

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

603



**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*

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	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

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

BY: *Jennifer L. Sargent*

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

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Tavaglione and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone and Ashley  
Nays: None  
Absent: Benoit  
Date: March 1, 2011  
xc: EDA, CIP, Auditor

Kecia Harper-Ihem  
Clerk of the Board  
By: *Kecia Harper-Ihem*  
Deputy

Prev. Agn. Ref.: 3.23, 2/23/10; 3.19, 4/21/09

District: 3

Agenda Number: **3.10**

FORM APPROVED COUNTY COUNSEL  
 BY: NEAL R. KIPNIS  
 DATE: 2/17/11  
 Departmental Concurrence  
 Christopher Hans

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

**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.

RF:LB:TM:CW:RB:FJG:trv FM08110001843 10624  
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