

REPORT OF GENERAL MANAGER

NO. 04-177

DATE June 4, 2004

C.D. 2, 4, 12 & 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ACCEPTANCE OF STOP NOTICE ON DEPARTMENT CONSTRUCTION CONTRACT - CABRILLO MARINE AQUARIUM - MASTER PLAN IMPLEMENTATION (#1505D); AND RELEASE OF STOP NOTICES ON CONSTRUCTION CONTRACTS - GRIFFITH OBSERVATORY-RENOVATION AND EXPANSION (#1504C); SUNLAND RECREATION CENTER - IMPROVEMENTS (#1166B) W.O. #E170244; AND BEE CANYON PARK - DEVELOPMENT (#1203C)

*K. Chan	<u> </u>	M. Mariscal	<u> </u>
J. Combs	<u> </u>	F. Mok	<u> </u>
H. Fujita	<u> </u>	K. Regan	<u> </u>
J. Kolb	<u> </u>	G. Stigile	<u> </u>


General Manager

Approved

Disapproved

Withdrawn

RECOMMENDATION:

That the Board:

1. 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 funds are available, and to notify contractor, surety and other interested parties that the amount of said claim plus 25% will be withheld; and,
2. Accept the following requests for Release of Stop Notices.

SUMMARY:

STOP NOTICE

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

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Contract 3062 C.D. 15

Cabrillo Marine Aquarium - Master Plan Implementation (#1505D). Construction involves expansion of the existing Cabrillo Marine Aquarium. Contract was awarded to FTR International, Inc., on June 19, 2002.

Claimant: D. Burke Mechanical Corporation
Amount: \$20,241.50

Project Status: 99 % complete
Completion Date: June 2, 2004
Project Impact: None

RELEASE OF STOP NOTICES:

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

Contract 3068 C.D. 4

Griffith Observatory - Renovation and Expansion (#1504C). Contract was awarded to S.J. Amoroso Construction Co., Inc. on September 20, 2002

Claimant: DMG Corporation
Amount: \$119,681.20

Project Status: 56% Complete
Completion Date: April 26, 2005
Project Impact: None

Contract 3089 C.D. 2

Sunland Recreation Center - Improvements (#1166B) W.O. #E170244. Contract was awarded to Terra-Cal Construction, Inc. on May 28, 2003.

Claimant: Bithell, Inc.
Amount: \$10,978.00

Project Status: 96% complete
Completion Date: May 31, 2004
Project Impact: None

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Contract 3075 C.D. 12

Bee Canyon Park - Development (#1203C). Contract was awarded to Terra-Cal Construction, Inc. on October 16, 2002.

Claimant: Fiber Marketing International, Inc.
Amount: \$6,989.92

Project Status: Complete
Completion Date: Accepted on December 10, 2004
Project Impact: None

Prepared by Petrona Johnson