



## City Council Staff Report

Date: March 21, 2012 NEW BUSINESS

Subject: TAHQUITZ CANYON WAY MEDIAN LANDSCAPING IMPROVEMENTS  
CITY PROJECT 08-20

From: David H. Ready, City Manager

Initiated by: Public Works and Engineering Department

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### SUMMARY

In 2009, the Public Works and Engineering Department initiated a project to develop schematic landscape plans for the Tahquitz Canyon Way median; included as part of the scope was the development of schematic landscape plans for City Hall. Final approval of the schematic landscape plans for the Tahquitz Canyon Way median have been on hold due to the Council's separate consideration of the historic designation of the City Hall property. In an effort to move the Tahquitz Canyon Way median project forward, the City Hall has been excluded from the Council's consideration of the schematic landscape plans at this time.

### RECOMMENDATION:

- 1) Approve the schematic landscape plans for the Tahquitz Canyon Way median;
- 2) Approve Amendment No. 2 to Agreement No. 5809 with RGA Landscape Architects, Inc., in an amount of \$94,400 for a revised total contract amount of \$157,940 for the Tahquitz Canyon Way Median Landscaping Improvements, City Project No. 08-20; and
- 3) Direct staff to process the final landscape design approval pursuant to Architectural Review guidelines including consultation with the Indian Planning Commission and Tribal Council; and
- 4) Authorize the City Manager to execute all necessary documents.

**STAFF ANALYSIS:**

On March 25, 2009, the City Council awarded a contract to RGA Landscape Architects (“RGA”) to provide the City with a professional schematic landscape plan to convert the existing Tahquitz Canyon Way median landscaping to a desert-landscape, drought tolerant, and sustainable landscape that balances the Mayor’s call for sustainability while maintaining the enduring vision of greenery and colorful annuals for Palm Springs tourists. The project also included preparation of schematic landscape plans for the Palm Springs City Hall and Riverside County Administrative Offices complex – however, approval of these schematic landscape plans has been excluded from this action and will be brought forward at a later date.

A copy of the March 25, 2009, City Council staff report is included as Attachment 1.

A Steering Committee appointed by the City Manager met periodically with RGA during development of the initial draft schematic landscape plans. Public review and comment was solicited early in the process of preparing the schematic landscape plans, with the project being posted on the City’s webpage and an opportunity to review draft schematic landscape plans being made available to the Office of Neighborhood Involvement and the downtown merchants association “Main Street”. On October 29, 2009, a public meeting was held at City Hall providing another opportunity for the public to review the preliminary draft schematic landscape plans prior to initiating the formal Major Architectural Review process.

Comments received from the public were reviewed and considered by the Steering Committee, and ultimately the Steering Committee recommended moving forward with the final draft schematic landscape plans.

***Schematic Landscape Design Vision and Concepts***

The goal of the redesign of the median is to convert the existing Tahquitz Canyon Way median landscaping to a desert-friendly, drought tolerant and sustainable landscape that balances the Mayor’s call for sustainability while maintaining the enduring vision of greenery and colorful annuals for Palm Springs tourists and visitors. Drought tolerant landscaping will be dominant, but it won’t be the only landscape concept. The schematic landscape plans encompass the entire median island within Tahquitz Canyon Way from El Cielo Road at the airport west to Indian Canyon Drive near the Spa Casino Resort<sup>1</sup>.

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<sup>1</sup> The schematic landscape plans have been prepared for all of the Tahquitz Canyon Way median; however, final landscape plans will only be developed for the Section 14 segment as that segment has been funded by the Tribe for final design and construction.

Sustainability features included in the schematic landscape plan are:

- Reduce the amount of sod and increase the use of drought tolerant native plants.
- Reuse some of the existing palm trees in the median.
- Look into using the median as storm water retention for irrigation purposes.
- Incorporate native images and art pieces that reflect the culture of the ACBCI, and integrates existing pieces like those at Tahquitz and Indian Canyon.

RGA was directed to develop a new landscape and landform along Tahquitz Canyon Way conveying an unforgettable visual experience extending all the way from the airport to Indian Canyon Drive. The schematic landscape plans express the Palm Springs “Brand” while also distinguishing the Tribal land in Section 14. The plans are unified by sustainable practices and a continuity of appropriate plant materials. The plans will be the framework within which the geological and environmental uniqueness of the region will meld the heritage of tribal culture, the art and architectural excellence associated with Palm Springs, and address the tourist experience.

The entire 2.25 miles of the Tahquitz Canyon Way median is organized by four zones<sup>2</sup> with special emphasis placed on the gateway at the intersection of El Cielo Road and Tahquitz Canyon Way, the entries into Section 14, the Tribal land, and the high pedestrian-use urban zone between the Renaissance Hotel and Indian Canyon Drive.

Balancing the need for continuity and specialness, the plan links all zones by a landform with subtle changes that reflect the special character of each zone and to reinforce its uniqueness. Changes from one zone to the next may include artwork, plant material selections, variation in texture, materials and lighting. Emphasis has been given to native and non-native desert adapted plant materials. Particular attention is paid to plants within Section 14 that have cultural significance to the Cahuilla Indians. The schematic landscape plans achieve this combination of goals through a number of means, including:

- Integration of bio swales / rain gardens
- Irrigation system re-design
- Use of locally sourced materials
- Use of multi-species plantings to avoid massed monocultures
- Reinforce the image of the existing Mexican Fan Palms silhouetted against the mountains and sky as the iconic “image” of Palm Springs
- Employ native California Fan Palms as part of a design palette demonstrating sustainable practices and a powerful symbol of our unique ecology and Tribal heritage
- Use of theme plant materials to tie mid-century modern architecture with sensitivity to sustainable landscape design

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<sup>2</sup> The fourth zone – “Civic Zone”, includes City Hall and has been excluded from this action.

In addition to the schematic landscape plans for the four zones, two plant palettes have been identified:

**City of Palm Springs Plant Palette:**  
**Civic / Neighborhood Zones**

**Large Trees:**

- Fever Tree
- Sonoran Palo Verde
- Blue Palo Verde

**Small Trees:**

- Chihuahuan Orchid
- Desert Willow

**Palms:**

- California Fan Palm
- Mexican Fan Palm

**Shrubs:**

- Summer Star
- Winter Gold
- Pink Beauty
- Easter Egg Bush
- Cimarron
- Coral fountain
- Valentine
- Cascalote Smoothie

**Accents:**

- Agave Varieties
- Hesperaloe Varieties
- Yucca Varieties

**Section 14 Plan Palette: Resort -**  
**Tribal / Downtown Urban Zones**

**Large Trees:**

- Ironwood
- Honey Mesquite
- Blue Palo Verde

**Small Trees:**

- Cat's Claw Acacia
- Desert Willow

**Palms:**

- California Fan Palm

**Shrubs:**

- Desert Verbena
- Four-Wing Saltbush
- Desert Milkweed
- Wild Grape
- Jojoba
- Creosote Bush
- Chia
- White Dalea
- Brittle Bush
- While Evening Primrose

**Cacti:**

- Agave
- Cotton Top Cactus
- Barrel Cactus
- Teddy Bear Cactus
- Prickly Pear Cactus
- Western Prickly Pear

In addition to the plantings, iconic planters, public art, native designs, sculptures, monuments, enhanced pavement/pavers, and lighting will be incorporated into the Tahquitz Canyon Way median. Placement and type of art, pavers, planters, lighting, and monuments will be determined as part of the final design.

A copy of the schematic landscape plans is included as Attachment 2.

### ***Prior Architectural Review Process***

On January 11, 2010, the AAC voted 5-0-1 (Parker abstaining) to generally recommend approval of the schematic landscape plan for the Tahquitz Canyon Way median, and for a restudy of the City Hall schematic landscape plan.

On January 25, 2010, the Director of Planning Services approved Case No. 3.3377 – MAA, a Minor Architectural Approval application of schematic landscape plans of the City Hall parking lot and surrounding areas.

On February 8, 2010, a group of interested persons filed an appeal of the Planning Director's decision with the City Clerk.

On March 10, 2010, the Planning Commission considered the appeal, and voted 5-0 to approve the appeal and overturn the Planning Director's approval.

Because at that time the architectural review for the schematic landscape plans included the City Hall, concerns regarding the historic site designation and changes to City Hall site subsequently delayed formal approval of the schematic landscape plans for the Tahquitz Canyon Way median. Generally, AAC and the Planning Commission considered the schematic landscape plan for the Tahquitz Canyon Way median favorably, subject to subsequent review of final landscape plans.

On March 22, 2011, the Tribal Council reviewed the schematic landscape plan for the Tahquitz Canyon Way median, and recommended approval to the City Council with the following conditions:

1. Remove the mid-block pedestrian crossings;
2. Preserve the existing bike paths and on-street parking along Tahquitz Canyon Way; and
3. Public artwork and Tribal icons proposed in the Tahquitz Canyon Way median in Section 14 shall be submitted to the Tribe for review and approval prior to installation.

A copy of the Tribal Council approval letter is included as Attachment 3.

Staff recommends the City Council approve the schematic landscape plan for the Tahquitz Canyon Way median to be used as the basis for the final design of the Section 14 median re-landscaping.

### ***Proposed Architectural Review Process***

This type of capital project is generally exempt from the City's architectural review process. Chapter 91.00.05 (B) of the Palm Springs Zoning Code (PSZC) establishes that "*A street...right-of-way, water course, drainage channel or body of water included on the zoning map shall, unless otherwise indicated, have no zoning and shall not be used or improved for other than the purpose for which they exist.* Under this provision of the PSZC, the Director of Planning Services has determined that as the public right-of-way itself has no zoning, any improvements within the right-of-way fall under the discretion of the Public Works and Engineering Department and are outside the realm of the PSZC and its procedures (such as architectural review).

The Public Works and Engineering Department recommends for highly visible public works transportation projects that may have aesthetic enhancement, including landscaping, architectural review should occur to allow review and recommendation of proposed aesthetics prior to the City Council's final approval. For this project staff recommends that the City Council direct the Public Works and Engineering Department to follow an architectural review procedure outlined below for review of the final landscape design.

Consultation with the Indian Planning Commission and Tribal Council is important for this project given the significance of the median landscaping within Tahquitz Canyon Way in Section 14, and particularly in light of the Tribe's generous funding of this project.

#### **Proposed Architectural Review Process:**

1. Architectural Advisory Committee review/comment
2. Indian Planning Commission review/comment
3. Tribal Council review/comment
4. City Council approval

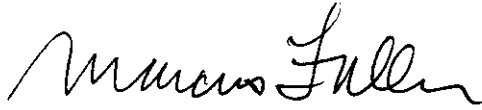
Staff recommends Council approve the contract amendment with RGA to prepare a final landscape design for the Section 14 segment of this project (see Attachment 4).

FISCAL IMPACT:

On January 18, 2012, the Council approved a Memorandum of Understanding and Subcontractor Services Agreement with the Tribe, which allows the City to indirectly receive \$2,000,000 of federal funds from the Tribe's Indian Reservation Roads ("IRR") Program to complete the re-landscaping of the Tahquitz Canyon Way median within Section 14 (from Indian Canyon Drive to Sunrise Way). Funding for this project is covered 100% by these IRR funds.

SUBMITTED:

Prepared by:



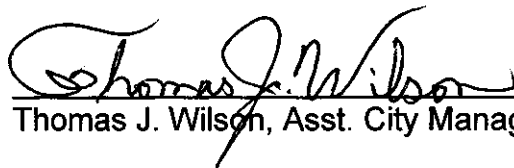
Marcus L. Fuller  
Assistant Director of Public Works

Recommended by:

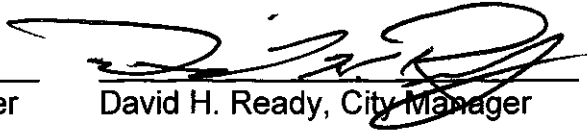


David J. Barakian  
Director of Public Works/City Engineer

Approved by:



Thomas J. Wilson, Asst. City Manager



David H. Ready, City Manager

Attachments:

1. March 25, 2009, City Council staff report
2. Tahquitz Canyon Way median schematic landscape plans
3. March 24, 2011, Tribal Council letter
4. RGA Contract Amendment



## City Council Staff Report

Date: March 25, 2009 CONSENT CALENDAR

Subject: APPROVAL OF A CONTRACT SERVICES AGREEMENT WITH RGA LANDSCAPE ARCHITECTS, INC. FOR THE TAHQUITZ CANYON WAY MEDIAN, PALM SPRINGS CITY HALL, AND RIVERSIDE COUNTY ADMINISTRATIVE OFFICES SCHEMATIC LANDSCAPE DESIGN, CITY PROJECT 08-20

From: David H. Ready, City Manager

Initiated by: Public Works and Engineering Department

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### SUMMARY

Award of this contract will allow the City to proceed with preparation of schematic landscape designs for the Tahquitz Canyon Way median (extending from Indian Canyon Drive to El Cielo Road), Palm Springs City Hall, and the Riverside County Administrative Offices complex.

### RECOMMENDATION:

- 1) Approve Agreement No. \_\_\_\_\_ with RGA Landscape Architects, Inc., in the amount of \$63,540 for preparation of schematic landscape plans for the Tahquitz Canyon Way median (extending from Indian Canyon Drive to El Cielo Road), Palm Springs City Hall, and the Riverside County Administrative Offices complex (City Project No. 08-20); and
- 2) Authorize the City Manager to execute all necessary documents; and
- 3) Direct the City Manager to appoint a Steering Committee for this project.

### STAFF ANALYSIS:

On May 29, 2008, Mayor Pougnet issued a call to the citizens of Palm Springs to join him on "The Palm Springs Path to Sustainability", and "20 First Steps on Sustainability" agreed upon by the Palm Springs City Council on May 21, 2008, including:

2. Complete a comprehensive water audit of all public buildings and facilities and develop an action plan that will reduce City water usage by 50% by 2012; and



5. Identify City Hall as a showcase for public sustainability efforts and a model for energy, water and waste conservation; and
9. Implement a model re-landscaping project showcasing the Tahquitz Median from the airport to downtown by the end of 2009.

The purpose of this project is to implement these provisions of the Mayor's call for sustainability, and will provide the City with a professional schematic landscape plan to convert the existing Tahquitz Canyon Way median landscaping to a desert-landscape, drought tolerant, and sustainable landscape that balances the Mayor's call for sustainability while maintaining the enduring vision of greenery and colorful annuals for Palm Springs tourists. The project also requires preparation of schematic landscape plans for the Palm Springs City Hall and Riverside County Administrative Offices complex.

In October, staff prepared a Request for Proposals (RFP), to solicit proposals from landscape architects interested in working on this project. In the RFP, staff emphasized the following:

*This project is a highly visible, important architectural project for the City of Palm Springs. A well conceived, "Palm Springs" design for the landscaping is expected. The project will require collaboration with the community, City staff, as well as, the Architectural Advisory Committee, the Planning Commission, and City Council. Processing the schematic landscape architectural plans through the City's Major Architectural Approval process is required.*

On October 17, 2008, the RFP was released for public review and distributed to landscape architecture firms registered with the City.

On November 14, 2008, the following 17 firms submitted Proposals in reply to the City's solicitation (in alphabetical order):

BMLA, Inc.; Corona, CA  
Community Works Design Group; Riverside, CA  
Conceptual Design & Planning Company Inc.; Irvine, CA  
Copley Design Collaborative; Oceanside, CA  
David Evans and Associates, Inc.; Riverside, CA  
David Volz Design; Costa Mesa, CA  
Design Workshop; Stateline, NV  
FORMA; Costa Mesa, CA  
Hermann & Associates; La Quinta, CA  
NUVIS; Costa Mesa, CA  
Randy Purnel Landscape Architects; Rancho Mirage, CA  
RGA Landscape Architects, Inc.; Palm Desert, CA

RHA Landscape Architects-Planners, Inc; Riverside, CA  
RJM Design Group Inc.; San Juan Capistrano, CA  
Stantec; San Marcos, CA  
Summers/Murphy & Partners, Inc.; Dana Point, CA  
TKD Associates, Inc.; Rancho Mirage, CA

On December 3, 2008, the City Council appointed Mayor Pro Tempore Mills and Councilmember Hutcheson to the Tahquitz Median Landscape Design Subcommittee. Subsequently, staff met with the Council Subcommittee to form an Evaluation Committee to participate in reviewing the submitted proposals, which consisted of the following individuals:

- Mayor Pro Tempore Mills
- Councilmember Hutcheson
- Planning Commissioner Doug Donenfeld
- Sustainability Commissioner Mark Nichols
- Michael Buccino (Owner, Michael Buccino Associates)
- Director of Parks and Recreation, Sharon Heider
- Asst. Director of Public Works, Marcus Fuller

On January 15, 2009, the Evaluation Committee met to review the final ranking of the submitted proposals, following each Committee member's independent review and evaluation of the proposals. As a result, the Committee concluded that there were two "top ranked" firms: Design Workshop and RGA Landscape Architects, Inc. These firms were invited to participate in a formal interview on February 19, 2009.

Following the interviews, the Evaluation Committee met and considered RGA Landscape Architects, Inc., (RGA) as the most qualified firm. The firm proposes the following individuals as the primary staff assigned to this project: Ronald Gregory, Rob Parker, and Reuel Young (who will be working in conjunction with RGA as a consultant). Staff has prepared a consultant services agreement with RGA who has offered to provide the required services in an amount not to exceed \$63,540.

Given the importance of this highly visible public project, staff recommends that City Council authorize the City Manager to form a Steering Committee to work with RGA throughout the process of preparing preliminary and final schematic landscape designs. It is staff's recommendation that the Evaluation Committee be assigned this task as the Steering Committee, with the exception of Michael Buccino, on the basis that it might appear as a conflict of interest having Michael Buccino indirectly coordinate the preparation of schematic landscape plans by another local landscape architect.

FISCAL IMPACT:

Although this project was not included as a capital improvement project in the 2008/2009 fiscal year budget, staff is recommending that this project be funded from the following Measure Y account: 261-2494-51525 (Desert Landscape Conversion). Staff notes that this account was first established as part of the 2006/2007 fiscal year budget, and has not yet been used for a desert landscape conversion project. The account was continued into the 2008/2009 fiscal year budget with a balance of \$107,639.

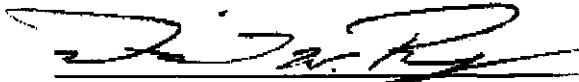
SUBMITTED:



David J. Barakian  
Director of Public Works/City Engineer



Thomas J. Wilson  
Assistant City Manager



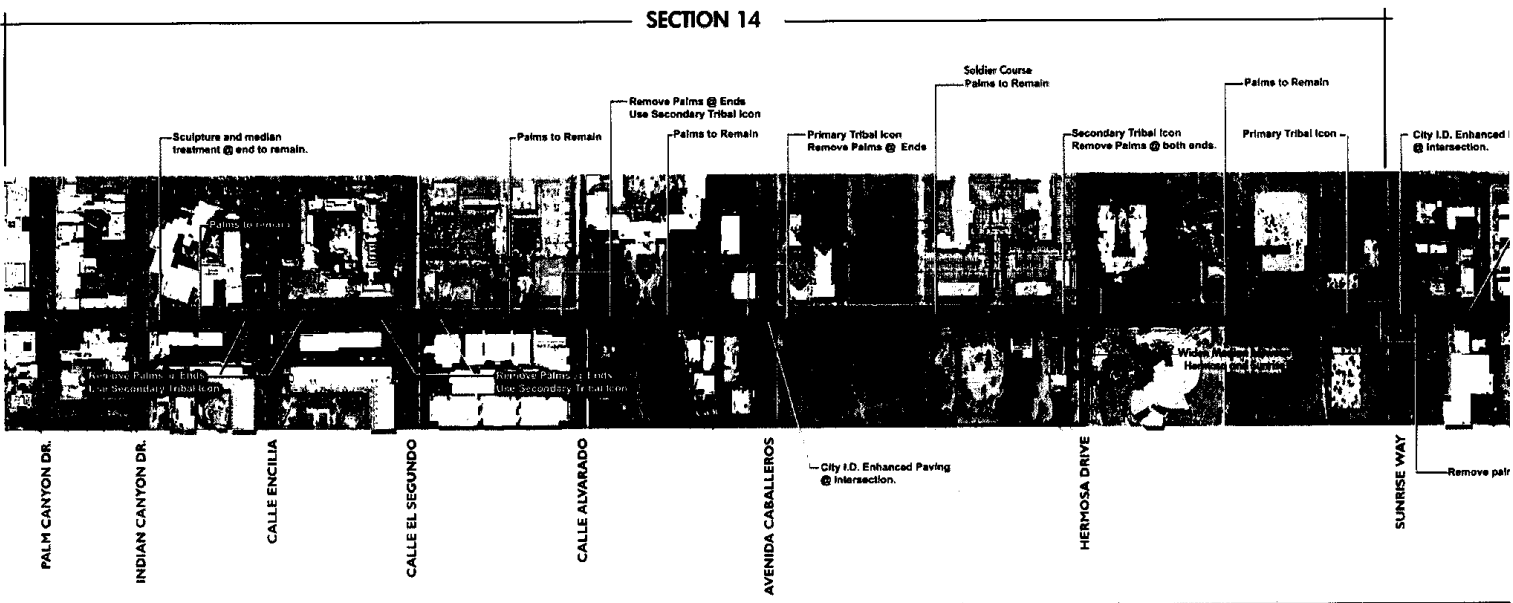
David H. Ready, City Manager

ATTACHMENTS:

1. Agreement

PLEASE NOTE:

Colored versions of these pages are on file in the Office of The City Clerk.



**DOWNTOWN URBAN ZONE**

**RESORT / TRIBAL HERITAGE**

GN

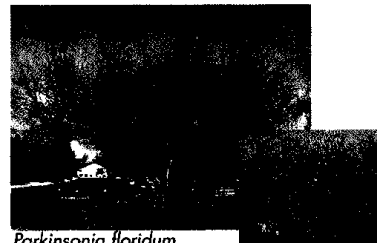
## Large Trees



*Olneya tesota*  
Ironwood



*Prosopis juliflora*  
Honey Mesquite



*Parkinsonia floridum*  
Blue Palo Verde

## Small Trees



*Acacia gregii*  
Cat's Claw Acacia



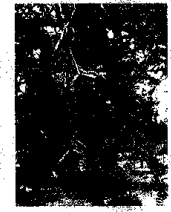
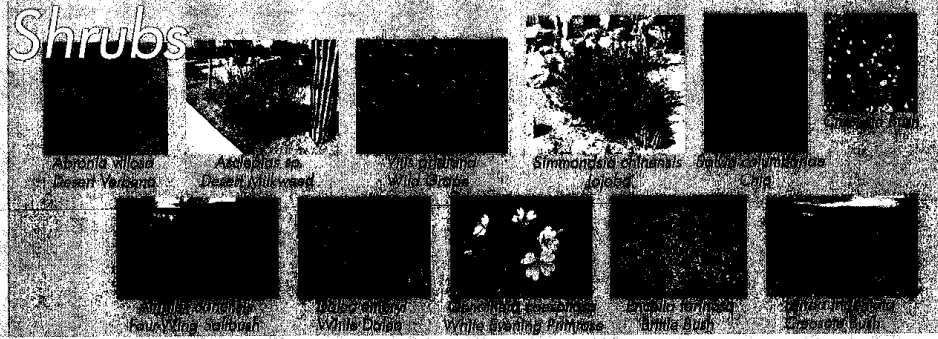
*Chilopsis linearis*  
Desert Willow

## Palms



*Washingtonia filifera*  
California Fan Palm

## Shrubs

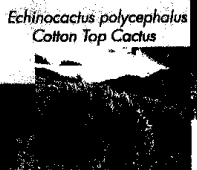


*Prosopis pubescens*  
Screwbean Mesquite

## Cacti



*Agave deserti*  
Agave



*Echinocactus polycephalus*  
Cotton Top Cactus



*Opuntia megacantha*  
Prickly Pear Cactus



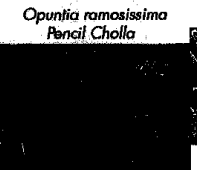
*Opuntia occidentalis*  
Western Prickly Pear



*Opuntia bigelovii*  
Teddy Bear Cholla



*Opuntia acanthocarpa*  
Buck Horn Cholla



*Opuntia ramosissima*  
Pencil Cholla



*Opuntia parryi*  
Cane Cholla

*Echinocactus acanthodes*  
Barrel Cactus

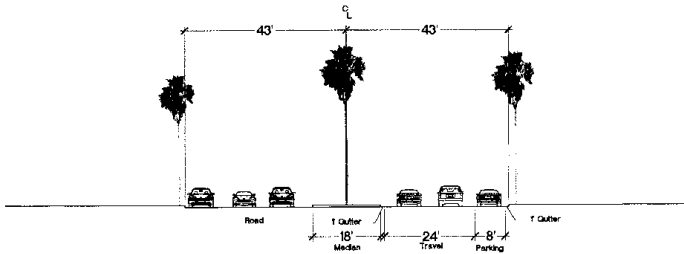
## Section 14 Plant Palette

# Tahquitz Canyon Way Sustainable Revitalization

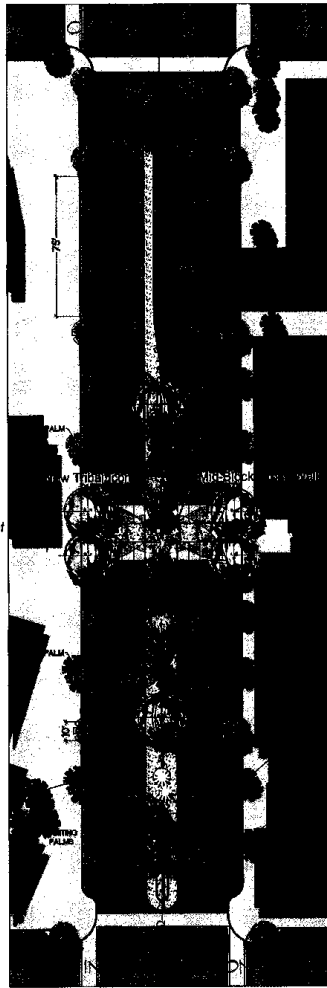
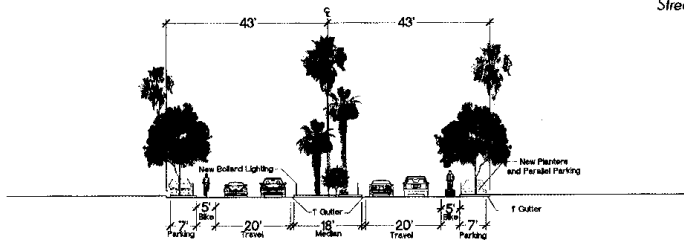
Palm Springs, California



Before Street Improvements



After Street Improvements



Mid-Block Cross Walk



Birds Eye View



Street View

# Tahquitz Canyon Way Sustainable Revitalization

1 Palm Springs, California

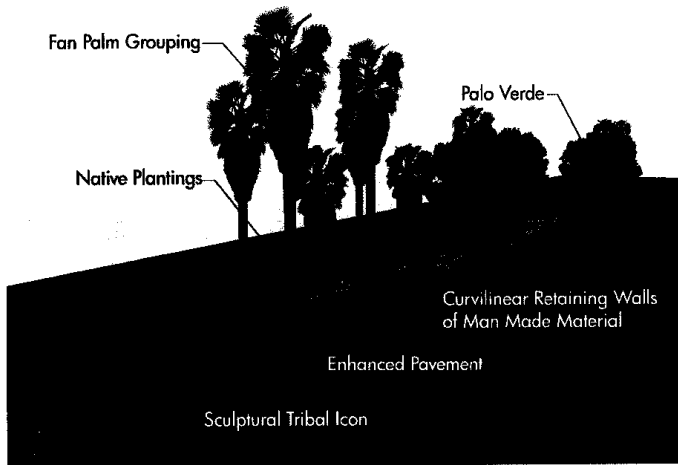
Downtown Urban Street Improvement



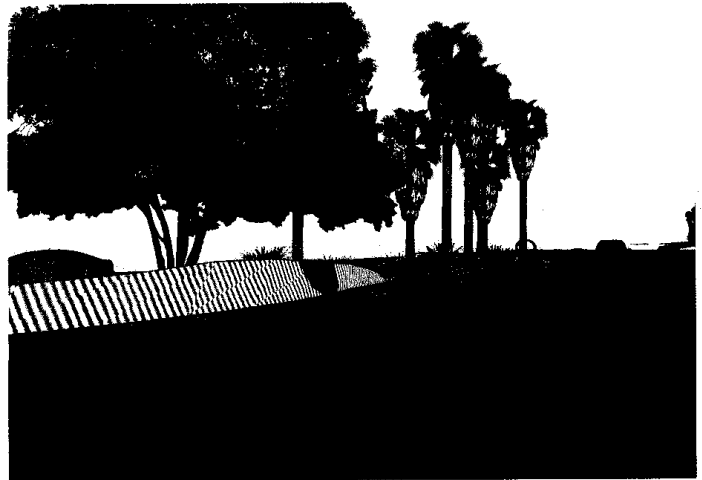
INTERACTIVE DESIGN CORPORATION



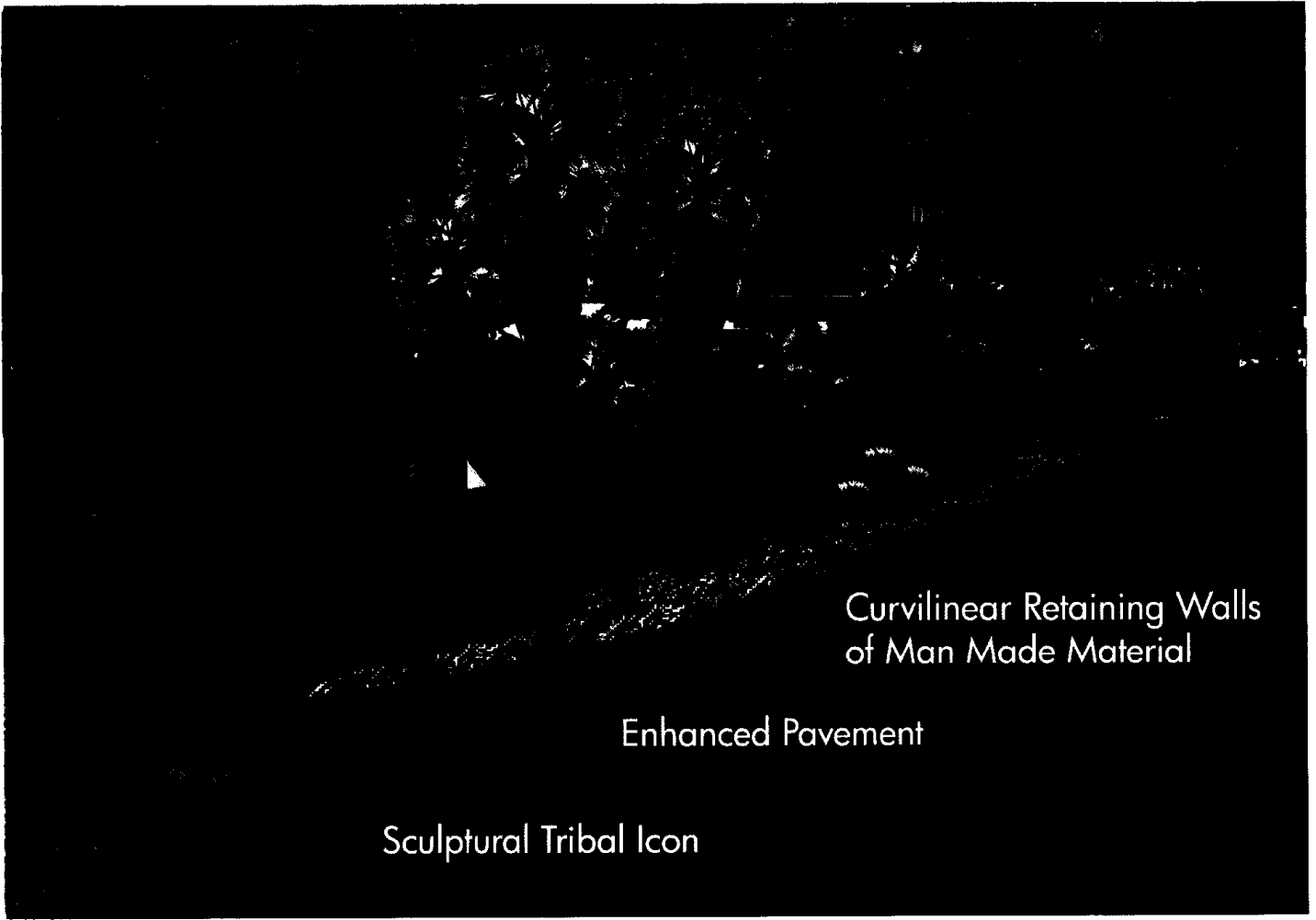
LANDSCAPE ARCHITECTS INC.  
1900 ALBERMARLE BLVD #  
PALM SPRINGS, CA 92260  
PH: 951-355-  
FAX: (951) 771-5815  
E-MAIL: IGARRE@RGA.COM



The Urban Downtown Zone will continue the use of native plantings such as California Fan Palms, specimen Palo Verde, Deer Grass, Desert Spoon and Agaves. The Land Forms will be fluid and curvilinear - constructed of man made material - and will offer the driver a constantly evolving and visually rhythmic experience.



## URBAN DOWNTOWN ZONE

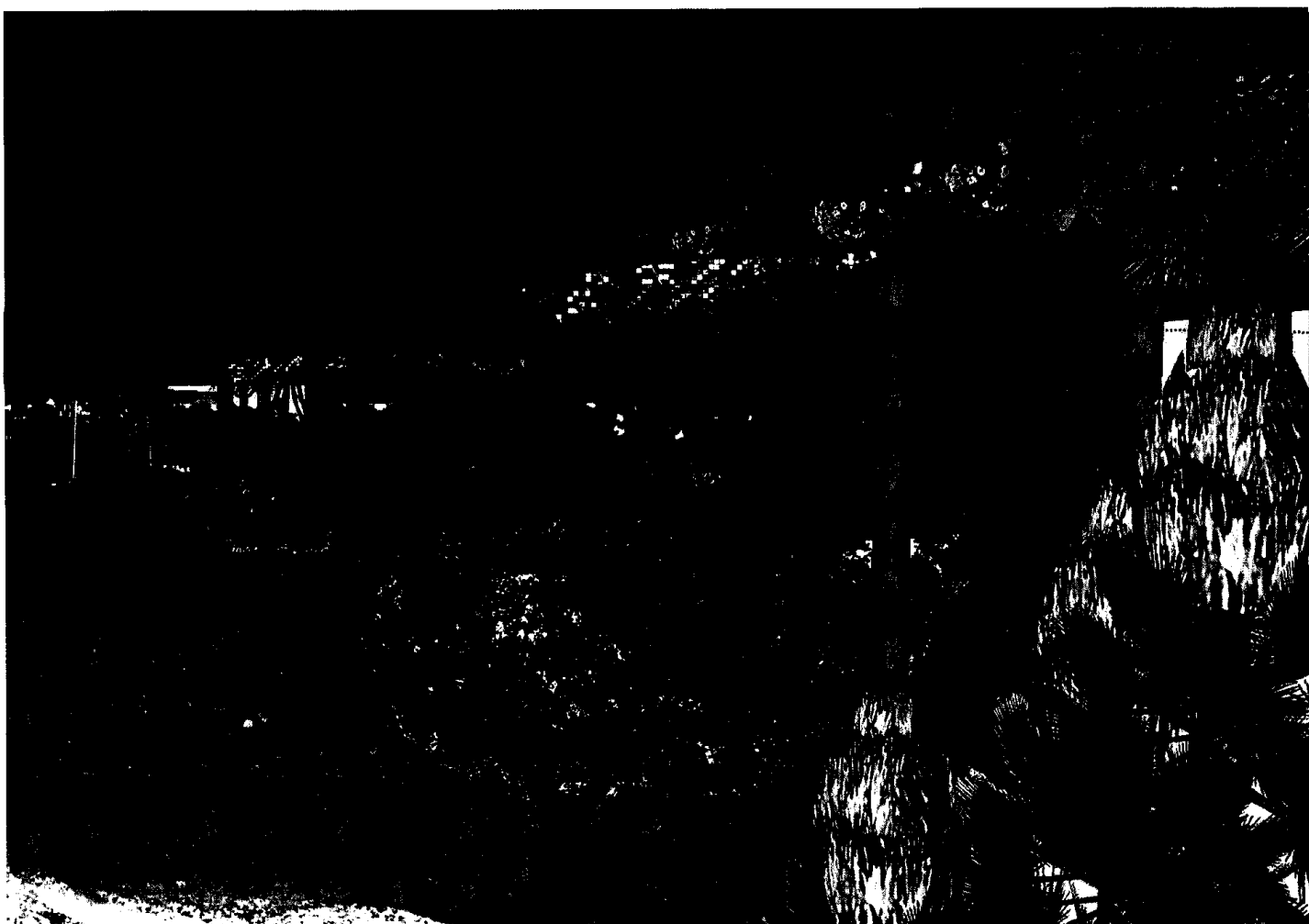


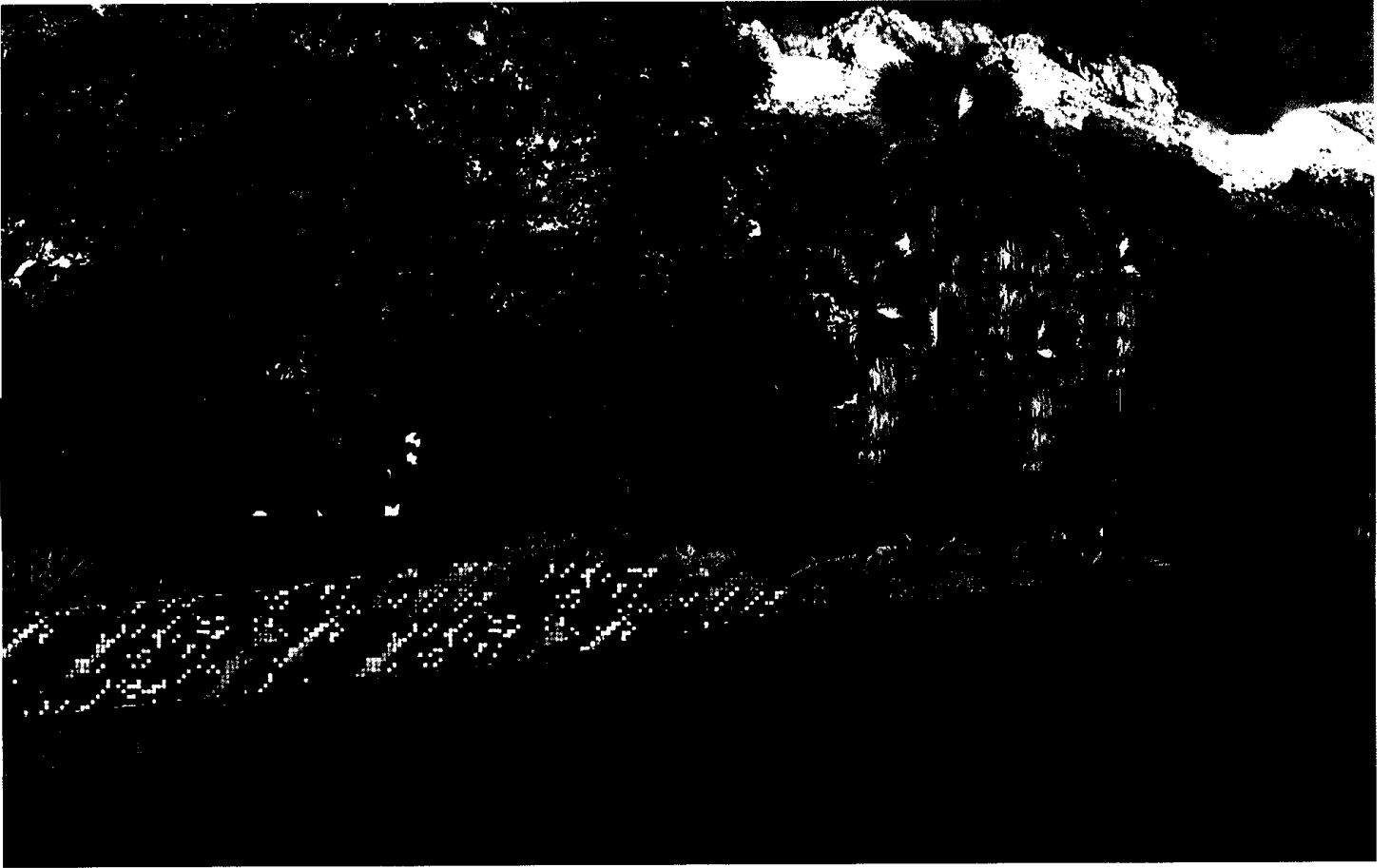
Curvilinear Retaining Walls  
of Man Made Material

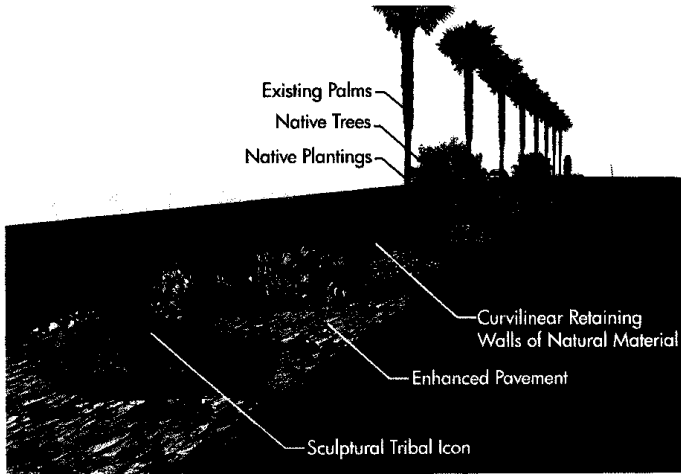
Enhanced Pavement

Sculptural Tribal Icon





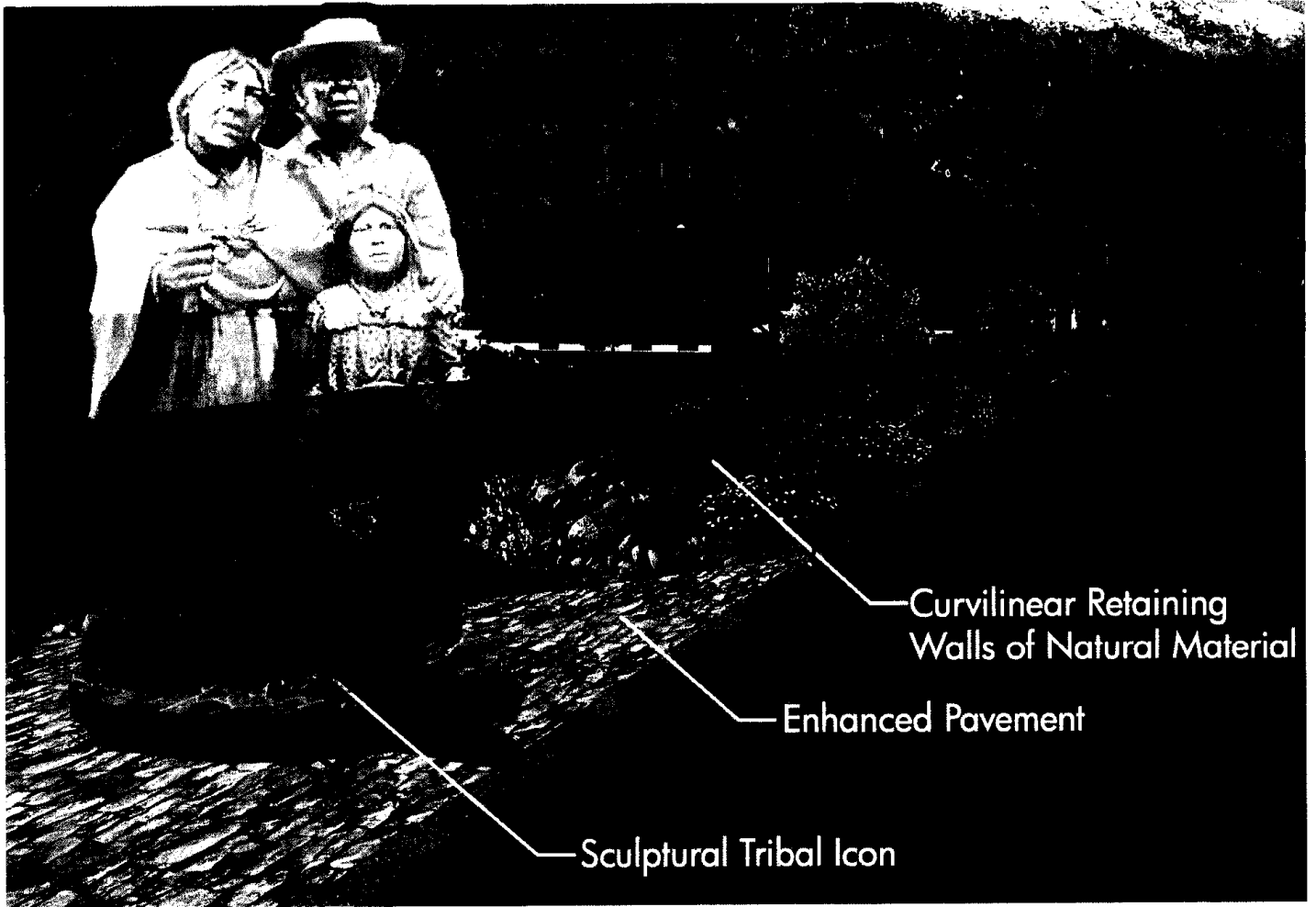




The Tribal Heritage Zone will use native plantings such as California Fan Palms, specimen Palo Verde, Deer Grass, Desert Spoon and Agaves to create a sustainable median that is both aesthetically appealing and appropriately representative of the local environment. The Land Forms will be fluid and curvilinear, and will offer the driver a constantly changing yet visually rhythmic experience. They will be constructed of more organic material such as stacked boulders or flagstone. Design will accommodate existing soldier course Mexican Fan Palms

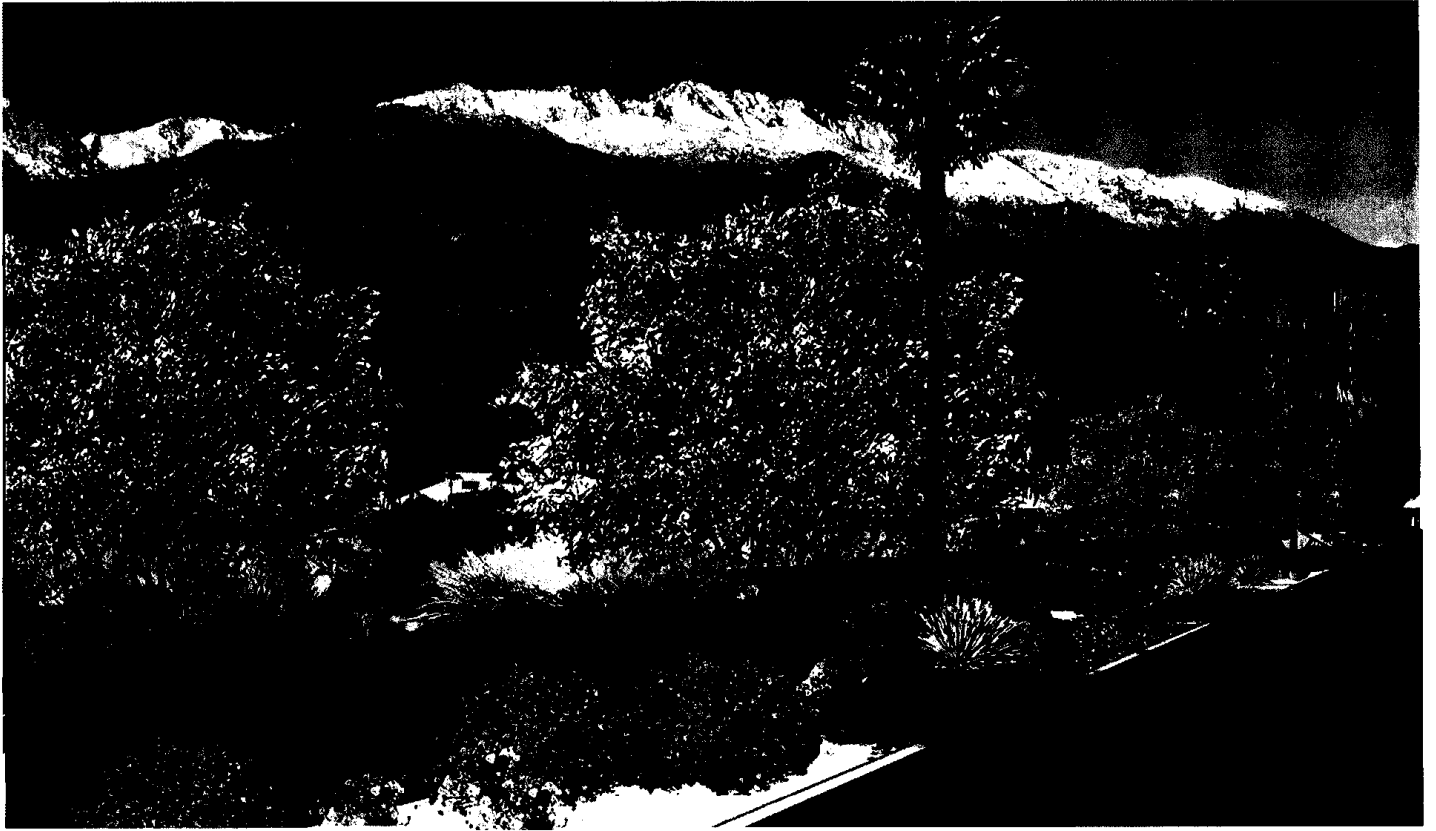


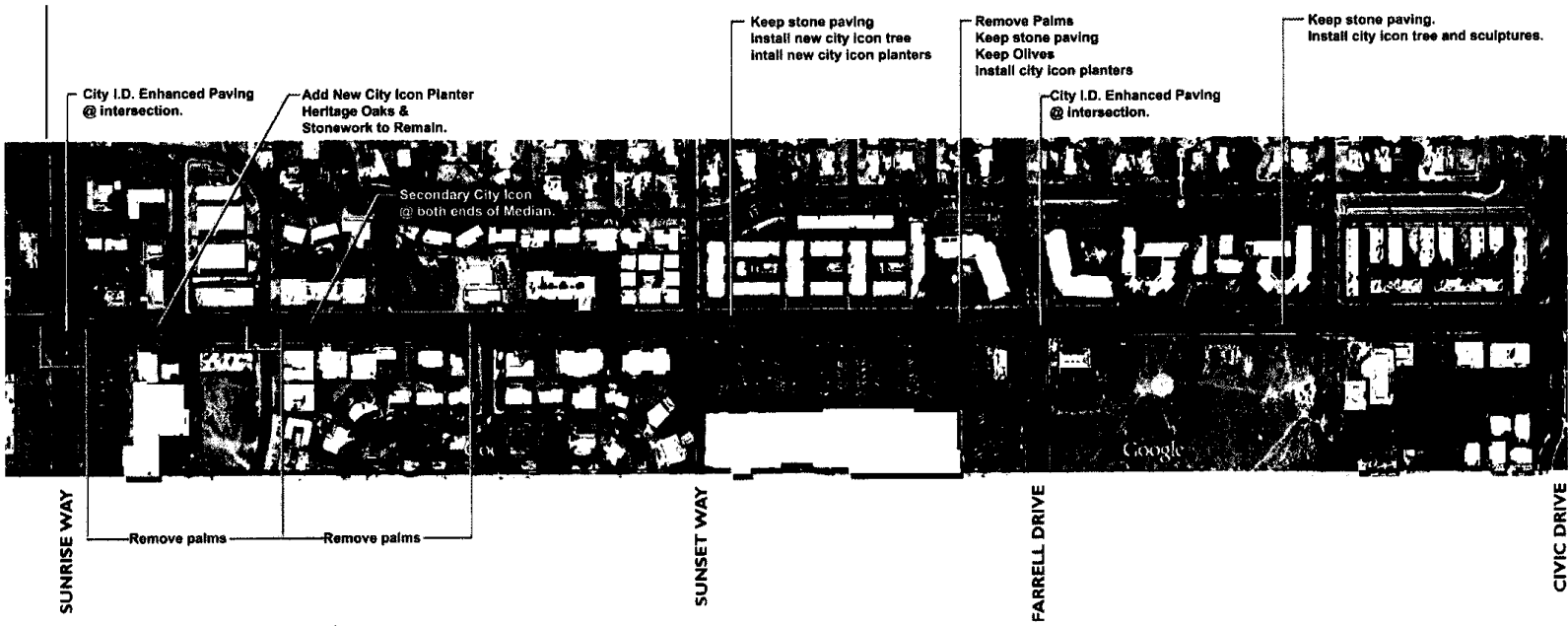
## TRIBAL HERITAGE ZONE











## NEIGHBORHOOD ZONE



# Large Trees



*Acacia xanthophloea*  
Fever Tree



*Parkinsonia praecox*  
Sonoran Palo Verde



*Parkinsonia floridum*  
Blue Palo Verde



*Tipuana tipu*  
Tipu Tree



*Bauhinia lunarioides*  
Chihuahuan Orchid

# Small Trees

# Palms



*Washingtonia filifera*  
California Fan Palm



*Washingtonia robusta*  
Mexican Fan Palm



*Chamerops humilis*  
Mediterranean Fan Palm



*Brahea armata*  
Mexican Blue Palm

# Shrubs



*Chilopsis linearis*  
Desert Willow



*Caesalpinia Cascalote*  
Cascalote 'Smoothie'

# Accents

## Agave Varieties



## Hesperaloe Varieties



## Yucca Varieties



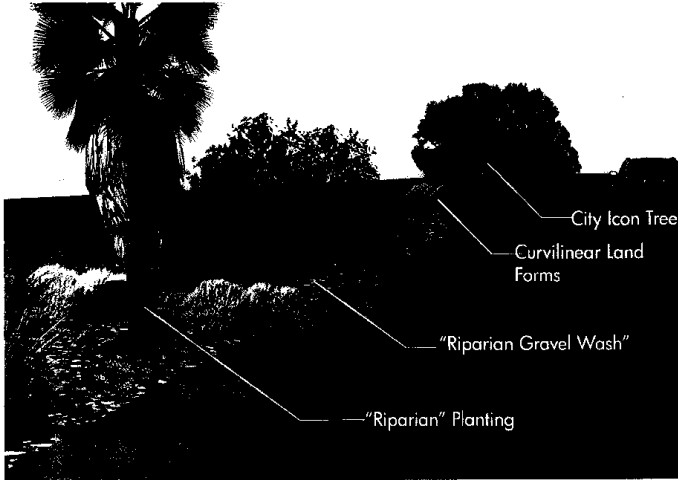
# City of Palm Springs Plant Palette

## Tahquitz Canyon Way Sustainable Revitalization

Palm Springs, California

**INTERACTIVE DESIGN CORPORATION**

**RGA**  
LANDSCAPE ARCHITECTS, INC.  
2400 ALHAMBRA BLVD. #100  
PALM SPRINGS, CA 92262  
TEL: 760.325.1100  
FAX: 760.325.1100  
E-MAIL: RGA@RGA-PA.COM



The Neighborhood Zone will use Native plantings such as California Fan Palms, specimen Palo Verde, Deer Grass, Desert Spoon and Agaves as well as lush plantings to create a sustainable median that is both aesthetically appealing and appropriately representative of the local environment.

The curvilinear shapes of earth are representative of naturally occurring land forms such as fault lines and mountain ridges, and will offer the driver a constantly changing yet visually rhythmic experience. They will be constructed of more organic material such as stacked boulders or flagstone.

## NEIGHBORHOOD ZONE



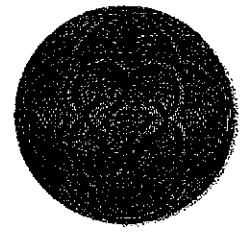
*Council*  
**AGUA CALIENTE BAND OF CAHUILLA INDIANS**

PLANNING & DEVELOPMENT DEPARTMENT

CONSTRUCTION DIVISION • ECONOMIC DEVELOPMENT DIVISION

PLANNING & NATURAL RESOURCES DIVISION • TRIBAL HISTORIC PRESERVATION OFFICE

*Chris Long*  
*MPG*



March 24, 2011

HAND DELIVERED

✓

Mayor Steve Pougnet and City Council  
CITY OF PALM SPRINGS  
3200 Tahquitz Canyon Way  
Palm Springs, California 92262

MAR 24 2011

**RE: Tahquitz Canyon Way Median and Roadway Conceptual Design Plans**

Dear Mayor and City Council,

The Tribal Council of the Agua Caliente Band of Cahuilla Indians reviewed the above referenced plans at its meeting of March 22, 2011, and recommends approval of the conceptual designs to the City Council with the following conditions:

1. Remove the mid-block pedestrian crossings;
2. Preserve the existing bike paths and on-street parking along Tahquitz Canyon Way; and
3. Public artwork and Tribal icons proposed in the Tahquitz Canyon Way median in Section 14 shall be submitted to the Tribe for review and approval prior to installation.

Please contact me should you have any questions at 760-883-1326.

Very truly yours,

*Margaret Park*

Margaret E. Park, AICP  
Director of Planning & Natural Resources  
**AGUA CALIENTE BAND  
OF CAHUILLA INDIANS**

MP/dm

C: Tribal Council  
Tom Davis, Chief Planning & Development Officer  
David Barakian, Director of Public Works/City Engineer, City of Palm Springs

AMENDMENT NO. 1 TO CONSULTING SERVICES AGREEMENT NO. 5809  
WITH RGA LANDSCAPE ARCHITECTS, INC.  
TAHQUITZ CANYON WAY MEDIAN LANDSCAPING IMPROVEMENTS  
CITY PROJECT NO. 08-20

As permitted by Section 3.3 thereof, Agreement No. 5809 is hereby amended as follows:

Add the following Section 1.1.1:

**1.1.1 Tahquitz Canyon Way Median Landscaping Final Design (Section 14).** In compliance with all terms and conditions of this Agreement, Consultant shall provide Landscape Architectural Services to City as described in the Scope of Services/Work attached to this Agreement as Exhibit "A-1" and incorporated herein by reference (the "additional services"), which includes the agreed upon schedule of fees. Consultant warrants that all additional services shall be performed in a competent, professional, and satisfactory manner in accordance with all standards prevalent in the industry. In the event of any inconsistency between the terms contained in the Scope of Services/Work identified on Exhibit "A-1" and the terms set forth in the main body of this Agreement, the terms set forth in the main body of this Agreement shall govern.

Add the following Section 3.1.1:

**3.1.1 Compensation of Consultant – Tahquitz Canyon Way Median Landscaping Final Design (Section 14).** For the Services rendered pursuant to the Consultant's proposal letter dated December 15, 2010, related to the Tahquitz Canyon Way Median Landscaping Final Design (Section 14), which is attached hereto as Exhibit "A-1", Consultant shall be compensated and reimbursed in accordance with the schedule of fees set forth in Exhibit "A-1", which total amount shall not exceed **\$94,400**.

Section 4.4 is hereby replaced with the following:

**4.4 Term.** This agreement shall be retroactively extended from January 1, 2012, to the date Amendment No. 1 is fully executed by the City. Unless earlier terminated in accordance with Section 9.5 of this Agreement, this Agreement shall continue in full force and effect until **December 31, 2015**, unless extended by mutual written agreement of the parties.

Add Exhibit "A-1", as attached hereto this Amendment No. 1.

Purchase Order Number(s):	09-0847
Agreement Number:	5809
Original City Council Approval:	March 25, 2009
Original Contract Amount:	\$ 63,540
Amount of Prior Changes:	\$ 0
Amount of This Change:	\$ 94,400
<b>Amended Total:</b>	<b>\$ 157,940</b>
Account Number:	261-4491-50300; \$94,400

**SIGNATURES ON LAST PAGE**

Except as specifically amended by this Amendment No. 1, all terms and provisions of Agreement No. 5809 remain in full force and effect.

ATTEST:

CITY OF PALM SPRINGS,  
a California charter city

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
City Manager

APPROVED AS TO FORM:

By: \_\_\_\_\_  
City Attorney

CONSULTANT: RGA LANDSCAPE ARCHITECTS, INC.

Check one:  Individual  Partnership  Corporation

Corporations require two notarized signatures: One signature must be from the Chairman of Board, President, or any Vice President. The second signature must be from the Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, or Chief Financial Officer.)

By: [Signature]  
Notarized Signature of Chairman of Board  
President or any Vice President

By: [Signature]  
Notarized Signature Secretary, Asst Secretary,  
Treasurer, Asst treasurer or Chief Financial Officer

Name: RONALD B. GREGORY  
Title: PRESIDENT

Name: Marcy Sue Gregory  
Title: Secretary

State of California  
County of Riverside } ss

State of California  
County of Riverside } ss

On 1/20/2012 before me, Cameron J. Nevins, Notary

On 1/20/2012 before me, Cameron J. Nevins, Notary

personally appeared Ronald B. Gregory  
who proved to me on the basis of satisfactory evidence) to be  
the person(s) whose name(s) is/are subscribed to the within  
instrument and acknowledged to me that he/she/they  
executed the same in his/her/their authorized capacity(ies),  
and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s)  
acted, executed the instrument.

personally appeared Marcy Sue Gregory  
who proved to me on the basis of satisfactory evidence) to be  
the person(s) whose name(s) is/are subscribed to the within  
instrument and acknowledged to me that he/she/they  
executed the same in his/her/their authorized capacity(ies),  
and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s)  
acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the  
State of California that the foregoing paragraph is true and  
correct.

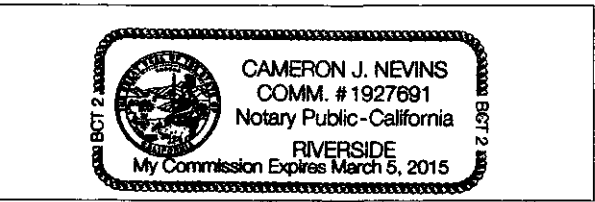
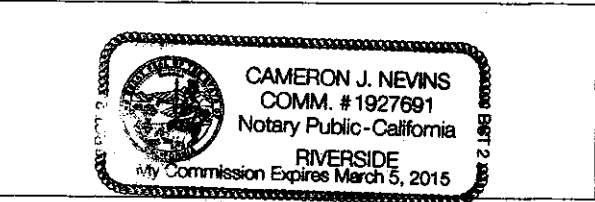
I certify under PENALTY OF PERJURY under the laws of the  
State of California that the foregoing paragraph is true and  
correct.

WITNESS my hand and official seal.  
Notary Signature: [Signature]

WITNESS my hand and official seal.  
Notary Signature: [Signature]

Notary Seal:

Notary Seal:



**EXHIBIT "A-1"**  
**TAHQUITZ CANYON WAY MEDIAN LANDSCAPING FINAL DESIGN (SECTION 14)**  
**SCOPE OF SERVICES**

Consultant shall provide those additional services specifically related to the Tahquitz Canyon Way Median Landscaping Final Design (Section 14), as specified in the Consultant's proposal letter dated December 15, 2010, included herewith on the following pages.

Compensation to Consultant shall be made pursuant to the schedule of fees identified in the Consultant's proposal letter dated December 15, 2010, included herewith on the following pages.



December 15, 2010

Marcus Fuller  
Asst. City Engineer/Asst. Director of Public Works  
City of Palm Springs  
3200 Tahquitz Canyon Way  
Palm Springs, CA 92262

Phone: (760) 322-8364  
Fax: (760) 322-8325  
Email: Marcus.fuller@palmsprings-ca.gov

Dear Marcus:

RGA is pleased to submit a proposal for landscape architectural design services for the Section 14 median island design. We understand that if we are selected to provide these design services, we will sign a City of Palm Springs consulting contract. Therefore, we are sending you a letter form proposal which outlines our understanding of the scope of work and the fee.

#### **Project Description**

Design of the median islands, mid-block crossings and enhanced paving intersections on Tahquitz Canyon Way in Section 14; an area extending from Indian Avenue to Sunrise Way (approximately 5,160 linear feet). The design will be based on the City of Palm Springs approved schematic design for this area as illustrated in the "Tahquitz Canyon Way Sustainable Revitalization" study.

#### **Scope of Work**

The scope of work will include the following tasks:

1. Meet with City staff to discuss budget, schedule, hardscape and lighting material choices and number and location of the mid-block crossings (we currently estimate 4 mid-block crossings).
2. Field review the existing medians and mid-block crossing locations to verify existing curb configurations and to locate observable utility locations, such as water meters, junction boxes and other fixed objects in the medians. *Note: It is understood that RGA will not be locating below grade utilities, unless such information is provided by the City of Palm Springs.*
3. Initial design development drawings for review and discussion with City staff. These drawings will include:
  - a. Hardscape plans and conceptual details, indicating paving design, mid-block crossings, enhanced paving at intersections and curvilinear wall layout in medians.

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CA Lic. #1532 • AZ Lic. #13754 • NV Lic. #94

- b. Planting plans.
  - c. Light fixture location plan and fixture details.
  - d. Irrigation narrative.
  - e. Estimate of construction costs.
  - f. Meetings with City staff to review and modify the drawings (estimate of two meetings).
4. Design development submittal drawings for review by ARC and Planning Commission. Drawings will be in color, and will include:
- a. Hardscape, planting and lighting plans incorporated into one presentation plan.
  - b. Enlargements of key areas, including typical mid-block crossing, two median islands (one in the Urban Zone and one in the Resort / Tribal Heritage Zone), cross sections, detail enlargements of curvilinear walls, and intersection paving.
  - c. Perspective views of the medians and mid-block crossings (4 perspectives).
  - d. Preparation of hard copies and a Power Point presentation.
  - e. Meetings with ARC, Planning Commission and City staff (estimate of 3 meetings).
5. Construction documents, incorporating comments from the design development submittal process, for final review by the City, and for use in obtaining permits and construction bids. Construction documents will include:
- a. Demolition plans indicating existing palms, paving and curb sections to be removed.
  - b. Hardscape plans and details. *Note: the demolition of portions of existing curbs and addition of new curbs for the mid-block crossings, as well as enhanced street paving design, will be per City standard details. Civil engineering analysis, including grading design and drainage studies, if required, will be by others.*
  - c. Irrigation plans and details, including water use calculations and coordination with DWA as needed.
  - d. Planting plans, indicating existing palms to remain and all new plant material in common and botanical names, quantities and sizes.
  - e. Lighting plans, including fixture locations, electrical design, power hook-up locations, power controls, and coordination with SCE as needed. Electrical design will be provided by MRC Engineering, which will be a subconsultant to RGA.
  - f. Specifications and preparation of bid forms.
  - g. Updated estimate of costs.
  - h. Plan check corrections and agency coordination as needed.

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6. Construction administration phase, including:
  - a. Assistance with bidding, including response to questions and attendance at a pre-bid meeting. Bid advertisement and distribution of documents will be by the City.
  - b. Attendance at a pre-construction meeting with the successful bidder and the City.
  - c. Response to RFI's and general office support during construction.
  - d. Site observations and site meetings during construction. Estimate of 12 site reviews. Site reviews will be in coordination with the City inspectors for any items relating to street paving, sidewalk paving and curbs. Each observation to be followed by a written report.
  - e. Submittal reviews.
  - f. Final review and maintenance check.
7. Deliverables. We will provide the following deliverables during the design and construction phases:
  - a. One set of check prints for use by the City at each meeting.
  - b. Two sets of large scale exhibits, mounted on boards, for meetings with the ARC and Planning Commission and a CD with PDF's of the presentation drawings.
  - c. One hardcopy of the final drawings and specifications, and a CD with AutoCAD files and PDF's of the drawings and specifications.

**Fee:**

Our fee for the above described tasks will be as follows:

<b>1. <u>Design Phase</u></b>	
a. Design Development Phase (tasks 1-4):	\$37,500
b. Construction Documents (task 5):	\$30,600
c. Electrical Engineering (task 5e):	<u>\$ 6,800</u>
Subtotal, Design Phase:	<b>\$74,900</b>
<b>2. <u>Construction Phase</u></b>	
a. Office support (tasks 6a, 6b, 6c and 6e): Hourly rates, to an estimate of:	\$ 5,500
b. Site observations and meetings (6d and 6f): Hourly rates, to an estimate of:	\$ 8,500
c. Electrical and lighting site review: hourly rates, to an estimate of:	<u>\$ 1,500</u>
Subtotal, Construction Phase:	<b>\$15,500</b>
<b>3. <u>Deliverables:</u> billed at cost, not to exceed: \$ 4,000.</b>	

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Our Hourly Rates are as follows:

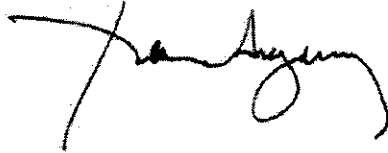
Principal Landscape Architect: \$165.00/hr  
Associate Landscape Architect: \$135.00/hr

Drafter: \$80.00/hr  
Secretary: \$50.00/hr

Please do not hesitate to contact me if you have any questions or if you would like to meet and discuss our proposal. We look forward to working with you again.

Sincerely,

**RGA LANDSCAPE ARCHITECTS, INC.**



Ronald Gregory  
President

RG/bc

Enclosure

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**END OF EXHIBIT "A-1"**