

City Council Staff Report

July 1, 2015 Date:

CONSENT CALENDAR

Subject:

APPROVAL OF AMENDMENT NO. 3 IN THE AMOUNT OF \$16,600 TO PROFESSIONAL SERVICES AGREEMENT WITH KOA CORPORATION (A6033) FOR THE VISTA CHINO AT FARRELL DRIVE STREET IMPROVEMENTS, FEDERAL PROJECT CML 5282 (037), CITY PROJECT

09-11

From:

David H. Ready, City Manager

Initiated by: Public Works and Engineering Department

SUMMARY

The requested action will approve Amendment No. 3 to Professional Services Agreement with KOA Corporation (Agreement No. 6033) provides additional required services in the amount of \$16,600 for an increased total contract amount of \$98,600 for construction support services for the Vista Chino at Farrell Drive Street Improvements, Federal Project No. CML 5282 (037), City Project No. 09-11.

RECOMMENDATION:

- Approve Amendment No. 3 with KOA Corporation in the amount of \$16,600 for a 1) revised total contract amount of \$98,600 for the Vista Chino at Farrell Drive Street Improvements, Federal Project CML 5282 (037), City Project 09-11; and
- 2) Authorize the City Manager to execute all necessary documents.

STAFF ANALYSIS:

On November 3, 2010, the City Council approved a Professional Services Agreement ("PSA") (Agreement No. 6033) with KOA Corporation, ("KOA"), for environmental, engineering design, and construction administration services for the Vista Chino at Farrell Drive Street Improvements, Federal Project No. CML 5282 (037), City Project No. 09-11, (the "Project"). The Project is a federally funded project to add a new dedicated northbound right-turn lane on Farrell Drive at Vista Chino, and includes modification and upgrade of the existing traffic signal. A vicinity map of the project area is included as Attachment 1.

Two prior amendments were approved by the City Manager to incorporate additionally required professional services associated with the environmental and design phases.

On September 3, 2014, the City Council awarded a construction contract for the Project to Hillcrest Contracting, Inc.; staff is currently coordinating and resolving preconstruction issues with Hillcrest Contracting, and construction is anticipated to commence in July. However, in evaluating certain project design issues, a modified design solution has been suggested to address the traffic signal relocation which has the potential to decrease overall cost and schedule. Staff has requested that KOA provide additional design support services to facilitate the design modification.

Amendment No. 3 to the PSA with KOA has been prepared to incorporate the requested additional design support services, at a cost of \$16,600; a copy of the contract amendment is included as **Attachment 2**.

ENVIRONMENTAL IMPACT:

Section 21084 of the California Public Resources Code requires Guidelines for Implementation of the California Environmental Quality Act ("CEQA"). The Guidelines are required to include a list of classes of projects which have been determined not to have a significant effect on the environment and which are exempt from the provisions of CEQA. In response to that mandate, the Secretary for Resources identified classes of projects that do not have a significant effect on the environment, and are declared to be categorically exempt from the requirement for the preparation of environmental documents. In accordance with Section 15301 "Existing Facilities," Class 1 exemptions consist of the minor alteration of existing public structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; therefore, the City, acting as lead agency pursuant to CEQA, determined that the Project is considered categorically exempt from CEQA, and a Notice of Exemption was prepared and filed December 27, 2011, with the Riverside County Clerk and the State Clearing House. A copy of the Notice of Exemption is included as **Attachment 3**.

The Project is funded, in part, by federal funds, requiring local oversight by the State of California, Department of Transportation ("Caltrans"). As a federally funded project, the Project is subject to environmental review pursuant to the National Environmental Policy Act ("NEPA"). On December 19, 2011, Caltrans, acting as the lead agency pursuant to NEPA, made an environmental determination that the Project does not individually or cumulatively have a significant impact on the environment as defined by NEPA and is excluded from the requirements to prepare an Environmental Assessment ("EA") or Environmental Impact Statement ("EIS"), and that it qualifies for a Categorical Exclusion in accordance with 23 CFR 771.117(d) pursuant to activity (d)(1). Subsequently, on July 11, 2013, Caltrans completed a NEPA re-validation confirming that the prior NEPA determination for the Project remains valid and no further environmental documentation

was required. A copy of the NEPA environmental documents is included as **Attachment 4**.

FISCAL IMPACT:

The Project is funded from a combination of Gas Tax (Fund 133), Local Measure A (Fund 134), Special Project - Traffic Mitigation Fees (Fund 160), and Capital Projects Federal Grant Fund (Fund 261). A total of \$579,910 was previously appropriated for the Project.

Costs associated with the Project are federally funded at 88.53% of the total cost, with a local match requirement of 11.47%. The additional cost associated with Amendment No. 3 to the PSA with KOA will be funded from the following accounts:

- Capital Projects Federal Grant Fund Account No. 261-4491-60076; \$14,695.98
- Gas Tax Account No. 133-4298-60076; \$1,904.02

SUBMITTED

Prepared by:

Approved by:

Marcus L. Fuller, MPA, P.E., P.L.S.

Assistant City Manager/City Engineer

David H. Ready, Esg. Ph.D.

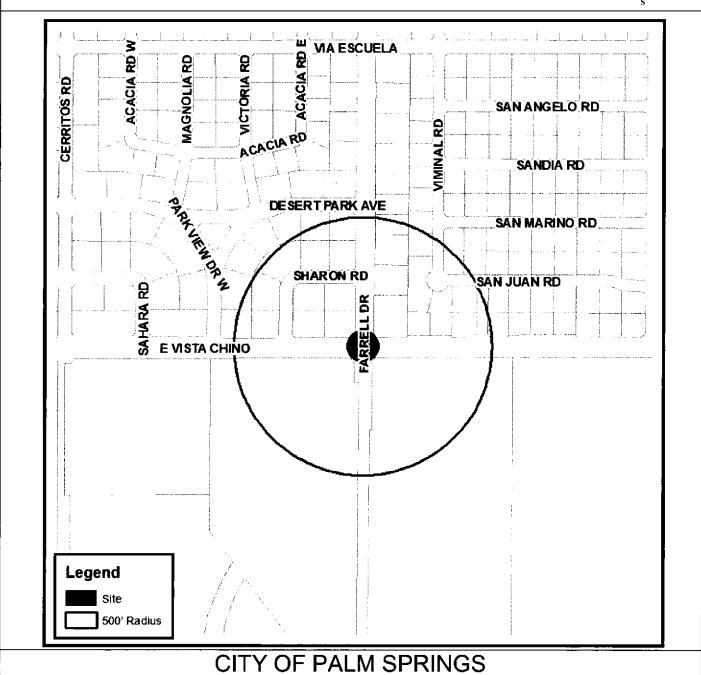
City Manager

- 1. Vicinity Map
- 2. Amendment No. 3
- 3. CEQA Notice of Exemption
- 4. NEPA Environmental Documents



Department of Public Works and Engineering Vicinity Map





Notice of Exemption	2011128225 Form
To: Office of Planning and Research	From: (Public Agency) City of Palm Springs
P.O. Box 3044, Room 212	3200 East Tahquitz Canyon Way
Sacramento, CA 95812-3044	Palm Springs, CA, 92262
County Clerk	(Address)
County of Riverside	_
2724 Gateway Drive	_
Riverside, CA 92507	_
Project Title: Vista Chino at Farrell Drive S	Street Improvements
Project Location - Specific:	
Southeast corner of the Farrell Drive and Vista Ch	ino (SR 111) intersection
·	
Project Location - City: Palm Springs	Project Location – County: Riverside
Description of Nature, Purpose and Beneficiaries of Pro	oject:
notices the relocation of the traffic signal pole and equipment a	at the southeast corner and necessary upgrade of the existing traffic signal system.
Name of Public Agency Approving Project: Cit	y of Palm springs
Name of Public Agency Approving Project: Cit Name of Person or Agency Carrying Out Project:	, . .
Name of Public Agency Approving Project: City Carrying Out Project: Cixempt Status: (check one)	y of Palm springs
Name of Public Agency Approving Project: Name of Person or Agency Carrying Out Project: Exempt Status: (check one) Ministerial (Sec. 21080(b)(1); 15268);	y of Palm springs Marcus L. Fuller, PE, PLS
Name of Public Agency Approving Project: Name of Person or Agency Carrying Out Project: Exempt Status: (check one) Ministerial (Sec. 21080(b)(1); 15268); Declared Emergency (Sec. 21080(b)(3); 15269(y of Palm springs Marcus L. Fuller, PE, PLS a));
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Name of Public Agency Approving Project: Name of Person or Agency Carrying Out Project: Exempt Status: (check one) Ministerial (Sec. 21080(b)(1); 15268); Declared Emergency (Sec. 21080(b)(3); 15269(b) Emergency Project (Sec. 21080(b)(4); 15269(b)	y of Palm springs Marcus L. Fuller, PE, PLS a)); (c));
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Name of Public Agency Approving Project: Name of Person or Agency Carrying Out Project: Exempt Status: (check one) Ministerial (Sec. 21080(b)(1); 15268); Declared Emergency (Sec. 21080(b)(3); 15269(c) Emergency Project (Sec. 21080(b)(4); 15269(b)) Categorical Exemption. State type and section in Statutory Exemptions. State code number: Reasons why project is exempt: The proposed action is necessary to reduce congestion at the intersection of Visits Chino. Presently, the northbound Farrell Drive is improved with one dedical ight-turn tane. The new dedicated right-turn lane will affer the long queue of runding through the Congestion Mitigation and Air Quality (CMAQ) federal aid projects. Lead Agency Marcuse i Fuller DE DI State Code in the land of the land	Marcus L. Fuller, PE, PLS a)); (c)); umber: Existing Facilities, Section 15301(c) c Chino and Farrell Drive by providing a dedicated right-turn lane from northbound Farrell Drive to east bounded left-turn lane and two through lanes; the right through lane serving a dual role and through lane and northbound traffic waiting to proceed through the intersection. The proposed action is made possible by gram provided through the Safe, Accountable, Flexible and Efficient Transportation Equity Act – A Legacy for
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Name of Public Agency Approving Project: Exempt Status: (check one) Ministerial (Sec. 21080(b)(1); 15268); Declared Emergency (Sec. 21080(b)(3); 15269(b) Emergency Project (Sec. 21080(b)(4); 15269(b) Categorical Exemption. State type and section n Statutory Exemptions. State code number: Reasons why project is exempt: The proposed action is necessary to reduce congestion at the intersection of Vista Vista Chino. Presently, the northbound Farrell Drive is improved with one dedicated right-turn lane will alteriate the long queue of rainding through the Congestion Mitigation and Air Quality (CMAQ) federal aid projects. (SAFETEA-LU). Lead Agency Contact Person: Marcus L. Fuller, PE, PLS If filed by applicant: 1. Attach certified document of exemption finding.	Marcus L. Fuller, PE, PLS a)); (c)); umber: Existing Facilities, Section 15301(c) a Chino and Farrell Drive by providing a dedicated right-turn lane from northbound Farrell Drive to east bounded tell-turn tane and two through lanes; the right through lane serving a dual role and through lane and northbound traffic waiting to proceed through the intersection. The proposed action is made possible by gram provided through the Sale, Accountable, Flexible and Efficient Transportation Equity Act – A Legacy for Area Code/Telephone/Extension: (760) 323-8253 ext. 874

Date received for filing at OPR:

Morcus L. Fuller

☐ Signed by Applicant

28

DEC 2 7 2011 STATE CLEARING HOUSE

Revised 2005

DEPARTMENT OF TRANSPORTATION

DISTRICT 8
ENVIRONMENTAL PLANNING (MS 1162)
464 WEST 4TH STREET, 6TH FLOOR
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-1804
FAX (909) 383-6230
TTY (909) 383-6300



Flex your power!
Be energy efficient!

December 19, 2011

File: 08-RIV- City of Palm Springs Vista Chino and Farrel Drive Improvements CML 5282 (037)

Marcus L. Fuller, P.E., PLS City of Palm Springs 3200 East Tahquiz Canyon Way Palm Springs, CA 92262

Dear Mr. Fuller:

Subject: NEPA Environmental Determination

The California Department of Transportation (Caltrans) has prepared the NEPA Environmental Determination (Categorical Exclusion) for the proposed improvements to the northbound Farrell Drive at the intersection with Vista Chino and eastbound Vista Chino east of the intersection. Improvements include the construction of a new northbound dedicated right turn lane on Farrell Drive. In addition, improvements include relocation of the existing bus stop/turn-out from within the proposed dedicated northbound right-turn lane on Farrell Drive to the south side of Vista Chino immediately east of the intersection. Improvements also include relocation of traffic signal poles and equipment at the southeast corner of the Vista Chino/Farrell Drive intersection, including necessary upgrade of the existing traffic signal system.

Caltrans would also like to reiterate the requirements of the NEPA Pilot Program MOU that became effective July 1, 2007. Pursuant to the MOU and Section 6005 of SAFETEA-LU codified at 23 U.S.C. 327 (a)(2)(A), effective July 1, 2007 FHWA has assigned, and Caltrans has assumed, all the United States Department of Transportation (USDOT) Secretary's responsibilities under NEPA. The assignment applies to all projects on the State Highway System (SHS) and all Local Assistance Projects off the SHS within the State of California.

Eduardo Castaneda, Associate Environmental Planner, will be your primary contact at Caltrans District 8 Environmental Planning for this project. Please don't hesitate to contact the environmental planner assigned if you have any questions regarding the environmental requirements for this project at (909) 388-7636.

Sincerely,

Senior Environmental Planner

Environmental Planning Studies "B"

CATEGORICAL EXI	EMPTION/ C	ATEGORICAL EXC	LUSION DETERMINATION FORM
08/RIV/Palm Springs			CML 5282 (037)
DistCoRte. (or Local Agency)	P,M/P,M.	E.A. (State project)	Federal-Aid Project No. (Local project)/ Proj. No.
PROJECT DESCRIPTION: (Briefly describe project, purpose, loca	tion, limits, right	t-of-way requirements, an in this box. Use Continua	d activities involved.)
The City of Palm Springs proposes to reastbound Vista Chino east of the intellane on Farrell Drive. Improvements in northbound right-turn lane on Farrell D	make improvem rsection. Impro- nclude relocation rive to the south and equipmen	ents to the northbound Favements include the cons n of the existing bus stop/ n side of Vista Chino immet t at the southeast corner	arrell Drive at the intersection with Vista Chino and truction of a new northbound dedicated right turn turn-out from within the proposed dedicated ediately east of the intersection. Improvements also of the Vista Chino/Farrell Drive intersection,
 If this project falls within exempt class where designated, precisely mapped There will not be a significant cumul There is not a reasonable possibility This project does not damage a see 	sal, supporting ss 3, 4, 5, 6 or 1 d and officially a ative effect by the that the project nic resource withoutled on any	 it does not impact an eadopted pursuant to law. his project and successive t will have a significant eff thin an officially designated list compiled pursuant to 	Govt. Code § 65962.5 ("Cortese List").
CALTRANS CEQA DETERMI	NATION (CI	neck one)	
Exempt by Statute. (PRC 21080	(b); 14 CCR 152	260 et seq.)	
Based on an examination of this propo		- ·	e statements, the project is:
Categorically Exempt. Class			·
			all within an exempt class, but it can be seen with effect on the environment (CCR 15061[b][3])
N/A		N/A	
Print Name: Environmental Branch (N/A	Chief	Print Name N/A	s: Project Manager/DLA Engineer
Signature	Dat		Date
Signature	Del	le Signature	Date
 determined that this project: does not individually or cumulatively requirements to prepare an Environr has considered unusual circumstant (http://www.fhwa.dot.gov/hep/23cfr7 In non-attainment or maintenance area 	have a significa mental Assessm des pursuant to 71.htm - sec.77 as for Federal ai	ant impact on the environment (EA) or Environment 23 CFR 771.117(b) (1.117). r quality standards, the pi	oject is either exempt from all conformity requirements
or conformity analysis has been comple			CFR 93.
CALTRANS NEPA DETERMIN	,	· ·	
determination pursuant to Chapte	r 3 of Title 23, U ween the FHW/ y (c)() ty (d)(1)	Inited States Code, Section A and the State. The State	has carried out, the responsibility to make this on 326 and a Memorandum of Understanding (MOU) he has determined that the project is a Categorical
		proposal and supporting i	nformation, the State has determined that the project
is a CE under Section 6005 of 23	1	C	V. / (. // //)
	berg		Yeung for Jourt Khompha. : Project Manager/DLA Engineer
Print Name: Environmental Branch (Jhiel J	Print Name	: Project Manager/DLA Engineer

Briefly list environmental commitments on continuation sheet. Reference additional information, as appropriate (e.g., air quality studies, documentation of conformity exemption, FHWA conformity determination if Section 6005 project; §106 commitments; §4(f); §7 results; Wetlands Finding; Floodplain Finding; additional studies; and design conditions). **Revised June 7, 2010**

Signature

pate/

Signature

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM Continuation Sheet

08/RIV/Palm Springs			CML 5282 (037)
DistCoRte. (or Local Agency)	P.M/P.M.	E.A. (State project)	Federal-Aid Project No. (Local project)/ Proj. No.
Continued from page 1:			
Project Description:			
Vista Chino and eastbound Vist northbound dedicated right turn stop/turn-out from within the pr Vista Chino immediately east of	a Chino east of lane on Farrell oposed dedicate f the intersection	the intersection. Impro Drive. Improvements and northbound right-turn. Improvements also	abound Farrell Drive at the intersection with overments include the construction of a new include relocation of the existing bus in lane on Farrell Drive to the south side of include relocation of traffic signal poles and exsection, including necessary upgrade of the
Cultural:			
cease in any area or nearby area Resources code Section 5097.98 Likely Descendant (MLD). At I District 8 Environmental Branch	suspected to ov B, if the remains this time, the pe in Chief, or his/h	verlie remains, and the of are thought to be nativerson who discovered the designee, so that the	n 7050.5 states that further disturbances shall County Coroner contacted. Pursuant to Public e American, the coroner will notify the Most he remains will contact the Department by may work with the MLD on the respectful 097.98 are to be followed as applicable.
Permits:			

NPDES Permit

NEPA/CEQA RE-VALIDATION FORM

	· · · · · · · · · · · · · · · · · · ·				
DIST./CO./RTE.	08/RIV/Palm Springs				
PM/PM	N/A				
E.A. or Fed-Aid Project No.	CML 5282 (037)				
Other Project No. (specify)	N/A				
PROJECT TITLE	Vista Chino and Farrel Drive Improvements				
ENVIRONMENTAL APPROVAL TYPE	Section 6004 Categorical Exclusion				
DATE APPROVED	12/19/2011				
	Check reason for consultation:				
REASON FOR CONSULTATION (23 CFR 771.129)	 ☑ Project proceeding to next major federal approval ☐ Change in scope, setting, effects, mitigation measures, requirements ☐ 3-year timeline (EIS only) ☐ N/A (Re-Validation for CEQA only) 				
DESCRIPTION OF CHANGED CONDITIONS	The original project description includes the construction of a new northbound dedicated right turn lane on Farrell Drive, relocation of the existing bus stop/turn-out from within the proposed dedicated northbound right-turn lane on Farrell Drive to the south side of Vista Chino immediately east of the intersection and relocation of traffic signal poles and equipment at the southeast comer of the Vista Chino/Farrell Drive intersection, including necessary upgrade of the existing traffic signal system. The project is proceeding to next federal major approval for its E-76 for construction. No change in scope, settings or requirements. No further documentation is required.				
NEPA CONCLUSION -	VALIDITY				
Based on an examination of the careful of the caref	the changed conditions and supporting information: [Check ONE of the three statements below, riginal document/determination (23 CFR 771.129). If document is no longer valid, indicate whether manted and whether the type of environmental document will be elevated.]				
 ☐ The original environmental document or CE remains valid. No further documentation will be prepared. ☐ The original environmental document or CE is in need of updating; further documentation has been prepared and ☐ is included on the continuation sheet(s) or ☐ is attached. With this additional documentation, the original ED or CE remains valid. Additional public review is warranted (23 CFR 771.111(h)(3)) Yes ☐ No ☐ 					
The original document or CE is no longer valid.					
Additional public review is warranted (23 CFR 771.111(h)(3)) Yes No					
Supplemental environmental document is needed. Yes ☐ No ☐ New environmental document is needed. Yes ☐ No ☐ (If "Yes," specify type:)					
CONCURREN	CEMITH NEPA-CONCLUSION				
May	Tental Branch Chief Date Signature: Project Manager/DLAE Date				
	Total Dialon Ones Date Organical Violettinanagen Dene				
CEQA CONCLUSION	(Only mandated for projects on the State Highway System.)				
regarding appropriate CEQA	he changed conditions and supporting information, the following conclusion has been reached documentation: (Check ONE of the five statements below, indicating whether any additional ed, and if so, what kind. If additional documentation is prepared, attach a copy of this signed form and				
	t remains valid. No further documentation is necessary.				
or will be ☐ pr					
adequate. A Supp	Changes are substantial, but only minor additions or changes are necessary to make the previous document adequate. A Supplemental environmental document will be prepared, and it will be circulated for public review. (CEQA Guidelines, §15163)				
environmental do	Changes are substantial, and major revisions to the current document are necessary. A Subsequent environmental document will be prepared, and it will be circulated for public review. (CEQA Guidelines, §15162) (Specify type of subsequent document, e.g., Subsequent FEIR:)				
	er valid. New CE is needed. Yes 🗌 No 🗍				
CONCURREN	CE WITH CEQA CONCLUSION				
I concur with the C	EQA conclusion above.				
Signature: Environ	mental Branch Chief Date Signature: Project Manager/DLAE Date				

Page 1 of 1

Revised June 2011

AMENDMENT NO. 3 TO CONTRACT SERVICES AGREEMENT NO. 6033 WITH KOA CORPORATION VISTA CHINO AT FARRELL DRIVE STREET IMPROVEMENTS CITY PROJECT NO. 09-11 FEDERAL AID PROJECT NO. CML 5282 (037)

The following articles of Agreement No. 6033 are hereby amended to read as follows:

<u>SECTION 2.1</u> Maximum contract amount is amended to Ninety Eight Thousand Six Hundred Dollars (\$98,600.00).

SCOPE OF SERVICES (Exhibit "A") – Exhibit "A" is amended as follows:

Task 9, Task 10, and Task 11 is added as follows:

Task 9 – Modify traffic signal plan with Video Detection System for presence detection and leave advanced loops in place.

Task 10 - Provide Technical Assistance, Answer Design Questions and Respond to RFI's

Task 11 – Design Changes if requested and authorized by the City

SCHEDULE OF COMPENSATION (Exhibit "E") - Exhibit "E" is amended as follows:

Replace existing Exhibit "E" with the attached revised Exhibit "E".

Purchase Order Number(s): 11-0526 Agreement Number: 6033

Original City Council Approval: November 3, 2010

Original Contract Amount: \$ 65,030 Amount of Previous Increase(s) \$ 16,970 Amount of This Increase \$ 16,600 Amended Total: \$ 98,600

Account Number(s): 133-4298-60076 (\$1,904.02) 11,47%

261-4491-60076 (\$14,695.98) 88.54%

SIGNATURES ON LAST PAGE

Treasurer, Asst treasurer or Chief Financial Officer

Except as specifically amended by this Amendment No. 3, all terms and provisions of

Agreement No. 6033 remain in full force and effect.

President or any Vice President

EXHIBIT "E" SCHEDULE OF COMPENSATION

Tasks listed below are identical to tasks identified in Exhibit A of this Agreement. Payments to Contractor shall be made no more frequently than monthly, and shall be based on lump sum costs per task item of work as indicated herein. Lump sum payments shall be made to Contractor based upon completion of tasks, or pro-rata portions thereof noted below, to a maximum of 75% of the lump sum task item fee until completion of such task item as determined by the Contract Officer. Each request for payment shall contain Contractor's statement of the work or tasks completed or portion performed, with supporting documentation. The determination of payment due shall be made based upon the reasonable judgment of the Contract Officer.

, and a second of the second o	Task Total <u>Lump Sum</u>
Task 1 – Project Management and Administration	\$ 7,065.00
Task 2 – Traffic Analysis Report	\$ 1,860.00
Task 3 – Data Review, Field Surveying and Base Mapping	\$ 4,965.00
Task 4 – Preliminary Intersection Design	\$ 6,550.00
Task 5 – Environmental Documentation	\$ 19,245.00
Task 6 – Encroachment Permit Requirements Task 6.1, Permit Application Task 6.2, Permit Engineering Evaluation Report (PEER) Task 6.3, Fact Sheet Task 6.4, Traffic Warrant Study Task 6.5, Utility Coordination Memo Task 6.6, Synchro Analysis – Time Space Diagram Task 6.7, Truck Turning Template Task 6.8, Isofootcandle Light Diagrams Task 6.9, Water Pollution Control Report Task 6.10, Design Plans folded in Caltrans Format Task 6.11, Addtn'l Work per Caltrans Task 7 – Preparation of Interim & Final Plans, Specifications & Estimate	\$ 1,430.00 \$ 1,150.00 \$ 1,360.00 \$ 505.00 \$ 855.00 \$ 1,065.00 \$ 1,165.00 \$ 885.00 \$ 1,460.00 \$ 330.00 \$ 9,000.00 \$ 19,590.00
Task 8 – Engineering Support During Bidding Phase	\$ 2,020.00
Task 9 – Modify traffic signal plan with Video Detection System	\$ 5,800.00
Task 10 – Provide Technical Assistance, Respond to RFI's	\$ 5,800.00
Task 11 - Design Changes if requested and authorized by the City	\$ 5,000.00
Reimbursable Expenses	\$ 1,500.00
Grand Total END OF EXHIBIT "E"	\$ 96,600.00