



City Council Staff Report

Date: September 7, 2016 CONSENT CALENDAR

Subject: ACCEPTANCE OF THE RAMON ROAD PAVEMENT REHABILITATION,
CITY PROJECT NO. 14-02, FEDERAL AID PROJECT NO. STPLN-5282
(043)

From: David H. Ready, City Manager

Initiated by: Engineering Services Department

SUMMARY

Formal City Council acceptance of the Ramon Road Pavement Rehabilitation, City Project No. 14-02, Federal Aid Project No. STPLN-5282 (043), 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 the Ramon Road Pavement Rehabilitation, City Project No. 14-02, Federal Aid Project No. STPLN-5282 (043), 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 Ramon Road Rehabilitation, City Project No. 14-02.

STAFF ANALYSIS:

On December 16, 2015, the City Council awarded a construction contract in the amount of \$754,385 to Match Corporation for the Ramon Road Pavement Rehabilitation, City Project No. 14-02, Federal Aid Project No. STPLN-5282 (043), (the "Project"). Included as part of the City Council's action was an authorization for the City Manager to approve construction contract change orders in the cumulative amount of \$75,000.

The Project consisted of cold milling the existing asphalt concrete pavement, preparing and repair existing cracks, construction of asphalt concrete overlay, installation of inductive loop vehicle detectors, and removal, reconstruction, and upgrade curb ramps to conform to current ADA standards throughout the Project limits. A location map is provided below; a vicinity map is included as **Attachment 1**.



Location Map

During construction, pursuant to the City Council's authority, the City Manager administratively approved one construction contract change order ("CCO1") in the amount of \$14,880.52 (representing an increase of 2% to the original contract amount) for a final accounting of actual quantities of construction items completed, and additional work that included asphalt concrete overlay on two segments of E. Palm Canyon Drive. A copy of CCO1 is included as **Attachment 2**.

The Project was administered by the City's on-call construction management firm, Interwest Consulting Group, who has acted as the City's Resident Engineer. Interwest Consulting Group has determined that Match Corporation satisfactorily completed the Project on May 17, 2016, has conducted a final inspection and found the work to be in compliance with the plans, specifications and standards of the City of Palm Springs as evidenced by letter from Interwest Consulting Group dated June 14, 2016, and included as **Attachment 3**.

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 4**.

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 or topographical features 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(c), staff has determined that the Ramon Road Pavement Rehabilitation Project, City Project No. 14-02, Federal Project No. STPLN-5282 (043) is considered categorically exempt from CEQA and a Notice of Exemption has been prepared and filed with the Riverside County Clerk.

On December 11, 2014, 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, 2013, 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(c) pursuant to activity (c)(26).

FISCAL IMPACT

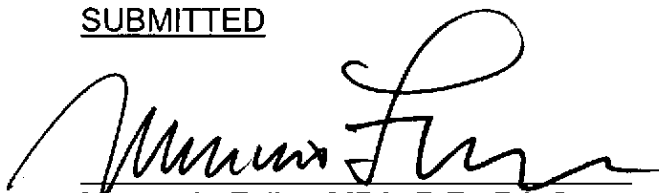
The City was the recipient of a federal grant in the amount of \$395,729 for the Project; this federal grant was allocated to the Capital Project Fund (Fund 261). Local funding for the Project in the amount of \$501,000 was previously budgeted from the Local Measure A Fund (Fund 134). The Project's overall budget, and incurred expenditures, is identified in Table 1.

Table of Project Costs	Amount
Federal Grant – Capital Project Fund (261)	\$395,729
Local Measure A Fund (134)	\$501,000
Total Budget	\$896,729
Project Administration	(\$10,698)
Construction Inspection	(\$16,900)
Construction Contract	(\$769,266)
Total Cost	\$796,864
Remaining Balance	\$99,865

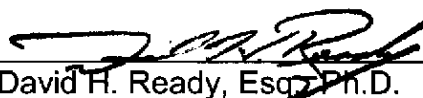
Table 1

The Project did not require any General Fund (Fund 001) or Measure J Fund (Fund 260) budget. The City is holding retention of \$38,463.28 for Match Corporation, pending acceptance of the improvements and filing of the Notice of Completion with the County Recorder's office. Since this project is a conversion of a facility that already exists, 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

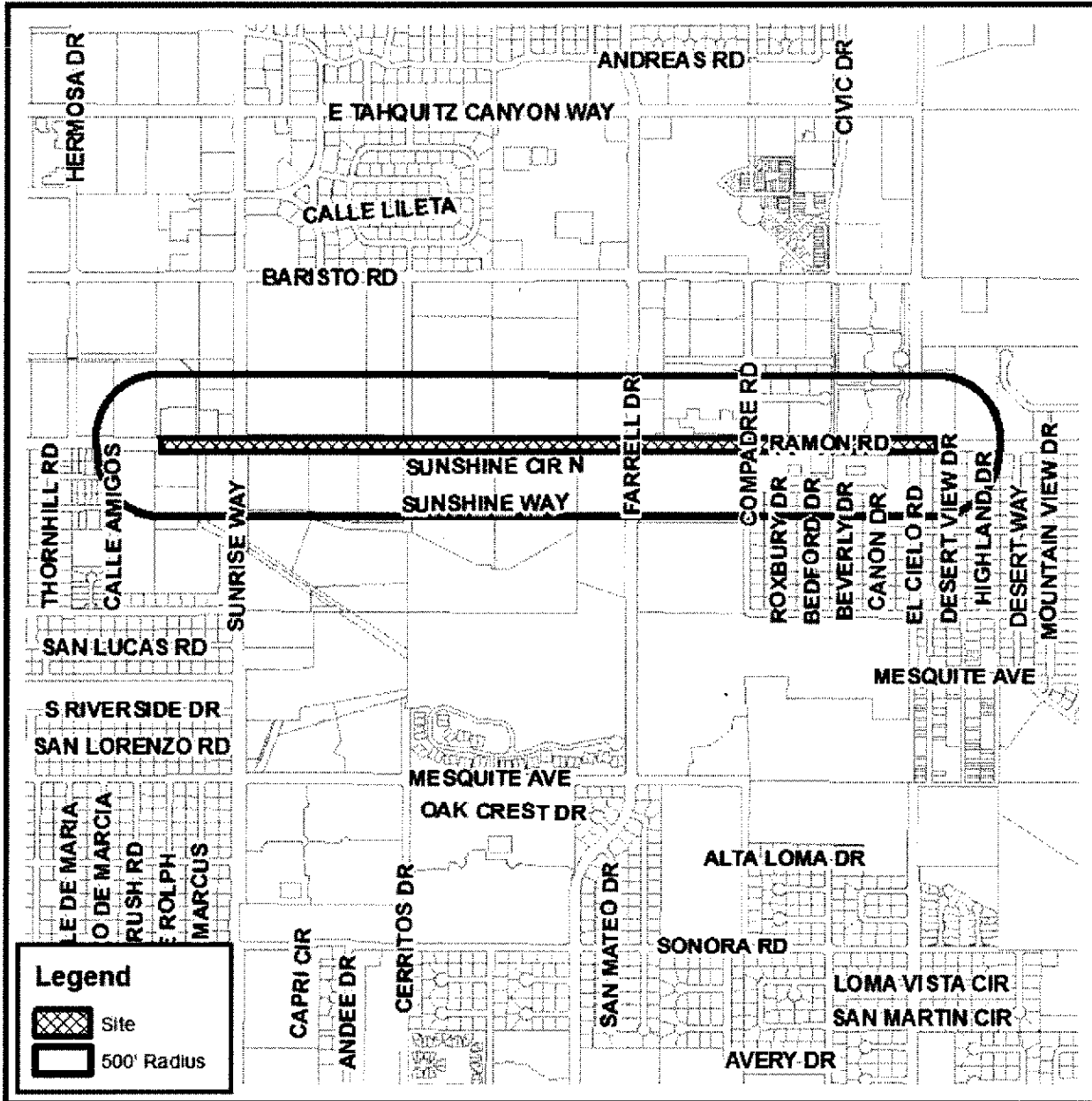
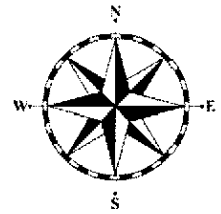
Attachments:

1. Vicinity Map
2. Contract Change No. 1
3. Project Acceptance Letter from Interwest Consulting Group
4. Notice of Completion (NOC)

ATTACHMENT 1



Engineering Services Department Vicinity Map



Legend

-  Site
-  500' Radius

CITY OF PALM SPRINGS

ATTACHMENT 2



CITY OF PALM SPRINGS CONTRACT CHANGE ORDER

FY
15/16

To: Match Corporation
P.O. Box 10
Highland, CA 92346
P (909)382-7400
F (909)382-0169

Date: July 25, 2016
Project No: 14 -02 STLPN-5282 (043)
Project: Ramon Road Pavement Rehabilitation
Change Order No: 01
Purchase Order: 16-0821
Account: 134-4498-50322

Attn: George Fonville

CHANGES IN WORK:

Contract Item Adjustments

This change order provides for contract quantity adjustments for the following contract items:

Bid Item No.	Item Description	Quantity	Unit Price	Total
4	Cold Mill Existing AC (Depth=2")	-1,110 SF	\$0.25/SF	-\$277.50
5	Asphalt Concrete Type C2 (Depth = 2")	-10.6 TON	\$67/TON	-\$710.20
6	Remove and Reconstruct Existing Curb Ramps (Type A,B, or C)	-164.6 CY	\$560/CY	-\$92,176.00
11	Cold Mill Existing AC Pavement (Depth 2") (Non-Participating)	+1681 SF	\$0.30/SF	+\$504.30
12	Asphalt Concrete Type C2 (Depth=2") (Non-Participating)	+13.99 TON	\$69/TON	+\$965.31
13	Remove and Reconstruct Existing Curb Ramps (Type A,B, or C)	-6.3 CY	\$740/CY	-\$4,662.00
			Subtotal	-\$96,356.09

Extra Work at Agreed Unit Prices

This change order provides for additional work items for emergency road repairs on East Palm Canyon on separate incidences and separate locations:

Location 1: East Palm Canyon from Sunrise Way to Sagebrush Road

New Item	Description	Quantity	Unit Price	Total
1A	Mobilization/Traffic Control/Striping	1 LS	\$18,337.00	\$18,337.00
1B	Asphalt Concrete	576.69 TON	\$53.55/TON	\$30,881.75
			Subtotal	\$49,218.75

Location 2: East Palm Canyon from Farrell to Gene Autry Trail

New Item	Description	Quantity	Unit Price	Total
2A	Mobilization/Traffic Control/Striping	1 LS	\$18,337.00	\$18,337.00
2B	Asphalt Concrete	674.70 TON	\$53.55/TON	\$36,130.19
			Subtotal	\$54,467.19

Payment Adjustments at Agreed Lump Sum

This change order adjusts the unit cost for two contract items in which quantities were decreased by more than 25% of the initial bid item quantity. Payment adjustment is made at agreed lump sum as per below.

	Item 6 – Remove and Reconstruct Existing Curb Ramps (Type A, B, or C)	Item 13 – Remove and Reconstruct Existing Curb Ramps (Type A, B, or C) (Non-Participating)
Bid Item List Quantity	230 CY	20 CY
75% Bid Item List Quantity	172.50 CY	15 CY
Total Quantity Worked	65.4 CY	13.7 CY
Bid Unit Price	\$ 560.00 / CY	\$ 740.00 / CY
Total Actual Cost (FA Analysis)	\$ 68,079.26	\$ 11,023.41
Actual Unit Cost	\$ 1,040.97 / CY	\$ 804.63 / CY
Amount Paid by Item	\$ 36,624.00	\$ 10,138.00
Max Allowable Compensation	\$ 96,600.00	\$ 11,100.00
Adjustment	\$ 31,455.26 *	\$ 885.41 *
Subtotal of Adjustment: \$ 32,340.67		

* The maximum allowable compensation is more than the total actual cost determined by force account analysis. The total actual cost controls the payment adjustment for Bid Item 6 and Bid Item 13.

The contractor shall be compensated a lump sum adjustment of \$32,340.67 that represents the net total of the unit price payment adjustments for the above listed bid items. This sum constitutes full and complete compensation for this change.

Adjustment of Compensation at Agreed Lump Sum

Lastly, this change order provides an Adjustment of Compensation at Agreed Lump Sum for unused field orders item.

Bid Item No.	Item Description	Quantity	Unit Price	Total
16	Field Orders	-1 LS	\$24,790.00	-\$24,790.00
			Subtotal	-\$24,790.00

Total Change Order Amount

\$14,880.52

CHANGES TO CONTRACT TIME:

No adjustment in contract time.

SOURCE OF FUNDS:

Funds are available from the following account(s): 134-4498-50322

REASONS FOR CHANGE:

This change order provides for adjustments to some contract quantities per actual field measurements of material placed for the items of work completed to date.

Pavement maintenance on East Palm Canyon resulted in the exposure of an old pavement layer that had lost its structural integrity do to age. Once exposed to traffic the pavement began to unravel and create ruts and potholes that were a potential hazard to motorists. In an effort to keep the roadway open and in use the contractor was asked to mobilize at short notice, on two separate occasions and perform emergency roadway paving. This works was inclusive of mobilization of labor and equipment, traffic control, street sweeping, placement of tack oil and temporary striping. Asphalt concrete was placed at the agreed price per ton indicated above.

This change order also provides payment adjustment for two(2) contract items which were decreased by more than 25 percent of the initial contract quantities.

Lastly, this change order provides an adjustment of compensation for unused field orders on the project.

SUMMARY OF COSTS:

Original Contract Amount:	\$754,385.00	Original Completion	35 Working Days
This Change Order:	\$ 14,880.52	Days Added	0 Days
Previous Change Order(s):	\$ 0.00	Previous Days Added:	0 Days
Revised Contract Amount:	\$769,265.52	Revised Completion	35 Working Days

[SIGNATURES ON NEXT PAGE]

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

Matich Corporation


Signature

7-25-16
Date

George Fonville PM
Printed Name and Title

Interwest Consulting Group

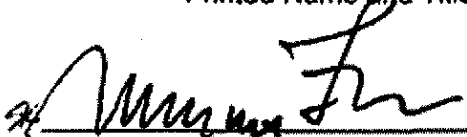

Signature

7/25/16
Date

Ryan Schultz, Construction Manager
Printed Name and Title

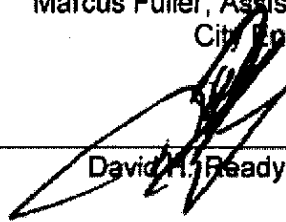
City of Palm Springs

Recommended By:


Marcus Fuller, Assistant City Manager /
City Engineer

7/27/16
Date

Approved By:


David H. Reedy, 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 CITY MANAGER

COI DATE \$14,580.52 A6806



July 22, 2016

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

Attn: Savat Khamphou

RE: Review of Match's Force Account Analysis – Items # 6 & 13
Ramon Road Pavement Rehabilitation, City Project No. 14-02

Dear Mr. Khamphou,

Match Corporation has submitted a force account analysis for the quantity underruns for Bid Items # 6 & 13. This analysis has been reviewed in accordance with the Special Provisions and the SSPWC (Greenbook) in order to determine the adjustment in cost for these bid items. Below are my comments from this review.

Match Corporation has submitted their pay estimate and based this analysis upon quantities which were derived from concrete delivery tickets for the placed concrete. Since concrete quantities are paid by actual field measurement, I have reviewed these quantities and have found that item quantities are not accurate and should be adjusted to the actual quantities performed. Based upon my field measurements - Item # 6 quantity is 65.4 CY; Item # 13 quantity is 13.7 CY. Match has billed – Item # 6 at 70.5 CY; Item # 13 at 9.5 CY.

The quantities of work actually performed are much less than the initial bid quantities – Item # 6 is 71.6% less than the initial 230 CY; Item # 13 is 31.5% less than the initial 20 CY. As detailed in Greenbook Section 3-2.2.3, quantity reductions greater than 25% of the initial bid quantity are subject to unit price adjustment. Match has submitted this force account analysis as their basis for the request for adjustment of the unit price from the contract.

In review of the actual costs that have been submitted, I have found two issues with the submitted costs – Match used a subcontractor who performed portions of the labor for this work and also Match included labor costs which overtime/premium rates were charged which were not caused by or directed by the City. Portions of the costs which were submitted are from another contractor who performed work on the project. As part of their billing, they have included 15% markup on their labor costs. Match had also added 15% markup to these costs. Also, Match submitted labor costs which were based upon overtime/premium rates as part of this analysis. Since there were no significant delays caused by the City to require overtime work and no City direction to perform overtime work, Match should be responsible for the labor premium costs.



Adjusting for these costs, I have estimated a reduction of the analysis of \$3,596.60, which would still result in a unit cost adjustment of Item # 6 from \$560.00 per CY to \$1,040.97 per CY; and Item # 13 from \$740.00 per CY to \$804.63 per CY. Both of these revised cost adjustments use the corrected quantities as detailed above. As you can see from the revised unit costs, Item # 6 appears to be a significantly large increase in unit cost, while Item # 13 appears to be less of an increase. This is due to the inclusion of some work in Item # 6 that does not match the work as described for the particular item.

Early on during the construction, Matich Corporation met with Interwest Consulting Group and the City of Palm Springs to determine which curb ramps required replacement. As part of this review, it was determined that several locations did not require curb ramp replacement, but did require the contractor to install truncated dome tiles in order to bring the ramps into compliance. In addition to the installation of dome tiles, there were several locations which required sidewalk replacements, which were not part of the contract documents. This project does not have item pricing for retrofitting the existing curb ramps with truncated dome tiles and also does not have item pricing for sidewalk replacements. This work has been included in the force account analysis. Since the initial bid item measurement is based upon the CY of curb ramp replacements and the cost of the truncated dome tiles is spread over the cost of the entire ramp replacement, the addition of truncated dome tiles to a curb ramp which is not being replaced had a large impact on the unit cost of the work.

Due to the issues as presented above, I recommend that Matich Corporation revise the force account analysis to include only costs that are directly related to Item 6 – Remove and Reconstruct Existing Curb Ramps (Type A, B, or C)(Participating) and Item 13 – Remove and Reconstruct Existing Curb Ramps (Type A, B, or C) (Non Participating). Overtime charges should be removed from the analysis and the markups should be corrected to reflect the Special Provisions for this project. Costs for work that are not included in the description of work for these items should be submitted separately for consideration and, if found acceptable, to be paid for by separate item(s).

If you have any questions regarding the above, please feel free to contact me at (714) 293-0044 or by email, rschultz@interwestgrp.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Schultz", written over a horizontal line.

Ryan Schultz
Interwest Consulting Group

Savat Khamphou

From: Marcus Fuller
Sent: Tuesday, June 28, 2016 2:03 PM
To: Savat Khamphou
Cc: Mike Lytar
Subject: Re: East Palm Canyon
Attachments: image001.png

Please proceed under current council authorities.

Marcus L. Fuller, MPA, PE, PLS
Assistant City Manager/City Engineer
City of Palm Springs

On Jun 28, 2016, at 2:01 PM, Savat Khamphou <Savat.Khamphou@palmsprings-ca.gov> wrote:

Marcus,

East Palm Canyon continues to unravel after the milling along some segments. Matich performed some repair work last weekend and that segment is holding well. We will need Matich's services again, recommending them to pull 3/8" AC to fill in to cracks and grooves that have been uplifted at the various segments and then allowing Intermountain to continue with their slurry. Minimum cost to mobilize them is \$10,000 with the cost of materials as previously negotiated.

We have approved last weeks fixed using the remaining budget from the CP 14-02 contract with the remaining amount of \$85,000. As part of that contract, the City Manager has authorization to approve CCO's up to an additional \$75,000. Last week's fix should be under \$50,000 leaving Mike to work with \$110,000. This will be a band aid fix and it is not guaranteed that it will last, but considering the current condition of the roadway and the long weekend coming up, I recommend that Matich perform the emergency work, if they are available.

Let me know how you would like to handle since time may be of the essence. Please give Mike (760.902.4861) a call to discuss the details. I've been trying to compile staff reports between meetings.

<image001.png> *Savat Khamphou*
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
(760) 323-8253 Ext. 8744 (office)
(760) 219-5404 (cell)
Savat.Khamphou@PalmSpringsCA.gov



QUOTATION

Contractors License Number 149783 A
 P.O. Box 10 Highland, CA 92346
 Phone 909 382-7400 Fax 909 382-0113

Date: 6/29/2016

Company: City of Palm Springs
 Attention: Mike Lytar
 From: Andrea Siegner

Re: Emergency AC Paving Palm Canyon @ Gene Autry Trail

Subject: AC Paving on Palm Canyon Drive at Gene Autry Trail to approximately 6500 feet to the West.
 Approximately 250,000 SF

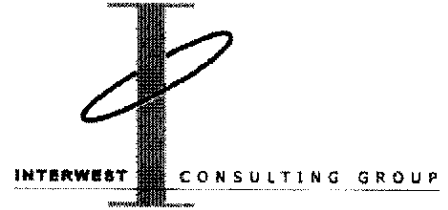
ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Asphalt Concrete	650	TON	\$ 53.55	\$ 34,807.50
2	Mobe, Place AC, Sweep, Tack, Traffic Control, & Temp Stripe with Slurry Tabs	1	LS	\$ 18,337.00	\$ 18,337.00
TOTAL					\$ 53,144.50

CONDITIONS & EXCLUSIONS:

- This proposal is good for 30 days.
- This proposal will be part of any agreement between the two parties.
- Excludes engineering, staking, testing, permits, inspection fees, and bonds.
- Excludes hazardous material removal / disposal.
- This proposal is based on unit prices.
- The quantities are estimates only, and payment will be by actual quantity delivered to job.
- This proposal is for (item.1) AC delivered to job site including all taxes and 5% markup.
- This proposal is for (item.2) Placement of AC (including mobe, tack, sweeping, traffic control & temporary slurry tabs) with 10% markup.
- This proposal does not include cost of construction water.
- City will need to supply a water meter for seeper and paving rollers.
- This proposal is bid as a package.
- This proposal is based on one move-in, additional move-ins will be billed at \$6500

Privacy Notice: This Message is intended only for the use of the individual or entity to which it is addressed to and may contain information that is privileged, confidential or exempt from disclosure under applicable Federal or State law. If reader of this message is not intended recipient, you are hereby notified that dissemination, distributing or coping of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately.

ATTACHMENT 3



June 14, 2016

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

Attn: Savat Khamphou

RE: Notice of Completion
Ramon Road Pavement Rehabilitation, City Project No. 14-02

Dear Mr. Khamphou,

As of May 17, 2016, Matich Corporation has completed all work associated with Ramon Road Pavement Rehabilitation, City Project No. 14-02. To the best of our knowledge, the project has been completed in accordance with the plans, specifications, and City of Palm Springs standards.

I have attached a copy of the Notice of Completion document for the project. I recommend that the Notice of Completion be accepted by the City and filed and recorded with the Riverside County Recorder.

If you have any questions regarding the above, please feel free to contact me at (714) 293-0044 or by email, rschultz@interwestgrp.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Schultz". The signature is fluid and cursive, with a large loop at the end.

Ryan Schultz
Interwest Consulting Group

ATTACHMENT 4

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 92262
3. The name and address of the direct contractor for the work of improvement as a whole is:
Match Corporation, P.O. Box 10, Highland, CA 92346
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 17th 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:
City Project 14-02, Ramon Road Pavement Rehabilitation
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:
Ramon Road from Sunrise Way to El Cielo Road
9. The street address of said property is:
Not applicable
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

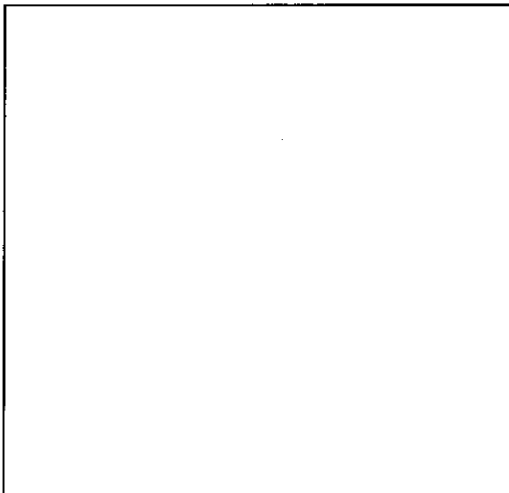
I, Marcus Fuller, state: I am the Assistant City Manager/City Engineer ("Owner", "President", "Authorized Agent", "Partner", etc.) of the Owner identified in the foregoing Notice of Completion. I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

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.