

APPROVED

FEB 02 2023

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 23-029

DATE February 02, 2023

C.D. 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: RANCHO CIENEGA SPORTS COMPLEX PROJECT- PHASE 1 (PRJ20308) (PRJ21190) (W.O #E1907694) – ACCEPTANCE OF STOP PAYMENT NOTICES ON CONSTRUCTION CONTRACT NO. 3645, FOR PINNER CONSTRUCTION CO., INC

B. Aguirre M. Rudnick
H. Fujita C. Santo Domingo
B. Jackson N. Williams

Handwritten signature and title: General Manager

Approved X Disapproved Withdrawn

RECOMMENDATIONS

Direct staff to withhold the amounts claimed in the Stop Payment Notices attached to this Report as Attachment 1 against Pinner Construction Co., 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.

STOP PAYMENT NOTICE

The Department of Recreation and Parks (RAP) is in receipt of two legal notices to withhold construction funds, pursuant to California Civil Code Sections 8044 on the following contract (Attachment 1):

Contract 3645 CD 10

Rancho Cienega Sports Complex Project- Phase 1 (PRJ20308) (PRJ21190) (W.O. # E1907694)
General Contractor: Pinner Construction Co., Inc.
Claimant: Karcher Insulation, Inc.
Amounts: \$19,425.97 \$2,930.23

FISCAL IMPACT

Acceptance of these Stop Payment Notices has no impact on RAP's General Fund.

BOARD REPORT

PG. 2 NO. 23-029

This Report was prepared by Takisha Sardin, Commission Executive Assistant II.

ATTACHMENT

1. Stop Payment Notices

**STOP PAYMENT NOTICE
PUBLIC WORKS OF IMPROVEMENT
Civ. Code §§ 9350 et seq.**

TO:

PUBLIC ENTITY:

CITY OF LOS ANGELES BOARD OF
RECREATION & PARK COMMISSIONERS
221 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

DIRECT CONTRACTOR/REPUTED DIRECT CONTRACTOR:

PINNER CONSTRUCTION CO., INC.
1255 SOUTH LEWIS STREET
ANAHEIM, CA 92805

YOU ARE HEREBY NOTIFIED that Claimant serves a stop payment notice in the sum of:
\$ 19,425.97

Said sum represents the amount due Claimant after deducting all just credits and offsets for work provided through the date of this notice. You are required to withhold from the direct contractor or from any person acting under authority of a direct contractor a sufficient amount due or to become due to the direct contractor to pay the claim stated in this notice.

An estimate of the total price of the work provided or to be provided by Claimant is:
\$ 38,000.00

Date: 08/16/2022

RECEIVED
8/19/22

PLEASE TAKE NOTICE THAT CLAIMANT whose name, address and relationship to the persons to whom this notice is being given are:

KARCHER INSULATION, INC.
2300 EAST ORANGEWOOD AVENUE
ANAHEIM, CA 92806
SUB-CONTRACTOR (KI #90239)

Has furnished or will furnish labor, service, equipment or material of the following general description:

LABOR & MATERIALS TO APPLY THERMAL INSULATION

At the following site, including the street address of the site, if any:

RANCHO CIENEGA SPORTS COMPLEX
PROJECT
5001 RODEO ROAD
LOS ANGELES, CA 90016
PROJECT #44660

The name and address of the person or entity who contracted for the work provided or to be provided by Claimant is:

KINCAID INDUSTRIES, INC.
31-065 PLANTATION DRIVE
THOUSAND PALMS, CA 92276

KARCHER INSULATION, INC.

By: Erica Garcia

ERICA GARCIA CREDIT MANAGER

VERIFICATION

I, ERICA GARCIA, am the CREDIT MANAGER of KARCHER INSULATION, INC. and am authorized to execute this verification on its behalf. I have read the foregoing Stop Payment Notice, know the contents thereof, and the same is true of my personal knowledge.

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

Executed this 16TH day of AUGUST, 2022 at ANAHEIM, State of California.

Erica Garcia

PROOF OF SERVICE AFFIDAVIT

STATE OF CALIFORNIA, COUNTY OF ORANGE

I, ERICA GARCIA, declare that this **STOP PAYMENT NOTICE** was served on the following party or parties by placing true copies thereof enclosed in sealed envelope(s) addressed as follows:

PUBLIC ENTITY

CITY OF LOS ANGELES BOARD
OF RECREATION & PARK
COMMISSIONERS
221 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

[Check appropriate box]

- REGISTERED, CERTIFIED OR EXPRESS MAIL: by placing the notice in a sealed envelope with postage fully prepaid by registered, certified or express mail.
- OVERNIGHT DELIVERY: by causing the notice to be picked up by an overnight delivery service company for delivery.
- PERSONAL DELIVERY; by causing the notice to be personally delivered to each of the addresses on the date below.

[State] I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed this 16TH day of AUGUST, 2022 at ANAHEIM, State of California.


ERICA GARCIA

**STOP PAYMENT NOTICE
PUBLIC WORKS OF IMPROVEMENT
Civ. Code §§ 9350 et seq.**

TO:

PUBLIC ENTITY:

CITY OF LOS ANGELES BOARD OF
RECREATION & PARK COMMISSIONERS
221 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

**DIRECT CONTRACTOR/REPUTED DIRECT
CONTRACTOR:**

PINNER CONSTRUCTION CO., INC.
1255 SOUTH LEWIS STREET
ANAHEIM, CA 92805

YOU ARE HEREBY NOTIFIED that Claimant
serves a stop payment notice in the sum of:
\$ 2,930.23

Said sum represents the amount due Claimant
after deducting all just credits and offsets for work
provided through the date of this notice. You are
required to withhold from the direct contractor or
from any person acting under authority of a direct
contractor a sufficient amount due or to become
due to the direct contractor to pay the claim stated
in this notice.

An estimate of the total price of the work provided
or to be provided by Claimant is:
\$ 70,941.46

Date: 08/16/2022

8/19/22

PLEASE TAKE NOTICE THAT CLAIMANT whose
name, address and relationship to the persons to
whom this notice is being given are:

KARCHER INSULATION, INC.
2300 EAST ORANGEWOOD AVENUE
ANAHEIM, CA 92806
SUB-CONTRACTOR (KI #90270)

Has furnished or will furnish labor, service,
equipment or material of the following general
description:

LABOR & MATERIALS TO APPLY THERMAL INSULATION

At the following site, including the street address of
the site, if any:

RANCHO CIENEGA SPORTS COMPLEX
PROJECT - PH 1 UNDERGROUND
5001 RODEO ROAD
LOS ANGELES, CA 90016
PROJECT #21823/49451

The name and address of the person or entity who
contracted for the work provided or to be provided
by Claimant is:

KINCAID INDUSTRIES, INC.
31-065 PLANTATION DRIVE
THOUSAND PALMS, CA 92276

KARCHER INSULATION, INC.

By: 

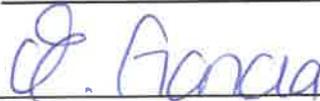
ERICA GARCIA CREDIT MANAGER

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OF RECREATION & PARK
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221 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

[Check appropriate box]

- REGISTERED, CERTIFIED OR EXPRESS MAIL: by placing the notice in a sealed envelope with postage fully prepaid by registered, certified or express mail.
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ERICA GARCIA