

**BOARD OF PUBLIC WORKS
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CALIFORNIA



KAREN BASS
MAYOR

**OFFICE OF THE
BOARD OF PUBLIC WORKS**

DR. FERNANDO CAMPOS
EXECUTIVE OFFICER

200 NORTH SPRING STREET
ROOM 361, CITY HALL
LOS ANGELES, CA 90012

TEL: (213) 978-0261
TDD: (213) 978-2310
FAX: (213) 978-0278

<http://bpw.lacity.org>

BPW-2023-0603

October 13, 2023

Comm. No. 122604
Contract No. C-131878

DN Tanks, Inc.
351 Cypress Lane
El Cajon, CA 92020

CAO/Risk Mgmt. (Bond CA#628639)

City Controller

OHL USA, Inc.
1920 Main Street, Ste. 310
Irvine, CA 92614

Inspector of Public Works

City Engineer

Office of Accounting

Liberty Mutual Surety
P.O. Box 34526
Seattle, WA 98124-1526
Bond No. 015203951

Berkshire Hathaway Specialty Insurance
1314 Douglas St., Ste. 1400
Omaha, NE 68102

STOP PAYMENT NOTICE

The Board of Public Works filed a communication from DN Tanks, Inc., being a Stop Notice in the amount of \$175,700, for construction on the pre-stressed circular concrete infiltration tank for OHL USA, Inc. in connection with the ARGO Drain Sub-Basin Facility Project.

If available, the said sum plus twenty-five percent thereof, to defray costs of litigation in the event of court action, will be withheld.

If you have any questions regarding this matter, please contact Courtney Lam of my staff at Courtney.Lam@lacity.org.

Sincerely,

TJ KNIGHT,
Assistant Executive Officer, Board of Public Works

TK:lc



OCT 13 2023

STOP NOTICE

Legal Notice to Withhold Construction Funds
Public Works – California Civil Code Sections 9350 et seq.

[Signature]
Executive Officer
Board of Public Works

NOTICE TO:

(Identify Name & Address of Party)

PUBLIC ENTITY

City of Los Angeles
Board of Public Works
200 N Spring St.
Rm 361, City Hall
Los Angeles, CA 90012

PRIME CONTRACTOR

OHL USA, Inc.
1920 Main Street, Suite 310
Irvine, CA 92614

SURETY

Liberty Mutual Surety
Global and Specialty Claims
Region
P.O. Box 34526
Seattle, WA 98124-1526
Bond No.: 015203951

NOTICE FROM ("CLAIMANT"):

(Identify Name & Address & Phone)

DN Tanks, Inc.
351 Cypress Lane
El Cajon, CA 92020

YOU ARE HEREBY NOTIFIED THAT the CLAIMANT, has
furnished labor, services, equipment, or materials, of the
following general description (**SERVICES**):

(Identify Work/Materials Provided by Claimant)

Construction of the pre-stressed circular
concrete infiltration tank

These SERVICES have been contracted for by:

(Identify Name & Address of Party Who Hired Claimant)

OHL USA, Inc.
1920 Main Street, Suite 310
Irvine, CA 92614

These SERVICES were furnished for work of improvement

located at: (Identify Address where project located, as well as Project
Name and Project Number, and any other identifications of the Project)

ARGO Drain Sub-Basin Facility Project: WO No
EW40067F
9151 Falmouth Ave.
Playa Del Rey, CA 90293

Total Value of Whole Amount of SERVICES agreed to be
furnished: \$ 7,473,246.00

Value of SERVICES Furnished to Date: \$ 7,473,246.00

Amount Paid to Claimant: \$ 7,297,546.00

Due , Owing and Unpaid: \$ 175,700.00

This amount is due, owing and unpaid over and above all
payments and offsets.

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You are required to set aside sufficient funds to satisfy this claim with interest, court costs, and reasonable costs of litigation, as provided by law. You are also notified that claimant claims an equitable lien against any construction fund for this project which are in your hands.

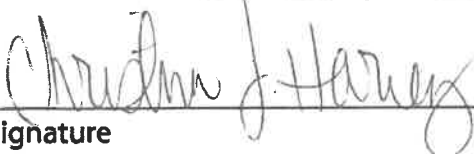
VERIFICATION

I, the undersigned, say: I am the appointed agent 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 knowledge, information and belief. I declare, under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

State of Florida

County of Brevard

Executed on the 18th day of September 2023.



Signature

Signed by: Christina J. Harvey

PROOF OF SERVICE AFFIDAVIT

I, Christina J. Harvey, declare that on the 18th day of September, 2023, I served copies of the attached Stop Notice to the following parties identified on the Notice:

☒ Public Entity

☒ Prime Contractor

☒ Surety

☒ Hiring Party

I served the attached Stop Notice:

☐ By personally delivering the notice to the identified parties;

☒ By First Class Certified Mail service, return receipt requested and postage prepaid, addressed to the party at the address shown on the Stop Notice document.

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

Dated: 18th day of September, 2023.

DN Tanks, Inc.

Christina J. Harvey, Agent for CLAIMANT

Signed by: 

STOP NOTICE

Legal Notice to Withhold Construction Funds
Public Works – California Civil Code Sections 9350 et seq.

NOTICE TO:

(Identify Name & Address of Party)

PUBLIC ENTITY

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Board of Public Works
200 N Spring St.
Rm 361, City Hall
Los Angeles, CA 90012

PRIME CONTRACTOR

OHL USA, Inc.
1920 Main Street, Suite 310
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SURETY

Liberty Mutual Surety
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P.O. Box 34526
Seattle, WA 98124-1526
Bond No.: 015203951

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(Identify Name & Address & Phone)

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El Cajon, CA 92020

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concrete infiltration tank

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(Identify Name & Address of Party Who Hired Claimant)

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1920 Main Street, Suite 310
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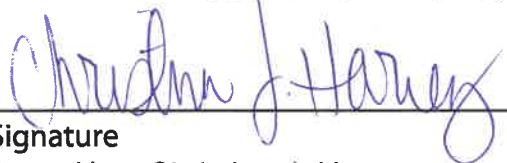
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State of Florida

County of Brevard

Executed on the 18th day of September 2023.



Signature

Signed by: Christina J. Harvey

PROOF OF SERVICE AFFIDAVIT

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☒ X

Public Entity

☐ X

Prime Contractor

☒ X

Surety

☐ X

Hiring Party

I served the attached Stop Notice:

☐

By personally delivering the notice to the identified parties;

☒ X

By First Class Certified Mail service, return receipt requested and postage prepaid, addressed to the party at the address shown on the Stop Notice document.

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

Dated: 18th day of September, 2023.

DN Tanks, Inc.

Christina J. Harvey, Agent for CLAIMANT

Signed by: 