



JPB Board of Directors  
Meeting of January 5, 2023

Correspondence as of January 4, 2023

# Subject

1 Stop Payment Notice Regarding 25th Avenue Grade Separation Project

## MEMORANDUM

**TO:** JPB Board of Directors

**FROM:** James C. Harrison, General Counsel

**DATE:** January 03, 2022

**RE:** Stop Payment Notice Regarding 25th Avenue Grade Separation Project

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The JPB received the attached Stop Payment Notice on December 7, 2022, from Kraw Law Group on behalf of the U.A. Local No. 355 Health and Welfare Trust Fund, U.A. Local No. 343 and 355 Defined Benefit Plan, Northern California/Northern Nevada Landscape & Utility Journeyman and Apprenticeship Training Trust Fund, U.A. Local 355 Hiring Hall Administration Fund and U.A. 355 Labor-Management Cooperation Committee Trust Fund in the total amount of \$10,649.74.

As stated in the notice, the labor described was provided as part of the 25th Avenue Grade Separation Project and completed on September 21, 2022. The work was contracted to RMT Landscape Contractors, Inc.; RMT Landscape Contractors, Inc. has a collective bargaining agreement with U.A. Local No. 355 and was a subcontractor of Shimmick/Disney JV in the construction of the project.

Pursuant to Section 9358 of the California Civil Code, the JPB will withhold 125% of the total from the contractor to pay the claim in the stop payment notice and to provide for reasonable cost of any related litigation, if necessary. This amount will be released once the matter is resolved.

STOP PAYMENT NOTICE - PUBLIC WORK

To: BOARD OF DIRECTORS  
Peninsula Corridor Joint Powers Board  
1250 San Carlos Avenue  
San Carlos, California 94070

You are hereby notified, pursuant to Section 8044 of the California Civil Code, that Claimants, U.A. LOCAL NO. 355 HEALTH AND WELFARE TRUST FUND, U.A. LOCAL NO. 343 and 355 DEFINED BENEFIT PLAN, NORTHERN CALIFORNIA/NORTHERN NEVADA LANDSCAPE & UTILITY JOURNEYMAN AND APPRENTICESHIP TRAINING TRUST FUND, U.A. LOCAL 355 HIRING HALL ADMINISTRATION FUND AND U.A.355 LABOR-MANAGEMENT COOPERATION COMMITTEE TRUST FUND (hereinafter referred to as Claimants), laborers as defined in California Civil Code Section 8024, claim this stop notice in the total amount of \$10,649.74 on behalf of their participants, for work they furnished during the period from April 19, 2021 through September 10, 2021 in the construction of the real property described below:

25<sup>th</sup> Avenue Grade Separation Project  
San Mateo, California

The name of the owner of said premises is the Peninsula Corridor Joint Powers Board.

Said labor was contracted to RMT Landscape Contractors, Inc. who has a collective bargaining agreement with U.A. Local No. 355 and was a subcontractor of Shimmick/Disney JV in the construction of said project.

After deducting all just credits, the amount of claimants' claim is \$10,649.74, together with interest at the legal rate from September 20, 2021 until paid.

Claimants are exempted from the preliminary 20 day notice requirements of Section 8200 and 9300 of the California Civil Code. The claimants' address is c/o their attorney: Lori A. Nord, Kraw Law Group, APC, 605 Ellis Street, Suite 200, Mountain View, California 94043.

KRAW LAW GROUP, APC

Dated: November 7, 2022

By:



LORI A. NORD

Attorneys for Claimants

cc by US Mail: RMT Landscape Contractors, Inc.  
Shimmick/Disney JV

VERIFICATION

I, the undersigned say: that I am one of the attorneys for the claimants in the foregoing Stop Notice - Public Works; I have read said Stop Notice - Public Works and know the contents thereof; that the same is true to the best of my knowledge and belief.

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

Executed on November 7, 2022 at San Francisco, California.



LORI A. NORD