



City Council Staff Report

Date: August 3, 2016

CONSENT CALENDAR

Subject: ACCEPTANCE OF DEMUTH PARK AND RUTH HARDY PARK SECURITY PATH LIGHTING IMPROVEMENTS, CITY PROJECT NO. 14-19

From: David H. Ready, City Manager

Initiated by: Department of Engineering Services

SUMMARY

Formal City Council acceptance of Demuth Park and Ruth Hardy Park Security Path Lighting Improvements, City Project No. 14-19, 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.

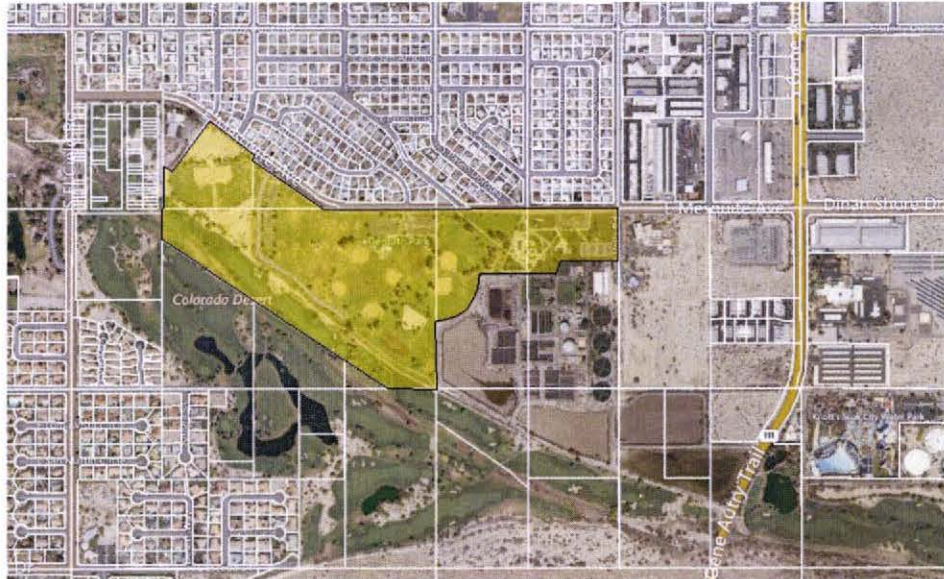
RECOMMENDATION:

- 1) Accept the public works improvement identified as Demuth Park and Ruth Hardy Park Security Path Lighting Improvements, City Project No. 14-19, 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 Demuth Park and Ruth Hardy Park Security Path Lighting Improvements, City Project No. 14-19.

STAFF ANALYSIS:

On October 7, 2015, the City Council awarded a construction contract to Hotline Construction Inc., in the amount of \$219,800 for the Demuth Park and Ruth Hardy Park Security Path Lighting Improvements, City Project No. 14-19, (the "Project"). The scope of work included installation of new parking lot lighting improvements within two parking lots at Demuth Park, and to install new parking lot lighting at Ruth Hardy Park, consisting of all new underground conduit, conductors, electrical services, light poles and foundations, and LED light fixtures. An aerial map of each park is identified below.

ITEM NO. 11



**Demuth Park
Project Location**



**Ruth Hardy Park
Project Location**

As Demuth Park comprises of two parking lots and Ruth Hardy Park contains one parking lot, staff separated the work into three separate Bid Schedules, allowing for the total cost of the project to be separated between the Demuth Park “East” parking lot, Demuth Park “West” parking lot and Ruth Hardy park site parking lot lighting improvements; the scope of work was separated for each parking lot as follows:

Demuth Park “East” Parking Lot:

Generally, the Work included the installation of the complete parking lot lighting and electrical system improvements, but not be limited to: furnishing and installing seven (7) lighting poles and LED light fixtures, foundations, conduits, conductors, lighting control systems, pull boxes, electrical services, trenching and pavement replacement, concrete curb/gutter and sidewalk replacement, modifications to existing irrigation systems, landscaping, and all other appurtenant work.

Demuth Park “West” Parking Lot:

Generally, the Work included the installation of the complete parking lot lighting and electrical system improvements, but not be limited to: furnishing and installing 19 lighting poles and LED light fixtures, foundations, conduits, conductors, lighting control systems, pull boxes, electrical services, trenching and pavement replacement, concrete curb/gutter and sidewalk replacement, modifications to existing irrigation systems, landscaping, and all other appurtenant work.

Bid Schedule “C” (Ruth Hardy Park Site Parking Lot):

Generally, the Work included the installation of the complete parking lot lighting and electrical system improvements, but not be limited to: furnishing and installing 15 lighting poles and LED light fixtures, foundations, conduits, conductors, lighting control systems, pull boxes, electrical services, trenching and pavement replacement, concrete curb/gutter and sidewalk replacement, modifications to existing irrigation systems, landscaping, and all other appurtenant work.

At the time the Project was proceeding into construction, the City was separately coordinating on a potential solar photovoltaic (PV) system design at the Demuth Park “West” Parking Lot, which would have conflicted with the new parking lot lighting being installed within the center of the parking lot. To avoid any conflict with a future solar PV system, staff directed the contractor to revise the installation to eliminate the parking lot lighting improvements within the center of the parking lot, and negotiated a decrease of \$20,990 to the contract price for this deleted work, as identified in Contract Change Order No. 1 (CCO1). CCO1 was administratively approved facilitating the final contract amount of \$198,810; a copy of CCO1 is included as **Attachment 1**.

As determined by City staff, the Contractor satisfactorily completed the Project on May 23, 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 interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances; therefore, the Demuth Park and Ruth Hardy Park Security Path Lighting Improvements, is considered categorically exempt from CEQA, and a Notice of Exemption has been filed with the Riverside County Clerk. A copy of the filed Notice of Exemption is included as **Attachment 3**.

FISCAL IMPACT:

In the 2007-2008 Fiscal Year, \$50,000 was previously budgeted for Demuth Park security lighting through the Measure Y Improvements Fund (Fund 261). Subsequently, in the 2012-2013 Fiscal Year, \$50,000 was budgeted for Ruth Hardy Park security lighting through Measure J Capital Project Fund (Fund 260).

During construction adjustments to the scope of work were made, and Change Order 1 crediting the contract in the amount of \$20,990 was approved. The final construction contract amount was \$198,810. Table 1 provides a summary of the total costs incurred for the Project.

Phase	FY 12/13 Expenditure	FY 13/14 Expenditure	FY 14/15 Expenditure	FY 15/16 Expenditure	Final Cost
Administration	\$83.93	\$136.52	\$1,873.86	\$4,987.61	\$7,081.92
Design		\$5,550.00	\$15,600.00	\$5,550.00	\$26,700.00
Construction Contract				\$219,800.00	\$219,800.00
Contract Change Order				(\$20,990.00)	(20,990.00)
Total Cost	\$83.93	\$5,686.52	\$17,473.86	\$209,347.61	\$232,591.92

Table 1

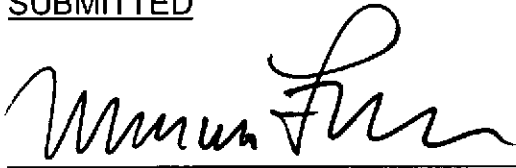
The Project was funded through the following sources as shown in **Table 2**:

Fund Name	Account	Actual
Measure J Fund No.	260-4500-59403	\$182,640.92
Measure Y Fund No.	261-2494-51561	\$50,000.00
Total Expenditures for Project		\$232,951.92
Project Budget		\$232,640.92
Remaining Balance		\$310.00

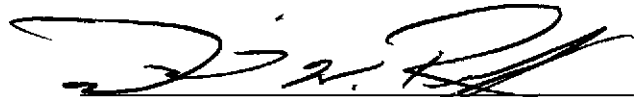
Table 2

The City is holding retention of \$9,940.50 for Hot Line Construction 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: Hot line Construction, Inc.
25110 Trumble Road
Romoland, CA 92585

Date: May 5, 2016
Project No: 14-19
Project: Demuth/Ruth Hardy Park Lighting

Change Order No: 01
Purchase Order: 16-0570
Accounts: 260-4500-59403
261-2494-51561

CHANGES IN WORK/COST:

This Contract Change Order No.1 deletes a portion of the work associated with Bid Schedule B, Demuth Park "West" parking lot:

BID SCHEDULE B

Item	Description	Price	Quantity	Total
1	Hand Bore ¾" Conduit	\$14.25/LF	-400	(\$5,700.00)
3	Install 11"x18" Pull Box	\$325.00/EA	-6	(\$1,950.00)
4	Install Light Footing	\$815.00/EA	-6	(\$4,890.00)
5	Install Light Fixture	\$1,375.00/EA	-6	(\$8,250.00)
6	Pull Wire	\$0.50/LF	-400	(\$200.00)

Note: Bid Schedule B was bid as a lump sum. Item numbers indicated under Bid Schedule B correlate to those on the approved schedule of values.

CHANGE ORDER TOTAL (\$20,990.00)

CHANGES TO CONTRACT TIME:

This change order makes no changes to the specified contract time.

SOURCE OF FUNDS:

The following account will be credited:

Bid Schedule	Description	Amount	Account #
B	Items 1,3,4,5 and 6	(\$20,990.00)	260-4500-59403

REASONS FOR CHANGES:

Improvements to the Demuth Park "West" parking lot are being planned as part of a future project to construct solar paneled shade structures. The location of six lighting fixtures scheduled for installation as a part of this project conflict with the proposed location of the future facilities. For that reason the lights will not be installed and they are being deleted from the current project.

DUPLICATE 07
ORIGINAL

CP 14-19, Demuth Park and Ruth Hardy Park Security Path Lighting Improvements
Contract Change Order No. 1
May 5, 2016
Page 2

SUMMARY OF COSTS:

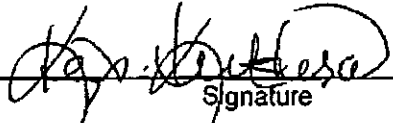
Original Contract Amount:	\$219,800.00	Original Completion	May 23, 2016
This Change Order:	(\$20,990.00)	Days Added	0
Previous Change Order(s):	\$ 0.00	Previous Days Added:	0
Revised Contract Amount:	\$198,810.00	Revised Completion	May 23, 2016

**** SIGNATURES ON NEXT PAGE ****

CP 14-19, Demuth Park and Ruth Hardy Park Security Path Lighting Improvements
Contract Change Order No. 1
May 5, 2016
Page 3

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

Hot Line Construction, Inc.



Signature

5-12-16

Date

Kelly Kulchera VP/CFO

Printed Name and Title

City of Palm Springs

Recommended By:



Assistant City Manager/City Engineer

6/14/16

Date

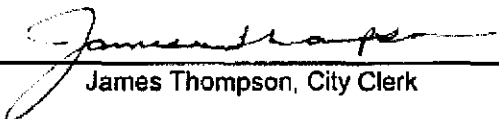
Approved By:

N/A

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)

APPROVED BY DEPARTMENT HEAD

decrease \$20,990.00 > A6770

**PALM SPRINGS
DEMUTH AND RUTH PARKS
LIGHTING ADDITION**



DATE	11/17/2010
PROJECT NO.	101-100
PROJECT NAME	DEMUTH AND RUTH PARKS
PROJECT LOCATION	101-100
PROJECT DESCRIPTION	DEMUTH AND RUTH PARKS
PROJECT ADDRESS	101-100
PROJECT CITY	101-100
PROJECT STATE	101-100
PROJECT ZIP	101-100
PROJECT COUNTY	101-100
PROJECT DISTRICT	101-100
PROJECT ZONING	101-100
PROJECT PERMIT NO.	101-100
PROJECT PERMIT DATE	101-100
PROJECT PERMIT EXPIRES	101-100
PROJECT PERMIT STATUS	101-100
PROJECT PERMIT AGENCY	101-100
PROJECT PERMIT TYPE	101-100
PROJECT PERMIT FEE	101-100
PROJECT PERMIT AMOUNT	101-100
PROJECT PERMIT BALANCE	101-100
PROJECT PERMIT PAID DATE	101-100
PROJECT PERMIT PAID AMOUNT	101-100
PROJECT PERMIT PAID BALANCE	101-100
PROJECT PERMIT PAID DATE	101-100
PROJECT PERMIT PAID AMOUNT	101-100
PROJECT PERMIT PAID BALANCE	101-100

**ELECTRICAL
SITE LIGHTING
DEMUTH WEST PARK**

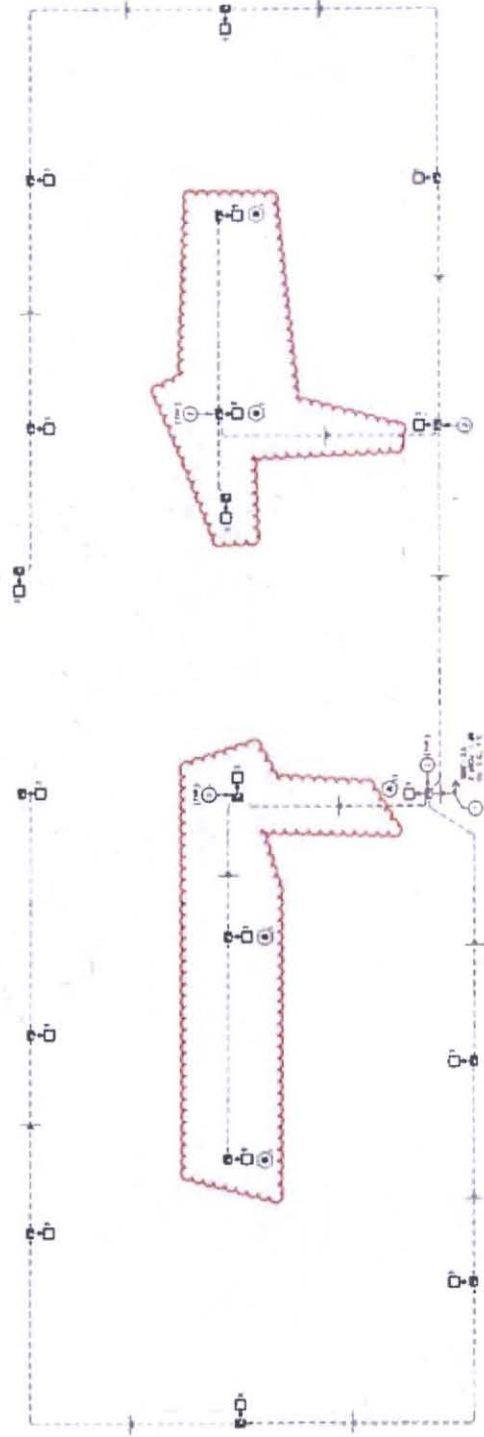
E2.1

KEYED NOTES

1. UNLESS INDICATED OTHERWISE

2. ALL DIMENSIONS SHALL BE IN FEET AND INCHES

3. ALL DIMENSIONS SHALL BE TO FACE UNLESS NOTED OTHERWISE



TYPE CODE
ELECTRICAL PANEL BASE

PHOTOMETRICS - DEMUTH PARK WEST PARKING LOT

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:
Golden Valley Construction, 2000 Executive Drive, Palm Springs, CA 92262
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 23rd day of May, 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:
Demuth Park and Ruth Hardy Park Security Path Lighting Improvements, City Project 14-19.
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:
Demuth Park and Ruth Hardy Park
9. The street address of said property is:
Adjacent to the intersections of Mesquite Ave and Nueva Vista Drive, and Caballeros Road and Tamarisk Road, respectively.
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.

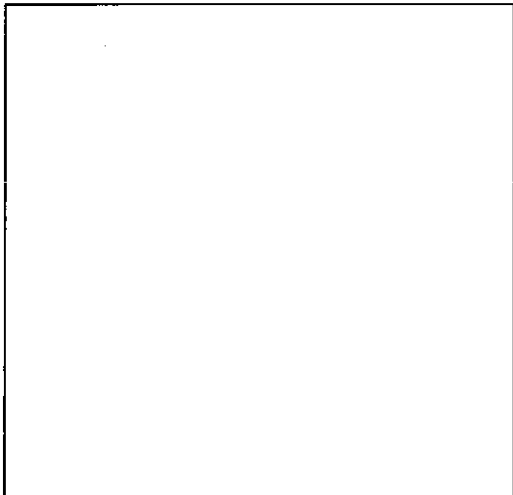
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

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: Demuth and Ruth Hardy Parks Lighting Addition, City Project No. 14-19

Project Applicant: City of Palm Springs

Project Location (Specific): Demuth Park: 3965 E Mesquite Ave (south-side of Mesquite/Nueva Vista).
Ruth Hardy Park: 700 Tamarisk Lane (north-west corner of Avenida Caballeros/Tamarisk).

Project Location (City): City of Palm Springs

Project Location (County): Riverside

Project Description: The scope of work is to install parking lot lighting in two lots at Demuth Park, currently there are no lights in the Tennis court lot and at the little league field lot. Also scheduled to install parking lot lighting at Ruth Hardy park main entrance lot were currently no lighting exists. All lots will require underground electrical, concrete bases, poles and LED fixtures.

Name of Public Agency Approving Project: City of Palm Springs

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

F I L E D / P O S T E D

County of Riverside
Peter Aidana
Assessor-County Clerk-Recorder
E-201500410
05/21/2015 01:01 PM Fee: \$ 50.00
Page 1 of 1

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: 15303 Class 3 (d) – New Construction or Conversion of Small Structures
- Statutory Exemptions. State code number:

Removed **JUL 02 2015** By  Deputy

Reasons why project is exempt: Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction. Therefore, the Demuth and Ruth Hardy Parks Lighting Addition, City Project No. 14-19, is considered categorically exempt from CEQA.

Lead Agency Contact Person: Savat Khamphou, P.E. Area Code/Telephone/Extension: (760) 323-8744, 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? Yes No

Signature:  Date: 5/11/15 Title: Asst. Director of Public Works/Asst. City Engineer

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date received for filing at OPR: _____

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

Receipt #: 15-13306

State Clearinghouse # (if applicable): _____

Lead Agency: CITY OF PALM SPRINGS Date: 05/21/2015

County Agency of Filing: RIVERSIDE Document No: E-201500410

Project Title: DEMUTH AND RUTH HARDY PARKS LIGHTING ADDITION, CITY PROJECT 14-19

Project Applicant Name: CITY OF PALM SPRINGS Phone Number: (760) 323-8744

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

Project Applicant LOCAL PUBLIC AGENCY

CHECK APPLICABLE FEES:

- | | |
|---|----------------|
| <input type="checkbox"/> Environmental Impact Report | _____ |
| <input type="checkbox"/> Negative Declaration | _____ |
| <input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only) | _____ |
| <input type="checkbox"/> Project Subject to Certified Regulatory Programs | _____ |
| <input checked="" type="checkbox"/> County Administration Fee | <u>\$50.00</u> |
| <input type="checkbox"/> Project that is exempt from fees (DFG No Effect Determination (Form Attached)) | |
| <input checked="" type="checkbox"/> Project that is exempt from fees (Notice of Exemption) | |
| Total Received | <u>\$50.00</u> |

Signature and title of person receiving payment



Deputy

Notes: