



## City Council Staff Report

DATE: April 20, 2016

CONSENT CALENDAR

SUBJECT: APPROVAL OF AMENDMENT NO. 3 IN THE AMOUNT OF \$39,738 TO THE PROFESSIONAL SERVICES AGREEMENT NO 5985 WITH MICHAEL BAKER INTERNATIONAL INC. TO COMPLETE ADDITIONAL CONSTRUCTION MANAGEMENT AND SUPPORT SERVICES FOR THE TRAFFIC MANAGEMENT CENTER (TMC) AND TRAFFIC SIGNAL SYNCHRONIZATION PROJECT, CITY PROJECT 08-04

FROM: David H. Ready, City Manager

BY: Public Works & Engineering Department

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### SUMMARY

Approval of Amendment No. 3 to the professional services agreement with Michael Baker International is recommended to include additional construction management services associated with the construction of a new Traffic Management Center ("TMC") and traffic signal interconnect and synchronization improvements at traffic signals located throughout the City.

### RECOMMENDATION:

1. Approve Amendment No. 3 in the amount of \$39,738 to Professional Services Agreement No. 5985 with Michael Baker International, Inc. (formerly known as RFB Consulting) for a revised total contract amount of \$659,451 to complete additional construction management and support services; and
2. Authorize the City Manager to execute all necessary documents.

### STAFF ANALYSIS:

On January 21, 2015, the City Council awarded a construction contract to Aegis ITS, Inc., for the Traffic Management Center and Citywide Traffic Signal Interconnect Project, City Project No. 08-04, (the "Project"), and approved Amendment No. 1 to Agreement No. 5985 with RFB Consulting (now known as Michael Baker International ["MBI"]), to include construction management services for the Project. A copy of the January 21, 2015, staff report is included as **Attachment 1**.

ITEM NO. 26

Construction of the Project has continued throughout the year, however, delays in obtaining traffic signal equipment (beyond the control of the contractor) required an extension of time to complete the Project. On November 4, 2015, the City Council approved Amendment No. 2 to Agreement No. 5985 with MBI to provide an additional budget of \$53,250 to account for an extended construction period; a copy of the November 4, 2015, staff report is included as **Attachment 2**.

As the construction of the Project has continued, the City's contractor determined and staff agreed that existing copper Signal Interconnect Cable (SIC) providing communication between some of the City's traffic signals have failed. Failure of the SIC required the Contractor to perform additional work, and for the City to provide additional working days to the contract, sufficient to allow the City's contractor to complete the improvements necessary to replace the existing SIC with new SIC. An additional 21 days was approved for this work. Accordingly, it is necessary to increase the budget available for MBI to continue providing construction administration and inspection services during the extended construction period due to the unforeseen failure of the existing SIC that requires replacement.

MBI has provided a request for a budget adjustment of \$39,738; staff has reviewed the additional budget request and recommends approval of Amendment No. 3 to Agreement No. 5985 to provide the continued construction administration and inspection support services required for the project. A copy of Amendment No. 3 is included as **Attachment 3**.

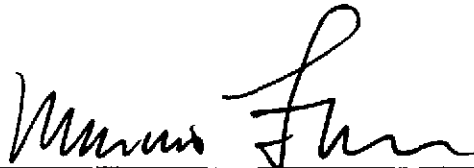
### ENVIRONMENTAL IMPACT

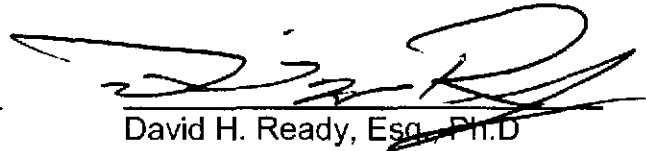
Section 21084 of the California Public Resources Code requires Guidelines for Implementation of the California Environmental Quality Act ("CEQA"). The Guidelines are required to include a list of classes of projects which have been determined not to have a significant effect on the environment and which 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 projects consist of the maintenance of existing highways and streets and allows for implementation of traffic signal modifications and installation of facilities for health and safety reasons, therefore the Project is considered categorically exempt from CEQA. A copy of the CEQA Notice of Exemption is included as **Attachment 4**.

### FISCAL IMPACT:

Sufficient funds are currently budgeted and available to approve Amendment No. 3 in the amount of \$39,738 to the Professional Services Agreement with MBI (formerly known as RBF Consulting) from the Local Measure A Fund, Account 134-4498-50272.

SUBMITTED:

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

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

Attachments:

1. January 21, 2015, staff report
2. November 4, 2015, staff report
3. Amendment No. 3
4. CEQA – Notice of Exemption

# **ATTACHMENT 1**



## City Council Staff Report

DATE: January 21, 2015

NEW BUSINESS

SUBJECT: AWARD A CONSTRUCTION CONTRACT TO AEGIS ITS, INC., A CALIFORNIA CORPORATION, IN THE AMOUNT OF \$2,078,080.40, AND APPROVE AMENDMENT NO. 1 IN THE AMOUNT OF \$276,738 TO THE PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE TRAFFIC MANAGEMENT CENTER AND CITYWIDE TRAFFIC SIGNAL INTERCONNECT/SYNCHRONIZATION PROJECT, CITY PROJECT 08-04, FEDERAL AID PROJECT NO. CML 5282 (031)

FROM: David H. Ready, City Manager

BY: Public Works & Engineering Department

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### SUMMARY:

Award of this contract will allow the City to proceed with construction of a new Traffic Management Center ("TMC") and traffic signal interconnect and synchronization improvements at traffic signals located throughout the City. An amendment to the professional services agreement with RBF Consulting is recommended to include turnkey construction management services (contract administration, materials testing, and inspection).

### RECOMMENDATION:

1. Award a construction contract (Agreement No. \_\_\_\_ ) to Aegis ITS, Inc., a California corporation, in the amount of \$2,078,080.40 for the Traffic Management Center and Citywide Traffic Signal Interconnect Project, City Project No. 08-04, Federal Aid Project No. CML 5282 (031);
2. Approve and Authorize the City Manager to approve and execute construction contract change orders up to a cumulative amount of 5% of the contract amount (\$103,940);
3. Approve Amendment No. 1 to Agreement No. 5985 with RBF Consulting, in the amount of \$276,738, for a total contract amount of \$524,259 for the Traffic Management Center and Citywide Traffic Signal Interconnect Project, City Project No. 08-04, Federal Aid Project No. CML 5282 (031); and

4. Authorize the City Manager to execute all necessary documents.

**BACKGROUND:**

The Coachella Valley Association of Governments ("CVAG") Executive Committee approved a Call for Projects for CVAG and its member jurisdictions using CVAG's allocation of Congestion Mitigation and Air Quality ("CMAQ") funds made available through the prior highway funding bill, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ("SAFETEA-LU"). The Public Works and Engineering Department responded to CVAG's Call for Projects for CMAQ funding, requesting consideration of funding to analyze all of the City's arterial corridors to upgrade the traffic signal interconnect systems with current technology, and to create a modern traffic management center at City Hall. The purpose of the City's request is to repair and improve all of the existing traffic signal interconnect systems with modern systems that are capable of being remotely monitored and have greater reliability. Associated with the project was traffic engineering analysis to obtain existing traffic volume turning counts at key major intersections along the interconnected corridors from which new updated traffic signal interconnect timing plans were prepared and implemented.

The Public Works Department's request to CVAG was for \$1,843,000 in CMAQ federal funds for an estimated \$2,082,000 project, consistent with the CMAQ federal program reimbursement rate of 88.53% of project costs. CVAG received 28 requests for CMAQ funding from its member jurisdictions, requesting a total of \$30,610,112 in funding. The requests were evaluated by a Review Panel, and the City's request was ranked in 8th place of the 28 requests received. The CVAG Executive Committee subsequently approved the list of projects to receive CMAQ funding, and the projects were later added to the Regional Transportation Improvement Plan.

On June 2, 2010, the City Council approved an agreement with RBF Consulting, in the amount of \$247,521 for environmental and traffic engineering design services for the Traffic Management Center and Citywide Traffic Signal Interconnect Project (City Project 08-04), Federal Aid Project No. CML-5282(031), (the "Project"). The Project is made possible by the federal CMAQ funds awarded to the City by CVAG. The City's consultant, RBF Consulting, previously completed the environmental studies, construction plans, specifications and estimates, and the Project was ready for advertising and bidding. The Project includes modifications and upgrades to 80 signalized intersections, importing video and data from signalized intersections within the City to a new TMC to be located at the Public Works and Engineering Department, and installation of three thermal/daylight color cameras to monitor the Whitewater River crossings on Vista Chino, Indian Canyon Drive, and Gene Autry Trail with real-time data streaming to the new TMC.

Although the federal CMAQ funds were awarded by CVAG, all federal highway funds, including CMAQ funds, are ultimately administered by the California Department of

Transportation (“Caltrans”) after they are allocated to local agencies. On April 4, 2014, the Public Works and Engineering Department received authorization from Caltrans to proceed with construction of the Project. On September 3, 2014, the City Council reviewed and approved the plans, specifications, and estimates and authorized staff to proceed with bidding. On September 5 and 12, 2014, the Project was advertised for bids, and at 3:00 p.m. on October 7, 2014, the Procurement and Contracting Division received four construction bids from the following contractors:

<b>Company</b>	<b>Location</b>	<b>Bid Amount</b>
Flatiron Electric Group, Inc.	Chino, CA	\$2,080,525.00
Aegis ITS, Inc.	Anaheim, CA	\$2,094,872.23
CS Construction, Inc.	Phoenix, AZ	\$2,269,420.00
DBX, Inc.	Temecula, CA	\$2,636,818.00

RBF Consulting's final engineer's estimate was \$1,480,000. Given that the original four bids exceeded the engineer's estimate, on November 5, 2014, the City Council rejected all four bids and directed staff to re-advertise for new bidding; it was RBF Consulting's opinion that modifying the bid specifications to allow Contractors with C-10 (general electrical contractors) and C-7 (low-voltage electrical contractors) licenses to bid would facilitate lower overall bid prices.

Pursuant to the direction given by City Council, the Project was re-advertised for bidding on November 8 and 15, 2014, and at 3:00 p.m. on December 9, 2014, the Procurement and Contracting Division received three construction bids from the following contractors:

<b>Company</b>	<b>Location</b>	<b>Bid Amount</b>
Aegis ITS, Inc.	Anaheim, CA	\$2,078,080.40
Flatiron Electric Group, Inc.	Chino, CA	\$2,079,915.00
DBX, Inc.	Temecula, CA	\$2,354,242.00

A full bid summary is included as **Attachment 1**. As shown, the bids received are in excess of the final engineer's estimate prepared by RBF Consulting, despite efforts to allow for bidding by Contractors with C-7 and C-10 licenses.

Aegis ITS, Inc., of Anaheim, California submitted the lowest responsive bid. Staff reviewed the bid, references, and contractor's licenses, and found the Contractor to be properly licensed and qualified. A construction contract with Aegis ITS, Inc., for the Project is included as **Attachment 2**.

**Local Business Preference Compliance**

Section 7.09.030 of the Palm Springs Municipal Code, “Local Business Preference Program,” requires prime contractors to use good faith efforts to sub-contract the supply of materials and equipment to local business enterprises and to sub-contract services to businesses whose work force resides within the Coachella Valley; submission of good

faith efforts is required. However, Section 7.09.030 does not apply to projects that receive state or federal funding which preclude the application of local preferences.

***City Council Approval of Contingency Funds***

Given the size and scope of the Project, staff recommends that the City Council delegate authority to the City Manager to approve and execute construction contract change orders up to a cumulative amount of 5% of the contract amount equivalent to \$103,904. The Assistant City Manager/City Engineer will carefully evaluate any additional or extra work claims represented by Aegis ITS, Inc., and if valid, submit to the City Manager for his approval. In this way, work can proceed uninterrupted as the City Manager and Assistant City Manager/City Engineer administratively process construction contract change orders up to the authority specifically delegated herein by the City Council.

***Construction Management / Administration***

The Project requires highly technical traffic signal and electrical inspections, in addition to the full contract oversight and administration required given the federal funding allocated to it; with limited staff resources currently available it is recommended that the City Council amend the professional services agreement with RBF Consulting to include "Phase 3 – Construction Administration Services." The original scope of the agreement was intended to allow for these additional services to be added at the discretion of the City Council; staff has negotiated with RBF Consulting on the required scope of services, and prepared an amendment to the agreement on the basis of a 160 working day construction schedule. The total budget for the construction phase services is \$276,738 which represents 13% of the construction contract amount; construction phase services generally vary between 10% to 15% of the construction cost depending upon the technical requirements and the duration of the contract. A copy of the proposed amendment is included as **Attachment 3**.

**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 projects consist of the maintenance of existing highways and streets and allows for implementation of traffic signal modifications and installation of facilities for health and safety reasons, therefore the Project is considered categorically exempt from CEQA. A copy of the CEQA Notice of Exemption is included as **Attachment 4**.

On July 26, 2012, Caltrans, acting as the lead agency pursuant to the National Environmental Policy Act ("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 has considered unusual circumstances pursuant to 23 CFR 771.117(b). On the basis of this determination under federal delegation 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 Federal Highway Administration ("FHWA") and the state of California, Caltrans has determined that the Project qualifies for a Categorical Exclusion in accordance with 23 CFR 771.117(d) pursuant to activity (d)(2). A copy of the NEPA Categorical Exclusion is included as **Attachment 5**.

**FISCAL IMPACT:**

The City has received a federal CMAQ grant of \$1,843,000 for the Project, with \$199,000 allocated to the design phase and \$1,644,000 allocated to the construction phase. Previously, the City budgeted \$201,652 from Fund 133 (Special Gas Tax Improvement), and \$54,295 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>
CMAQ Federal Aid Grant	\$1,843,000
Gas Tax Fund (Prior Year Allocation)	\$201,652
Measure A Fund (Prior Year Allocation)	\$54,295
<b>Measure A Fund (New Allocation)</b>	<b>\$672,567</b>
Design Services	(\$247,521)
Project Administration (through 1/12/15)	(\$45,271)
Project Administration (Estimated)	(\$20,000)
Construction Management	(\$276,738)
Construction Contract	(\$2,078,080)
Construction Contingency	(\$103,904)
<b>Remaining Balance</b>	<b>\$0</b>

**Table 1**

The Project has not, and will not, require any General Fund (Fund 001) or Measure J Fund (Fund 260) budget. As shown in Table 1, an additional allocation of \$672,567 from Fund 134 (Measure A Improvements) will be required to facilitate the final cost of the Project. The additional Measure A funds are available with existing Fund 134 balance previously appropriated to other projects that have been completed, and does not require a separate appropriation by the City Council; an internal off-setting balance adjustment will be processed administratively to accommodate the City Council's award of contract.

Funds to encumber for award of the construction contract in the amount of

\$2,078,080.40 with Aegis ITS, Inc., are available from the following accounts:

- 261-4491-50266; \$1,644,000
- 133-4298-50266; \$152,736.97
- 134-4498-50272; \$281,343.43

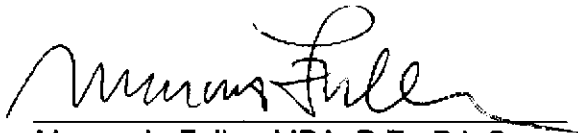
Funds to encumber for approval of the amendment to the professional services agreement with RFB Consulting in the amount of \$276,738 are available from the following account:

- 134-4498-50272; \$276,738

Sufficient funds remain available in Measure A account 134-4498-50272 to facilitate the City Council's delegation of authority to the City Manager to approve and execute construction contract change orders up to a cumulative amount of 5% of the contract amount equivalent to \$103,904.

**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. Bid Summary
2. Construction Contract
3. CEQA Clearance: Notice of Exemption
4. NEPA Clearance: Categorical Exclusion
5. Amendment No. 1 to Agreement 5985

# **ATTACHMENT 2**



## City Council Staff Report

DATE: November 4, 2015 CONSENT CALENDAR

SUBJECT: APPROVE AMENDMENT NO. 2 IN THE AMOUNT OF \$95,454 TO THE PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING (NOW KNOWN AS MICHAEL BAKER INTERNATIONAL), FOR ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES FOR THE TRAFFIC MANAGEMENT CENTER AND CITYWIDE TRAFFIC SIGNAL INTERCONNECT PROJECT, CITY PROJECT 08-04, FEDERAL AID PROJECT NO. CML 5282 (031)

FROM: David H. Ready, City Manager

BY: Public Works & Engineering Department

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### SUMMARY:

Approval of Amendment No. 2 to the professional services agreement with Michael Baker International is recommended to include additional construction management services associated with the construction of a new Traffic Management Center ("TMC") and traffic signal interconnect and synchronization improvements at traffic signals located throughout the City.

### RECOMMENDATION:

1. Approve Amendment No. 2 to Agreement No. 5985 with RFB Consulting (now known as Michael Baker International), in the amount of \$95,454 for a total contract amount of \$619,713 for the Traffic Management Center and Citywide Traffic Signal Interconnect Project, City Project No. 08-04, Federal Aid Project No. CML 5282 (031); and
2. Authorize the City Manager to execute all necessary documents.

### BACKGROUND:

On January 21, 2015, the City Council awarded a construction contract to Aegis ITS, Inc., and approved Amendment No. 1 to Agreement No. 5985 with RFB Consulting (now known as Michael Baker International), to include construction management services. A copy of the January 21, 2015, staff report is included as **Attachment 1**.

to include construction management services for the Project. A copy of the January 21, 2015, staff report is included as **Attachment 1**.

Construction of the Project has continued throughout the year, however, delays in obtaining traffic signal equipment (beyond the control of the contractor) required an extension of time to complete the Project. Included as part of Amendment No. 2 to Agreement No. 5985 with Michael Baker International is an additional budget of \$53,250 to account for an extended construction period; continued support is recommended to ensure the continued full oversight of the contractor for compliance with federal regulations applicable to the Project.

The scope of the Project includes upgrading many of our traffic signals with wireless communication, and adding new video detection cameras to those traffic signals using the older inductive loop technology. The City implemented video detection technology soon after the technology was made commercially available, and at some traffic signals the video detection cameras have reached the end of their useful life (10 years or more). These older video detection cameras continue to function, but will fail over time which will disrupt the new traffic signal interconnection system. So, to avoid this potential failure, staff recommends replacement of these existing older video detection cameras. Included as part of Amendment No. 2 is payment in the amount of \$42,202 for the acquisition of 49 video detection cameras to replace these older existing video detection cameras that were not originally included in the scope of the Project.

A copy of Amendment No. 2 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 projects consist of the maintenance of existing highways and streets; inclusive of traffic signal modifications and installation of facilities for health and safety, the Traffic Management Center (TMC) and Citywide Traffic Signal Synchronization project, City Project No. 08-04, is considered categorically exempt from CEQA.

Since the project involves federal funds, it is also subject to the environmental review under the National Environmental Policy Act (NEPA). Caltrans provided the oversight for the NEPA processes and has determined that this project is a Categorical Exclusion under Section 6004, 23 CFR 771.117(d): activity (d)(2).

**FISCAL IMPACT:**

The City has received a federal Congestion Mitigation Air Quality (CMAQ) grant of \$1,843,000 for the Project, with \$199,000 allocated to the design phase, \$1,644,000 allocated for the construction phase. Previously, the City budgeted \$201,652 from Fund 133 (Special Gas Tax Improvement), and \$1,608,051 from Fund 134 (Measure A Improvements) for the Project. The Project's overall budget, and incurred expenditures, are identified in Table 1:

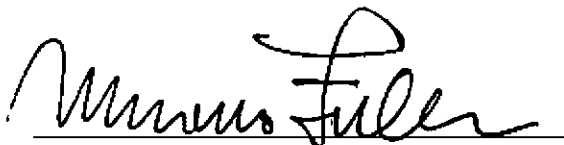
**Table 1**

<b>Table of Project Costs</b>	<b>Amount</b>
CMAQ Federal Aid Grant	\$1,843,000
Gas Tax Fund	\$201,652
Measure A Fund	\$1,608,051
Design Services	(\$247,521)
Project Administration (through 10/02/15)	(\$52,000)
Project Administration (Estimated)	(\$10,000)
Construction Management	(\$372,192)
Construction Contract	(\$2,080,000)
Construction Contingency	(\$103,094)
<b>Remaining Balance</b>	<b>\$787,896</b>

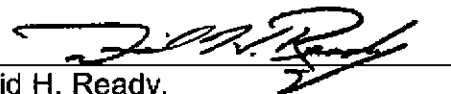
Funds to encumber for approval of Amendment No. 2 in the amount of \$95,454 are available in Local Measure A account 134-4498-50272.

**SUBMITTED**

Prepared by:



Marcus L. Fuller  
Assistant City Manager/City Engineer



David H. Ready,  
City Manager

Attachments:

1. Staff Report: January 21, 2015
2. Amendment No. 2 to Agreement No. 5985

# **ATTACHMENT 3**

**AMENDMENT NO. 3  
TO AGREEMENT NO. 5985  
PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION MANAGEMENT  
SERVICES TO THE CITY OF PALM SPRINGS TRAFFIC SIGNAL  
INTERCONNECT/SYNCHRONIZATION, CITY PROJECT NO. 08-04  
FEDERAL PROJECT NO. CML 5282 (031)**

THIS THIRD AMENDMENT TO Agreement No. 5985 for professional engineering and construction management services, (herein "Amendment") made and entered into on the \_\_\_ day of \_\_\_\_\_, 2016, by and between CITY OF PALM SPRINGS, a California charter City and municipal corporation, (herein "City"), and Michael Baker International, INC., (herein "Consultant"), is hereby amended as follows:

**RECITALS**

WHEREAS, City and Consultant entered into that Agreement No. 5985 to provide professional engineering and construction management services in the City of Palm Springs ("Agreement"), as dully amended from time to time;

WHEREAS, City requests Consultant to provide for design and construction management services for the City-wide upgrade of traffic signal synchronization and install a new Traffic Management Center (TMC) at the Palm Springs City Hall; and

WHEREAS, the parties wish to amend the Agreement to extend the contract, to add additional construction management services associated with the TMC and Traffic Signal Synchronization change order work being completed by the Contractor;

Section 1. Scope of Services, Exhibit "A", is hereby amended by adding those services identified in the attached Exhibit "A", Scope of Services.

Section 2. Section 2.1, Compensation of Consultant, is hereby revised to reflect the total amended contract amount as herein specified by this Amendment No. 3. The Schedule of Compensation, Exhibit "E", is hereby amended and increased by \$39,738 to add these additional services:



TASK	DESCRIPTION	AMENDMENT 3		ORIGINAL CONTRACT	AMENDMENT 1	AMENDMENT 2	TOTAL
		Hours	\$	\$	\$	\$	\$
	PHASE 1&2 -- ORIGINAL CONTRACT			\$247,521			\$247,521
<b>AMENDMENTS</b>							
	PHASE 3 -- CONSTRUCTION ADMINISTRATION SERVICES						
3.1	Pre-Construction Meeting Attendance	0	\$0		\$2,550	\$0	\$2,550
3.2	Shop Drawing Review	4	\$576		\$16,668	\$0	\$17,244
3.3	Respond to Requests for information	4	\$576		\$13,228	\$0	\$13,804
3.4	Construction, Management, Administration, and Inspection	240	\$33,600		\$159,088	\$53,250	\$245,938
3.5	Quality Assurance Plan	0	\$0		\$12,088	\$0	\$12,088
3.6	Miscellaneous Construction Support	18	\$2,592		\$65,508	\$0	\$68,100
3.7	Final Record Drawings	24	\$2,394		\$608	\$0	\$3,002
	PHASE 3 -- SUBTOTAL	290	\$39,738		\$269,738	\$53,250	\$362,726
	PHASE 4 -- Replacement of Video Detection Cameras						
4.1	PHASE 4 --Furnish and Install Iteris Color Camera Assembly-Model CAM-RZ4A-WDR Imager, 115VAC, NTSC w/ EDCO RMCX1.05-Video Coax Suppression (Connectorless Termination)		\$0		\$0	\$42,204	\$42,204
	Reimbursable Expenses		\$0		\$7,000	\$0	\$7,000
	<b>AMENDMENT TOTAL</b>		<b>\$39,738</b>		<b>\$276,738</b>	<b>\$95,454</b>	<b>\$411,930</b>
	<b>ORIGINAL CONTRACT TOTAL</b>			<b>\$247,521</b>			<b>\$247,521</b>
	<b>NEW GRAND TOTAL</b>						<b>\$659,451</b>

Total maximum contract amount: \$659,451

Section 3. Time for Completion, Consultant shall provide the services provided herein by this Amendment as directed by City. Section 3.0 "Schedule of Performance" is hereby revised to reflect the term until April 28, 2016 or after which the project is closed out and accepted by the City and Caltrans as per the attached "Exhibit F"

Section 4. Full force and effect: Except as otherwise previously modified herein, all other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed and entered into the Amendment as of the date first written below.

ATTEST:

CITY OF PALM SPRINGS, a California charter city and municipal corporation

By: \_\_\_\_\_  
James Thompson  
City Clerk

By: \_\_\_\_\_  
David H. Ready  
City Manager

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Douglas Holland  
City Clerk

CONSULTANT NAME:

By: Michael Baker International 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: Notarized Signature of Chairman of Board, President or any Vice President

By: Notarized Signature Secretary, Asst. Secretary, Treasurer, Asst. Treasurer or Chief Financial Officer

By: \_\_\_\_\_  
Signature (notarized)

By: \_\_\_\_\_  
Signature (notarized)

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

**EXHIBIT "A"**  
**SCOPE OF SERVICES**  
**TMC AND CITYWIDE TRAFFIC SIGNAL INTERCONNECT/SYNCHRONIZATION**  
**CITY PROJECT NO. 08-04**  
**FEDERAL PROJECT NO. CML 5282 (031)**

*Amend Phase Three - "Construction Administration Services" to include the following additional services:*

Michael Baker International (Consultant) is submitting this Extra Work Request for additional efforts required to complete the construction phase of the project. The Contractor has submitted a change order that will add 36 days to the construction schedule for additional work that the City has requested. Amendment 2 requested an additional 19 days for construction management. This amendment requests the amount needed for an additional 21 days to correlate with the completion date and provided additional time for project closeout of the contractor. The Contractor requires extra time to complete the project because the existing copper Signal Interconnect Cable (SIC) does not have continuity at five (5) segments. The following segments require new SIC.

1. N. Palm Canyon from Tachevah to Tamarisk
2. S. Palm Canyon from Sunny Dunes to Mesquite
3. S. Palm Canyon from Morongo to E. Palm Canyon
4. Tahquitz Canyon from Caballeros to El Segundo
5. Tahquitz Canyon from Sunset to Sunrise Way

During the design phase existing Copper SIC was tested in design by Siemens, and found to have sufficient continuity. The contract plans and specifications state that the Contractor is responsible for testing the Existing Copper interconnect to ensure the copper was not damaged since the test that occurred during the design phase. The contractor tested the Copper SIC and found five (5) segments that to have no continuity. The existing SIC will be replaced with same conductor cable and terminated. A report generated by the contractor describing the results of the continuity test is provided in the Contractor Change order.

Michael Baker International Staff will be required to continue construction management and inspection activities through the completion of the project. In addition, Consultant will continue to provide construction support activities for the additional work. In general, the scope of extra work is described as follows:

**Task 5 Shop Drawing Review**

The Consultant Team will review shop drawing submittals for conformance to design for the additional work to be completed by the Contractor. The fee is based upon one review of each submittal and one back-check of resubmittals. Additional shop drawings will be reviewed for equipment and materials associated with the following additional work to be performed by the Contractor:

- Install New SIC along Tahquitz Canyon Drive and Palm Canyon Drive.

**Task 6 Respond to Requests for Information**

The Consultant Team will continue to provide responses to the Contractor's requests for information regarding the additional work to be completed by the Contractor. This task includes conferring with the City's Resident Engineer regarding the RFI(s) as appropriate. Regularly

scheduled construction observation is specifically excluded from this task.

### **Task 7 Construction Management, Administration and Inspection**

The Consultant Team will continue all efforts regarding Construction, Administration, and Inspection defined under Amendment 1 and Amendment 2 - Task 7 for the additional 42 days that have been requested by the Contractor. There are several regulatory guidelines that apply to this project including; California Labor Code; Code of Federal Regulations, Title 29, Part 5 (29 CFR Part 5); regulations of the Federal Highway Administration (FHWA); the California Code of Regulations; and the United States Department of Labor. The efforts that will continued to be provided as a part of this amendment include the following:

- Provide appropriate labor compliance information and advice for the Contractor's project personnel.
- Resolve discrepancies between wage rates/classifications and certified payrolls.
- Provide required process information for complaints and referenced Section 8-2, "Equal Employment Opportunity," of the Caltrans Local Assistance Procedures Manual.
- Review and confirm all Contractor certified payroll records according to current labor compliance program policy.
- Verify the accuracy of payrolls and assist the Contractor in correcting and complying with wage underpayment, discrepant and inadequate payroll Information, substantiation of wages, and fringe benefits paid.
- Review contract documents and coordinate permit requirements.
- Provide coordination of project activities and prepare reports and documents, as necessary, for City's review and action.
- Maintain at the project side, on a current basis, a record copy of all contracts, drawings, specifications, addenda, change orders and other modifications, in good order and marked to record all changes made during construction, including the shop drawings, product data shop and mill test reports of materials and equipment, samples, submittals, purchases, materials, equipment, applicable handbooks, maintenance and operating manuals and instructions, and other related documents and revisions relevant to the contract work.
- Conduct bi-weekly construction progress meets with Project Design Engineer, Contractor, Subcontractors, City Staff, other affected outside Agencies, utilities, general public, and other Consultants to discuss matters such as procedures, progress, problems, and scheduling and distribute meeting agenda and minutes.
- Coordinate submittal review(s) with the Consultant Project Manager.
- Coordinate with utility companies including SCE for electrical service point(s).
- Provide on-site inspection and testing services of hardware and software installed by the Integrator/Contractor as they relate to video detection equipment, microwave radios, network appliances, etc.
- Validate that work of the Integrator/Contractor meets the design criteria of the Project.

- Validate the performance criteria of all system components by using third party hardware and software testing tools to ensure bandwidth, performance and data QOS performance standards have been met by the Integrator/Contractor.
- Document all claims and maintain reports for account records.
- Review and analyze the Contractor's schedule (monthly) including activity sequences and duration, schedule of submittal and schedule of delivery for products with long lead times.
- Work with Contractor to maintain the project schedule to show current conditions and suggest revisions as required.
- Recommend necessary or desirable changes in the Construction Contractor's scope of work.
- Review and evaluate Contractor's request for changes. Submit recommendations supported by field data related to any additional work.
- If change orders are accepted by the City, prepare change orders for signature and authorization by the City.
- Monitor and enforce construction noticing requirements.
- Prepare and maintain field diaries (bound workbooks) during construction, including a cumulative record of quantities constructed, daily and weekly reports, working day reports, change order documentation and other documentation.
- Ensure compliance with the construction contract by continuously monitoring, evaluating, approving or rejecting the Contractor's work in accordance with the approved construction contract documents.
- Record the progress of the project by maintaining one set of plans with markings and dimensions in red ink to denote field changes or other corrections.
- Maintain copies of all permits needed to construct the project and enforce special requirements of each.
- Notify the City when the project, or a designated portion thereof, is substantially complete.
- Obtain evidence of certification of all lien releases.
- Secure and transmit to the City, all required guarantees and warranties in the form of an Operation and Maintenance workbook.
- Coordinate training with City staff.
- Provide Project Closeout.

***Extended working schedule:***

The contract specifications specify that the project must be complete after 160 working days. Working days are defined in the contract specifications as any day except Fridays, Saturdays, and Sundays, designated holidays, and days in which inclement weather prevents work. Per the special provisions, the project should be complete on February 11<sup>th</sup>, 2016. **Thirty-six (36) working days** has been added per the Contract Change Order No. 1 extending this date to April 14, 2016.

**Task 9 Miscellaneous Construction Support**

The Consultant Team will continue to assist the City of Palm Springs with miscellaneous requests including evaluating non-functioning traffic signal equipment, traffic signal operations, signage/stripping needs, and other miscellaneous related items to ensure the City maintains a functioning citywide traffic signal system and signal communication system. If necessary, the Consultant Team will provide the City with equipment upgrade recommendations related to the additional work for the additional copper SIC along Tahquitz Canyon Way and Palm Canyon Drive.

**Task 10 Final Record Drawings**

The Consultant will furnish the City a complete set of revised original electronic design files and drawings showing as-built conditions that reflect the additional work for the additional copper SIC along Tahquitz Canyon Way and Palm Canyon Drive. Revisions will be solely based on as-built information provided by the Contractor and the City's Resident Engineer. Consultant assumes no responsibility for the accuracy of the information provided by the Contractor or resident engineer.

**END OF EXHIBIT "A"**

**EXHIBIT "E"**  
**SCHEDULE OF COMPENSATION**

The following is amended to Exhibit "E", Schedule of Compensation:  
**Phase 3 - Construction Administration Services**

TASK	DESCRIPTION	NO. OF SHEETS		PROJECT ENGINEER \$144 per hour		CADD TECHNICIAN \$85 per hour		CONSTRUCTION MANAGEMENT AND INSPECTION \$140 per hour		AMENDMENT 3 TOTAL		AMENDMENT 1 AMENDMENT 2 TOTAL		TOTAL
		Shts	Hours	\$	\$	\$	\$	Hours	\$	\$	\$	\$		
<b>PHASE 3 -- CONSTRUCTION ADMINISTRATION SERVICES</b>														
3.1	Pre-Construction Meeting Attendance			\$0		\$0		\$0	0	\$0		\$2,550		\$2,550
3.2	Shop Drawing Review		4	\$576		\$0		\$0	4	\$576		\$16,668		\$17,244
3.3	Respond to Requests for information		4	\$576		\$0		\$0	4	\$576		\$13,228		\$13,804
3.4	Construction, Management, Administration, and Inspection			\$0		\$0	240	\$33,600	240	\$33,600		\$212,338		\$245,938
3.5	Quality Assurance Plan			\$0		\$0		\$0	0	\$0		\$12,088		\$12,088
3.6	Miscellaneous Construction Support		18	\$2,592		\$0		\$0	18	\$2,592		\$65,508		\$68,100
3.7	Final Record Drawings		6	\$864	18	\$1,530		\$0	24	\$2,394		\$608		\$3,002
	<b>SUBTOTAL</b>		<b>32</b>	<b>\$4,608</b>	<b>18</b>	<b>\$1,530</b>	<b>240</b>	<b>\$33,600</b>	<b>290</b>	<b>\$39,738</b>		<b>\$322,988</b>		<b>\$362,726</b>
<b>PHASE 4 -- Replacement of Video Detection Cameras</b>														
4.1	PHASE 4 --Furnish and Install Iteris Color Camera Assembly-Model CAM-RZ4A-WDR Imager, 115VAC, NTSC w/ EDCCO RMCX1.05-Video Coax Suppression (Connectorless Termination)									\$0		\$42,204		\$42,204
Reimbursable Expenses										\$0		\$7,000		\$7,000
<b>AMENDMENT TOTAL</b>										<b>\$39,738</b>		<b>\$372,192</b>		<b>\$411,930</b>
<b>ORIGINAL CONTRACT TOTAL</b>														<b>\$247,521</b>
<b>NEW GRAND TOTAL</b>														<b>\$659,451</b>

<b>Original Contract Amount:</b>	<b>\$ 247,521</b>
Amendment 1 Increase	\$ 276,738
Amendment 2 Increase	\$ 95,454
<b>Previous Grand Total</b>	<b>\$ 619,713</b>
Amendment 3 Increase	\$ 39,738
<b>Grand Total of Contract</b>	<b>\$ 659,451</b>

**EXHIBIT "F"**  
**SCHEDULE OF PERFORMANCE**

*The following is added to Exhibit "F", Schedule of Performance:*

Phase Three – The Contractor has requested an additional 36 days to the original contract working days of 160 days. Construction Administration Services shall continue for an additional 21 working days for a total contract period of 200 working days thereafter or when the project is closed out and accepted by the City and Caltrans.

<b>Original working days:</b>	<b>160</b>
Amendment 2 Added Days	19
Amendment 3 Added Days	21
Total Working Days	200

**END OF EXHIBIT "F"**



# **ATTACHMENT 4**

Notice of Exemption

Form D

To: [ ] Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044
[ ] County Clerk
County of Riverside
P.O. Box 751
Riverside, CA 92502-0751

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

Project Title: Traffic Management Center - Traffic Signal Synchronization

Project Location - Specific:

Citywide throughout the City of Palm Springs.

Project Location - City: Palm Springs

Project Location - County: Riverside

Description of Project:

The proposed project includes installation of a direct communication link between the City's TMC and the City's information technology (IT) hub, installation of three weather closed circuit television cameras, and upgrade of 80 signalized intersections citywide by installing conduit, cables, pull boxes from traffic signal poles to the traffic signal cabinets. All work will be within the existing Right of Way.

Name of Public Agency Approving Project: City of Palm Springs

Name of Person or Agency Carrying Out Project: City of Palm Springs

FILED
RIVERSIDE COUNTY

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)(e));
[X] Categorical Exemption. State type and section number:
[ ] Statutory Exemptions. State code number:

15301(c) & (f) Existing Facilities

APR 09 2014

LARRY W. WARD, CLERK

By P. Bue T. Buis
Deputy

Reasons why project is exempt:

This TMC and Traffic Signal Synchronization project will provide the City the ability to monitor traffic intersections while synchronizing traffic signals with existing facilities within the City's existing right of way.

Lead Agency

Contact Person: Savat Khamphou

Area Code/Telephone/Extension: (760) 323-8253

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: [Signature] Date: 3/26/2014 Title: Asst Dir of Publ Wrks

- [X] Signed by Lead Agency
[ ] Signed by Applicant

Neg Declaration/Ac Determination
Filed per P.S.C. 91159
Date received for filing at OPR:

APR 09 2014

January 2004

Governor's Office of Planning and Research

Removed: [Signature]
By: [Signature] Dept.
County of Inland Empire, State of California

STATE OF CALIFORNIA - THE RESOURCES AGENCY  
DEPARTMENT OF FISH AND GAME  
ENVIRONMENTAL FILING FEE CASH RECEIPT

Receipt #: 201400198

State Clearinghouse # (if applicable): \_\_\_\_\_

Lead Agency: CITY OF PALM SPRINGS Date: 04/09/2014

County Agency of Filing: Riverside Document No: 201400198

Project Title: TRAFFIC MANAGEMENT CENTER - TRAFFIC SIGNAL SYNCHRONIZATION

Project Applicant Name: CITY OF PALM SPRINGS Phone Number: 760-323-8253

Project Applicant Address: 3200 E. TAHQUITZ CANYON WAY PALM SPRINGS, CA 92262

Project Applicant: Local Public Agency

CHECK APPLICABLE FEES:

- Environmental Impact Report \_\_\_\_\_
- Negative Declaration \_\_\_\_\_
- Application Fee Water Diversion (State Water Resources Control Board Only) \_\_\_\_\_
- Project Subject to Certified Regulatory Programs \_\_\_\_\_
- County Administration Fee \$50.00
- Project that is exempt from fees (DFG No Effect Determination (Form Attached)) \_\_\_\_\_
- Project that is exempt from fees (Notice of Exemption) \_\_\_\_\_

Total Received \$50.00

Signature and title of person receiving payment: P. Buil

Notes: