



City Council Staff Report

Date: August 3, 2016 CONSENT CALENDAR

Subject: ACCEPTANCE OF CITYWIDE ADA CURB RAMP IMPROVEMENTS PROJECT, CITY PROJECT NO. 15-18

From: David H. Ready, City Manager

Initiated by: Department of Engineering Services

SUMMARY

Formal City Council acceptance of the Citywide ADA Curb Ramp Improvements Project, City Project No. 15-18, is required to document the completion of the public works improvement, and to allow the City's filing of a Notice of Completion with the Riverside County Recorder in accordance with Section 9200 of the California Civil Code.

RECOMMENDATION:

- 1) Accept the public works improvement identified as Citywide ADA Curb Ramp Improvements Project, City Project No. 15-18, as completed in accordance with the plans and specifications; and
- 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the Citywide ADA Curb Ramp Improvements Project, City Project No. 15-18.

STAFF ANALYSIS:

On April 1, 2015, as part of the Annual Action Plan and CDBG budget approval, City Council approved authorization to submit to the United States Department of Housing and Urban Development Grant in the amount of \$343,175 for various projects within the City of Palm Springs. The City of Palm Springs Public Works and Engineering Department's Citywide ADA Curb Ramp and Sidewalk improvements projects was one of these projects selected, approved, and awarded \$50,000 of CDBG funding.

Public Works and Engineering Department field selected several locations identified below in Figure 1 representing an estimated \$50,000 of construction that included ramp reconstruction and modifications. Project locations were limited to areas of Moderate to Low Income Areas in accordance with CDBG guidelines, and staff identified sidewalks in areas that were most heavily used by pedestrian traffic located near the Palm Springs

High School and Sunrise Plaza where the library, swim center, and skate park are located. The project includes reconstruction of 10 existing curb ramps, and modification of 12 existing curb ramps as shown in Figure 1.

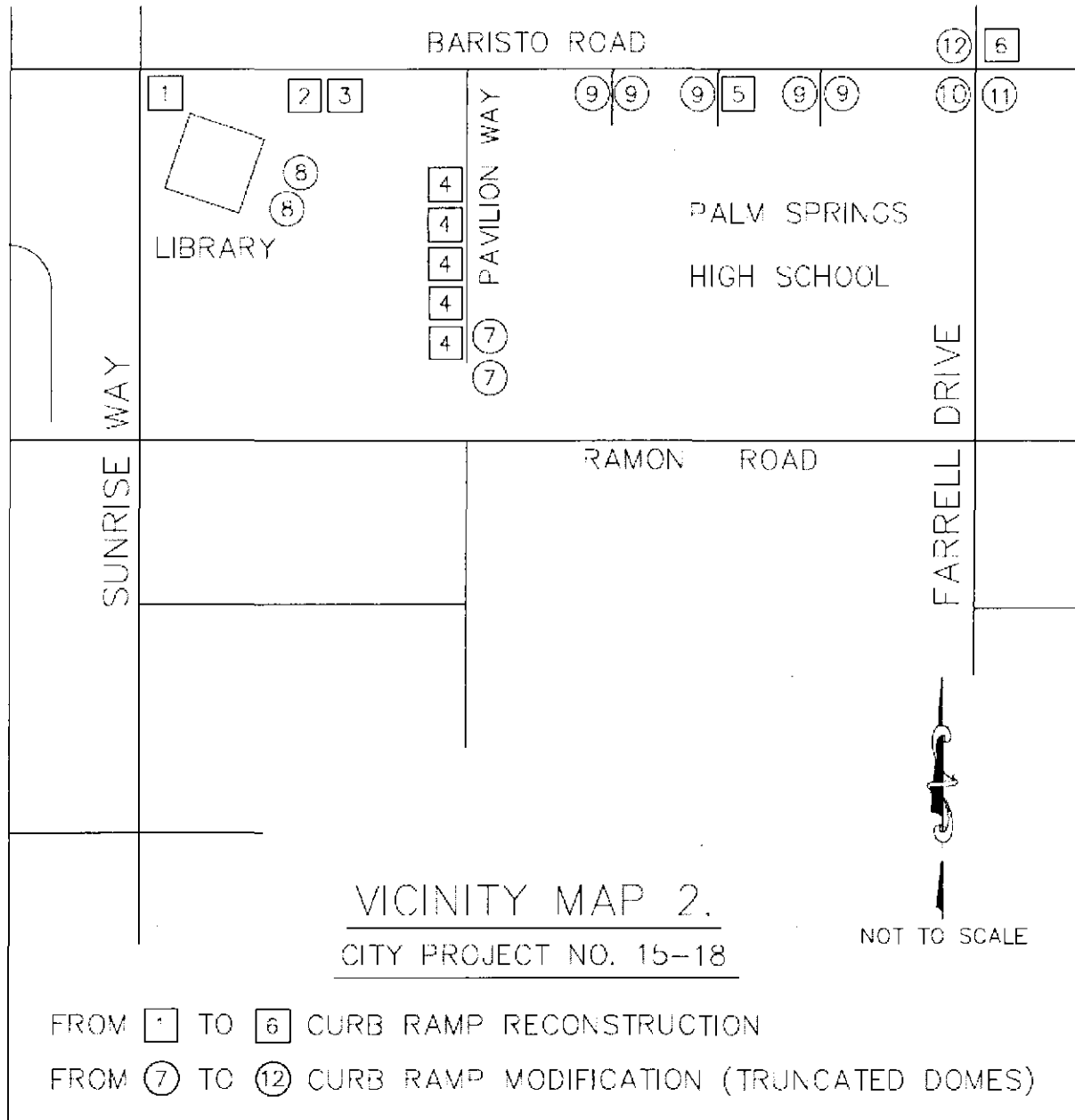


FIGURE 1

On April 20, 2016, the City Council awarded a construction contract to CT&T Concrete Paving Inc., in the amount of \$51,988 for the Citywide ADA Curb Ramp Improvements Project, City Project No. 15-18, (the "Project"). During construction of the Project, certain adjustments were accommodated and the final cost of the Project was decreased by \$11,205 from the original awarded contract amount of \$51,988. The

decrease was due in part to an over-estimation on the volume of concrete required in each curb repair, and at the end of the contract a final accounting of required concrete revealed a balance available requiring a credit due to the City. Contract Change Order No. 1 (CCO1) was prepared and administratively approved facilitating the credit of \$11,205 for a final contract amount of \$40,783; a copy of CCO1 is included as **Attachment 1**.

As determined by City staff, the Contractor satisfactorily completed the Project on June 14, 2016. Staff recommends that the City Council accept the Project as required by Section 9200 of the California Civil Code, and authorize the City Engineer to file and record a Notice of Completion within 15 days of the City Council's action. A copy of the Notice of Completion to be submitted to the County 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 operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public structures, facilities, mechanical equipment involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Therefore, in accordance with Section 15301(a), staff determined that the Citywide ADA Curb Ramp Improvements Project, City Project No. 15-18, was considered categorically exempt from CEQA and a Notice of Exemption was prepared and filed with the Riverside County Clerk and is included as **Attachment 3**.

FISCAL IMPACT:

The Project was funded with \$50,000 from the CDBG program for the 2015/2016 fiscal year. The final accounting of required concrete removals and reconstruction resulted in a credit of \$11,205 to the final contract amount of \$40,783. Table 1 summarizes the final expenditures.

Table of Project Costs	Amount
Project Administration	(\$8,830)
Construction Contract	(\$40,783)
Total Cost	\$49,613

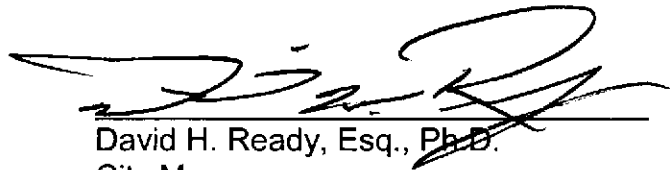
Table 1

The City is holding retention of \$2,039.15 for CT&T Concrete Paving Inc., pending acceptance of the improvements and filing of the Notice of Completion with the County Recorder's office. Since this project is a maintenance effort, the Finance Department does not need to add the cost of this project to the City's fixed asset system, as no new assets have been created in compliance with Governmental Accounting Standard Board (GASB) 34 *Standards for Financial Reporting of Infrastructure Assets*.

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. Change Order No. 1
2. Notice of Completion
3. Notice of Exemption

Attachment 1



CITY OF PALM SPRINGS CONTRACT CHANGE ORDER

To: CT&T Construction INC.
324 S. Diamond Bar Blvd.
Diamond Bar, Ca. 91765

Date: June 22, 2016
Project No: 15-18
Project: Citywide ADA Curb Ramps
Change Order No: 1
Purchase Order: 16-0839
Account: 133-4298-50251

Attn: Jose Carvajal

CHANGES IN WORK:

This change order makes adjustments to bid quantities following the completion of work.

Bid Schedule Item No:

3.	R&R Curb Ramps	-14 CY @ \$530/CY	-\$7,420.00
4.	Modify Curb Ramps	45 SF @ \$27.00/SF	\$1,215.00
5.	Field Orders	Lump Sum	-\$5,000.00

Total Change Order Amount: -\$11,205.00

CHANGES TO CONTRACT TIME:

No additional working days will be added

SOURCE OF FUNDS:

Funds are available in the following account: 133-4298-50251 (*\$6656.80*)
137-4817-63597 (\$4518.20)

REASONS FOR CHANGE:

Bid Schedule Items 3, and 4: . The actual quantities required to complete the work were more or less than the original estimate in the amounts indicated.

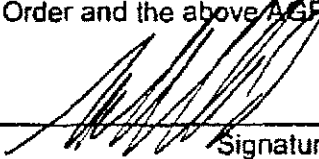
Bid Schedule Item 5: The Field Order item was not utilized on the project and therefore the funds are being credited to the contract.

SUMMARY OF COSTS:

Original Contract Amount:	\$51,988.00	Original Completion	15 Working Days
This Change Order:	-\$11,205.00	Days Added	0
Previous Change Order(s):	\$0.00	Previous Days Added:	0 Working Days
Revised Contract Amount:	\$40,783.00	Revised Completion	0 Working Days

I have received a copy of this Change Order and the above AGREED PRICES are acceptable to Contractor

CT&T Construction



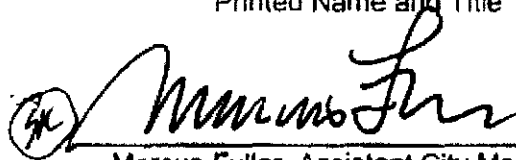
Signature

7-12-16
Date

Jose Carvajal President
Printed Name and Title

City of Palm Springs

Recommended By:



Marcus Fuller, Assistant City Manager /
City Engineer

7/18/16
Date

Approved By:

David H. Ready, City Manager

Date

Attest By:

James Thompson, City Clerk

Date

Distribution:

Original Conformed Copy:

Contractor (1)
City Clerk (1)

Conformed - File Copy:

Engineering Pay File (1)
City Project File (1)
Purchasing (1)
Finance (1)

Savat Khamphou

From: Dale Cook
Sent: Wednesday, June 08, 2016 1:28 PM
To: Savat Khamphou; Rene Martinez
Cc: Mike Lytar; Marcus Fuller; Lauri Aylaian
Subject: RE: Additional Curb Ramps at the vicinity of the Police Department - CP 15-18
Attachments: image001.jpg; image002.jpg

Hello Gentlemen – Yes, the PD location is within an eligible CDBG Low/Mod Income Census Block Group. Thanks for your imitative. – Dale



DALE E. COOK, JR.

Community Development Administrator

Telephone: 760 323.8198 Fax 760 322 8325 TDD: 760.864 9527



Please consider the environment before printing this email.

FYI... City Hall has extended hours of 8am to 6pm on Monday through Thursday, and closed on Friday.

From: Savat Khamphou
Sent: Wednesday, June 08, 2016 12:20 PM
To: Rene Martinez
Cc: Mike Lytar; Marcus Fuller; Dale Cook
Subject: Additional Curb Ramps at the vicinity of the Police Department - CP 15-18

Rene,

Remaining funds from CP 15-18 can be applied to curb ramps in the vicinity of the Police Department as long as the limits are within the CDBG income limits. Please track the locations and include them in the project files.

Savat Khamphou
(760) 323-8253 x8744 (office)
(760) 219-5404 (cell)

Attachment 2

Recording Requested By:

City of Palm Springs

When Recorded Mail To:

Name James Thompson, City Clerk
Street Address 3200 E. Tahquitz Canyon Way
City & State Palm Springs, CA 92262

SPACE ABOVE THIS LINE FOR RECORDERS USE

NOTICE OF COMPLETION

(CA Civil Code §§ 8180-8190, 8100-8118, 9200-9208)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an owner of an interest of estate in the hereinafter described real property, the nature of which interest or estate is:
Fee _____ (e.g. fee, leasehold, joint tenancy, etc.)
2. The full name and address of the undersigned owner or reputed owner and of all co-owners or reputed co-owners are:
Name _____ Street and No. _____ City _____ State _____
City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs CA
3. The name and address of the direct contractor for the work of improvement as a whole is:
CT&T Construction Inc., 324 S. Diamond Bar Blvd. Diamond Bar, CA 91765
4. This notice is given for (check one):
 Completion of the work of improvement as a whole.
 Completion of a contract for a particular portion of the work of improvement (per CA Civ. Code § 8186).
5. If this notice is given only of completion of a contract for a particular portion of the work of improvement (as provided in CA Civ. Code § 8186), the name and address of the direct contractor under that contract is:
Not Applicable.
6. The name and address of the construction lender, if any, is:
Not Applicable.
7. On the 14th day of June, 2016, there was completed upon the herein described property a work of improvement as a whole (or a particular portion of the work of improvement as provided in CA Civ. Code § 8186) a general description of the work provided:
Citywide ADA Curb Ramp Improvements, Project No. 15-18
8. The real property herein referred to is situated in the City of Palm Springs, County of Riverside, State of California, and is described as follows:
Curb Ramps on Baristo Road (south side) from Sunrise Way to Farrell Drive, and Civic Drive (south side) from Baristo Road to Tahquitz Cyn Way
9. The street address of said property is:
N/A
10. If this Notice of Completion is signed by the owner's successor in interest, the name and address of the successor's transferor is:
Not applicable

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____ By: _____

Signature of Owner or Owner's Authorized Agent - Assistant City Manager/City Engineer for City of Palm Springs
Marcus Fuller

Print Name

VERIFICATION

I, Marcus Fuller, state: I am the Assistant City Manager/City Engineer ("Owner", "President", "Authorized Agent", "Partner", etc.) of the Owner identified in the foregoing Notice of Completion. I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

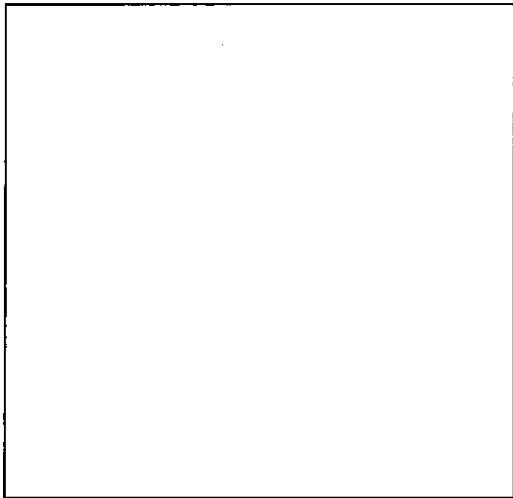
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, _____ (date), at Palm Springs (City), CA (State).

Signature of Owner or Owner's Authorized Agent

-
-
-

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.



STATE OF CALIFORNIA
COUNTY OF _____

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

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

Witness my hand and official seal.

Attachment 3

NOTICE OF EXEMPTION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Clerk of the Board
County of Riverside
P.O. Box 751
Riverside, CA 92502-0751

Project Title: Citywide Curb Ramp Improvements/City Project No. 15-18

Project Applicant: City of Palm Springs

Project Location (Specific): Existing Curb Ramps on Baristo between Sunrise Way and Farrell Drive and on Pavilion Way south of Baristo Road.

Project Location (City): City of Palm Springs

Project Location (County): Riverside

Project Description: Citywide ADA Curb Ramp Improvements that include reconstruction and improvements to existing curb ramps to meet current ADA standards.

Name of Public Agency Approving Project: City of Palm Springs

Name of Person or Agency Carrying Our Project: City of Palm Springs, Public Works & Engineering Department
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

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));
- Categorical Exemption. State type and section number: 15301 Class 1(b) – Existing Facilities
- Statutory Exemptions. State code number:

Reasons why project is exempt: Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alternation of existing public or private 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. The type of "existing facilities" to be considered exempt is determined by whether the project involves negligible or no expansion of an existing use, and includes existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities. Therefore, the Citywide ADA Curb Ramp Improvements, City Project No. 15-18, is considered categorically exempt from CEQA.

Lead Agency Contact Person: Marcus L. Fuller, PE, PLS

Area Code/Telephone/Extension: (760) 322-8380

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? Yes No

Signature: 

Date: 4/11/16

Title: Asst. City Manager/City Engineer

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code

Date received for filing at OPR: _____

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.