 2003  
Project Impact: None

Claimant: Cal West  
Materials  
Amount: \$10,821.25

RELEASE OF STOP NOTICES

The Department is in receipt of a Release of Stop Notices, previously filed by the claimants listed below, which releases the Board from any and all liability from withholding any monies from the general contractor or the surety:

Contract 2836

C.D. 15

Imperial Courts Recreation Center New Community Building (#1605D). Construction of a new community building. Contract was awarded to Ed Hodges Construction Company who defaulted and the project was taken over by the surety, Washington International Insurance Company. D&M Construction was selected as new contractor, and later removed from the project due to default. PW Construction, Inc. is now the completion contractor. Contract was executed on November 26, 2001.

Claimant: Summers Group, Inc.  
dba Rexel ESD

Amount: \$24,655.60

Project Status: Project is complete  
Completion Date: February, 2003  
Project Impact: None

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Contract 3003      C.D. 15

Wilmington Multi-purpose Senior Citizen Center Claimant: Ferguson Enterprises,  
(#1803A). Construction of a new senior citizen center. Inc.  
Contract Awarded to AKG Construction, Inc. on June 6, Amount: \$4,343.73  
2001

Project Status: Complete  
Completion Date: December 10, 2002  
Project Impact: None

Prepared by Petrona Johnson