



City Council Staff Report

Date: MARCH 1, 2017 CONSENT CALENDAR
Subject: ACCEPTANCE OF THE PALM SPRINGS ENTRY SIGNS, CITY PROJECT NO. 13-31
From: David H. Ready, City Manager
Initiated by: Engineering Services Department

SUMMARY

Formal City Council acceptance of the Palm Springs Entry Signs, City Project No. 13-31, 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.

Note, recent theft and vandalism of the lighting at two of the entry sign locations are being addressed by the City, and are not the responsibility of the contractor.

RECOMMENDATION:

- 1) Accept the public works improvement identified as the Palm Springs Entry Signs, City Project No. 13-31, 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 Palm Springs Entry Signs, City Project No. 13-31.

STAFF ANALYSIS:

On October 21, 2015, the City Council awarded a construction contract to AToM Engineering Construction, Inc., in the amount of \$363,000 for the Palm Springs Entry Signs, City Project No. 13-31, (the "Project"). The Project consisted of three entry way signs installations at the following locations; E. Palm Canyon Drive at S. Gene Autry Trail, Dinay Shore Drive at Crossley Road, and N. Indian Canyon Drive at W. Tramview Road. A fourth entry way sign location planned for Ramon Road at San Luis Rey Drive was excluded from the construction contract given the excessively high price of this sign location, with direction to staff to negotiate a reduced price for approval as a Change Order to the contract. The scope of work included constructing a new median island,

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two independent aluminum bridges with the word PALM on one and SPRINGS on the other, three differently colored acrylic panels, vault for structural mountings, concrete foundations, LED strip lighting, electrical service connections, and modifying existing landscaping.

Throughout construction of the Project one contract change order was approved as follow:

- Construction Contract Change Order 1 (CCO1) in the amount of \$135,398 was approved by the City Council on March 22, 2016, to include the forth entry way sign located at Ramon Road and San Luis Rey Drive.

The final cost of the Project was increased by \$135,398 from the original awarded contract amount of \$363,000 for a final contract amount of \$498,398.

As determined by City staff, the Contractor satisfactorily completed the Project on November 28, 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**.

Recent questions have been received regarding the location of the new median constructed on E. Palm Canyon Dr. immediately west of Gene Autry Trail. The location of this median for a new Palm Springs entry sign was chosen due to the fact that the route for State Highway 111 extends along Gene Autry Trail south to E. Palm Canyon Dr., and then extends east along E. Palm Canyon Dr. from Gene Autry Trail to the City's easterly limits. The City was unable to locate the entry sign within E. Palm Canyon Dr. east of Gene Autry Trail due to restrictions imposed by the state of California Department of Transportation ("Caltrans") on installation of physical improvements on Highway 111.

Further, the City's design of the new median on E. Palm Canyon Dr. immediately west of Gene Autry Trail was based on the traffic impact analysis completed for the City's General Plan Update. Staff utilized the traffic impact analysis to determine the requirements for an eastbound left turn lane on E. Palm Canyon Dr. at Gene Autry Trail; based on the ultimate "build-out" volumes anticipated at that intersection, the traffic impact analysis determined a single left-turn lane of 220 feet in length would accommodate the peak hour movement. Prior to completing the design for the new median, staff confirmed with the traffic engineering consultant that the build-out traffic analysis remained valid. However, after construction of the new median, staff has observed that the left turn lane reaches capacity during peak periods, and as our tourism traffic continues to increase, Council may consider a future modification to improve traffic operations at this intersection.

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 exemptions consist of the 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, the Project is considered categorically exempt from CEQA, and a Notice of Exemption has been filed with the Riverside County Clerk.

FISCAL IMPACT:

A total of \$560,000 was previously budgeted for the Project from the Measure J Capital Improvement Project Fund (Fund 260).

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	FY 16/17 Expenditure	Final Cost
Administration	\$147.29	\$1,409.00	\$16,570.26		\$18,126.55
Design	\$4,500.00	\$12,541.32	\$5,173.84	\$2,756.18	\$24,971.34
Inspection			\$1,424.23	\$7,836.80	\$9,261.03
Construction Contract				\$363,000.00	\$363,000.00
Contract Change Orders				\$135,398.00	\$135,398.00
Total Cost	\$4,647.29	\$13,950.32	\$23,168.33	\$508,990.98	\$550,756.92

Table 1

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

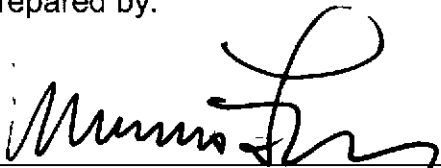
Fund Name	Account	Actual
Measure J	260-4500-59439	\$560,000.00
Total Expenditures for Project		\$550,756.92
Project Budget		\$560,000.00
Remaining Balance		\$9,243.08

Table 2

The City is holding retention of \$24,919.90 for AToM Engineering Construction, Inc., pending acceptance of the improvements and filing of the Notice of Completion with the County Recorder's office. The Finance Department will add the cost of this project to the City's fixed asset system to include the creation of these assets in compliance with Governmental Accounting Standard Board (GASB) 34 *Standards for Financial Reporting of Infrastructure Assets*.

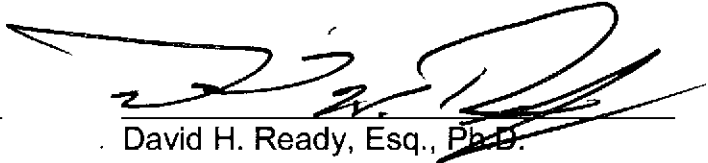
SUBMITTED

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. Notice of Completion

Attachment 1

Recording Requested By:

City of Palm Springs

When Recorded Mail To:

Name Kathleen D. Hart, Interim 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:
AToM Engineering Construction, Inc., 401 Vista Road, Hemet, CA 92544
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 28th day of November, 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 13-31, Palm Springs Entry Signs.
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:
Within City Right-of-Way Limits
9. The street address of said property is:
S. Gene Autry Tr./E. Palm Canyon Dr., Dinah Shore Dr./Crossley Rd., E. Ramon Rd./San Luis Rey Dr., and N. Indian Canyon Dr./W. Tramview Rd
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, Assistant City Manager/City Engineer

VERIFICATION

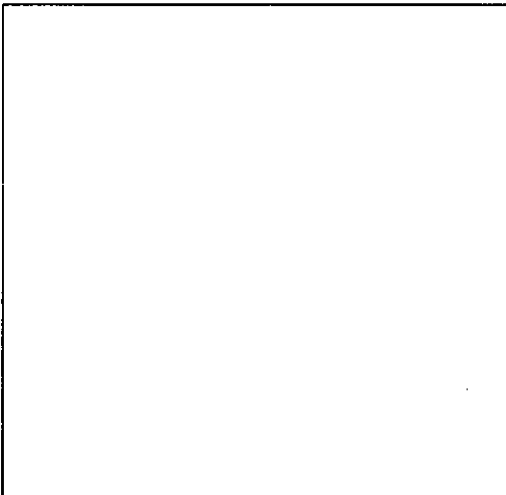
I, Marcus Fuller, state: I am the Assistant City Manager/City Engineer ("Owner", "President", "Authorized Agent", "Partner", etc.) of the Owner identified in the foregoing Notice of Completion. I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

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

Executed on March 2, 2017 (date), at Palm Springs (City), CA (State).

Signature of Owner or Owner's Authorized Agent
Marcus Fuller, Assistant City Manager/City Engineer

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.