



City Council Staff Report

Date: September 21, 2016 CONSENT CALENDAR

Subject: ACCEPTANCE OF CONVENTION CENTER PARKING LOT, CITY PROJECT NO. 14-09

From: David H. Ready, City Manager

Initiated by: Engineering Services Department

SUMMARY

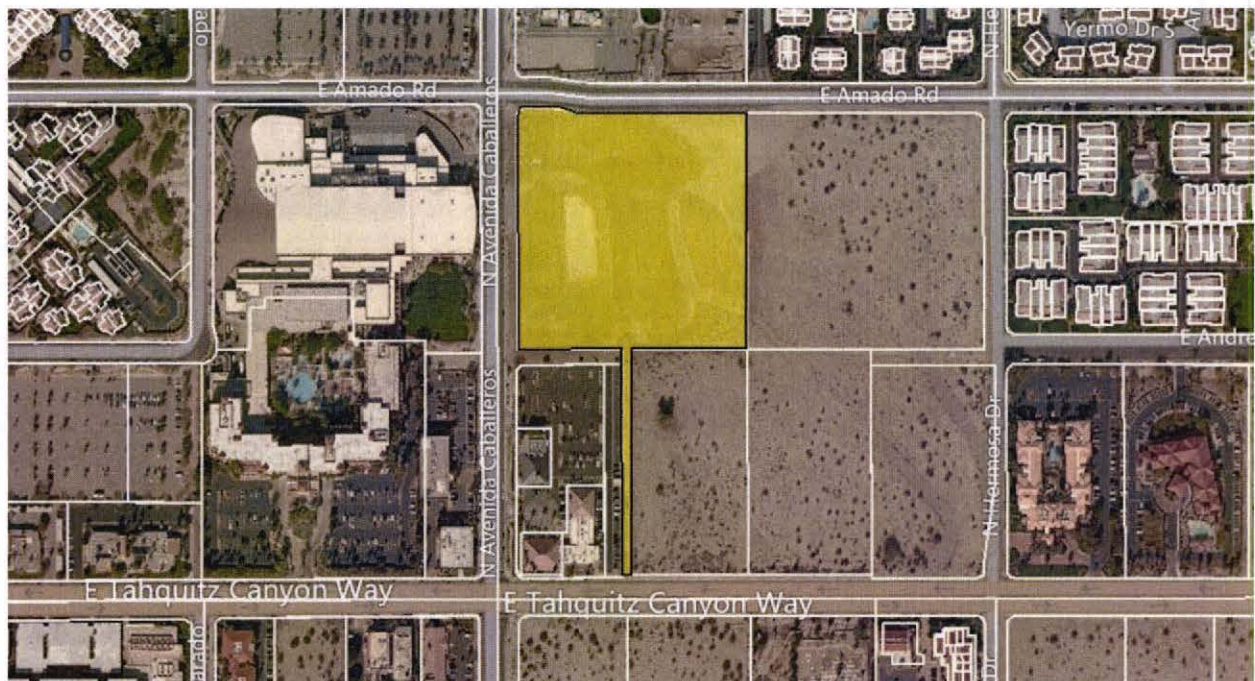
Formal City Council acceptance of the Convention Center Parking Lot, City Project No. 14-09, is required to document the completion of the public works improvement, and to allow the City's filing of a Notice of Completion with the Riverside County Recorder in accordance with Section 9200 of the California Civil Code.

RECOMMENDATION:

- 1) Accept the public works improvement identified as Convention Center Parking Lot, City Project No. 14-09, 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 Convention Center Parking Lot, City Project No. 14-09.

STAFF ANALYSIS:

On November 4, 2015, the City Council awarded a construction contract to Golden Valley Construction Inc., in the amount of \$1,201,554.40 for the Convention Center Parking Lot, City Project No. 14-09, (the "Project"). The scope of the Project included the construction of a new surface parking lot with a total of 655 parking spaces, all perimeter landscaping, all on-site lighting and electrical improvements, on-site retention basins, and traffic striping. An aerial map of the site is identified below.



Location Map

Throughout construction of the Project three contract change orders were approved as follows:

- Construction Contract Change Order 1 (CCO1) for a credit in the amount of (\$428.95) was approved by the City Engineer to adjust the quantities identified in the bid schedule. CCO1 also accommodates additional work to install PVC conduit sleeves for future irrigation and electrical services and a deduction of imported miscellaneous base; the Contractor choose not to pulverize and process the existing asphalt paving per the Special Provisions for its re-usage as pulverized miscellaneous base into the proposed asphalt paving.
- Construction Contract Change Order 2 (CCO2) for a credit in the amount of (\$375.00) was approved by the City Engineer to adjust the final quantities for the removable bollards installed to the Project.
- Construction Contract Change Order 3 (CCO3) for a credit in the amount of (\$7,242.25) was approved by the City Engineer as a final balancing change order for Bid Item #32 "Field Orders". During the construction, a change in the elevation and quantities of the parking lot lights were required to properly illuminate the paving area.

The final cost of the Project was decreased by (\$8,046.20) from the original awarded contract amount of \$1,201,554.40 for a final contract amount of \$1,193,508.20.

As determined by City staff, the Contractor satisfactorily completed the Project on September 13, 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 1**.

ENVIRONMENTAL IMPACT:

Section 21084 of the California Public Resources Code requires Guidelines for Implementation of the California Environmental Quality Act ("CEQA"). In accordance with the CEQA Guidelines, the City acting as "Lead Agency" pursuant to CEQA, previously completed an environmental analysis of the potential impacts resulting from construction of the Project. On May 20, 2015, the City Council adopted Resolution No. 23824, adopting and ordering the filing of a Mitigated Negative Declaration for the Project. Subsequently, on May 27, 2015, a Notice of Determination ("NOD") was filed with the Riverside County Clerk.

FISCAL IMPACT:

The Project was funded through the 2007 Bond Proceeds #2 (Fund 880) and the Capital Project Fund (Fund 261). During construction final adjustments to the original scope of work were approved via CCO1, CCO2 and CCO3 for a cumulative deductive amount of (\$8,046.20) for a final construction contract amount of \$1,193,508.20. **Table 1** below is a summary of the total costs incurred for the Project.

Phase	FY 13/14 Expenditure	FY 14/15 Expenditure	FY 15/16 Expenditure	Final Cost
Administration	\$0	\$0	\$0	\$0*
Design	\$43,244.64	\$15,805.36	\$0	\$59,050
Construction Contract	\$0	\$0	\$1,138,672.43	\$1,138,672.43
Construction Inspection	\$0	\$0	\$5,009.05	\$5,009.05
Contract Change Orders	\$0	\$0	(\$8,046.20)	(\$8,046.20)
Total Cost	\$43,244.64	\$15,805.36	\$1,135,635.28	\$1,194,685.28

Table 1

*Staff administration charges have not been allocated to the Project; costs have been funded through the budget allocated for personnel costs in the Engineering Services Department.

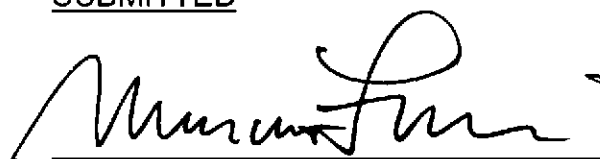
The Project was funded through the following sources as shown in **Table 2**:

Fund Name	Account	Actual
General Fund	001-2180-65238	\$59,050.00
2007 Bond Proceeds #2	880-8537-65240	\$1,045,467.00
Capital Project Fund	261-1395-65240	\$156,087.40
Total Expenditures for Project		\$1,194,685.28
Project Budget		\$1,260,604.40
Remaining Balance		\$65,919.12

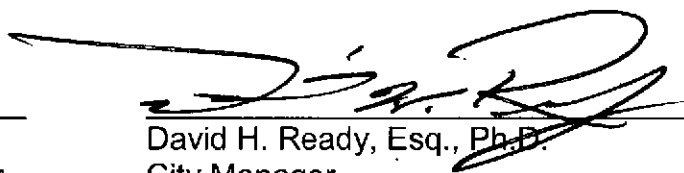
Table 2

The City is holding retention of \$59,675.41 for Golden Valley Construction Inc., pending acceptance of the improvements and filing of the Notice of Completion with the County Recorder's office. This project constructed a new fixed asset, and the Finance Department will add the cost of this project to the City's fixed asset system 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. Notice of Completion

Attachment 1

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:
Leasehold _____ (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 13th day of September, 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:
Convention Center Parking Lot, City Project 14-09
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:
Government Lot 155 and Government Lot 157, NE1/4 Section 14, T 4 S, R 4 E; Identified as APN 508-070-038
9. The street address of said property is:
Adjacent to 272 N. Avenida Caballeros, Palm Springs, CA 92262 (located at the southeast corner of Avenida Caballeros and Amado Road)
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

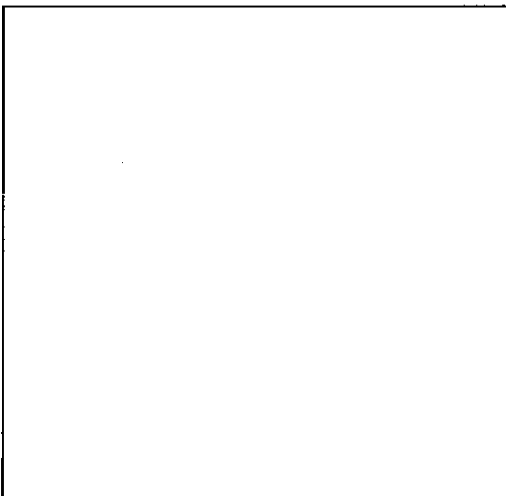
I, Marcus Fuller, state: I am the Assistant City Manager/City Engineer ("Owner", "President", "Authorized Agent", "Partner", etc.) of the Owner identified in the foregoing Notice of Completion. I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

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.