



City Council Staff Report

Date: November 3, 2010

CONSENT CALENDAR

Subject: AMENDMENT NO. 1 TO THE RAMON ROAD WIDENING (SAN LUIS REY DRIVE TO LANDAU BOULEVARD) CVAG REIMBURSEMENT AGREEMENT

From: David H. Ready, City Manager

Initiated by: Public Works and Engineering Department

SUMMARY

Approval of Amendment No. 1 to the reimbursement agreement between the City of Palm Springs and the Coachella Valley Association of Governments ("CVAG") Reimbursement Agreement (Agreement No. 5748) revises the total authorized Measure A amount to \$35,998,000 for the Ramon Road Widening (San Luis Rey Dr. to Landau Blvd. (City Project 08-25), adds Cathedral City as a party to the agreement, and implements design, right-of-way, and construction phases.

RECOMMENDATION:

- 1) Approve Amendment No. 1 to Agreement No. 5748, a Reimbursement Agreement with the Coachella Valley Association of Governments for the Ramon Road Widening (San Luis Rey Dr. to Landau Blvd.) (City Project 08-25); and
- 2) Authorize the City Manager to execute all necessary documents.

STAFF ANALYSIS:

On November 5, 2008, City Council approved a Reimbursement Agreement with CVAG (Agreement No. 5748) for the Ramon Road Widening (San Luis Rey Dr. to Landau Blvd., City Project 08-25). The original agreement was limited to funding preparation of a Project Study Report ("PSR") for the project. The agreement was the outcome of a request made by the City of Palm Springs, City of Cathedral City, and the Agua Caliente Band of Cahuilla Indians, as all parties have identified the widening of Ramon Road and the bridge over the Whitewater River as a priority project for the area. The City estimated the cost of the PSR at \$100,000 which was funded by 75% Regional Measure A funds, with 25% local match split between the cities.

On May 9, 2009, the City Council awarded a professional services agreement to CNS Engineers, Inc., to prepare the PSR for the City. CNS subsequently completed the PSR resulting in a funding package requesting over \$25 Million in federal Highway Bridge Program ("HBP") funds for widening the Ramon Road bridge and adjacent bridge approaches. The existing Ramon Road bridge is eligible for funding under the HBP, which is administered by Caltrans. The HBP federal funds cover 88.53% of eligible project costs, requiring an 11.47% local match.

On April 28, 2010, Caltrans representatives advised the City that the funding request was approved, and that the project would be programmed as part of the HBP in 2011. Subsequently, staff requested that CVAG consider an amendment to the original CVAG reimbursement agreement for this project, to program Regional Measure A funds towards the non-federal funded portions of Ramon Road being widened, and to the 11.47% local match for the federal grant.

On September 27, 2010, the CVAG Executive Committee approved Amendment No. 1 to the CVAG Reimbursement Agreement.

FISCAL IMPACT:

Total project costs are estimated as follows:

Year	Phase	HBP Funding	Local Funding	Totals
2010/2011	Prelim. Engineering (PE)	\$2,453,000	\$915,000	\$3,368,000
2014/2015	Right of Way (RW)	\$1,030,000	\$1,736,000	\$2,766,000
2017/2018	Construction (CON)	\$21,753,000	\$8,111,000	\$29,864,000
	Totals	\$25,236,000	\$10,762,000	\$35,998,000

The City has been successful in obtaining HBP funding for this project, which will cover costs related to the Ramon Road bridge widening, and widening 200 feet west of the bridge, and Ramon Road from the east side of the bridge to Landau Blvd. Widening of Ramon Road from San Luis Rey Dr. to 200 feet west of the bridge is not covered by the HBP federal grant.

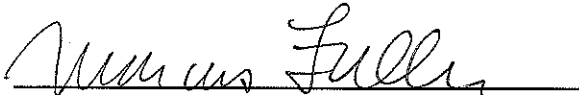
Therefore, over \$25 Million in HBP funds are being programmed, offsetting a nearly \$36 Million project. Recent CVAG Executive policy has required that federal or state funds received by local agencies on CVAG funded projects be applied "off the top" of the project costs, and can no longer be applied to the local agency's share of the project costs. Ultimately, CVAG will cover 75% of the \$10,762,000 not funded by the HBP grant, with the 25% local share to be further divided between Palm Springs and Cathedral City based on the costs of the widening located in each City's jurisdiction. If each City's costs were equally divided, the resulting split of the 25% local share is

approximately \$1.3 Million, which will be funded by local Measure A funds budgeted in upcoming fiscal year budgets.

SUBMITTED:

Prepared by:

Recommended by:

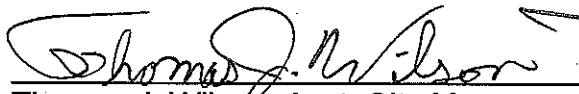


Marcus L. Fuller
Assistant Director of Public Works

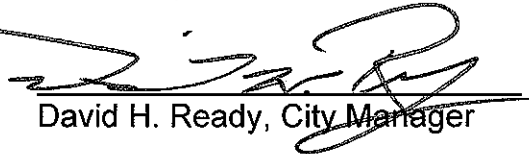


David J. Barakian
Director of Public Works/City Engineer

Approved by:



Thomas J. Wilson, Asst. City Manager



David H. Ready, City Manager

Attachments:

1. Amendment No. 1 to Agreement No. 5748
2. September 27, 2010, CVAG Executive Committee Staff Report

AMENDMENT NUMBER ONE

to the

CITY OF PALM SPRINGS- CITY OF CATHEDRAL CITY- CVAG

Agreement to Provide CVAG Regional Funds for the Project to Widen the Ramon Road Bridge over the Whitewater River Channel

THIS AMENDMENT NUMBER ONE is made and entered into this ____ day of _____, 2010, by and between the **City of Palm Springs (Lead Agency)**, the **City of Cathedral City (Agency)**, and the **Coachella Valley Association of Governments**, a California joint powers agency, ("**CVAG**"), and is made in reference to the following:

In June, 2008, the Executive Committee agreed to provide funding assistance to complete a Project Study Report for a project to widen the Ramon Road Bridge over the Whitewater River Channel. The intention in completing a Project Study Report was to allow the City of Palm Springs to qualify the bridge for Highway Bridge Program (HBP) funding. At that time, the staff report indicated there would be future participation by CVAG in funding the construction of the bridge widening project, but the recommendation at the time was only for participating in the completion of the Project Study Report.

The City of Palm Springs is now requesting a commitment from CVAG to provide funding for additional phases of the Project to Widen the Ramon Road Bridge over the Whitewater River Channel, including construction.

This Amendment Number One shall:

Establish that Highway Bridge Program proceeds acquired by the City of Palm Springs will fund the Major Portion of Costs for the Project to Widen the Ramon Road Bridge over the Whitewater River Channel, and;

Provide CVAG Regional Funds for 75% of the Unfunded Local Portion of Qualified Project Costs, as described, and;

Provide that any "Additional Qualified Funds" which the City of Palm Springs should acquire for this Project be First Applied "Off the Top" to reduce remaining Total Project Costs, and;

Require Establishing the "Time Trigger" to require that the City of Palm Springs begin work on Phase 1, as described, within Two Years of the Date of Execution of this Amendment Number One, and;

Require Establishing the "Time Trigger", to require Phase 2 and Phase 3, as described, meet Specific Dates to begin construction as identified in the Proposed Schedule for starting Future Phases of the Project, and;

Require the City of Palm Springs to repay any Regional Funds advanced for the initial/earlier constructed phases of the Project, with interest, should the City fail to meet the deadlines established by the Time Triggers as described, and;

Require that any regional funds advanced to the City of Palm Springs for the initial/ earlier phases of the project which are directed for repayment accrue interest at the rate for the Local Agency Investment Fund (LAIF), as determined on July 1st of each year, and;

Provide that CVAG does not agree to advance the Proposed Schedule for the Construction Phase of the Project, and may delay funds for the proposed Construction Phase of the Project should CVAG's Cash Flow require such an action at that time, and;

Name the City of Cathedral City as an Additional Party to the Original Reimbursement Agreement, though Amendment Number One does NOT obligate the City of Cathedral to CVAG for any portion of the costs for this project, and;

Authorize the Executive Director, in consultation with CVAG General Counsel, to resolve any Minor Inconsistencies in approving this Amendment Number One.

All other conditions of the Original Reimbursement Agreement shall remain in full force and effect.

FUNDING AND SCHEDULE SUMMARY:

Year	Phase	HBP Funding	Local Funding	Totals
2010/2011	Prelim. Engineering (PE)	\$2,453,000	\$915,000	\$3,368,000
2014/2015	Right of Way (RW)	\$1,030,000	\$1,736,000	\$2,766,000
2017/2018	Construction (CON)	\$21,753,000	\$8,111,000	\$29,864,000
	Totals	\$25,236,000	\$10,762,000	\$35,998,000

(Signatures on following page)

The parties hereto have caused this **Amendment Number One** to be executed by their duly authorized representatives on the above-referenced date.

ATTEST:

AGENCY:

CITY OF PALM SPRINGS

By: _____
City Manager

By: _____
Mayor

CITY OF CATHEDRAL CITY

By: _____
City Manager

By: _____
Mayor

CVAG

By: _____
Tom Kirk
Executive Director

By: _____
Yvonne Parks
CVAG Chair

Item 7G

DATE: September 27, 2010
TO: EXECUTIVE COMMITTEE
FROM: Allyn S. Waggle, Deputy Executive Director
SUBJECT: Consider Approval of Amendment Number One to the Agreement to Provide Funding for the Project to Widen the Ramon Road Bridge over the Whitewater Channel

STAFF RECOMMENDED MOTION: That the Executive Committee Approve Amendment Number One to the Agreement to Provide Funding for the Project to Widen the Ramon Road Bridge over the Whitewater River Channel, to:

- 1) Establish that Highway Bridge Program proceeds acquired by the City of Palm Springs will fund the Major Portion of Costs for the Project to Widen the Ramon Road Bridge over the Whitewater River Channel;
- 2) Provide CVAG Regional Funds for 75% of the Unfunded Portion of Qualified Project Costs, as described,;
- 3) Provide that any "Additional Qualified Funds" which the City of Palm Springs should acquire for this Project be First Applied "Off the Top" to reduce remaining Total Project Costs;
- 4) Require Establishing the "Time Triggers", as described herein, to meet Specific Dates for starting Approved Phases of the Project;
- 5) Require the City of Palm Springs to repay any Regional Funds advanced for the initial phases of the Project, with interest, should the City fail to meet the deadlines established by the Time Triggers as described;
- 6) Provide that CVAG does not agree to advance the Proposed Schedule for the Construction Phase of the Project, and may delay funds for the proposed Construction Phase of the Project, should CVAG's Cash Flow require such an action at that time;
- 7) Add the City of Cathedral City as an Additional Party to the Original Agreement through this Amendment Number One, once the City agrees to become an Additional Party; and
- 8) Authorize the Executive Director, in consultation with CVAG General Counsel, to resolve any Minor Inconsistencies in approving this Amendment Number One the Agreement to Provide Funding for the Project to Widen the Ramon Road Bridge over the Whitewater River Channel.

Transportation Committee: CONCURS (Meeting of August 30th)

Technical Advisory Committee: CONCURS (Meeting of September 13th)

BACKGROUND: At their meeting in June 2008 the Executive Committee agreed to provide funding assistance to complete a Project Study Report for a project to widen the Ramon Road Bridge over the Whitewater River Channel. The intention in completing a Project Study Report was to allow the City of Palm Springs to qualify the bridge for Highway Bridge Program (HBP) funding. At that time, the staff report indicated there would be future participation by CVAG in funding the construction of the bridge widening project, but the recommendation at the time was only for participating in the completion of the Project Study Report.

The City of Palm Springs was successful in obtaining HBP funds for this project, and is now requesting a commitment from CVAG to provide regional funds for 75% of the unfunded portion of project costs for the multiple phases of the Project to Widen the Ramon Road Bridge over the Whitewater River Channel, including construction, as outlined below.

YEAR	PHASE	HBP FUNDING	UNFUNDED	TOTAL COST
2010/ 2011	Prelim. Engineer.	\$2,453,000	\$915,000	\$3,368,000
2014/ 2015	Right of Way	\$1,030,000	\$1,736,000	\$2,766,000
2017/ 2018	Construction	\$21,753,000	\$8,111,000	\$29,864,000
	TOTALS	\$25,236,000	\$10,762,000	\$35,998,000

The project will remove a major bottleneck created by the restricted capacity of the Ramon Road Bridge. Additional roadway widening is proposed for the segments of Ramon Road at each approach to the bridge which also constrict traffic flow. The total project will encompass over 4600 feet of Ramon Road, of which approximately 1650 feet, anchored by the Whitewater River Channel crossing, is eligible for funding through the HBP program. All of this proposed work is included in CVAG's Transportation Project Prioritization Study (TPPS).

The original Reimbursement Agreement was approved only between CVAG and the City of Palm Springs however, as a significant portion of the proposed work will occur within the City of Cathedral City, it is recommended that the City of Cathedral City be named as an Additional Party to the original Reimbursement Agreement through this Amendment Number One. This Amendment Number One does not obligate the City of Cathedral to CVAG for any portion of the unfunded costs for this project, as that is presently an issue between the cities of Palm Springs and Cathedral City. CVAG staff has been notified that the City of Cathedral and the City of Palm Springs have currently agreed to split the local share of unfunded costs for this project at a 50%/50% ratio. This ratio is subject to change, but CVAG will utilize this ratio in dealings with the cities until informed otherwise.

As the concept has been approved previously, staff proposes approval of "Time Triggers" as to when CVAG funds support may be withdrawn from this project. The Time Triggers will provide that work on Phase One of the project, Preliminary Engineering, must begin within two years of the date of execution of the approved Amendment Number One to the Reimbursement Agreement with the City of Palm Springs for the Project to Widen the Ramon Road Bridge over the Whitewater River Channel. If Phase One work has not started after two years, the City of Palm Springs will be required to again submit the project for consideration to receive CVAG regional fund support.

The proposed Time Triggers will further require the City of Palm Springs to comply with the approved schedule for future phases of work as now proposed by the City:

Phase Two	Right of Way	FY 2014/ 2015
Phase Three (Final Phase)	Construction	FY 2017/ 2018

Again, if Phase Two or Phase Three work has not started within one year of the approved schedule for future phases, the City of Palm Springs will be required to again submit the project for consideration to receive CVAG regional fund support.

However, this Amendment Number One does not require that CVAG agree to advance the proposed schedule for the Construction Phase of the project if requested to do so, and may delay funds for the proposed Construction Phase should CVAG's Cash Flow circumstances require such an action at that time

Failure by the City of Palm Springs to comply with the conditions of the Time Triggers will require the City to repay any regional funds advanced for the initial phases of the project which do not meet the deadlines established by the Time Triggers as described. Regional funds subject to repayment will accrue interest at the rate for the Local Agency Investment Fund (LAIF), as determined on July 1st of each year. Repayment schedules for regional funds will be subject to negotiation and approval by the CVAG Executive Committee.

FISCAL ANALYSIS: Completion of the Project Study Report assisted the City of Palm Springs in accessing Highway Bridge Program funds. Application of the HBP funds will significantly reduce the need for CVAG regional funds. The work also eliminates a bottleneck on a major, heavily travelled regional road. Establishing a control on providing funds for the construction phase of the project will protect CVAG's ability to meet funding commitments on this, and other, important projects.

The body of Amendment Number One provides that CVAG will not be required to advance the approved schedule for the later phases of this project. The substantial amounts of CVAG funding will occur according to the approved schedule; for Phase Two, Right of Way, funding will not occur before Fiscal Year 2014/ 2015, and for Phase Three, Construction, not before Fiscal Year 2017/ 2018. Amendment Number One allows that CVAG may decline to provide funding before those dates.



City of Palm Springs

Department of Public Works and Engineering
3200 East Tahquitz Canyon Way • Palm Springs, California 92262
Tel: (760) 323-8253 • Fax: (760) 322-8360 • Web: www.palmspringsca.gov

August 9, 2010

Mr. Allyn Waggle
Coachella Valley Association of Governments
73-710 Fred Waring Drive, Suite 200
Palm Desert, CA 92260

Re: Ramon Road Widening, San Luis Rey Drive to Landau Boulevard; RIV090406

Dear Allyn:

On January 30, 2008, the cities of Palm Springs and Cathedral City, and the Agua Caliente Band of Cahuilla Indians (hereinafter "Parties") jointly requested to CVAG the funding of a Project Study Report ("PSR") for widening of Ramon Road between San Luis Rey Drive and Landau Boulevard, including the existing bridge over the Whitewater River. The PSR would be used to submit application to Caltrans for Highway Bridge Program ("HBP") funding to widen and rehabilitate the existing Ramon Road bridge. The CVAG Executive Committee approved the request on June 30, 2008.

Subsequently, the Parties coordinated selection of CNS Engineers to prepare the PSR and HBP application for this project. On January 11, 2010, the HBP application was submitted to Caltrans for review, and on April 28, 2010, Caltrans District 8 staff communicated to us that they had approved the HBP application (see enclosed e-mail from Eric Tang). With Caltrans approval of the HBP funding for this project, and its programming in the upcoming 2010/2011 federal fiscal year, the City of Palm Springs (as lead Agency) requests that CVAG prepare a formal Reimbursement Agreement between CVAG, Palm Springs and Cathedral City to provide Regional Measure A funding for this project.

This project is a critical transportation project that benefits all of agencies involved, and will remove a bottleneck created by the restricted capacity of the Ramon Road bridge. Ramon Road is currently a 6-lane divided major arterial west of San Luis Rey Drive and east of Landau Boulevard; and is a 5-lane divided major arterial (2 lanes westbound, 3 lanes eastbound) between San Luis Rey Drive and Crossley Road. The Ramon Road bridge itself is restricted to 4 lanes and results in significant traffic congestion during peak hours.

Caltrans has approved HBP funding for the bridge widening, including roadway approach work 200 feet west of the bridge, and extending 310 feet east of the bridge to Landau Boulevard (an overall length of 1,654 feet). Additional roadway widening is proposed from San Luis Rey Drive to 200 feet west of the bridge (a distance of 2,314 feet), and 640 feet east of Landau Boulevard, in which the HBP will not participate. Therefore, the overall length of the project is 4,608 feet of which 1,654 feet (including the bridge and approaches) is HBP participating. An exhibit showing the limits of this project is enclosed for your reference.

Mr. Allyn Waggle
August 9, 2010
Page 2

The overall cost of this project is estimated at \$35,998,000 of which \$25,236,000 will be funded by the HBP. The project will involve significant environmental review, and requires acquisition of rights-of-way from private properties, including the Bureau of Indian Affairs. An overall breakdown of the proposed funding and schedule is outlined here:

Year	Phase	HBP Funding	Local Funding	Totals
2010/2011	Prelim. Engineering (PE)	\$2,453,000	\$915,000	\$3,368,000
2014/2015	Right of Way (RW)	\$1,030,000	\$1,736,000	\$2,766,000
2017/2018	Construction (CON)	\$21,753,000	\$8,111,000	\$29,864,000
	Totals	\$25,236,000	\$10,762,000	\$35,998,000

Although the HBP funding provides 88.53% of participating costs, due to the extended limits of this project beyond that which is HBP participating, the overall HBP funding does not represent 88.53% of the total costs.

As indicated in the Parties' original request to CVAG, the 2005 Transportation Project Prioritization Study (TPPS) identifies this project as buildable project number B059 and as a backbone project. We have successfully obtained Caltrans approval of HBP funding for this project in the amount of \$25,236,000 which represents an overall commitment of federal funding of 70% to this important transportation project. As the current CVAG funding policy for regional and backbone transportation projects is 75% Regional Funds / 25% Local Funds, we respectfully request that CVAG recognize the work undertaken to secure limited federal funds for this project and that CVAG appropriately program Measure A funds to cover 75% of the required Local Funding amount of \$10,762,000 for this project.

This funding request would reduce CVAG's current funding obligation of 75% (or \$27,000,000) to 22.5% (\$8,071,500). Reflecting current CVAG funding policy, the HBP funds will be applied "off the top" of the total cost of the project, with the unfunded balance funded by CVAG at a 75% / 25% split. It should be noted that the bulk of required local funding does not occur until at least the 2017/2018 federal fiscal year, which is consistent with CVAG's current policy that specifies a regional project ranked in the TPPS with 10 priority points (the ranking of the Ramon Road bridge widening) does not qualify to receive regional funds until 2018.

If you have any questions, please do not hesitate to contact me at 760-323-8253 ext. 8732.

Sincerely,



David J. Barakian, PE
Director of Public Works/City Engineer
City of Palm Springs

Enc

xc: Bill Bayne, Cathedral City
Margaret Park, ACBCI
David Ready, City Manager
Tom Wilson, Assistant City Manager
file

Marcus Fuller

From: Eric Tang [eric_tang@dot.ca.gov]
Sent: Wednesday, April 28, 2010 1:49 PM
To: James Lu
Cc: Marcus Fuller; 'Bill O. Bayne'; bclapper@naiconsulting.com; Dave Barakian; Sean.Yeung@dot.ca.gov; Savat Khamphou
Subject: Re: Request status of Ramon Road Bridge HBP Funding Application

Hi, James

We have reviewed the HBP application for the Ramon Road Bridge (Br. No. 56C0287). We have accepted the project into the HBP, with the \$2,915,000 for PE funding in FY 10/11, the \$2,613,000 of R/W in FY 14/15 and the \$27,694,000 for Construction in FY 14/15. The PE was pushed into 10/11, as the project won't be on another FTIP list until a new list is developed in October 2010. There are holds on all of the phases of the projects until the scope and cost has been, as we have the following comments that also need to be addressed.

This is a High Cost Bridge due to the construction cost being above \$20 million. Therefore, in the future, we will need to deal with cash managing the construction costs. The High Cost Bridge cash management has been discussed in the Bridge Advisory Committee and has concurrence with the League of Cities and the CSAC. If the nonparticipating costs are separated and the construction is below the \$20 million threshold, it will not be a High Cost Bridge.

This is a widening project, so the project must be in SCAG's RTP. We need verification of this. The application shows the Coachella Valley Association of Governments Transportation Project Prioritization Study, this is fine, but not what we need for programming.

The project will need to be programmed in the FTIP.

Architectural treatments are allowed, but only up to 5% of the participating construction contract item cost. Any cost for architectural treatments above this is to be paid for by the local agency.

The long approaches for this bridge are not justifiable. The HBP will pay for the approach at the east end of the bridge to the intersection of Ramon Road and Landau and to the 200 feet to the west of the bridge. The right of way and construction costs beyond these limits should be split and shown as nonparticipating.

The structure is eligible for the HBP funds as a rehabilitation project since the sufficiency ratings is 68.4 and status is structurally deficient. Deficiencies include the condition of the deck, item 58 is 4, and the bridge railing transitions and approach guardrails.

The latest bridge inspection report recommends sealing the concrete deck due to observed cracks in the deck. The application recommends taking coring samples of the bridge deck in order to determine the extent of the bridge deck rehabilitation, since the existing bridge deck is a concrete cast-in-place deck slab over a precast concrete slab. This should be considered acceptable.

The city considered three different alternatives for roadway alignment and chose the option with the most efficient right-of-way requirements and with the most cost effectiveness.

The city considered two superstructure types, precast I girders and cast in place box girder. The cast in place box girder was chosen due to cost effectiveness and it provides the most vertical clearance for hydraulic purposes.

The application states seismic retrofits by extending the seats at the abutments and Pier 6 and 11 shall be done since they do not meet the minimum 2'6" standard per Caltrans Seismic Design Criteria. Caltrans Memo To Designers 20-4 states at expansion joints the SDC Section 7.2.5.4 provides guidance for determining adequate seat length, however, the 24 inch minimum seat length required by the SDC does not apply for retrofit of existing structures. The City should refer to MTD 20-4 for proper retrofit concerning adequate seat length.

From the photos you provided, the existing roadway is only four lanes, why the city is proposing a six-lane bridge?

The RTIP you provided shows \$4000.00 allocated for preliminary engineering, no funds are allocated for the future widening of Ramon Road. We would like to see the funds allocated for the r/w and construction also. Otherwise, the HBP program will be participated in only up to the existing roadway width, the city should find other funding source for the remaining lanes.

A stability analysis by the Office of Structure Maintenance and Investigation, Structural Analysis Branch determined that the bridge piers will be able to tolerate scour during a 100 year flood. Based on the recommendation of the ratings branch, this bridge is determined not to be scour critical. The application mentions construction of scour countermeasures. Consideration should still be given to the scour issue since the City's study may be more detailed as the project progresses or with other unforeseen factors and should be considered acceptable.

Eric Tang
909-388-7719

