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**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**FROM:** EDA/FACILITIES MANAGEMENT

**SUBMITTAL DATE:**  
February 16, 2011

**SUBJECT:** San Jacinto Valley Animal Shelter – Retention Reduction

**RECOMMENDED MOTION:** That the Board of Supervisors approve a reduction of the contract retention for Tovey/Shultz Construction, Inc., of Lake Elsinore, California from 10% to 5% per the general conditions of the contract.

**BACKGROUND:** On January 27, 2009, the Board of Supervisors approved the award of the construction contract to Tovey/Shultz Construction, Inc., of Lake Elsinore, California. Pursuant to the general conditions of the contract, the Economic Development Agency (EDA) is currently retaining 10% of all progress payments to Tovey/Shultz Construction, Inc. The general conditions of the contract state that after the 50% completion point of the contract work, if satisfactory progress is being made the county has sole discretion to reduce the retention to a minimum of 5% of the contract.

(Continued)

Robert Field  
Assistant County Executive Officer/EDA

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/11

**COMPANION ITEM ON BOARD OF DIRECTORS AGENDA:** No

<b>SOURCE OF FUNDS:</b> CIP funds to be reimbursed with CORAL Bond Proceeds	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

**County Executive Office Signature** Jennifer L. Sargent

FORM APPROVED COUNTY COUNSEL  
BY: NEAL R. KIPNIS  
DATE: 2/13/11  
Departmental Concurrence  
By: Christopher Hans

- Dep't Recomm.:  Consent
- Per Exec. Ofc.:  Consent
- Policy
- Policy

**Prev. Agn. Ref.:** 3.23, 2/23/10; 3.19, 4/21/09      **District:** 3      **Agenda Number:** 3.10

**BACKGROUND:** (Continued)

Tovey/Shultz Construction, Inc. has completed 98% of the contract work and excellent progress has been made. The contract work is also being completed on time, within budget, and in a professional manner. Therefore, EDA recommends that the contract retention be reduced to 5% of the contract.