

LEWIS C.  
**NELSON**  
AND SONS, INC

CONTRACTORS AND BUILDERS SINCE 1928

RECEIVED

JAN 28 2015

PUBLIC WORKS  
CONSTRUCTION MANAGEMENT DIVISION

**FAXED**

11:35am 1/22 cv

**REVISED**  
**January 22, 2015**

Sent Via Fax (559) 488-1079 & US Certified Mail

City of Fresno  
Construction Management  
Attn: **Phillip Tarvin, Construction Manager**  
2600 Fresno Street, Room 2156  
Fresno, CA 93721

Project: Universally Accessible Park  
Subject: Substitution Request

Dear Mr. Tarvin:

Per Public Contract Code **4107 (a) (3)**, Lewis C. Nelson and Sons, Inc., is requesting authorization to substitute G.A. Garcia Construction, 1663 E. Poppy Hills Dr. Fresno, CA 93730 in place of Robyn Construction Inc., 3400 McCall Ave. Ste. 116 Selma, CA 93662 the subcontractor listed to perform the Rough Carpentry work on this project. Robyn Construction Inc. is unable to perform the work per its Subcontract Agreement with the Prime Contractor, Lewis C. Nelson and Sons, Inc.

The signed affidavit from Robyn Construction, Inc. is attached. Also attached is a letter from G. A. Garcia Construction stating that, upon approval from the City of Fresno Purchasing Department, they will sign the Subcontract Agreement with Lewis C. Nelson and Sons, Inc. to perform the Rough Carpentry work on the above noted project.

Your immediate attention to providing the proper notices and approving this substitution request is requested so as not to delay the project.

Respectfully yours,

LEWIS C. NELSON AND SONS, INC.



Dwight G. Nelson  
President

DGN/cv  
Enclosures

cc: Robyn Construction, Inc.  
G.A Garcia Construction

(559) 896-3133 ✓  
(559) 433-9560 ✓

STATE OF CALIFORNIA )  
 )  
COUNTY OF )

Project: Universally Accessible Park

City of Fresno  
2600 Fresno Street, Room 2156  
Fresno, CA 93721

To Whom It May Concern:

The undersigned, Michael Lewison, of Robyn Construction, Inc., the subcontractor listed to perform the Rough Carpentry work on the subcontractor's listing of Lewis C. Nelson and Sons, Inc. on the Universally Accessible Park project for the City of Fresno, hereby represents and warrants that Robyn Construction is unable to perform the work per its Subcontract Agreement with Lewis C. Nelson and Sons, Inc. and requests that Lewis C. Nelson and Sons, Inc. be permitted to substitute another entity to perform the Rough Carpentry work in place of our company. Our inability to perform is due to the fact that we do not have adequate manpower to provide the required supervision and therefore must withdraw from the project. We consent to our firm being substituted out of the project and waive the right to have a hearing to challenge any proposed substitution. As part of this affidavit Robyn Construction, Inc. further releases both Lewis C. Nelson and Sons, Inc. and the City of Fresno from any and all obligations to our company relating to this project. We request that the City of Fresno consent to the proposed substitution of our company out of the project.

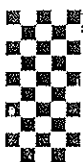
Date: 1-20-15 By: [Signature]  
Michael Lewison  
Title: BUSINESS DEVELOPMENT

Subscribed and sworn to before me this 20 day of January, 2015, by Michael Lewison, personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me.

[Signature]  
Notary Public

My commission expires 2/24/16





Date: 01/20/15

City of Fresno  
Purchasing Department  
ATTN: Jean Thomas-Runnels  
2600 Fresno Street, Room 2156  
Fresno, CA 93721

To Whom It May Concern:

Subject to approval from City of Fresno Purchasing Department, G.A. Garcia Construction agrees to sign the Subcontract Agreement with Lewis C. Nelson and Sons, Inc. to perform the Rough Carpentry work on the above noted project, per plans and specifications.

Date: 01/20/15

By: 

Title: GENE A. GARCIA OWNER  
G.A. Garcia