

BOARD REPORT

DATE September 09, 2016

NO	16-1	98	
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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT:

LOS ANGELES RIVERFRONT PARK – PHASE II (W.O. #E170406F) PROJECT – DIRECTIVE REQUEST FOR PARTIAL RELEASE OF CONTRACT PAYMENT ON CONSTRUCTION CONTRACT NO. 3385

Just -	AP Diaz * R. Barajas H. Fujita	C&P	V. Israel K. Regan N. Williams		Julianul for General Manager	
	Approved	/		Disapproved	Withdrawn	

RECOMMENDATION

Direct the Department of Recreation and Parks (RAP) Chief Accounting Employee to decrease the withhold amount to Three Hundred Fifty-Seven Thousand, Four Hundred Fifty-Five Dollars and Fifty-Five Cents (\$357,455.55) from Four Hundred Eighty-Seven Thousand, Five Hundred Twelve Dollars and Sixty Cents (\$487,512.60) in accordance with a Directive dated August 23, 2016, from the Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance (OCC) for Construction of the Los Angeles Riverfront Park – Phase II (W.O. #E170406F) Project (Project) by Simgel Company, Inc. (Contractor), Contract No. 3385.

SUMMARY

On November 3, 2015, RAP received a memorandum from OCC (File No. P13-001), Disposition of the Case by the Labor Commissioner, DLSE #2804, in the amount of Six Hundred Fifteen Thousand, Eight Hundred Seventy-Eight Dollars and Eighty-Eight Cents (\$615,878.88), which represents restitution and penalties incurred by the Contractor for the underpayment of prevailing wages and other labor violations.

On April 20, 2016, the Board withheld Six Hundred Fifteen Thousand, Eight Hundred Seventy-Eight Dollars and Eighty-Eight Cents (\$615,878.88) from the Contractor, Contract No. 3385, in accordance with a Directive from the Office of Contract Compliance (Report No. 16-096).

A Directive dated April 15, 2016, from OCC as a revised Request to Withhold Contract Payment was received by RAP's Board Office to decrease the withhold amount to Four Hundred Eighty-Seven Thousand, Five Hundred Twelve Dollars and Sixty Cents (\$487,512.60) from Six Hundred Fifteen Thousand, Eight Hundred Seventy-Eight Dollars and Eighty-Eight Cents (\$615,878.88), for underpayment of prevailing wages and other labor violations for the project.

BOARD REPORT

PG. 2 NO. 16-198

A second Directive dated August 23, 2016 from OCC as a Request for Partial Release of Contract Payment was received by the RAP Board Office to decrease the amount to Three Hundred Fifty-Seven Thousand, Four Hundred Fifty-Five Dollars and Fifty-Five Cents (\$357,455.55) from Four Hundred Eighty-Seven Thousand, Five Hundred Twelve Dollars and Sixty Cents (\$487,512.60)

FISCAL IMPACT STATEMENT

Acceptance of the Revised Request to Withhold Contract Payment has no impact on the RAP's General Fund.

This Report was prepared by Iris Davis, Commission Executive Assistant I. Board Office.

LIST OF ATTACHMENT(S)

1) Request for Partial Release of Contract Payment

Date:

August 23, 2016

OCC File No: R13-001

To:

Armando X. Bencomo

Commission Executive Asst. II Dept. of Recreation & Parks

Mail Stop # 625/15

From:

MwSlimhy for Hannah Choi, Program Manager

Department of Public Works Bureau of Contract Administration

Office of Contract Compliance by Jacqueline Basuel

by Jacqueline Basuel Management Analyst II

Subject:

REQUEST FOR PARTIAL RELEASE OF CONTRACT PAYMENT

LOS ANGELES RIVERFRONT PARK PHASE II

E170406F

Prime Contractor: Simgel Company, Inc.

Please release \$130,057.05 of the amount withheld by the Office of Contract Compliance (OCC) of \$487,512.60 from the contract payments on the above listed project. The release is to cover payments for PR#22(BAL) \$66,692.05 and PR#23 \$63,365.00. This release will reduce the amount being withheld by the OCC for prevailing wage violations to \$357,455.55.

Listed below is the Summary of Withhold Requests on this project to date:

Date Date Release		Contractor	Amount
Withhold	Requested		
Requested			
04/15/16		Simgel Co., Inc.	\$487,512.60
	08/22/16	Simgel Co., Inc.	(\$66,692.05)
	08/22/16	Simgel Co., Inc.	(\$63,365.00)
Total Amount Withheld			\$357,455.55

If you have any questions regarding this matter, please contact Jacqueline Basuel at (213) 847-2661.

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jb/chrono/file

Seffy Wiles, BCA Principal Construction Inspector

Jaime Contreras, BOE Project Manager Mail Stop # 549

Rodrigo Corrella, PWB Accountant II Mail Stor #477