



**VIA EMAIL**

4/21/2023

Jodi Almassy  
Director - Public Works Department  
22 E. Weber Avenue  
Stockton, CA 95202-2317

Re: Response to City Notice of Suspension Dated 4/19/23

Dear Ms. Almassy,

Patriot Contracting, Inc. (PCI) has received the City's *Notice to Suspend Work* (per §16.2.1). For the record, we believe that this action is unnecessary, if the parties merely communicated more openly. We have for several months now asked, no – begged, the City to have a meeting(s) to discuss the various open issues on the job, many of which we believe could have already been resolved. Even now, we believe that the parties can probably resolve the issues through a series of meetings, without a formal suspension.

Having said that, we will abide by the City's direction. Unfortunately, this action by the City will now have a cost and time impact on the project as itemized below.

According to the updated schedule, we believe that the completion of the Project could be achieved within 18-19 weeks assuming we receive immediate responses and direction from the City on how to proceed with the below issues, many of which have been open for months:

- Concrete slab
- Water intrusion
- Operable window ADA compliance
- Fence & Gates
- Building signage
- MPOE substitution
- Sitework rebar



- Sunshade Structure (this item will add additional weeks to completion of North side sitework. But, no impact on building)

The suspension will now obviously delay completion for an unknown amount of time, depending on when the Project is “resumed”.

The cost impact may also be extensive. By way of limited example:

- Work such as sitework that will be left unfinished, will require additional cost to repair.
- Many of the subcontractors will likely request for a de-mobilization and re-mobilization cost which could be in range of \$150K to \$200K.
- Possible direct cost increases (labor and material).
- Possible delay costs
- Possible consequential damages

Also, please note that there is no guarantee that subcontractors will return to site at new schedule if, one is made. This is important and particularly true given that we are starting to get close the busy summer season for subcontractors.

Importantly, we need immediate responses to following questions:

- Should material be left on site?
- Should trailers, storage and sanitation facilities remain at the site or be removed?
- Should all tools and equipment be removed from the site?
- Should PCI personnel leave the site?
- Who will be responsible for site security? Obviously, the City will be responsible for any and all damages as a result of vandalism or theft.

**Please respond immediately so, we could plan accordingly, including advising our subcontractors accordingly.**

Finally, to aid you in your ‘assessment’ please be reminded, as we have stated before, that we are addressing punch list items provided by the City. As of today, almost 15 items have been completed, and several cannot be done due to predecessor activities that do not allow it (including non-receipt of directives from the City on some). Also, note that several of the items are in various stages of completion. **Should we complete these handful of items, or suspend this small amount of work too?**



We once again reiterate our request for a meeting to discuss all open issues in order to hopefully prevent unnecessary additional time and costs as well as headaches, and to get this Project back on track and completed in the least amount of time.

Regards,

A handwritten signature in blue ink that reads "O. Ronaghnia".

Omid Ronaghnia  
Project Manager

Cc:  
Mohammad Beigi, PCI  
Kayhan Fatemi, PCI  
Mohammad Sadiq, City of Stockton  
Eric Alvarez, City of Stockton  
Hernan Munayco, Griffin Structure



# CITY OF STOCKTON

## PUBLIC WORKS DEPARTMENT

22 East Weber Avenue, Room 301 • Stockton, CA 95202-2317 • 209 / 937-8411 • Fax 209 / 937-8277  
www.stocktonca.gov

April 19, 2023

Omid Ronaghinia  
Project Manager  
Patriot Contracting, Inc.  
19031 South Hamilton Avenue  
Gardena, CA 90248

### **NORTHEAST STOCKTON LIBRARY AND COMMUNITY CENTER PROJECT, CITY PROJECT NO. CL17024 (FORMERLY PW1724) - NOTICE TO SUSPEND WORK**

In accordance with section 16.2.1 "Suspension by Owner" of the project special provisions the City is issuing a notice to suspend all work not identified below on the Northeast Stockton Library and Community Center project. As of April 20, 2023, only the scopes of work listed below may commence. Once the scope of work listed below is completed, no work is to be done on the project until a notice to resume work has been issued.

Scopes of work to be completed prior to full suspension of work:

- Completion of fiber cement panel installation
- Installation of parapet cap

Due to the numerous outstanding and open issues on the project, the City is assessing the direction of the project as a whole. The City will reach out to Patriot Contracting, Inc. once our assessment is complete.

JODI ALMASSY, DIRECTOR  
PUBLIC WORKS DEPARTMENT

MOHAMMAD SADIQ  
ASSOCIATE CIVIL ENGINEER

JLA:EA:WJ:JC:MS:cal

emc: Jodi Almassy, Director of Public Works  
Eric Alvarez, Deputy Public Works Director/City Engineer





# CITY OF STOCKTON

## PUBLIC WORKS DEPARTMENT

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July 20, 2022

Omid Ronaghinia  
Patriot Contracting  
4301 Bettencourt Way  
Union City, CA 94587

### **NORTHEAST STOCKTON LIBRARY AND COMMUNITY CENTER, PROJECT NO. CL17024 – CONTRACTOR PERFORMANCE NOTICE**

This correspondence is to provide notice that Patriot Contracting must provide a corrective action plan by 8:00 a.m., Monday, August 1, 2022, to address performance concerns detailed further below. The City of Stockton is allowing Patriot Contracting an opportunity to rectify these concerns and provide immediate corrective actions. The issues that follow highlight the scale of performance challenges encountered to-date and multiple concerns over Patriot Contracting's ability to successfully deliver this project. Patriot Contracting has been provided prior notice verbally and by email of the various deficiencies; unsatisfactory improvements to-date have been made.

The City of Stockton is committed to successfully delivering the new library and community center facility to the residents of Stockton and look forward to Patriot Contracting working collaboratively to resolve the noted performance issues. Patriot Contracting's bonding surety, The Hanover Insurance Company, has been copied on this letter to assist as needed.

There continues to be multiple open and ongoing issues that have affected the progress of this project, including contractor claims and stop notices, working at-risk without approvals, failed inspections, subcontractor delisting and licensing violations, and the slow overall execution of construction activities. As a result, the City of Stockton's project team have had to assist Patriot Contracting on issues not typical of a public project of this scale and magnitude, resulting in increased fees and consultant services.

#### ***Contractor Claims***

From the commencement of construction, Patriot Contracting has had deficiencies upholding subcontractor contracting procedures, licensing compliance of subcontractors, and subcontractor's claim demands. Patriot Contracting has failed to meet the



Omid Ronaghinia  
Patriot Contracting  
July 20, 2022

requirements of Section 4.2.4 "Subcontractor Relations" of the project's Special Provisions.

- On May 11, 2021, JRH General Engineering contacted the City of Stockton with concerns of Patriot Contracting not following the substitution process and attempting to replace them with ABE Fire Protection/ABE Builders. The City of Stockton had to intervene to ensure that Patriot Contracting followed Public Contract Code (PCC) procedures, outlined in PCC 4107, after this issue was escalated to members of the City Council on March 18, 2021. Ultimately, JRH General Engineering was not comfortable working with Patriot Contracting due to the attempt to substitute them out for ABE Fire Protection/ABE Builders in violation of PCC 4107 and walked away from the project.
- Between April 27 to May 26, 2021, Patriot allowed ABE Fire Protection/ABE Builders, to work on the project with license compliance issues, including a suspended license. Again, the City of Stockton had to intervene to ensure ABE Fire Protection/ABE Builders' licenses were reinstated by the State Contractors Licensing Board before resuming work on site.
- Most recently, subcontractor claims by Weldway Steel (issued April 14, 2022), BT Mancini Stop Payment Notice (issued May 17, 2022), and L&H Airco Stop Payment Notice (issued May 23, 2022) all totaling more than \$600,000 for work performed and materials, have raised concern about Patriot Contracting's obligation to paying their subcontractors in accordance with Section 11.7.2 "Payment to Subcontractors" and Section 11.7.5 "Payment to Suppliers" of the project's Special Provisions.
- The City of Stockton is also concerned with Patriot Contracting's ability to address other cost impacts such as additional professional services back-charges, material escalation, and subcontractor claims. In accordance with Section 10.1.10 "Claims for Costs of Additional Professional Services" of the project's Special Provisions, more than \$100,000 in additional professional services to date are pending to be back charged to Patriot Contracting from Architect, Structural Engineer and Special Inspections services for corrective and revised design services and cancelled and uncoordinated inspections with subcontractors.

### ***Working At-Risk***

Patriot Contracting has been notified multiple times to avoid working at-risk, without approvals secured. Re-work adds costs and impacts the schedule, which was emphasized in discussion with Mohammad Beigi, owner of Patriot Contracting, during the Disputes Follow Up Meeting held April 4, 2022. John Chang, City of Stockton, made it clear that Patriot Contracting was not to continue to work at-risk and disregard processes and procedures specified in the project's Special Provisions Sections 3.1.2 "Performance", 5.1.6 "No Work Until Approval", and Article 9 "Changes in Work".

Omid Ronaghinia  
Patriot Contracting  
July 20, 2022

- The first at-risk notice was issued for unapproved Vapor Barrier installed on November 11, 2021.
- Currently, the unapproved interior framing has delayed subsequent work from starting such as interior wall insulation and drywall. The late submittal called for on Sheet S1.1 of the project plans was only recently approved, and the pending framing corrections and re-work continues to affect the schedule indefinitely. The late and incomplete submittal is not in compliance with Sections 5.1.1 "Shop Drawings", 5.1.5 "Deferred Approvals", 5.1.8 "Contractor Responsibilities", and 8.3.4 "Submittals" of the project's Special Provisions.
- Most recently, work for structural roof bracing for mechanical openings started prior to PCO being issued, work that the contractor claims to be added work in contradiction to details shown on the construction documents. The late submitted PCO is not in compliance with Section 10.1.3 "Time Limits on Claims" of the project's Special Provisions.

### ***Impacts to Project Progress***

Patriot Contracting is not managing their schedule. The construction schedule issued May 5, 2022, identifies multiple construction activities no longer being tracked and doesn't correspond to the recent construction slow down on the jobsite. This project schedule is not in compliance with Sections 8.3.2 "Breakdown" and 8.4.3 "Expeditious Completion" of the project's Special Provisions. Many critical path activities have not yet started, including interior wall insulation (scheduled start May 16, 2022), drywall (scheduled start May 26, 2022), storefront installation (scheduled start May 16, 2022), or completion of ongoing work such as HVAC ducting (scheduled start December 16, 2021, actual start April 22, 2022) with overall MEPS rough-ins completion with final inspection scheduled for May 18, 2022. With the interior framing rework pending and many submittal deliverables still outstanding, further schedule impacts are anticipated including possible procurement delays.

- The project is approximately over 60 working days behind schedule projecting over \$500,000 in liquidated damages being charged to Patriot Contracting at the rate of \$8,300 per day.
- The Architect has extended their construction support services by five months beyond their original scope of work due to the late construction start date pushed out from early February to late March, and the anticipated late end of construction attributed to self-performance concrete pour issues with CEMEX and with the current delay of storefront, curtainwall, and exterior doors installation originally scheduled for late December 2021/early January 2022. The City of Stockton intends to back-charge Patriot Contracting for these additional design services as detailed in Section 10.1.10 "Claims for Costs of Additional Professional Services" of the project's Special Provisions.

Omid Ronaghinia  
Patriot Contracting  
July 20, 2022

- The building remains open to the elements and has allowed the interior bird nesting situation since late April 2022. Because the bird nests are protected per the State and Federal Endangered Species Act and enforced by San Joaquin County, the City of Stockton is now incurring additional fees to implement interior bird mitigation measures under onsite supervision of bird monitors three times a week. Ongoing interior bird nesting issues would be unnecessary if storefronts, curtainwall, and doors were already installed, or if Patriot Contracting proactively followed up with covering the building openings with temporary protection per prior onsite discussions and correspondence.

Failure to respond and provide the requested corrective action plan may result in a review of your responsibility to perform further work with the City of Stockton.



JODI ALMASSY, DIRECTOR  
PUBLIC WORKS DEPARTMENT

JLA:EA:WJ:JC:MS:cl

cc: William Crew, Deputy City Manager  
Taryn Jones, Deputy City Attorney  
The Hanover Insurance Company





# CITY OF STOCKTON

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## PUBLIC WORKS DEPARTMENT

22 East Weber Avenue, Room 301 • Stockton, CA 95202-2317 • 209 / 937-8411 • Fax 209 / 937-8277  
www.stocktonca.gov

August 15, 2022

Omid Ronaghinia  
Patriot Contracting  
4301 Bettencourt Way  
Union City, CA 94587

### **NORTHEAST STOCKTON LIBRARY AND COMMUNITY CENTER, PROJECT NO. CL17024 – RESPONSE TO PATRIOT CONTRACTING’S LETTER**

The City of Stockton (City) has received your letter dated July 29, 2022, in response to the City’s Contractor Performance Notice to Patriot Contracting (Patriot). Your letter made several assertions that are inaccurate for the reasons discussed below. Failure to recognize the issues detailed in the City’s letter as contractor generated issues further raises the City’s concerns about Patriot’s ability to complete construction of the project in accordance with contract requirements. As such, the City will be monitoring Patriot’s progress moving forward to determine if additional actions are required to protect the City’s interest. Additionally, as detailed below, the City will continue to require a regularly updated recovery schedule that details how Patriot intends to complete construction of the project within the allotted working days.

Below are responses from the City to Patriot’s letter.

#### **Subcontracting Issues**

Regarding subcontractor substitution, as indicated in the City’s letter dated July 20, 2022, Patriot attempted to replace JRH General Engineering (JRH) with ABE Fire Protection/ABE Builders (ABE) at the start of construction in direct violation of Public Contract Code (PCC) 4107. Mohammad Sadiq had to specifically direct Patriot to PCC 4107 & 4110 and how Patriot was opening itself to the possibility of the City canceling Patriot’s contract on this project due to potential PCC violations. Only after PCC 4107 & 4110 were brought to Patriot’s attention did Patriot try to go back and issue a contract in full to JRH. However, at that point the working relationship with JRH was damaged and JRH did not have confidence in Patriot’s intentions to honor their contract and chose to walk away from the project.

Patriot ultimately executed a contract with ABE for JRH’s original scope of work. This resulted in Patriot having a subcontractor on site with suspended licenses on multiple occasions. Patriot’s claim that ABE’s license was only an issue due to delayed paperwork



because of COVID-19 is inaccurate. Mohammad Sadiq and Hernan Munayco had to reach out to the Contractors State License Board (CSLB) directly to assist in resolving the matter with ABE's suspended licenses. In the conversation with the CSLB, Mohammad Sadiq was informed that ABE failed to submit correct documentation for their license as well as had a \$15,000 bond requirement on both of their licenses due to prior violations. It was only when Mohammad Sadiq and Hernan Munayco got involved and contacted the CSLB that the licensing issue was resolved.

As a result of the attempted subcontractor substitution in violation of PCC and the licensing issues with ABE, the Construction Industry Force Account Council (CIFAC) reached out to City staff, the Mayor's Office, City Manager, and City Council highlighting these items as issues of serious concerns. Again, the City had to get involved in resolving contractor generated issues to assure the project could move forward.

### **Material Escalation**

Patriot's comments regarding Weldway Steel Fab's stop notice being caused by the City is again inaccurate. The City did not advise Patriot to ask subcontractors for backup for material escalation costs. Patriot had repeatedly asked for compensation for material escalation and the City reminded Patriot that the City does not pay for material escalation. Patriot was insistent on material escalation being out of their control and an item the City needed to consider. The City reminded Patriot that any claims for additional cost would need to be supported with proper documentation. After reviewing the documentation submitted by Patriot, it became apparent that Patriot's claim of material escalation being out of their control was not accurate. Patriot was aware of material escalation before executing a contract with the City for its original bid amount. This includes material escalation from Weldway Steel Fab. The City even reached out to Emigdio Robles, Patriot Contracting's point of contact at the time, on October 8, 2021, to verify material escalation was not an issue prior to executing a contract with Patriot. Within hours of the City's inquiry about material escalation, Emigdio responded confirming material escalation was not an issue.

After making the commitment that material escalation was not an issue, Patriot delayed starting construction to the point the City was forced to issue the Notice to Proceed towards the end of March 2021 when Patriot indicated they would be ready to begin construction in early February 2021. The delayed start in combination with Patriot's slow onboarding of subcontractors and even slower process of submitting material submittals are all contractor generated issues that have contributed to material escalation.

For the reasons listed above, the City ultimately decided to reject Patriot's claim for material escalation.

### **Stop Notices**

Patriot's claim that B.T. Mancini and L&H Airco's stop notices are non-issues since they involved second tier subcontractor is again inaccurate. The stop notices were generated

by B.T. Mancini and L&H Airco, not their subcontractors. Additionally, Patriot is responsible to assure timely payment is made to all parties associated with contracts they issue on the Northeast Stockton Library and Community Center project.

### **Back charges for Professional Services**

Your attention is brought to section 10.1.10 "Claims for Costs of Additional Professional Services" of the project's Special Provisions. The City has the right to back charge Patriot for additional professional services required due to any act or omission of the contractor. The City intends to exercise this right once all costs are known.

Additionally, Patriot is reminded of the on-site meeting held with Mohammad Beigi, Mohammad Sadiq, John Chang, and Hernan Munayco on April 4, 2022, where Mohammad Beigi agreed to pay for back charges for additional services incurred by the City due to Patriot's issues in the field. If Patriot does not hold to this agreement, the City will void the additional days granted to Patriot as part of the agreement.

### **RFI's**

Patriot's claim for compensation on the over 300 RFI's submitted on the project has no merit. A significant number of the submitted RFI's were either returned to Patriot directing them to the information on the contract documents or were corrective RFI's generated because of Patriot's mistakes in the field. Additionally, the City's team has worked closely with Patriot to expedite reviews of RFI's that are critical to the progress of construction despite Section 7.2.8 "Response to RFI's" of the project's Special Provisions allowing the 14 days to respond to RFI's.

### **Working at Risk**

Patriot submitting last minute RFI's, PCO's, and submittals and moving forward without allowing adequate time for review per the project's specifications is not acceptable and would not be acceptable on any project. Patriot is reminded that they are required to submit timely RFI's, PCO's, and submittals to allow adequate time for City review and not to move forward with work without authorization.

### **Cemex**

The City executed its Community Workforce Training Agreement (CWTA) to help foster growth in skilled labor in the City. The CWTA was approved by the City Council in 2016, was renewed in 2019, and was clearly incorporated into the bid and the subsequent Agreement with Patriot. Patriot was well aware of the CWTA requirements on this project. It was Patriot's obligation to account for CWTA and to meet its requirements. Regardless, the City worked with all parties to provide alternates to Cemex, but Patriot chose not to pursue those alternates and rather reassigned the concrete scope of work to Radius Earthwork. Since the concrete work was reassigned to Radius Earthwork there have not been any significant issues.

Omid Ronaghinia  
Patriot Contracting  
August 15, 2022  
Page 4

**Schedule**

While material lead time is a concern in the construction industry, Patriot's lack of proactiveness in addressing the concern has contributed to the issue. As mentioned previously, Patriot's slow onboarding of subcontractors and even slower processing of material submittals has had as much if not more of an impact on material procurement as the construction environment. Had Patriot been more proactive in addressing material procurement, the project would not be behind schedule as it is now. The City will continue to require a regularly updated recovery schedule to show how Patriot will complete construction within the allotted working days on the project.

JODI ALMASSY, DIRECTOR  
PUBLIC WORKS DEPARTMENT



MOHAMMAD SADIQ  
ASSOCIATE CIVIL ENGINEER

JLA:EA:WJ:JC:MS:cal

cc: William Crew, Deputy City Manager  
Taryn Jones, Deputy City Attorney  
The Hanover Insurance Company



July 29, 2022

Jodi Almassy  
Director  
Public Works Department  
22 E. Weber Avenue, Room 301  
Stockton, CA 95202-2317

Re: NORTHEAST STOCKTON LIBRARY AND COMMUNITY CENTER- PROJECT NO. CL17024

Sub: CONTRACTOR PERFORMANCE NOTICE

Dear Ms. Almassy,

It was a pleasure meeting you and your team on July 27, 2022, at our office, at the jobsite. I believe the meeting was constructive, especially with scheduling and issues which were discussed in the meeting. Also, please see our brief response to the items, of concerns, stated in your letter.

Your letter calls for deficiencies about the subcontractors, which Patriot is in total disagreement.

With regards to JRH, you may not be aware that their attorney apologized to Patriot for misbehavior of his client.

Regarding ABE licensing and per ABE Fire Protection, ABE had submitted their fee and paperwork to CSLB for the renewal of their license, but CSLB delayed the process because of COVID-19 and shortage in staff. Patriot used its own sources to expedite the process.

Regarding Weldway's stop notice, we have to blame the City of Stockton, who advised us to ask subs to provide documentation on cost increases of materials for possible compensation by the City, but after 4 months which Patriot spend excessive amount of time to verify and submit those documents, the City denied compensation. This act, by the city, opened a can of worms and on this reason, Weldway, filed a stop notice. The City ignored the stop notice, determining that it had no merit.

Also, the stop notices by B.T. Mancini & L&H Airco, was a matter with our subs, which Patriot had no knowledge of their agreement with sub tier contractor or supplier. Although there was no outstanding payment due to either of our subs, Patriot still issued joint checks on both claims to release those stop not ces.



Regarding the back charges for professional services, Patriot denies and rejects all back charges. Patriot will claim compensation for the time spent on excessive amount of RFI's, over 300, and excessive delays in responding to CORs. As well as claim for approvals and payments, if the City pursues Patriot on the back charges.

With regards to working at risk, the City should appreciate Patriot's efforts to persevere and complete the project as soon as possible. The City's responses to the issues, especially the COR's, are way beyond standards and waiting for approval would have delayed the progress of the project extensively.

Regarding Cemex, again we should blame the City for their negligence. The City signed an agreement with the local unions, including the supplier of concrete, but neglected to verify the number of suppliers that meet the requirement, which in this case was sole source. When the issue occurred, Cemex response was the shortage of drivers because of COVID-19.

Finally, regarding the schedule, we discussed on this matter in our meeting. Today's market for supply & delivery of materials is very unusual and unexpected. This is a national issue, which manufacturers & suppliers cannot warrant delivery dates and postponing the deliveries repeatedly. This is a national disaster beyond the control of Patriot, and it is affecting almost every project within the USA.

We hope the above, brief explanations, satisfies the City. Patriot is doing everything possible to complete this project as soon as possible and we appreciate the City's understanding and cooperation to achieve this goal.

Please do not hesitate to call me if you have any questions or to meet again.

Sincerely,  
PATRIOT CONTRACTING, INC.

A handwritten signature in blue ink, appearing to read "Omid Ronaghinia".

Omid Ronaghinia  
Project Manager

CC: William Crew, Deputy City Manager  
CC: Taryn Jones, Deputy City Attorney  
CC: Mohammad Sadiq, Associate Civil Engineer  
CC: The Hanover Insurance Company  
CC: Mohammad Beigi, President of Patriot Contracting, Inc.



August 23, 2022

Jodi Almassy  
Director  
Public Works Department  
22 E. Weber Avenue, Room 301  
Stockton, CA 95202-2317

Re: NORTHEAST STOCKTON LIBRARY AND COMMUNITY CENTER- PROJECT NO. CL17024

Sub: CITY LETTER DATED 08/15/2022

Dear Ms. Almassy,

Patriot Contracting, Inc. (PCI) is in receipt of the City's letter Dated 08/15/2022. Below, please find our response to the items/comments contained within the letter. (Exhibit #4)

**Item A: Subcontracting Issues**

1: JRH

The attached letter "Exhibit #1" is self-explanatory which briefly describes the issue. PCI did not pursue the matter at the request of the City.

2: ABE Fire Protection

Subcontractors are independent entities & fully responsible for their own acts, including, always keeping their license valid. ABE's License was valid at the time of signing the agreement. PCI did not, and could not, have knowledge if ABE was not proactive to validate their license on time and should not be blamed for it. It's important to mention that PCI tried to use local businesses on this project, which in turn has caused some negative results.

**Item B: Materials Escalation**

The statement by the City on this matter is vague with incorrect & twisted facts.

The attached emails of 6/7/2021 & 6/4/21, within "Exhibit #2" are very clear in showing PCI followed CM & PM Directive on this matter without any benefit for PCI, but to support local businesses.

**Item C: Delay in Start of Work**

Exhibit #3 showing that permit was not issued until April 1, 2021 & work could not be started until permit was issued. Also, a purchase order could not be issued because of some changes in City's policy. Exhibit 3.1 showing that PCI was proactive & has already submitted submittals for some items for start of work.

**Item D: Stop Notices**

City's comment on this issue & blaming PCI is nothing other than a cheap shot. PCI does not have any control over subs & their agreement with sub tier contractors or suppliers. PCI had paid the subs for their invoices but, when these issues arose, immediately responded by making two joint checks to resolve the matter & release the stop notices.



**Item E: Back Charges**

PCI does not recall any meeting on April 4th, 2022. Also, Mr. Beigi does not recall any conversation regarding back charges with anyone from the City at any time and ever.

**Item F: RFI's**

It is true that RFI's are explained in specification, but it is also true that time spent on RFI's are excusable delay & may even be compensable. Issuance of over 300 RFI's showing extensive deficiencies in construction documents causing thousands of additional hours of work for PCI & its subs.

**Item G: Working at Risk**

This item in reality, showing seriousness of PCI to proceed with progress of the project & its completion as soon as possible. PCI's efforts should be appreciated.

**Item H: Cemex**

This issue with Cemex & lack of driver because of COVID was something that happened, which PCI had no prior knowledge of it. The proposed solution by the City, which was after the fact, that PCI could have hired drivers itself is almost childish.

**Item I: Schedule**

Today market is very unusual. Shortage of materials & labor are nationwide even worldwide. Delivery of materials is way far from the time prior to COVID & in no way is warranted by manufacturer & suppliers effecting almost every project in the entire country. PCI & this project are no exception to this condition & being suffered as result of it

**Item J: COR's**

The letter intentionally ignores the COR's, which is matter of neglect by the City and delays of over several months, causing financial hardships for PCI & it's subs, especially with this market. (Exhibit #5).

**Item K: Conclusion**

PCI is committed to complete the project & deliver it to the City as soon as possible. PCI & it's subs requiring City's cooperation & help in lieu of denials & retaliation. The success of every construction project depends on trust & cooperation of all parties. Unfortunately, we have seen more retaliation other than cooperation by the City & that is hurting the project, PCI & it's subs.

Sincerely,

A handwritten signature in blue ink, appearing to read "Omid Ronaghinia", with a stylized flourish at the end.

Omid Ronaghinia  
Project Manager

CC: William Crew, Deputy City Manager  
CC: Taryn Jones, Deputy City Attorney  
CC: Mohammad Sadiq, Associate Civil Engineer  
CC: The Hanover Insurance Company



Exhibit # 1



3/18/2021

To: J.R.H  
Attn: Shannon Hurls, President  
RE: Northeast Stockton Library and Community Center Project  
Subject: J.R.H email of March-17-2021 2:57PM

Ms. Hurles,

Your email of March-17-21 is false accusation & disturbing. Weeks ago, I personally spoke to Josh & explained to him about duplication of partial scope of work in JRH proposal & another sub's proposal. I asked him his preference which he expressed the entire scope per his proposal. Immediately I asked the PM, Omid to issue a letter of intent & subcontract for the full amount. Unfortunately, your action & accusation is leaving me with no choice to refer the matter to our attorney & filing a lawsuit against your firm & you personally for,

- Making False & untruthful accusations.
- Pulling-out your bid in a public project without valid excuses.
- Recovery of possible delays & LDs as result of your action.

I would also like to advise you that, being a contractor, you should learn & honor codes of ethics, professionalism & honesty.



Mohammad H. Beigi  
President/ CEO  
Patriot Contracting, Inc.

Cc: Kayhan Fatemi- General Counsel

Tel: (310) 436-1740 Fax: (310) 436-1750  
Email: [info@patriotcontracting.us](mailto:info@patriotcontracting.us)  
An Equal Opportunity Employer  
CSLB #921239

## Exhibit# 2.1

### Omid Ronaghinia

---

**From:** Hernan Munayco <hmunayco@griffinstructures.com>  
**Sent:** Monday, June 7, 2021 2:46 PM  
**To:** Omid Ronaghinia; Mohammad Beigi  
**Cc:** Mohammad Sadiq; Jon Hughes; Patty Karapinar; Jeff Davis  
**Subject:** NE STOCKTON LIBRARY / Material Procurement

Omid / Patriot Contracting

As per your agreement with the City of Stockton, the Contractor is responsible to complete this project at the cost and schedule agreed upon.

In light of recent subcontractors backing out of the project due to escalating material cost, the City is aware that this can challenge the project's progress and needs to Patriot to remain proactive in addressing this issue with the subcontractors way ahead of time before it becomes a price or lead time issue.

The City will consider material escalation on a case by case basis. In order to do so, Patriot needs to provide as much detail including pricing and lead times for City to review.

Also we will be tracking this subject at the OAC meetings, starting this week, so please be ready to provide input. It's important for the AOR to also be engage and provide any comments & reviews necessary if material is considered to be purchased ahead of time similar to your authorization from the City to purchase metal studs.

We also understand the Contractor is aware of the responsibility for material storage arrangements.

We appreciate your due diligence in keeping this project moving and addressing issues ahead of time. The City will need your constant input to prevent any material procurement issues.

Thank you



**Hernan M. Munayco** | VP, Program & Construction Manager  
GRIFFIN STRUCTURES  
(O) 949-497-9000 X293 | (C) 626-375-0946  
[Web](#) | [LinkedIn](#)

## Exhibit# 2.2

### Omid Ronaghinia

---

**From:** Hernan Munayco <hmunayco@griffinstructures.com>  
**Sent:** Thursday, June 24, 2021 2:45 PM  
**To:** Omid Ronaghinia  
**Subject:** RE: NE STOCKTON LIBRARY / PRICING COMMENTS  
**Attachments:** STKTN Pricing Tracking Log 06.23.2021.xlsx

Omid

Attached is the updated Pricing tracking log for CCD's & PCO's to date.

As discussed with Mohammad yesterday, the following comments were provided:

For CCD's

- Provide labor & material breakdown (similar to what is included in PCO's)
- CCD's 03-2.a FCU's...Mohammad disagrees that this is a legit price impact since units correct locations were shown on mechanical plans

PCO's

- For material escalation pco's, where materials already bought? If so provide receipts
- No mark ups for material escalation items, what is the reason for markup?
- City will only consider material escalation for each once, for example plumber should submit impacts to all rough material and fixtures at once not piecemeal approach.

Please follow up with all the original mark up comments too including for CCD1 and resubmit as soon as possible.

Feel free to call me to discuss

Thanks



**Hernan M. Munayco** | VP, Program & Construction Manager  
GRIFFIN STRUCTURES  
(O) 949-497-9000 X293 | (C) 626-375-0946  
[Web](#) | [LinkedIn](#)

---

**From:** Hernan Munayco  
**Sent:** Wednesday, June 23, 2021 11:38 AM  
**To:** Omid Ronaghinia <oronaghinia@patriotcontracting.us>  
**Subject:** NE STOCKTON LIBRARY / PRICING COMMENTS

## Exhibit# 3.1

### Omid Ronaghinia

---

**From:** Mohammad Sadiq <Mohammad.Sadiq@stocktonca.gov>  
**Sent:** Monday, March 29, 2021 9:13 AM  
**To:** Omid Ronaghinia; Mohammad Beigi  
**Cc:** Hernan Munayco  
**Subject:** NE Stockton Library - Building Permit  
**Attachments:** Unsigned Permit\_BP19-08619.pdf

Hello Omid,

Please have Patriots authorized agent, I believe that is Mohammad Beigi, fill out and sign the attached form in the areas marked with an "x" and send me a PDF of the completed form. I will need to send this to our Permit Center before they issue the actual building permit.

Thank you,

Mohammad Sadiq, P.E.  
Associate Civil Engineer  
Public Works Department  
22 E. Weber Avenue, Room 301  
Stockton, CA 95202-2317  
(209) 937-8299

## Exhibit# 3.2

### Omid Ronaghinia

---

**From:** Hernan Munayco <hmunayco@griffinstructures.com>  
**Sent:** Thursday, February 25, 2021 1:43 PM  
**To:** Omid Ronaghinia  
**Cc:** Jon Hughes  
**Subject:** NE Stockton Library / NTP and Subcontractors

**Importance:** High

Omid

Mohammad gave me an update about the NTP after this morning's meeting. He needs the baseline schedule and your first round of subcontractors ready to start work, starting with submittals. The city issues the NTP once they know that the contractor and his team are ready to start work so we need your subs involved in today's meeting be on board and ready to start

He is concerned that the construction start date has been pushed out to later in March.

Per your comments, you would like to talk to Jon and I about how the project start delay issues have affected some of your bid subs in keeping their original price since last summer

Please forward a list of the items you would like to discuss to make the meeting productive. I will let you know how soon we can meeting I'm pushing for tomorrow

Thanks



**Hernan M. Munayco** | VP, Program & Construction Manager  
GRIFFIN STRUCTURES  
(O) 949-497-9000 X293 | (C) 626-375-0946  
[Web](#) | [LinkedIn](#) | [Facebook](#)

## Exhibit# 3.3

### Omid Ronaghinia

---

**From:** Mohammad Sadiq <Mohammad.Sadiq@stocktonca.gov>  
**Sent:** Thursday, April 1, 2021 2:06 PM  
**To:** Omid Ronaghinia  
**Cc:** Hernan Munayco  
**Subject:** NE Stockton Library - Building Permit

Hi Omid,

Please use the link below to access the Building Permit and associated documents for the NE Stockton Library Project. You will need to keep full sized copies of all of these documents at the job site at all times.

Our inspection team stated they are about a week out on inspections and asked that all inspection be scheduled at least one week in advance.

<https://www.dropbox.com/sh/3tkqj9h2lqqg8e4/AADYqbClxMLOnlvbUOmQjJG2a?dl=0>

Thank you,

Mohammad Sadiq, P.E.  
Associate Civil Engineer  
Public Works Department  
22 E. Weber Avenue, Room 301  
Stockton, CA 95202-2317  
(209) 937-8299

## Exhibit# 3.4

### Omid Ronaghinia

---

**From:** Hernan Munayco <hmunayco@griffinstructures.com>  
**Sent:** Friday, January 29, 2021 2:01 PM  
**To:** Omid Ronaghinia  
**Cc:** Jon Hughes; Mohammad Sadiq; Mohammad Beigi; Marjorie Otbo; Farbod Farrokhi  
**Subject:** RE: P2002 - NE Stockton Library - Patriot Contracting Construction Team

Omid

Good talking to you...yes forward the RFI's as soon as they're ready

I will set up the Submittal Exchange training for Thursday Feb 11 at 11am. The specs upload should have been completed by the start of that week and we use our actual project submittals in the training session. I will include you and Marjorie per your request

In terms of the steel shops received today please review for the tight tolerances in the ada clearance areas such as in the restrooms per the AOR's comments. Please forward as soon as you review and so I can look at them too

Look forward to meeting you next week

Thank you

 **Hernan M. Munayco** | VP, Program & Construction Manager  
GRIFFIN STRUCTURES  
(O) 949-497-9000 X293 | (C) 626-375-0946  
[Web](#) | [LinkedIn](#) | [Facebook](#)

---

**From:** Omid Ronaghinia <oronaghinia@patriotcontracting.us>  
**Sent:** Friday, January 29, 2021 10:31 AM  
**To:** Hernan Munayco <hmunayco@griffinstructures.com>  
**Cc:** Jon Hughes <jhughes@griffinstructures.com>; Mohammad Sadiq <Mohammad.Sadiq@stocktonca.gov>; Mohammad Beigi <mbeigi@patriotcontracting.us>; Marjorie Otbo <motbo@patriotcontracting.us>; Farbod Farrokhi <ffarrokhi@patriotcontracting.us>  
**Subject:** P2002 - NE Stockton Library - Patriot Contracting Construction Team

Hernan,

Per our phone conversation yesterday, here is the list of our construction team:

- Mohammad Beigi, CEO, [mbeigi@patriotcontracting.us](mailto:mbeigi@patriotcontracting.us) , (510) 772 9121
- Omid Ronaghinia, Project Manager, [omid@patriotcontracting.us](mailto:omid@patriotcontracting.us) , (510) 365 4402
- Marjorie Otbo, Project Engineer, [motbo@patriotcontracting.us](mailto:motbo@patriotcontracting.us) , (510) 458 3812
- Farbod R. Farrokhi, Project Engineer, [ffarrokhi@patriotcontracting.us](mailto:ffarrokhi@patriotcontracting.us) , (510) 460-8554

Please copy all Patriot team in your future correspondences.

Thank you,

## Exhibit# 3.5

### Omid Ronaghinia

---

**From:** Mohammad Sadiq <Mohammad.Sadiq@stocktonca.gov>  
**Sent:** Thursday, January 14, 2021 9:02 AM  
**To:** Omid Ronaghinia  
**Cc:** Mohammad Beigi  
**Subject:** NE Stockton Library Project - Construction Contract  
**Attachments:** Contract 2020-12-15-1404 P - Patriot Contracting - Northeast Stockton Library and Community Center.pdf

Good morning Omid,

Attached is the executed construction contract for the NE Stockton Library Project. Due to the City shifting to a new financial management system it will take a few more weeks before we have a purchase order for this project.

In the mean time we would like to hold a preliminary meeting with Patriot Contracting and our CM, Griffin Structures. The intent of this meeting is to discuss first steps that can be taken to assure a smooth transition into construction.

Please let me know what your teams availability is for a Microsoft Teams meeting next week.

Thank you,

Mohammad Sadiq, P.E.  
Associate Civil Engineer  
Public Works Department  
22 E. Weber Avenue, Room 301  
Stockton, CA 95202-2317  
(209) 937-8299





## CITY OF STOCKTON

### PUBLIC WORKS DEPARTMENT

22 East Weber Avenue, Room 301 • Stockton, CA 95202-2317 • 209 / 937-8411 • Fax 209 / 937-8277  
www.stocktonca.gov

August 15, 2022

Omid Ronaghinia  
Patriot Contracting  
4301 Bettencourt Way  
Union City, CA 94587

### **NORTHEAST STOCKTON LIBRARY AND COMMUNITY CENTER, PROJECT NO. CL17024 – RESPONSE TO PATRIOT CONTRACTING’S LETTER**

The City of Stockton (City) has received your letter dated July 29, 2022, in response to the City’s Contractor Performance Notice to Patriot Contracting (Patriot). Your letter made several assertions that are inaccurate for the reasons discussed below. Failure to recognize the issues detailed in the City’s letter as contractor generated issues further raises the City’s concerns about Patriot’s ability to complete construction of the project in accordance with contract requirements. As such, the City will be monitoring Patriot’s progress moving forward to determine if additional actions are required to protect the City’s interest. Additionally, as detailed below, the City will continue to require a regularly updated recovery schedule that details how Patriot intends to complete construction of the project within the allotted working days.

Below are responses from the City to Patriot’s letter.

#### **Subcontracting Issues**

Regarding subcontractor substitution, as indicated in the City’s letter dated July 20, 2022, Patriot attempted to replace JRH General Engineering (JRH) with ABE Fire Protection/ABE Builders (ABE) at the start of construction in direct violation of Public Contract Code (PCC) 4107. Mohammad Sadiq had to specifically direct Patriot to PCC 4107 & 4110 and how Patriot was opening itself to the possibility of the City canceling Patriot’s contract on this project due to potential PCC violations. Only after PCC 4107 & 4110 were brought to Patriot’s attention did Patriot try to go back and issue a contract in full to JRH. However, at that point the working relationship with JRH was damaged and JRH did not have confidence in Patriot’s intentions to honor their contract and chose to walk away from the project.

Patriot ultimately executed a contract with ABE for JRH’s original scope of work. This resulted in Patriot having a subcontractor on site with suspended licenses on multiple occasions. Patriot’s claim that ABE’s license was only an issue due to delayed paperwork



because of COVID-19 is inaccurate. Mohammad Sadiq and Hernan Munayco had to reach out to the Contractors State License Board (CSLB) directly to assist in resolving the matter with ABE's suspended licenses. In the conversation with the CSLB, Mohammad Sadiq was informed that ABE failed to submit correct documentation for their license as well as had a \$15,000 bond requirement on both of their licenses due to prior violations. It was only when Mohammad Sadiq and Hernan Munayco got involved and contacted the CSLB that the licensing issue was resolved.

As a result of the attempted subcontractor substitution in violation of PCC and the licensing issues with ABE, the Construction Industry Force Account Council (CIFAC) reached out to City staff, the Mayor's Office, City Manager, and City Council highlighting these items as issues of serious concerns. Again, the City had to get involved in resolving contractor generated issues to assure the project could move forward.

### **Material Escalation**

Patriot's comments regarding Weldway Steel Fab's stop notice being caused by the City is again inaccurate. The City did not advise Patriot to ask subcontractors for backup for material escalation costs. Patriot had repeatedly asked for compensation for material escalation and the City reminded Patriot that the City does not pay for material escalation. Patriot was insistent on material escalation being out of their control and an item the City needed to consider. The City reminded Patriot that any claims for additional cost would need to be supported with proper documentation. After reviewing the documentation submitted by Patriot, it became apparent that Patriot's claim of material escalation being out of their control was not accurate. Patriot was aware of material escalation before executing a contract with the City for its original bid amount. This includes material escalation from Weldway Steel Fab. The City even reached out to Emigdio Robles, Patriot Contracting's point of contact at the time, on October 8, 2021, to verify material escalation was not an issue prior to executing a contract with Patriot. Within hours of the City's inquiry about material escalation, Emigdio responded confirming material escalation was not an issue.

After making the commitment that material escalation was not an issue, Patriot delayed starting construction to the point the City was forced to issue the Notice to Proceed towards the end of March 2021 when Patriot indicated they would be ready to begin construction in early February 2021. The delayed start in combination with Patriot's slow onboarding of subcontractors and even slower process of submitting material submittals are all contractor generated issues that have contributed to material escalation.

For the reasons listed above, the City ultimately decided to reject Patriot's claim for material escalation.

### **Stop Notices**

Patriot's claim that B.T. Mancini and L&H Airco's stop notices are non-issues since they involved second tier subcontractor is again inaccurate. The stop notices were generated

by B.T. Mancini and L&H Airco, not their subcontractors. Additionally, Patriot is responsible to assure timely payment is made to all parties associated with contracts they issue on the Northeast Stockton Library and Community Center project.

#### **Back charges for Professional Services**

Your attention is brought to section 10.1.10 "Claims for Costs of Additional Professional Services" of the project's Special Provisions. The City has the right to back charge Patriot for additional professional services required due to any act or omission of the contractor. The City intends to exercise this right once all costs are known.

Additionally, Patriot is reminded of the on-site meeting held with Mohammad Beigi, Mohammad Sadiq, John Chang, and Hernan Munayco on April 4, 2022, where Mohammad Beigi agreed to pay for back charges for additional services incurred by the City due to Patriot's issues in the field. If Patriot does not hold to this agreement, the City will void the additional days granted to Patriot as part of the agreement.

#### **RFI's**

Patriot's claim for compensation on the over 300 RFI's submitted on the project has no merit. A significant number of the submitted RFI's were either returned to Patriot directing them to the information on the contract documents or were corrective RFI's generated because of Patriot's mistakes in the field. Additionally, the City's team has worked closely with Patriot to expedite reviews of RFI's that are critical to the progress of construction despite Section 7.2.8 "Response to RFI's" of the project's Special Provisions allowing the 14 days to respond to RFI's.

#### **Working at Risk**

Patriot submitting last minute RFI's, PCO's, and submittals and moving forward without allowing adequate time for review per the project's specifications is not acceptable and would not be acceptable on any project. Patriot is reminded that they are required to submit timely RFI's, PCO's, and submittals to allow adequate time for City review and not to move forward with work without authorization.

#### **Cemex**

The City executed its Community Workforce Training Agreement (CWTA) to help foster growth in skilled labor in the City. The CWTA was approved by the City Council in 2016, was renewed in 2019, and was clearly incorporated into the bid and the subsequent Agreement with Patriot. Patriot was well aware of the CWTA requirements on this project. It was Patriot's obligation to account for CWTA and to meet its requirements. Regardless, the City worked with all parties to provide alternates to Cemex, but Patriot chose not to pursue those alternates and rather reassigned the concrete scope of work to Radius Earthwork. Since the concrete work was reassigned to Radius Earthwork there have not been any significant issues.

Omid Ronaghinia  
Patriot Contracting  
August 15, 2022  
Page 4

Exhibit# 4

**Schedule**

While material lead time is a concern in the construction industry, Patriot's lack of proactiveness in addressing the concern has contributed to the issue. As mentioned previously, Patriot's slow onboarding of subcontractors and even slower processing of material submittals has had as much if not more of an impact on material procurement as the construction environment. Had Patriot been more proactive in addressing material procurement, the project would not be behind schedule as it is now. The City will continue to require a regularly updated recovery schedule to show how Patriot will complete construction within the allotted working days on the project.

JODI ALMASSY, DIRECTOR  
PUBLIC WORKS DEPARTMENT

  
MOHAMMAD SADIQ  
ASSOCIATE CIVIL ENGINEER

JLA:EA:WJ:JC:MS:cal

cc: William Crew, Deputy City Manager  
Taryn Jones, Deputy City Attorney  
The Hanover Insurance Company

## Exhibit# 5

## Approved PCO Log

PCO#	Description	Amount	Submitted	Received Field Directive	Days to receive FD	Owner COO#	Date Received	Days to be able to bill
PCO-001	Provide CJP typical at the flanges of the column stub connection to the top chord Per	\$2,735.64	5/13/2021	9/17/2021	127	1	3/2/2022	293
PCO-003	Added CJP Welds at Canopy per RFI 61 Response	\$1,193.40	5/22/2021	9/17/2021	118			284
PCO-007	Re-routing Sanitary Sewer Line in Footing	\$3,694.12	7/7/2021	9/21/2021	76			238
PCO-008	Added cost per REI 108	\$4,808.13	7/18/2021	9/17/2021	61			227
PCO-011	Added cost to modify water distribution manifold per RFI#101	\$47,137.72	7/27/2021	9/17/2021	52			218
PCO-013	Additional cost of CCD002	\$3,985.20	9/13/2021	10/29/2021	46			170
PCO-017	Additional work due to CCD#4 (Electrical)	\$21,871.08	9/29/2021	10/28/2021	29			154
PCO-018	Credit Per CCD-007	-\$4,170.96	9/29/2021	10/29/2021	30			154
PCO-021	Added cost to furnish and install red slurry and PG&E sand per RFI# 145 & 145.2	\$5,172.00	10/18/2021	10/27/2021	9			135
PCO-016	Added cost per CCD008	\$13,190.04	9/13/2021	3/16/2022	184			2
PCO-019	Added cost due to changes per CCD-003	\$2,949.48	10/11/2021	2/14/2022	126	270		
PCO-024	To install additional weather barrier under the slab to wrap continuous footing Per RFI#172	\$24,559.99	11/15/2021	4/13/2022	149	235		
PCO-025	Provide and install shoring per OSHA for excavation of main water line	\$4,907.79	12/14/2021	2/9/2022	57	206		
PCO-028	Credit per PR-001	-\$943.72	2/9/2022	4/4/2022	54	149		
PCO-029	Time extension request 001	\$0.00	1/27/2022	4/13/2022	76	162		
PCO-030	Time extension request 002	\$0.00	1/27/2022	3/16/2022	48	162		

**Exhibit# 5****Approved PCO Log**

PCO#	Description	Amount	Submitted	Received Field Directive	Days to receive FD	Owner COO#	Date Received	Days to be able to bill
PCO-031	Time extension request 003	\$0.00	1/27/2022	4/13/2022	76			162
PCO-036	Added cost for re-framing per CCD#013	\$2,037.00	2/18/2022	3/7/2022	17			140
PCO-037	Additional cost to connect roof drain to the underground utilities per RFI#225	\$7,539.63	2/25/2022	3/7/2022	10			133
PCO-038	Credit to supply U3 light based on email dated 2/16/22 instead of contract documents.	-\$12,971.00	2/25/2022	3/16/2022	19			133
PCO-045	Time extension request 004	\$0.00	4/15/2022	4/21/2022	6			84
PCO-046	Install mineral wool in exterior wall in lieu of CCD#10 direction	\$7,081.22	4/21/2022	7/6/2022	76	3		
PCO-049	Added cost in submittal # AN sub 130_072100-001-0 to install black tape	\$43,875.02	5/19/2022	7/7/2022	49			
PCO-051	Added work per RFI#213	\$8,361.02	5/26/2022	7/7/2022	42			

**Exhibit# 5****Open PCO Log**

PCO#	Description	Amount	Submitted	Aged (Days)
PCO-012	Added cost in CCD001	\$116,159.21	9/13/2021	316
PCO-015	Additional work per CCD006	\$13,817.52	9/13/2021	316
PCO-022	Lithocrete Thin-Tech Price Increase	\$45,959.40	10/18/2021	281
PCO-023	Additional work due to CCD#4	\$108,695.44	10/23/2021	276
PCO-027	Additional work due to CCD#011	\$8,292.65	1/18/2022	189
PCO-032	Added flex conduit to expansion joints per RFI#192, 187	\$5,884.92	2/8/2022	168
PCO-033	Added damp condition to H30 lights under Canopy	\$477.36	2/8/2022	168
PCO-035	Added Bracing per RFI#204	\$11,856.47	2/10/2022	166
PCO-040	Added cost to install weather barrier in expansion joint per RFI 187 & 187.1	\$10,271.64	3/3/2022	145
PCO-044	Changes to contract drawing for Lithocrete scope of work per CCD#012	\$3,043.44	4/21/2022	96
PCO-047	Additional work per CCD#09	\$14,413.03	4/25/2022	92
PCO-053	The inspection was scheduled for masonry wall installation on 6/6/22. But the inspector	\$6,944.40	6/15/2022	41
PCO-054	Design change per RFI 152	\$3,703.32	6/20/2022	36
PCO-055	Added SAF & VaproLiqui-Flash on exterior walls per CCD#10	\$12,863.39	6/21/2022	35
PCO-056	Assisting biologist for bird survey per the City of Stockton Request	\$8,868.23	7/1/2022	25
PCO-057	Time Extension request 005	\$95,450.00	7/12/2022	14
PCO-058	Time Extension request 006	\$353,165.00	7/12/2022	14
PCO-059	Changes to Soffit per RFI#281	\$9,844.89	7/13/2022	13
PCO-060	Added cost by RFI#193	\$6,162.36	7/18/2022	8
PCO-061	Additional cost of changes to header of window A17, door 113C and wall of window A	\$3,098.04	7/18/2022	8
PCO-062	Added interior framing per design	\$15,408.67	7/18/2022	8
PCO-063	Added cost to replace metal stud with heavier gauge per interior framing design	\$10,978.92	7/18/2022	8

## Connie Cochran

---

**From:** Michael Eubling <meubling@stumbaugh.com>  
**Sent:** Wednesday, April 26, 2023 11:33 AM  
**To:** Mohammad Sadiq  
**Cc:** Mark Herzer; Kathleen Delmore; Jeff Gervais  
**Subject:** FW: P2101 - NE Stockton Library - The Owner's Notice of Suspension Stumbaugh Project SOS 614545

**CAUTION:** This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

Mohammad

I received the Email Below from Patriot Contracting Stating that the Project PW1724 is Now Suspended I am a Subcontractor That is Contracted to Supply and Install the Restroom Partitions, Accessories and Lockers, all of which we have Been Holding in our Bonded Warehouse since November 2022. We have also already Paid all of our Suppliers 100 % in the Amount of \$ 25,332.00 Plus Tax

I would like to know the City of Stockton Intent on how the project will be Completed either via Patriot Contracting or Via another General Contractor

I also would like to know how we can get paid for our Materials that were Approved.

I left you a Voice Message as well in regards to this subject

I hope to Hear back from you as to get this Issue Resolved

Thanks

**Offices in San Diego-Burbank -Fremont and Sacramento,California**

**Michael Eubling**

**VP Sacramento**

**Stumbaugh & Associates, Inc**

[Cell: 209-481-3942](tel:209-481-3942)

[818-240-1627 ext 1801](tel:818-240-1627)

[916-281-0517](tel:916-281-0517)

[meubling@stumbaugh.com](mailto:meubling@stumbaugh.com)

[www.stumbaugh.com](http://www.stumbaugh.com)

**CSLB License # 288724**

**DIR#1000004145**





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**From:** Omid Ronaghinia <oronaghinia@patriotcontracting.us>  
**Sent:** Friday, April 21, 2023 2:04 PM  
**To:** David Booth <dbooth@patriotcontracting.us>  
**Cc:** Taghi Khoroushi <tkhoroushi@patriotcontracting.us>  
**Subject:** P2101 - NE Stockton Library - The Owner's Notice of Suspension

**Caution:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Subcontractor,

Patriot Contracting received a notice of suspension on 4/19/2023. The Owner has directed us to suspend all works except for exterior fiber cement panel and building coping system since 4/20/2023.

Patriot has responded to the notice and requested directions for the subcontractors, materials, equipment, tools, etc.

Patriot will advise subcontractors as soon as we receive the direction from the City.

Meanwhile, we request all of you to turn in all your change order requests if you have any so, we can submit to the Owner.

Regards,

**Omid Ronaghinia, PMP**

M | 510-365-4402

O | 510-780-2807 Ext.414

Project Manager

E | [omid@patriotcontracting.us](mailto:omid@patriotcontracting.us)

A | 4301 Bettencourt Way, Union City CA 94587



## Connie Cochran

---

**From:** Hernan Munayco <hmunayco@griffinstructures.com>  
**Sent:** Friday, April 21, 2023 3:48 PM  
**To:** Mohammad Sadiq; John Chang; Wes Johnson  
**Cc:** Jon Hughes; Robert Godfrey  
**Subject:** NE Stockton Library Project - Notice of Suspension CM MARKUPS  
**Attachments:** Patriot's 4-19-23 Response Letter CM 04.21.23.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**CAUTION:** This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

Mohammad  
Some initial comments of Patriots follow up response letter

We can discuss next week thank you



**Hernan M. Munayco** | Sr. Program & Construction Manager  
GRIFFIN STRUCTURES  
(O) 408-955-0431 X293 | (C) 626-375-0946  
[Web](#) | [LinkedIn](#)

---

**From:** Omid Ronaghinia <oronaghinia@patriotcontracting.us>  
**Sent:** Friday, April 21, 2023 2:57 PM  
**To:** Mohammad Sadiq <Mohammad.Sadiq@stocktonca.gov>  
**Cc:** Hernan Munayco <hmunayco@griffinstructures.com>; John Chang <John.Chang@stocktonca.gov>; Jodi Almassy <Jodi.Amassy@stocktonca.gov>; Eric Alvarez <Eric.Alvarez@stocktonca.gov>; Wes Johnson <Wes.Johnson@stocktonca.gov>; Mohammad Beigi <mbeigi@patriotcontracting.us>; Kayhan Fatemi <kfatemi@patriotcontracting.us>  
**Subject:** RE: NE Stockton Library Project - Notice of Suspension

Mohammad,

Please find attached our response to your notice of suspension. We need your immediate response to our requests.

Regards,

**Omid Ronaghinia, PMP** Project Manager  
M | 510-365-4402 E | [omid@patriotcontracting.us](mailto:omid@patriotcontracting.us)  
O | 510-780-2807 Ext.414 A | 4301 Bettencourt Way, Union City CA 94587



---

**From:** Mohammad Sadiq <[Mohammad.Sadiq@stocktonca.gov](mailto:Mohammad.Sadiq@stocktonca.gov)>

**Sent:** Wednesday, April 19, 2023 4:49 PM

**To:** Omid Ronaghinia <[oronaghinia@patriotcontracting.us](mailto:oronaghinia@patriotcontracting.us)>

**Cc:** Hernan Munayco <[hmunayco@griffinstructures.com](mailto:hmunayco@griffinstructures.com)>; John Chang <[John.Chang@stocktonca.gov](mailto:John.Chang@stocktonca.gov)>; Jodi Almassy <[Jodi.Almassy@stocktonca.gov](mailto:Jodi.Almassy@stocktonca.gov)>; Eric Alvarez <[Eric.Alvarez@stocktonca.gov](mailto:Eric.Alvarez@stocktonca.gov)>; Wes Johnson <[Wes.Johnson@stocktonca.gov](mailto:Wes.Johnson@stocktonca.gov)>

**Subject:** NE Stockton Library Project - Notice of Suspension

Omid,

Please see the attached notice of suspension. The City will follow up once our assessment of the project is complete.

Thank you,

Mohammad Sadiq, P.E.  
Associate Civil Engineer  
Public Works Department  
22 E. Weber Avenue, Room 301  
Stockton, CA 95202-2317  
(209) 937-8299

## Connie Cochran

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**From:** Mohammad Sadiq  
**Sent:** Wednesday, April 26, 2023 2:09 PM  
**To:** Omid Ronaghinia  
**Cc:** Hernan Munayco; John Chang; Jodi Almassy; Eric Alvarez; Wes Johnson; Mohammad Beigi; Kayhan Fatemi; Taryn Jones  
**Subject:** RE: NE Stockton Library Project - Notice of Suspension

Omid,

Several of the open items in your letter are pending feedback from Patriot. The City is assessing these items as part of our overall review of the project and will follow up when we have the necessary information.

In regards to the items that need immediate attention please see blue text below.

- Should material be left on site? [Patriot may remove material that has not been installed or paid for if they wish.](#)
- Should trailers, storage and sanitation facilities remain at the site or be removed? [Patriot may remove these items if they wish.](#)
- Should all tools and equipment be removed from the site? [Patriot may remove these items if they wish.](#)
- Should PCI personnel leave the Site? [The project site will be closed to non-city personnel while the suspension is in place.](#)
- Who will be responsible for site security? [The city will hire a security company to monitor the site as needed while the suspension is in place but will not be taking responsibility any damaged or stolen property Patriot may elect to leave on site.](#)

Once the items identified in the notice of suspension have been installed Patriot will need to hand over keys to the facility to Hernan Munayco.

Thank you,

Mohammad Sadiq, P.E.  
Associate Civil Engineer  
Public Works Department  
22 E. Weber Avenue, Room 301  
Stockton, CA 95202-2317  
(209) 937-8299

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**From:** Omid Ronaghinia <oronaghinia@patriotcontracting.us>  
**Sent:** Tuesday, April 25, 2023 4:38 PM  
**To:** Mohammad Sadiq <Mohammad.Sadiq@stocktonca.gov>  
**Cc:** Hernan Munayco <hmunayco@griffinstructures.com>; John Chang <John.Chang@stocktonca.gov>; Jodi Almassy <Jodi.Almassy@stocktonca.gov>; Eric Alvarez <Eric.Alvarez@stocktonca.gov>; Wes Johnson <Wes.Johnson@stocktonca.gov>; Mohammad Beigi <mbeigi@patriotcontracting.us>; Kayhan Fatemi <kfatemi@patriotcontracting.us>  
**Subject:** RE: NE Stockton Library Project - Notice of Suspension  
**Importance:** High

**CAUTION:** This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

Mohammad,

Did you have a chance to review our letter? We have subcontractors that they need to know what to do with their unpaid material that they have at the jobsite as well as their equipment and tools.

Please advise.

Regards,

**Omid Ronaghinia, PMP**

M | 510-365-4402

O | 510-780-2807 Ext.414



Project Manager

E | [omid@patriotcontracting.us](mailto:omid@patriotcontracting.us)

A | 4301 Bettencourt Way, Union City CA 94587

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**From:** Omid Ronaghinia

**Sent:** Friday, April 21, 2023 2:57 PM

**To:** Mohammad Sadiq <[Mohammad.Sadiq@stocktonca.gov](mailto:Mohammad.Sadiq@stocktonca.gov)>

**Cc:** Hernan Munayco <[hmunayco@griffinstructures.com](mailto:hmunayco@griffinstructures.com)>; John Chang <[John.Chang@stocktonca.gov](mailto:John.Chang@stocktonca.gov)>; Jodi Almassy <[Jodi.Almassy@stocktonca.gov](mailto:Jodi.Almassy@stocktonca.gov)>; Eric Alvarez <[Eric.Alvarez@stocktonca.gov](mailto:Eric.Alvarez@stocktonca.gov)>; Wes Johnson <[Wes.Johnson@stocktonca.gov](mailto:Wes.Johnson@stocktonca.gov)>; Mohammad Beigi <[mbeigi@patriotcontracting.us](mailto:mbeigi@patriotcontracting.us)>; Kayhan Fatemi <[kfatemi@patriotcontracting.us](mailto:kfatemi@patriotcontracting.us)>

**Subject:** RE: NE Stockton Library Project - Notice of Suspension

Mohammad,

Please find attached our response to your notice of suspension. We need your immediate response to our requests.

Regards,

**Omid Ronaghinia, PMP**

M | 510-365-4402

O | 510-780-2807 Ext.414



Project Manager

E | [omid@patriotcontracting.us](mailto:omid@patriotcontracting.us)

A | 4301 Bettencourt Way, Union City CA 94587

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**From:** Mohammad Sadiq <[Mohammad.Sadiq@stocktonca.gov](mailto:Mohammad.Sadiq@stocktonca.gov)>

**Sent:** Wednesday, April 19, 2023 4:49 PM

**To:** Omid Ronaghinia <[oronaghinia@patriotcontracting.us](mailto:oronaghinia@patriotcontracting.us)>

**Cc:** Hernan Munayco <[hmunayco@griffinstructures.com](mailto:hmunayco@griffinstructures.com)>; John Chang <[John.Chang@stocktonca.gov](mailto:John.Chang@stocktonca.gov)>; Jodi Almassy <[Jodi.Almassy@stocktonca.gov](mailto:Jodi.Almassy@stocktonca.gov)>; Eric Alvarez <[Eric.Alvarez@stocktonca.gov](mailto:Eric.Alvarez@stocktonca.gov)>; Wes Johnson <[Wes.Johnson@stocktonca.gov](mailto:Wes.Johnson@stocktonca.gov)>

**Subject:** NE Stockton Library Project - Notice of Suspension

Omid,

Please see the attached notice of suspension. The City will follow up once our assessment of the project is complete.

Thank you,

Mohammad Sadiq, P.E.  
Associate Civil Engineer  
Public Works Department  
22 E. Weber Avenue, Room 301  
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