



## City Council Staff Report

Date: July 15, 2015

CONSENT CALENDAR

Subject: APPROVAL OF CONSTRUCTION CONTRACT CHANGE ORDER NO. 1 IN AN AMOUNT NOT TO EXCEED OF \$48,267.39 TO THE CONSTRUCTION CONTRACT WITH HILLCREST CONTRACTING, INC., (A6593) 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

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### SUMMARY

The requested action will approve Construction Contract Change Order No. 1 in an amount not to exceed of \$48,267.39 to the Construction Contract with Hillcrest Contracting, Inc., (Agreement No. 6593) for an increased total contract amount of \$374,880.39 for the Vista Chino at Farrell Drive Street Improvements, Federal Project No. CML 5282 (037), City Project No. 09-11.

### RECOMMENDATION:

- 1) Construction Contract Change Order No. 1 in an amount not to exceed of \$48,267.39 to the Construction Contract with Hillcrest Contracting, Inc., (Agreement No. 6593) for an increased total contract amount of \$374,880.39 for the Vista Chino at Farrell Drive Street Improvements, Federal Project No. CML 5282 (037), City Project No. 09-11; and
- 2) Authorize the City Manager to approve an additional amount not to exceed of \$25,000 in cumulative change orders for additional required work recommended by the City Engineer; and
- 3) Authorize the City Manager to execute all necessary documents.

### STAFF ANALYSIS:

On March 30, 2009, the Coachella Valley Association of Governments (CVAG) Executive Committee approved a Call for Projects for CVAG and its member

ITEM NO. 2M

jurisdictions using CVAG's allocation of Congestion Mitigation and Air Quality (CMAQ) funds made available through the current highway funding bill, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

In response, on May 11, 2009, the Public Works and Engineering Department responded to CVAG's Call for Projects for CMAQ funding, requesting consideration of funding to design and construct a new northbound dedicated right-turn lane on Farrell Drive at Vista Chino. Currently, the Vista Chino/Farrell Drive intersection is configured with two through lanes and one left turn lane for northbound traffic. A high volume of northbound traffic turns east (right) onto Vista Chino at the intersection, especially during peak hours. Through traffic waiting at the traffic signal in the right hand through lane frequently delay long queues of traffic. The construction of a dedicated right-turn lane will allow eastbound traffic to avoid a long queue of vehicles waiting to proceed through the intersection that are waiting for the traffic signal.

The Public Works Department's request to CVAG was for \$426,980 in CMAQ federal funds for an estimated \$482,300 project, consistent with the CMAQ federal program reimbursement rate of 88.53% of project costs. On December 7, 2009, the CVAG Executive Committee reviewed and approved a total of \$409,317 in CMAQ federal funding for the project, (\$17,663 less than we requested). The Project has been identified as the Vista Chino at Farrell Drive Street Improvements, Federal Project No. CML 5282 (037), City Project No. 09-11, (the "Project"). A vicinity map of the project area is included as **Attachment 1**.

On September 3, 2014, the City Council awarded a construction contract in the amount of \$326,616 for the Project to Hillcrest Contracting, Inc.; a copy of the September 3, 2014, staff report is included as **Attachment 2**. Included as part of the City Council's action was an authorization for the City Manager to approve cumulative change orders of up to 10% of the awarded construction contract amount (\$32,661.30).

Although the contract was awarded 10 months ago, start of construction has been delayed by two issues:

- 1) A long-lead time (16-20 weeks) for ordering of traffic signal poles and equipment;
- 2) Coordination with Southern California Edison on new electrical service (delay unknown)

Staff is currently coordinating and resolving the electrical service issue with SCE and Hillcrest Contracting, Inc., and arrived at a solution where a new electrical service is not required, avoiding further delay with coordination with SCE planning and scheduling the electrical service. The solution includes additional work not originally included in the scope of the contract, and staff has negotiated the cost of this additional work for an amount not to exceed of \$48,267.39; a copy of the proposal provided by Hillcrest Contracting, Inc., is included as **Attachment 3**. This cost exceeds the City Council's prior authorization to the City Manager for approval of change orders, and staff

recommends that the City Council approve Construction Contract Change Order No. 1 in an amount not to exceed of \$48,267.39

In the event additional work is required once construction finally commences with the project, and the City Engineer reviews and recommends its approval, staff recommends that the City Council authorize the City Manager to approve change orders up to an additional amount of \$25,000.

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 4**.

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 5**.

FISCAL IMPACT:

The City has received a federal CMAQ grant of \$409,170 for the Project, with \$40,000 allocated to the design phase and \$369,170 allocated to the construction phase. Previously, the City budgeted \$37,910 from Special Projects (Fund 160), \$83,000 from

Fund 133 (Special Gas Tax Improvement), and \$50,000 from Fund 134 (Measure A Improvements) for the Project. The Project's overall budget, and incurred expenditures, is identified in Table 1:

<b>Table of Project Costs</b>	<b>Amount</b>
Special Projects	\$37,910
CMAQ Federal Aid Grant	\$409,170
Gas Tax Fund	\$83,000
Measure A Fund	\$50,000
Design Services	(\$80,194)
Design Services (Construction Phase)	(\$16,600)
Project Administration (through 6/30/15)	(\$26,699)
Project Administration (Estimated)	(\$2,500)
Construction Management Services	(\$49,190)
Construction Contract	(\$326,613)
Construction Contract Change Order No. 1	(\$48,267)
Construction Contingency	(\$25,000)
<b>Remaining Balance</b>	<b>\$5,017</b>

**Table 1**

The Project has not, and will not, require any General Fund (Fund 001) or Measure J Fund (Fund 260) budget. Sufficient funding is budgeted and available to approve Construction Contract Change Order No. 1 in an amount not to exceed of \$48,267.39 from the following accounts:

- Capital Project Fund, Account No. 261-4491-60076; \$42,731.12
- Special Project Fund, Account No. 160-4510-60076; \$989.33
- Gas Tax Fund, Account No. 133-4298-60076; \$4,546.94

Sufficient funding remains available in Gas Tax Fund, Account No. 133-4298-60076, for approval of up to \$25,000 in cumulative change orders for additionally approved work.

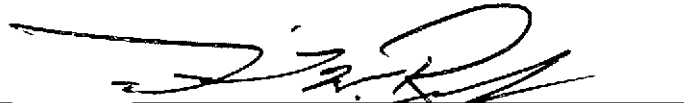
SUBMITTED

Prepared by:



Marcus L. Fuller, MPA, P.E., P.L.S.  
Assistant City Manager/City Engineer

Approved by:



David H. Ready, Esq., Ph.D.  
City Manager

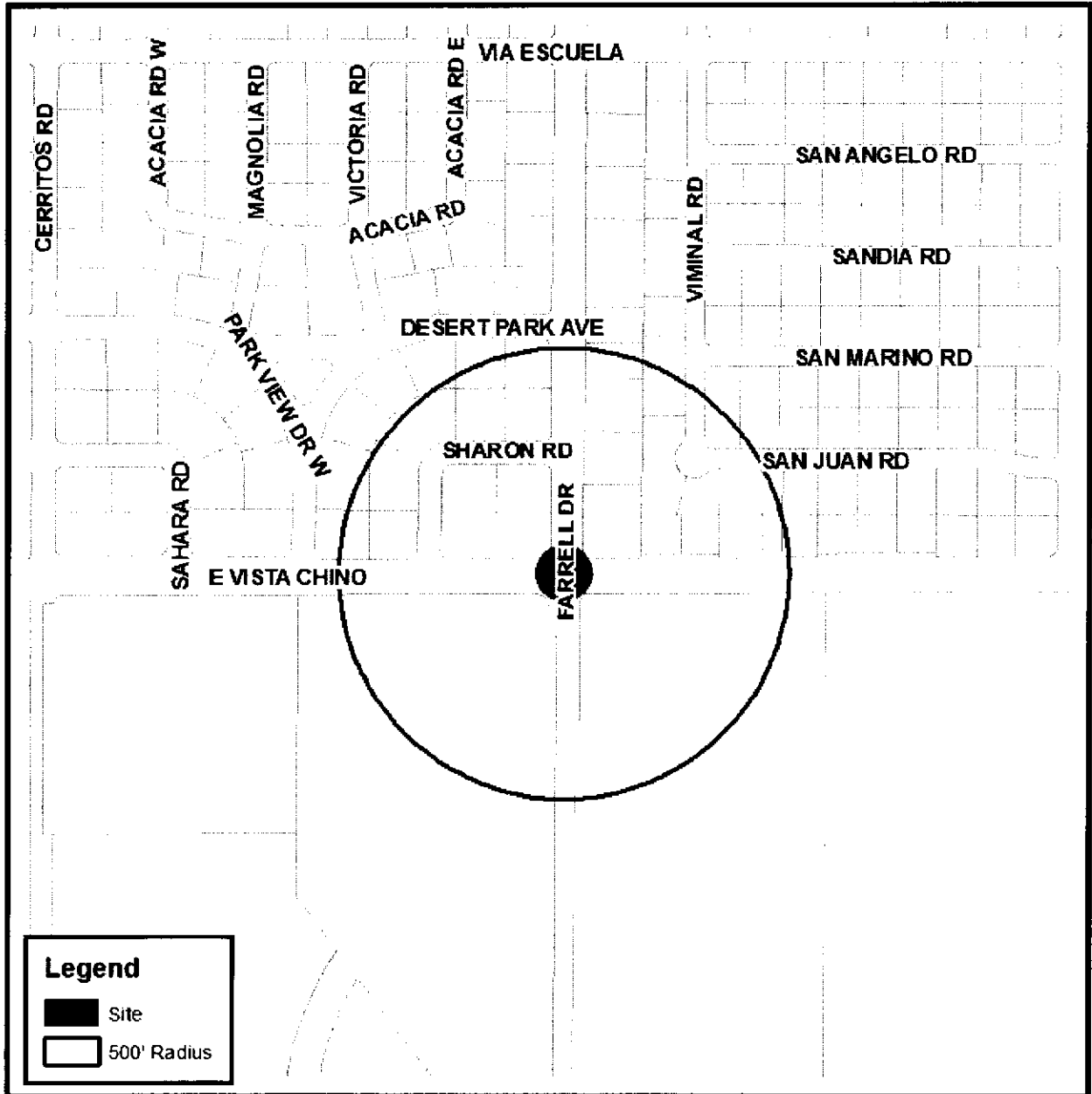
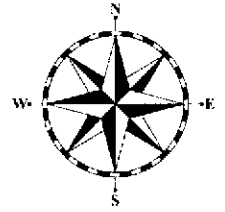
ATTACHMENTS:

1. Vicinity Map
2. 9-3-14 Staff Report
3. Hillcrest Contracting Proposal
4. CEQA Notice of Exemption
5. NEPA Environmental Documents

# **ATTACHMENT 1**



Department of Public Works and Engineering  
Vicinity Map



CITY OF PALM SPRINGS

# **ATTACHMENT 2**





## City Council Staff Report

Date: September 3, 2014 CONSENT CALENDAR

Subject: AWARD OF CONSTRUCTION CONTRACT FOR THE FARRELL DRIVE RIGHT TURN LANE AT VISTA CHINO (HWY 111) PROJECT, FEDERAL PROJECT NO. CML 5282 (037), CITY PROJECT NO. 09-11

From: David H. Ready, City Manager

Initiated by: Public Works and Engineering Department

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### SUMMARY

Award of this contract will allow staff to proceed with construction of this federally funded capital improvement project.

### RECOMMENDATION:

1. Approve Agreement No. \_\_\_\_\_ in the amount of \$326,613.00 with Hillcrest Contracting, Inc, for the Farrell Drive Right Turn Lane at Vista Chino (Hwy 111) Project, Federal Project No. CML 5282 (037), City Project No.09-11; and
2. Authorize the City Manager to approve cumulative change orders of up to 10% of the awarded construction contract amount, or \$32,661.30; and
3. Authorize the City Manager to execute all necessary documents.

### STAFF ANALYSIS:

The Farrell Drive Right Turn Lane at Vista Chino project is a federally funded project and has oversight by the State through the California Department of Transportation ("Caltrans"). Caltrans coordinates all federal funding on local road projects. The project includes construction of a northbound right turn lane on Farrell Drive, construction of a new bus turnout on Vista Chino, relocation of an existing bus stop, upgrade of curb ramp at the southeast corner of the intersection, modification of traffic signals, construction of a new sidewalk, and reconstruction of existing asphalt concrete pavement.

The City received \$40,000 in federal funds for the Preliminary Engineering phase, including environmental clearance and design for this project. The City's consultant, KOA Corporation, has completed the environmental studies, the construction plans, specifications and estimates.

On March 12, 2014, the Public Works and Engineering Department received from Caltrans the Authorization to Proceed (E-76) with Construction for this project, with a federal amount of \$364,743.

On June 4, 2014, the City Council reviewed and approved the plans, specifications, and estimates and authorized staff to proceed with bidding. On June 28th, and July 5th, 2014, the project was advertised for bids, and at 3:00 p.m. on August 5, 2014, the Procurement and Contracting Division received construction bids from the following contractors:

1. Hillcrest Contracting, Inc.; Corona, CA	\$326,613.00
2. C.S. Legacy Construction, Inc.; Pomona, CA	\$345,914.00
3. Golden Vista Construction, Inc. (dba Golden Valley Construction); Palm Springs, CA	\$357,811.70
4. Granite Construction Company; Indio, CA	\$367,311.00
5. CLS Constructors, Inc.; Grand Terrace, CA	\$368,222.50
6. Tri-Star Contracting II, Inc.; Desert Hot Springs, CA	\$379,462.50
7. PTM General Engineering Services, Inc.; Riverside, CA	\$383,083.00

The engineer's estimate was \$416,000.00.

The lowest responsive, responsible bidder is Hillcrest Contracting, Inc., a California corporation located in Corona, and its officers are: Glenn J. Salsbury, President, and Einer G. Lindholm, Vice President/Secretary.

FISCAL IMPACT:

The federal contribution of 88.53% or \$289,150.48 is available in account number 261-4491-60076 and the local match of 11.47% or \$37,462.52 is available in account number: 133-4298-60076.

SUBMITTED:


Prepared by:

  
Savat Khamphou  
Assistant Director of Public Works

Recommended by:

  
David J. Barakian  
Director of Public Works / City Engineer

Approved by:

  
David H. Ready, City Manager

Attachment:

1. Agreement

# **ATTACHMENT 3**

# Hillcrest Contracting

GENERAL ENGINEERING CONTRACTORS  
License No. 471664A

Riverside, San Bernadino, Orange, Los Angeles & San Diego Counties

1467 Circle City Drive.  
P.O. Box 1898  
Corona, CA 91718-1898  
Telephone (951) 273-9600  
Fax (951) 273-9608

To: CITY OF PALM SPRINGS

Date: 6/30/2015  
From: Glenn Salsbury  
Quote No. 2202

Phone FAX: Email:

We propose to furnish you labor and material in strict accordance with the plans and specifications as follows:

### 2613 Furnish and Install Video Detection System

Item No.	Description	Quantity	U/M	Unit Price	Total Price
<b>Schedule 1</b>					
1	1 FURNISH & INSTALL (4) CAMERA VIDEO DETECTION SYSEM INCLUDING CABLIN, TERMINATIONS AND TECH SUPPORT AND SUFACE W/ LB CONNECTIONS TO EX CONTROLLER	1	LS	48,267.39	48,267.39
<b>Total for Schedule 1</b>					<b>\$48,267.39</b>
<b>Total Proposal Price:</b>					<b>\$48,267.39</b>

### Special Condition

Due to the volatility of current OIL PRICES we reserve the right to adjust contract unit prices as the oil prices affect our material suppliers. Hillcrest has no control over this economic condition and regret that we must pass this potential cost change to our customers.

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

**\* See Attached Back-up For your use**

**\* LONG LEAD item 3 to 4 weeks out**



June 30, 2015

**Hillcrest Contracting, Inc.**  
1467 Circle City Dr.  
Corona, CA 92879

**Serial No. 14-0035-006rev1**

Attention: Ms. Darcy Seale, Project Manager

Reference: Farrell Dr. Right Turn Lane at Vista Chino Project  
City of Palm Springs Project No. 09-11  
Belco Job No. 14-0035, Hillcrest Job No. 2612

Subject: Price Proposal to Furnish and Install Video Detection System  
Belco PCO No. 14-0035-1.00

Dear Ms. Seale:

Elecnor Belco Electric is pleased to provide you with a price proposal to furnish and install a video detection system for the above referenced project. The following details are provided in this proposal:

- Delete (7) Type D loops and (14) Type E loops. (3) Type E advance loops remain on Farrell Drive northbound. Delete approximately 530' of DLC cable from deleted northbound loops on Farrell Dr.
- Furnish and install (4) camera video detection system including cabling, terminations and tech support. Lead time for system is 3 to 4 weeks.
- Based on surface conduit with LB connection to the existing Controller.

Our price to perform this work on a lump sum basis is \$41,971.64.

If this proposal is acceptable, please provide a change order or written direction to proceed with this work. Should you have any questions or concerns, please do not hesitate to contact me at (909) 993-5470 ext. 234.

Sincerely,  
Elecnor Belco Electric, Inc.

Thomas Gebelin  
Project Manager  
Transportation Division



We think about a better world  
[www.elecnorbelco.com](http://www.elecnorbelco.com)

4331 Schaefer Ave.  
Chino, CA 91710  
(909) 993-5470 Office  
(909) 993-5476 Fax  
CA License 738518

FIELD MATERIAL AND LABOR PRICE SUMMARY (See Price Sheets for Details)				BELCO PCO NO: 14-0035-1 00	
DESCRIPTION				DATE: 6/22/2015	
MATERIALS PAGE 2	\$31,118.00	24.00		<b>DESCRIPTION OF WORK OR CHANGE</b> PROVIDE CHANGES TO REVISED TRAFFIC SIGNAL PLAN. DELETE TRAFFIC SIGNAL LOOPS AND ADD VIDEO DETECTION SYSTEM.	
MATERIALS PAGE 3	\$0.00	0.00			
MATERIALS PAGE 4	\$0.00	0.00			
MATERIALS PAGE 5	\$0.00	0.00			
MATERIALS PAGE 6	\$0.00	0.00			
MATERIALS PAGE 7	\$0.00	0.00			
SUBTOTAL	\$31,118.00	24			
SALES TAX @ 9.00%	\$2,800.62				
FREIGHT @ 4%	\$1,244.72				
MISCELLANEOUS HARDWARE @ 5%	\$1,555.90				
<b>TOTAL MATERIAL COSTS:</b>				<b>COST</b> <b>MARKUP</b> <b>TOTAL</b>	
				15%	
				\$36,719.24      \$5,507.89      \$42,227.13	
FIELD LABOR BREAKDOWN					
DESCRIPTION	HOURS	RATE	EXT \$		
GENERAL FOREMAN - REGULAR RATE	0	\$89.70	\$0.00	<b>COST</b> <b>MARKUP</b> <b>TOTAL</b>	
GENERAL FOREMAN - OT RATE	0	\$126.92	\$0.00		
FOREMAN - REGULAR RATE	8	\$82.85	\$662.80		
FOREMAN - OT RATE	0	\$116.63	\$0.00		
JOURNEYMAN WIREMAN - REG. RATE	8	\$75.98	\$607.84		
JOURNEYMAN WIREMAN - OT RATE	0	\$106.34	\$0.00		
ELEC. APPRENTICE - REGULAR RATE	8	\$66.87	\$534.96		
ELEC. APPRENTICE - OT RATE	0	\$92.68	\$0.00		
LABORER - REGULAR RATE	0	\$62.51	\$0.00		
LABORER - OT RATE	0	\$84.37	\$0.00		
OPERATOR - REGULAR RATE	0	\$82.52	\$0.00		
OPERATOR - OT RATE	0	\$111.93	\$0.00		
<b>TOTAL LABOR COSTS:</b>					<b>COST</b> <b>MARKUP</b> <b>TOTAL</b>
				20%	
				\$1,805.60      \$361.12      \$2,166.72	
ENGINEERING COSTS					
DESCRIPTION	HOURS	RATE	EXT \$		
PROJECT MANAGER	0	\$90.00	\$0.00	<b>COST</b> <b>MARKUP</b> <b>TOTAL</b>	
DESIGN ENGINEER (COORDINATION)	0	\$75.00	\$0.00		
PROJECT ENGINEER	0	\$60.00	\$0.00		
CAD ENGINEER	0	\$50.00	\$0.00		
PROJECT ASSISTANT	0	\$40.00	\$0.00		
<b>TOTAL INDIRECT COSTS:</b>				<b>COST</b> <b>MARKUP</b> <b>TOTAL</b>	
				20%	
				\$0.00      \$0.00      \$0.00	
TOOLS/EQUIP (CALTRANS RATES 3/15)					
CODE	DESCRIPTION	HOURS	RATE	EXT \$	
06-12	PICKUP TRUCK/HR.	0	\$27.33	\$0.00	<b>COST</b> <b>MARKUP</b> <b>TOTAL</b>
20-28	UTILITY WORK TRUCK/HR.	0	\$57.37	\$0.00	
016-025	AIR COMPRESSOR ONLY/HR.	0	\$21.33	\$0.00	
20-28	BATCH TRUCK W/MIXER/HR.	0	\$40.38	\$0.00	
36-48	CRANE TRUCK/HR.	0	\$99.75	\$0.00	
12-20	BUCKET TRUCK/HR.	8	\$71.69	\$573.52	
3AXL	DUMP TRUCK (3 AXLES)/HR.	0	\$72.07	\$0.00	
20-28	DELIVERY TRUCK (20K-28K)/HR.	0	\$36.04	\$0.00	
12-20	WATER TRUCK (12K-20K)/HR.	0	\$33.46	\$0.00	
	DUMP TRAILER/HR.	0	\$5.00	\$0.00	
TM	ARROWBOARD/HR.	0	\$3.39	\$0.00	
2509J	BACKHOE (JD 410G)/HR.	0	\$60.73	\$0.00	
	BACKHOE TRAILER/HR.	0	\$20.00	\$0.00	
	TRENCHER/DAY	0	\$225.00	\$0.00	
<b>TOTAL TOOLS/EQUIP. COSTS:</b>				<b>COST</b> <b>MARKUP</b> <b>TOTAL</b>	
				15%	
				\$573.52      \$86.03      \$659.55	
SUBCONTRACTS					
DESCRIPTION	QTY	U/M	EXT \$		
DELETE TYPE D LOOPS	7		(\$1,680.00)	<b>COST</b> <b>MARKUP</b> <b>TOTAL</b>	
DELETE TYPE E LOOPS	17		(\$3,655.00)		
ADD TYPE E ADVANCE LOOPS	3		\$2,400.00		
<b>TOTAL SUBCONTRACT COSTS:</b>				<b>COST</b> <b>MARKUP</b> <b>TOTAL</b>	
				5%	
				(\$2,935.00)      (\$146.75)      (\$3,081.75)	
<b>SUBTOTAL COSTS:</b>				<b>COST</b> <b>MARKUP</b> <b>TOTAL</b>	
				\$36,163.36      \$5,808.28      \$41,971.64	
DESIGN SERVICES					
DESCRIPTION	SUBTOTAL	PERCENT	EXT \$		
DESIGN SERVICES	\$0.00	7.75%	\$0.00	\$0.00	
BONDING	\$0.00	1.00%	\$0.00	\$0.00	

GRAND TOTAL OF THIS CHANGE ORDER:

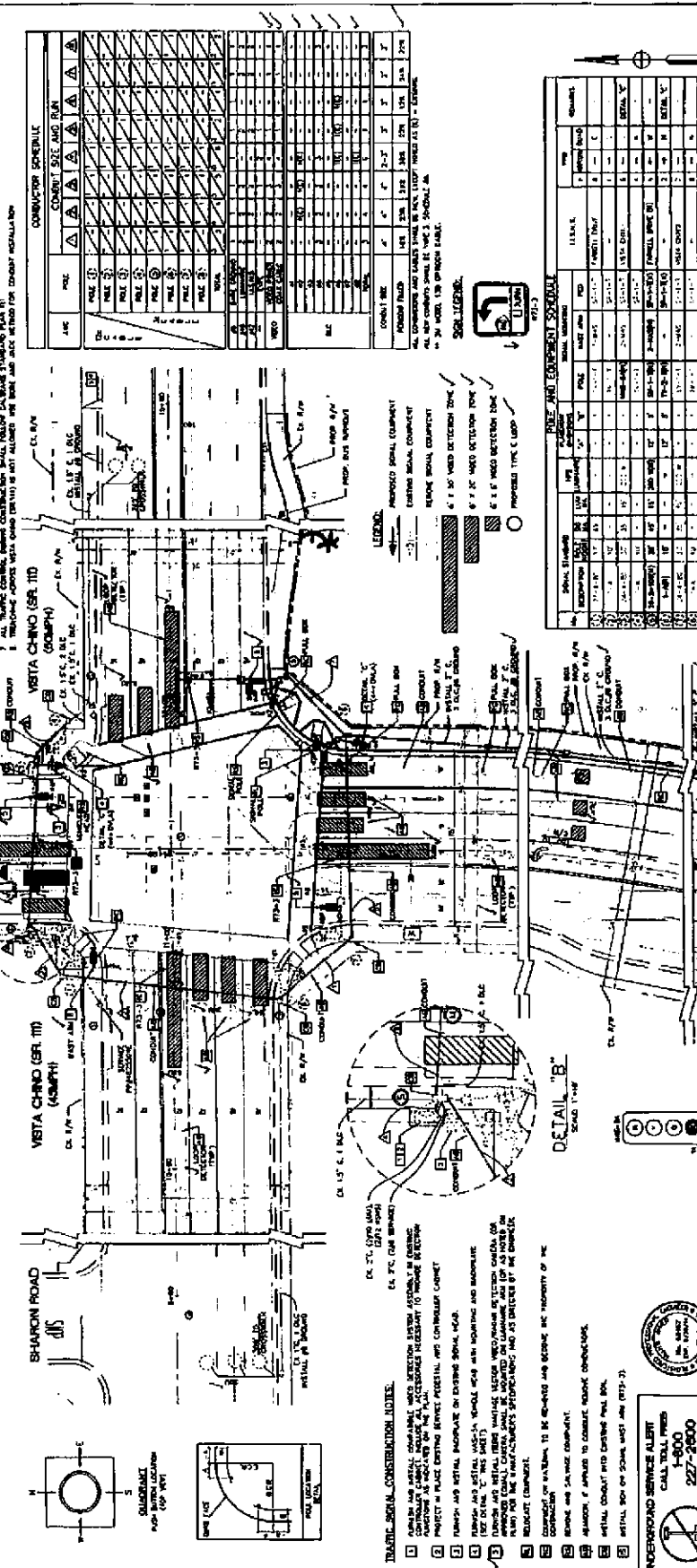
\$41,971.64



DIST COUNTY	NO. RIV.	LOCATION	TOTAL PROJECT	SHEET	TOTAL SHEETS
9	41	111	92-37-92-43	5	6

**TRAFFIC SIGNAL CONSTRUCTION NOTES**

- TRAFFIC SIGNALS ARE TO BE INSTALLED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
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CITY OF PALM SPRINGS, CALIFORNIA	CITY OF PALM SPRINGS, CALIFORNIA
TRAFFIC SIGNAL MODIFICATION	TRAFFIC SIGNAL MODIFICATION
5	5

NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	TRAFFIC SIGNAL	1	EA		
2	TRAFFIC SIGNAL CABINET	1	EA		
3	TRAFFIC SIGNAL MOUNTING	1	EA		
4	TRAFFIC SIGNAL LIGHT	1	EA		
5	TRAFFIC SIGNAL WIRING	1	EA		
6	TRAFFIC SIGNAL HOUSING	1	EA		
7	TRAFFIC SIGNAL POWER	1	EA		
8	TRAFFIC SIGNAL CONTROL	1	EA		
9	TRAFFIC SIGNAL TIMING	1	EA		
10	TRAFFIC SIGNAL SIGNALING	1	EA		



# **ATTACHMENT 4**

Notice of Exemption

201128225 Form D

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA, 92262

County Clerk
County of Riverside
2724 Gateway Drive
Riverside, CA 92507

(Address)

Project Title: Vista Chino at Farrell Drive Street Improvements

Project Location - Specific:

Southeast corner of the Farrell Drive and Vista Chino (SR 111) intersection

Project Location - City: Palm Springs

Project Location - County: Riverside

Description of Nature, Purpose and Beneficiaries of Project:

The proposed action consists of the demolition of the existing curb, gutter and sidewalk along the easterly side of Farrell Drive in order to create a new dedicated right turn lane onto Vista Chino. The project also includes the relocation of the existing SunLine Transit Agency bus turnout from its present location on the east side of Farrell Drive to the south side of Vista Chino approximately 200 feet east of the intersection. The project also includes the relocation of the traffic signal pole and equipment at the southeast corner and necessary upgrade of the existing traffic signal system.

Name of Public Agency Approving Project: City of Palm springs

Name of Person or Agency Carrying Out Project: Marcus L. Fuller, PE, PLS

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Existing Facilities, Section 15301(c)
Statutory Exemptions. State code number:

Reasons why project is exempt:

The proposed action is necessary to reduce congestion at the intersection of Vista Chino and Farrell Drive by providing a dedicated right-turn lane from northbound Farrell Drive to east bound Vista Chino. Presently, the northbound Farrell Drive is improved with one dedicated left-turn lane and two through lanes; the right through lane serving a dual role and through lane and right-turn lane. The new dedicated right-turn lane will alleviate the long queue of northbound traffic waiting to proceed through the intersection. The proposed action is made possible by funding through the Congestion Mitigation and Air Quality (CMAQ) federal aid program provided through the Safe, Accountable, Flexible and Efficient Transportation Equity Act - A Legacy for Users. (SAFETEA-LU).

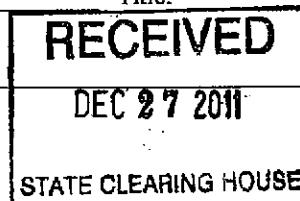
Lead Agency Contact Person: Marcus L. Fuller, PE, PLS Area Code/Telephone/Extension: (760) 323-8253 ext. 8744

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [X] Yes [ ] No

Signature: [Handwritten Signature] Date: December 21, 2011 Title: Assistant Public Works Director

- [X] Signed by Lead Agency Date received for filing at OPR:
[ ] Signed by Applicant



Revised 2005

Marcus L. Fuller

# **ATTACHMENT 5**

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 8

ENVIRONMENTAL PLANNING (MS 1162)

464 WEST 4<sup>TH</sup> STREET, 6<sup>TH</sup> 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,

A handwritten signature in black ink that reads "Aaron Burton".

AARON BURTON

Senior Environmental Planner

Environmental Planning Studies "B"

**CATEGORICAL EXEMPTION/ CATEGORICAL EXCLUSION DETERMINATION FORM**

**08/RIV/Palm Springs**

**CML 5282 (037)**

Dist.-Co.-Rte. (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, location, limits, right-of-way requirements, and activities involved.)

*Enter project description in this box. Use Continuation Sheet, if necessary*

The City of Palm Springs proposes to make 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. Improvements include relocation of the existing bus stop/tum-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.

**CEQA COMPLIANCE** (for State Projects only)

Based on an examination of this proposal, supporting information, and the following statements (See 14 CCR 15300 et seq.):

- If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law.
- There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- This project does not damage a scenic resource within an officially designated state scenic highway.
- This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").
- This project does not cause a substantial adverse change in the significance of a historical resource.

**CALTRANS CEQA DETERMINATION** (Check one)

**Exempt by Statute.** (PRC 21080(b); 14 CCR 15260 et seq.)

Based on an examination of this proposal, supporting information, and the above statements, the project is:

**Categorically Exempt Class** \_\_\_\_ (PRC 21084; 14 CCR 15300 et seq.)

**Categorically Exempt. General Rule exemption.** [This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (CCR 15061(b)[3])]

N/A

N/A

Print Name: Environmental Branch Chief

Print Name: Project Manager/DLA Engineer

N/A

N/A

Signature

Date

Signature

Date

**NEPA COMPLIANCE**

In accordance with 23 CFR 771.117, and based on an examination of this proposal and supporting information, the State has determined that this 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
- has considered unusual circumstances pursuant to 23 CFR 771.117(b) (<http://www.fhwa.dot.gov/hep/23cfr771.htm> - sec. 771.117).

In non-attainment or maintenance areas for Federal air quality standards, the project is either exempt from all conformity requirements, or conformity analysis has been completed pursuant to 42 USC 7506(c) and 40 CFR 93.

**CALTRANS NEPA DETERMINATION** (Check one)

**Section 6004:** The State has been assigned, and hereby certifies that it has carried out, the responsibility to make this determination pursuant to Chapter 3 of Title 23, United States Code, Section 326 and a Memorandum of Understanding (MOU) dated June 7, 2010, executed between the FHWA and the State. The State has determined that the project is a Categorical Exclusion under:

23 CFR 771.117(c): activity (c) (\_\_\_\_)

23 CFR 771.117(d): activity (d)(1)

Activity \_\_\_\_ listed in the MOU between FHWA and the State

**Section 6005:** Based on an examination of this proposal and supporting information, the State has determined that the project is a CE under Section 6005 of 23 U.S.C. 327.

*Chris Benz-Blumberg*  
Print Name: Environmental Branch Chief

*Sean Young for Janet Khumpha*  
Print Name: Project Manager/DLA Engineer

*Chris Benz-Blumberg*  
Signature

*12/19/11*  
Date

*[Signature]*  
Signature

*12/19/2011*  
Date

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**

**CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM**  
**Continuation Sheet**

**08/RIV/Palm Springs**

**CML 5282 (037)**

Dist.-Co.-Rte. (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:**

The City of Palm Springs proposes to make 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. 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.

**Cultural:**

If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to Public Resources code Section 5097.98, if the remains are thought to be native American, the coroner will notify the Most Likely Descendant (MLD). At this time, the person who discovered the remains will contact the Department District 8 Environmental Branch Chief, or his/her designee, so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 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
REASON FOR CONSULTATION (23 CFR 771.129)	<p>Check reason for consultation:</p> <input checked="" type="checkbox"/> Project proceeding to next major federal approval <input type="checkbox"/> Change in scope, setting, effects, mitigation measures, requirements <input type="checkbox"/> 3-year timeline (EIS only) <input type="checkbox"/> N/A (Re-Validation for CEQA only)
DESCRIPTION OF CHANGED CONDITIONS	<p>The original project description includes the construction of a new northbound dedicated right turn lane on Farrel Drive, relocation of the existing bus stop/tum-out from within the proposed dedicated northbound right-turn lane on Farrel Drive to the south side of Vista Chino immediately east of the intersection and 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. 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.</p>

**NEPA CONCLUSION - VALIDITY**

Based on an examination of the changed conditions and supporting information: [Check ONE of the three statements below, regarding the validity of the original document/determination (23 CFR 771.129). If document is no longer valid, indicate whether additional public review is warranted 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: \_\_\_\_\_)

**CONCURRENCE WITH NEPA CONCLUSION**

I concur with the NEPA conclusion above.  
 Signature: [Signature] Date: 7-11-13 Signature: [Signature] Date: 7/11/2013  
 Signature: Environmental Branch Chief Date Project Manager/DLAE

**CEQA CONCLUSION** : (Only mandated for projects on the State Highway System.)

Based on an examination of the changed conditions and supporting information, the following conclusion has been reached regarding appropriate CEQA documentation: (Check ONE of the five statements below, indicating whether any additional documentation will be prepared, and if so, what kind. If additional documentation is prepared, attach a copy of this signed form and any continuation sheets.)

- Original document remains valid. No further documentation is necessary.
- Only minor technical changes or additions to the previous document are necessary. An addendum has been or will be  prepared and is  included on the continuation sheets or  will be attached. It need not be circulated for public review. (CEQA Guidelines, §15164)
- 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)
- 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: \_\_\_\_\_)
- The CE is no longer valid. New CE is needed. Yes  No

**CONCURRENCE WITH CEQA CONCLUSION**

I concur with the CEQA conclusion above.  
 Signature: N/A Date: \_\_\_\_\_ Signature: N/A Date: \_\_\_\_\_  
 Signature: Environmental Branch Chief Date Project Manager/DLAE