

APPROVED

NOV 02 2023

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 23-184

DATE November 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 NOTICE ON CONSTRUCTION CONTRACT NO. 3645 FOR PINNER CONSTRUCTION CO., INC.

B. Aguirre _____ for M. Rudnick _____
B. Jones _____ * C. Santo Domingo DF
B. Jackson _____ N. Williams _____

[Signature]
General Manager

Approved X Disapproved _____ Withdrawn _____

RECOMMENDATIONS

Direct staff to withhold the amounts claimed in the Stop Payment Notice against Pinner Construction Co., Inc., as detailed in this Report and as set forth in Attachment 1 to 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 a legal notice to withhold construction funds, pursuant to California Civil Code Section 8044, on the following contract:

Rancho Cienega Sports Complex Project – General Contractor: Pinner Construction Co., Inc.
Phase 1 (PRJ20308) (PRJ21190)
(W.O. # E1907694)
Claimant: Golden State Roofing.
Amount: \$6,554.69

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FISCAL IMPACT

Acceptance of the Stop Payment Notice have no impact on RAP's General Fund

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

ATTACHMENT

1. Stop Payment Notice -Golden State Roofing

STOP PAYMENT NOTICE

LEGAL NOTICE TO WITHHOLD CONSTRUCTION FUNDS (Public or Private Work of Improvement) (Per California Civil Code Section 8520, 8530 & 9350)

To: City of Los Angeles Board and park Commissioners
(Name of owner, public entity or construction lender)
221 N. Figueroa Street
(Address, if directed to a bank use address of branch holding fund)
Los Angeles, CA 90012
(if directed to public entity, to the department or officer whose duty it is to make payments)

Project: Rancho Cienega Sports Complex
(Name)
5001 Rodeo Road
(Street Address or Legal Description)
Los Angeles, CA 90016

Name and address of the Project Owner (or reputed owner): City of Los Angeles Board of Recreation and Park Commissioners
221 N. Figueroa Street, Los Angeles, CA 90012

Name and address of the Direct Contractor: Pinner Construction Company, Inc.
1255 S. Lewis Street Anaheim, CA 92805

Name and address of the Construction Lender (if any): _____

TAKE NOTICE THAT Golden State Roofing (Claimant)
(Legal name of the person or firm claiming the stop payment notice)
whose address is 22120 Avalon Blvd., Carson CA 90745
(Address of person or firm claiming stop notice)

has performed labor and furnished materials for a work of improvement described above as Project. The relationship of the Claimant to the other parties is: Subcontractor

The work furnished by claimant is: Roofing System
(generally describe labor, service, equipment, or material furnished or agreed to be furnished by claimant)

The labor and materials were furnished at the request of the following party: Pinner Construction Company, Inc.
1255 S. Lewis Street Anaheim, CA 92805

Total value of the whole amount of labor and materials agreed to be furnished is \$ 99,245.00

The value of the labor and materials furnished to date is: \$ 99,245.00

Claimant has been paid the sum of: \$ 92,690.31

and there is due, owing and unpaid the sum of: \$ 6,554.69

You are required to set aside sufficient funds to satisfy this claim as provided by law. You are also notified that claimant claims an equitable lien against any construction funds for this project which are in your hands.

Dated 09/26/23

NAME: Golden State Roofing
(Name of stop notice claimant)

By: Veronica Salcedo
(Owner or agent of stop notice claimant must sign here and verify below)

Authorized Capacity: Accounts Receivable

VERIFICATION

I, the undersigned, state: I am the Accounts Receivable of the claimant named in the foregoing Stop Notice; I have read said Stop Notice and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 26, 2023, at Carson, California.
(Date this document was signed) (name of city where stop notice signed)

By: Veronica Salcedo
(personal signature of the individual who is swearing that the contents of the stop notice are true)

REQUEST FOR NOTICE OF ELECTION
(Private Works Only)
(Per California Civil Code Section 8536 & 8538)

If an election is made not to withhold funds pursuant to this stop notice by reason of a payment bond having been recorded, **please send notice** of such election and a copy of the bond within 30 days of such election in the enclosed preaddressed stamped envelope. This information must be provided by you under Civil Code Sections 8536 & 8538.

Signed: _____
(Claimant must enclose self-addressed stamped envelope)

PROOF OF NOTICE DECLARATION
(Per California Civil Code Section 8118)

I, Veronica Salcedo, declare that I served a copy of the Stop Payment Notice on the party at the address and on the date shown below:

To Construction Lender/Owner/Public Entity/Or Other Person Holding Construction Funds:
(name) City of Los Angeles Board of Recreation and Park Commissioners

(title or capacity of individual given notice) Owner

(address) 221 N. Figueroa Street, Los Angeles, CA 90012

(date) 09/26/2023

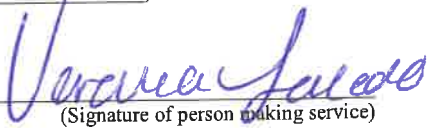
Stop Payment Notice should be served at the following location:

- (a) To an owner other than a public entity, the owner's address shown on the direct contract, the building permit or a construction trust deed;
- (b) To a public entity, the office of the public entity or another address specified by the public entity in the contract or elsewhere for service of notices, papers or other documents. A Stop Payment Notice for a public works contract of the state, shall be given to the director of the department that awarded the contract; and to a public entity other than the state, to the office of the controller, auditor or other public disbursing officer whose duty it is to make payment pursuant to the contract (see Civil Code §9354 for more information).
- (c) To a direct contractor, at the contractor's address shown on the building permit, on the direct contract, or on the records of the Contractors' State License Board.

In the following manner (check appropriate box):

- By personal delivery
- By Registered or Certified Mail (postage prepaid)
- Express mail
- Overnight delivery by _____, an express service carrier

I declare under penalty of perjury, that the foregoing is true and correct. Executed on September 26, 2023, at Carson, California.


(Signature of person making service)