

APPROVED
FEB 06 2019

**BOARD OF RECREATION
AND PARK COMMISSIONERS**

BOARD REPORT

NO. 19-028

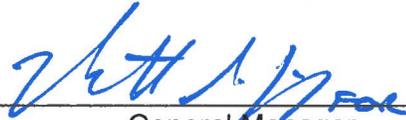
DATE February 6, 2019

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LINCOLN PARK RECREATION CENTER – POOL AND BATHHOUSE REPLACEMENT PROJECT (PRJ1504P) (W.O #E1907715) – ACCEPTANCE OF STOP PAYMENT NOTICE AND RELEASE OF STOP PAYMENT NOTICE ON CONSTRUCTION CONTRACT NO. 3555 FOR G2K CONSTRUCTION, INC.

AP Diaz	<u> </u>	V. Israel	<u> </u>
<i>for</i> *R. Barajas	<u><i>CSD</i></u>	S. Piña-Cortez	<u> </u>
H. Fujita	<u> </u>	N. Williams	<u> </u>



 General Manager

Approved X Disapproved Withdrawn

RECOMMENDATIONS

1. Direct staff to withhold the amounts claimed in the Stop Payment Notice against G2K Construction Inc. as detailed in this Report, 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 claims plus 25% will be withheld; and
2. Accept the Release of Stop Payment Notice for G2K Construction, Inc. as detailed in this Report.

STOP PAYMENT NOTICE:

The Department of Recreation and Parks (RAP) is in receipt of a legal notice to withhold construction funds, pursuant to California Civil Code Sections 8044 on the following contract:

Contract 3555 CD 1

Lincoln Park Recreation Center (PRJ1504P) (W.O. # E1907715)	General Contractor: Claimant: Amount:	G2K Construction, Inc. Associated Ready Mixed Concrete \$3,048.33
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BOARD REPORT

PG. 2 NO. 19-028

RELEASE OF PAYMENT NOTICE:

RAP is in receipt of a Release of Stop Payment Notice by the claimant below, which releases the Board of Recreation and Park Commissioners (Board) from any and all liability for withholding funds from the general contractor or the sureties:

:

Contract 3555 CD 1

Lincoln Park Recreation Center (PRJ1504P)
(W.O. # E1907715)

General Contractor: G2K Construction, Inc.
Claimant: Associated Ready Mixed
Concrete
Amount: \$3,048.33

FISCAL IMPACT STATEMENT

Acceptance of Stop Payment Notices and the release of funds in connection with a Release of Stop Payment Notice has no impact on RAP's General Fund.

This Report was prepared by Harold Arrivillaga, Commission Executive Assistant I.

ATTACHMENT

- 1.) Stop Payment Notice
- 2.) Release of Stop Payment Notice

Stop Payment Notice

CALIFORNIA CIVIL CODE SECTION 8044

NOTICE TO: City of Los Angeles, 221 N Figueroa St, Ste 300, Los Angeles, CA 90012 PRJ1504P

(If Private Job- File with responsible officer or person at office or branch of construction lender administering the construction funds or with the owner - CIVIL CODE SECTIONS 8500 - 8560)

(If Public Job - file with office of controller, auditor, or other public disbursing officer whose duty it is to make payments under provisions of the contract -CIVIL CODE SECTIONS 9350 - 9510)

Prime Contractor: G2K Construction, Inc., 28348 Roadside Dr #205, Agoura Hills, CA 91301

Sub Contractor: (If Any): _____

Owner or Public Body: City of Los Angeles

Improvement known as 3501 Valley Blvd, Los Angeles, CA 90031

County of Los Angeles, State of California.

Associated Ready Mixed Concrete, Inc Claimant, a Corporation

furnished certain labor, service, equipment or materials used in the above described work of improvement. The name of the person or company by whom claimant was employed or to whom claimant furnished labor, service, equipment, or materials is G2K Construction, Inc

The kind of labor, service, equipment, or materials furnished or agreed to be furnished by claimant was:

Ready Mixed Concrete

Total value of labor, service, equipment, or materials agreed to be furnished.....	\$ 3048.33
Total value of labor, service, equipment, or materials actually furnished is.....	\$ 3048.33
Credit for materials returned, if any.....	\$ _____
Amount paid on account, if any.....	\$ _____
Amount due after deducting all just credits and offsets.....	\$ 3048.33

YOU ARE HEREBY NOTIFIED to withhold sufficient monies held by you on the above described project to satisfy claimant's demand in the amount of \$ Credit Administrator and in addition thereto sums sufficient to cover interest, court costs and reasonable costs of litigation, as provided by law.

A bond (CIVIL CODE SECTION 8532) is not _____ attached. (Bond required with Stop Payment Notice served on construction lender on private jobs - bond not required on public jobs or on Stop Payment Notice served on owner on private jobs).

Date: 09/14/2018 Name of Claimant: Associated Ready Mixed Concrete, Inc

By: 

VERIFICATION

I, the undersigned, state: I am the Credit Administrator of the claimant named in the foregoing Stop Payment Notice; I have read said claim of Stop Payment Notice and know the contents thereof, and I certify that the same is true of my own knowledge. I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 09/14/2018, at Newport Beach, State of California.



REQUEST FOR NOTICE OF ELECTION (Private Works Only)

If an election is made not to withhold funds pursuant to this Stop Payment Notice by reason of a payment bond having been recorded in accordance with Sections 8600, 8536 or 8542, **please send notice** of such election and a copy of the bond within 30 days of such election in the enclosed preaddressed stamped envelope to the address of the claimant shown above. This information must be provided by you under Civil Code Sections 8538.

Signed: _____

Release of Stop Payment Notice

To: City of Los Angeles, 221 N Figueroa St, Ste 300, Los Angeles, CA 90012

PRJ1504P

You are hereby notified that the undersigned claimant releases that certain Stop Payment Notice

dated 09/14/2018 in the amount of \$ 3048.33

against City of Los Angeles

as owner or public body and G2K Construction, Inc., 28348 Roadside Dr #205, Agoura Hills, CA 91301

as prime contractor in connection with the work of improvement known as

3501 Valley Blvd, Los Angeles, CA 90031

In the city of 09/14/2018, County of Los Angeles, State of California.

Date: 09/20/2018 Name of Claimant: Associated Ready Mixed Concrete, Inc

By:


Danielle Aguirre

VERIFICATION

I, the undersigned, state: I am the Credit Administrator of the claimant named in the foregoing Release; I have read said Release of Stop Payment Notice and know the contents thereof, and I certify that the same is true of my own knowledge.

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 09/20/2019, at Newport Beach

State of California