



# **TRANSPORTATION COMMITTEE MEETING AGENDA**

**MONDAY, APRIL 1, 2024  
10:00 a.m.**

**CVAG Conference Room  
73-710 Fred Waring Drive, Suite 104  
Palm Desert, CA 92260**

*Members of the Committee and the public may attend and participate by video at the following remote location:*

**Blythe City Hall  
235 N Broadway, Room  
A Blythe, CA 92225  
760-922-6161**

*Members of the public may use the following link for listening access and ability to address the Transportation Committee when called upon:*

<https://us02web.zoom.us/j/82830409631?pwd=T21taW1vZ3pGYXhJSEtVbkUwciBrQT09>

**Dial In: +1 669 900 9128 US**

**Webinar ID: 828 3040 9631**

**Password: 363468**

**IF YOU ARE UNABLE TO CONNECT VIA DIAL IN OPTION, PLEASE CALL 760-346-1127**

Public comment is encouraged to be emailed to the Transportation Committee prior to the meeting at [cvag@cvag.org](mailto:cvag@cvag.org) by 5:00 p.m. on the day prior to the committee meeting. Comments intended to be read aloud should be no more than 300 characters.

**THIS MEETING IS HANDICAPPED ACCESSIBLE. ACTION MAY RESULT ON ANY ITEMS ON THIS AGENDA UNLESS OTHERWISE STATED, ALL ACTION ITEMS WILL BE PRESENTED TO THE EXECUTIVE COMMITTEE FOR FINAL APPROVAL.**

1. **CALL TO ORDER** – Chair Steven Hernandez, Mayor, City of Coachella
  
2. **ROLL CALL**
  - A. **Member Roster** **P5**
  
3. **PLEDGE OF ALLEGIANCE**
  
4. **PUBLIC COMMENTS ON AGENDA ITEMS**

This is the time and place for members of the public to address the Transportation Committee on agenda items. At the discretion of the Chair, comments may be taken at the time items are presented. Please limit comments to three (3) minutes.
  
5. **CHAIR / EXECUTIVE DIRECTOR ANNOUNCEMENTS**
  
6. **CONSENT CALENDAR**
  - A. **Approve the Minutes of the February 5, 2024 Transportation Committee Meeting** **P6**
  
  - B. **Authorize the Executive Director to execute Amendment No. 3 to the Professional Services Agreement with Hoy Civil Engineering, increasing the annual amount by \$47,952, incorporating annual increases to adjust for inflation and extending the contract through December 2027** **P10**
  
  - C. **Accept the Transportation Uniform Mitigation Fee (TUMF) Annual and Five-Year Report for Fiscal Year 2022/2023** **P17**
  
  - D. **Adopt a 3.6-percent increase in Transportation Uniform Mitigation Fee (TUMF) rates to take effect January 1, 2025, and update the TUMF Handbook to reflect the revised fee upon its effective date** **P50**
  
  - E. **Authorize the Executive Director to commit regional transportation funding to CVAG’s non-infrastructure grant application to maximize leveraging points in the application for Cycle 7 of the state’s Active Transportation Program, with the condition that actual expenditure of funds would be dependent on securing the grant funding** **P52**

7. **DISCUSSION / ACTION**

A. **Regional Pavement Management Program – Jonathan Hoy** **P55**

**Recommendation:** Direct the Executive Director to update the 2011 Pavement Management Analysis Report and return with policy recommendations for a Regional Pavement Management Program for CVAG’s Regional Arterial Roadway Network

B. **Next Steps for the Arts and Music Line Project – Randy Bowman** **P59**

**Recommendation:** Authorize the Executive Director to take the following actions for the Arts & Music Line project:

1. Execute Amendment No. 3 to the agreement with Albert A. Webb Associates to extend the term to December 31, 2025, for an additional not-to-exceed amount of \$2,234,565; and authorize the Executive Director and/or Legal Counsel to make clarifying changes/revisions before execution; and
2. Negotiate and execute amendments to existing reimbursement agreements with the Cities of Coachella, Indio and La Quinta to adjust the local share of pre-construction services

C. **Construction Contract award for CV Link Multi-Modal Transportation Corridor Project – Segment 6, Project No. CVL-2024-001 – Jonathan Hoy** **P76**

**Recommendation:** Authorize the Executive Director to execute a construction contract with the lowest responsive, responsible bidder for Segment 6 of CV Link

D. **Contract Amendment with Alta Planning & Design for CV Link – Jonathan Hoy** **P81**

**Recommendation:** Authorize the Executive Director to execute Amendment No. 13 to the agreement with Alta Planning & Design for a total not-to-exceed amount of \$294,000

8. **INFORMATION**

- a) Status of I-10 Interchange Projects **P87**
- b) CVAG Regional Arterial Program – Project Status Report **P88**
- c) Bicycle/Pedestrian Safety Program – Project Status Report **P89**
- d) Transportation Committee Attendance Roster **P90**
- e) CV Link-Solar Lights and Railroad Right-of-Way **P91**
- f) Update on broadband installation in the City of Indio **P93**

9. **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

This is the time and place for members of the public to address the Transportation Committee on items of general interest within the purview of this committee. Please limit comments to two (2) minutes.

10. **ANNOUNCEMENTS**

The next meeting of the **Transportation Committee** will be held on Monday, May 6, 2024, at 10:00 a.m. at the CVAG conference room, 73-710 Fred Waring Drive, Suite 104, Palm Desert, 92260.

The next meeting of the **Executive Committee** will be held on Monday, April 29, 2024, at 4:30 p.m. at the CVAG conference room, 73-710 Fred Waring Drive, Suite 104, Palm Desert, 92260.

11. **ADJOURNMENT**

**TRANSPORTATION COMMITTEE  
ROSTER**



<b>Transportation Committee Members</b>	
Agua Caliente Band of Cahuilla Indians	<b>Virginia Siva-Gillespie</b> Tribal Councilmember
City of Blythe	<b>Joseph DeConinck</b> Mayor
City of Cathedral City	<b>Raymond Gregory</b> Councilmember
City of Coachella	<b>Steven Hernandez, Chair</b> Mayor
City of Desert Hot Springs	<b>Scott Matas</b> Mayor
City of Indian Wells	<b>Dana Reed, Vice Chair</b> Councilmember
City of Indio	<b>Elaine Holmes</b> Councilmember
City of La Quinta	<b>Kathleen Fitzpatrick</b> Councilmember
City of Palm Desert	<b>Jan Harnik</b> Mayor Pro Tem
City of Palm Springs	<b>Lisa Middleton</b> Councilmember
City of Rancho Mirage	<b>Steve Downs</b> Mayor
County of Riverside	<b>V. Manuel Perez</b> Supervisor <b>Dennis Acuna</b> Director of Transportation
Torres Martinez Desert Cahuilla Indians	<b>Thomas Tortez</b> Tribal Chair

**ITEM 6A**

**TRANSPORTATION COMMITTEE  
MINUTES OF MEETING  
MONDAY, FEBRUARY 5, 2024**



The audio file for this committee meeting can be found at <http://www.cvag.org/audio.htm>

**1. CALL TO ORDER**

The Transportation Committee meeting was called to order by Chair Steven Hernandez, City of Coachella, on Monday, February 5, 2024, at 10 a.m. at the CVAG Conference Room, 73-710 Fred Waring Drive, Suite 104, in the City of Palm Desert. Videoconferencing was available from the City of Blythe.

**2. ROLL CALL**

A roll call was taken, and it was determined that a quorum was present.

**MEMBERS/ALTERNATES PRESENT**

Tribal Councilmember Virginia Siva-Gillespie  
Mayor Joseph DeConinck  
Councilmember Raymond Gregory  
Mayor Steven Hernandez, Chair  
Mayor Scott Matas  
Councilmember Dana Reed, Vice Chair  
Councilmember Elaine Holmes (*arrived @ item 5*)  
Councilmember Kathleen Fitzpatrick  
Mayor Pro Tem Jan Harnik  
Councilmember Lisa Middleton (*arrived @ item 5*)  
Mayor Steve Downs  
Supervisor V. Manuel Perez (*arrived @ item 7*)

**AGENCY**

Agua Caliente Band of Cahuilla Indians  
City of Blythe  
City of Cathedral City  
City of Coachella  
City of Desert Hot Springs  
City of Indian Wells  
City of Indio  
City of La Quinta  
City of Palm Desert  
City of Palm Springs  
City of Rancho Mirage  
County of Riverside

**MEMBERS/EX OFFICIOS NOT PRESENT**

Tribal Vice Chair Joseph Mirelez

**AGENCY**

Torres Martinez Desert Cahuilla Indians

**3. PLEDGE OF ALLEGIANCE**

Councilmember Reed led the committee in the Pledge of Allegiance.

**4. PUBLIC COMMENTS ON AGENDA ITEMS**

None.

**5. CHAIR/ EXECUTIVE DIRECTOR ANNOUNCEMENTS**

Executive Director Tom Kirk reported that staff of California Transportation Commission (CTC) was in Riverside County last week and came out to the desert to visit potential project applicants, including CVAG and the Cities of Indio and Coachella.

Mr. Kirk provided an update on the steps that CVAG staff had taken with Riverside County Transportation Commission (RCTC) to ensure the ACCESS Indian Canyon project had an equal chance with RCTC for an upcoming funding opportunity. He noted that staff was

working on putting together a project proposal to ask for about \$30 million dollars to the \$50 million that has already been awarded for Indian Canyon.

**6. CONSENT CALENDAR**

**IT WAS MOVED BY MAYOR MATAS AND SECONDED BY COUNCILMEMBER REED TO:**

- A. Approve the Minutes of the September 11, 2023 Transportation Committee Meeting Minutes**
- B. Approve the Minutes of the December 4, 2023 Joint Meeting of the Executive and Transportation Committees**
- C. Approve the Amended and Restated Reimbursement Agreement with the County of Riverside and the City of Coachella for the Airport Boulevard Bridge Replacement Project (Orange Street to Desert Cactus Drive)**
- D. Approve Amendment No. 1 to the Reimbursement Agreement with the City of Indio for the Avenue 50 Widening Project (Jefferson Street – Jackson Street), extending the time trigger to commence construction to December 31, 2025**
- E. Approve Amendment No. 6 to the Reimbursement Agreement with the City of Indio and the County of Riverside for the Monroe Street / Interstate 10 Interchange Project, extending the time trigger to commence construction to December 31, 2025**

**THE MOTION FOR CARRIED WITH 12 AYES AND 1 MEMBER ABSENT.**

<b>TRIBAL VICE CHAIR PATENCIO ANDERSON</b>	<b>AYE</b>
<b>MAYOR DECONINCK</b>	<b>AYE</b>
<b>COUNCILMEMBER GREGORY</b>	<b>AYE</b>
<b>MAYOR HERNANDEZ</b>	<b>AYE</b>
<b>MAYOR MATAS</b>	<b>AYE</b>
<b>COUNCILMEMBER REED</b>	<b>AYE</b>
<b>COUNCILMEMBER HOLMES</b>	<b>AYE</b>
<b>COUNCILMEMBER FITZPATRICK</b>	<b>AYE</b>
<b>MAYOR PRO TEM HARNIK</b>	<b>AYE</b>
<b>COUNCILMEMBER MIDDLETON</b>	<b>AYE</b>
<b>MAYOR DOWNS</b>	<b>AYE</b>
<b>SUPERVISOR PEREZ</b>	<b>AYE</b>
<b>TRIBAL VICE CHAIR MIRELEZ</b>	<b>ABSENT</b>

**7. DISCUSSION / ACTION**

- A. Presentation: Planning for broadband implementation across Riverside County & the Coachella Valley**

Transportation Program Manager Randy Bowman introduced Tom Mullen, Riverside County Director of Broadband Services, who joined via Zoom. Mr. Mullen provided an update on Riverside County's broadband efforts and the current priorities and strategies being addressed. Member discussion ensued with Mr. Mullen answering questions from the committee.

Mr. Bowman added additional insights on Coachella Valley broadband strategic plan with additional member discussion.

No action was taken as this was an informational item.

**B. Establish Qualified Professional Services Vendor List**

Mr. Bowman presented the staff report. Member discussion ensued with Mr. Bowman answering questions from the committee.

**IT WAS MOVED BY COUNCILMEMBER FITZPATRICK AND SECONDED BY COUNCILMEMBER HOLMES TO ESTABLISH THE QUALIFIED PROFESSIONAL SERVICES VENDOR LIST THROUGH JUNE 30, 2027 AND AUTHORIZE THE EXECUTIVE DIRECTOR TO 1. APPROVE ADDITIONAL QUALIFIED SUBMISSIONS FROM VENDORS THROUGHOUT THE TERM; AND 2. NEGOTIATE AND EXECUTE CONTRACTS FOR PROFESSIONAL SERVICES UP TO \$50,000 FROM THE QUALIFIED VENDOR LIST**

**THE MOTION FOR CARRIED WITH 12 AYES AND 1 MEMBER ABSENT.**

TRIBAL VICE CHAIR PATENCIO ANDERSON	AYE
MAYOR DECONINCK	AYE
COUNCILMEMBER GREGORY	AYE
MAYOR HERNANDEZ	AYE
MAYOR MATAS	AYE
COUNCILMEMBER REED	AYE
COUNCILMEMBER HOLMES	AYE
COUNCILMEMBER FITZPATRICK	AYE
MAYOR PRO TEM HARNIK	AYE
COUNCILMEMBER MIDDLETON	AYE
MAYOR DOWNS	AYE
SUPERVISOR PEREZ	AYE
TRIBAL VICE CHAIR MIRELEZ	ABSENT

**C. Deployment of CV Sync and Phase II construction**

CV Sync Program Manager Kristopher Gunterson presented the staff report and details of the Regional Traffic Management Center.

No action was taken as this was an informational item.

**8. INFORMATION**

- a) Status of I-10 Interchange Projects
- b) CVAG Regional Arterial Program – Project Status Report
- c) Bicycle/Pedestrian Safety Program – Project Status Report
- d) Transportation Committee Attendance Roster
- e) Update on Active Transportation (ATP) Cycle 7 Funding Opportunities

9. **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

None

10. **ANNOUNCEMENTS**

Prior to the meeting's conclusion, Mayor Pro Tem Jan Harnik stated that SCAG has released a tool kit to advocate for preserving the Regional Early Action Planning (REAP) grant funding that is proposed to be cut in the State budget. She encouraged cities to advocate for these funds. Mr. Kirk stated CVAG, which has received REAP funding, would send an advocacy letter.

The next meeting of the **Transportation Committee** will be held on Monday, April 1, 2024, at 10:00 a.m. at the CVAG conference room, 73-710 Fred Waring Drive, Suite 104, Palm Desert, 92260

The next meeting of the **Executive Committee** will be held on Monday, February 26, 2024, at 4:30 p.m. at the CVAG conference room, 73-710 Fred Waring Drive, Suite 104, Palm Desert, 92260.

11. **ADJOURNMENT**

There being no further business, Chair Hernandez adjourned the meeting at 10:51 a.m.

Respectfully submitted,

*Ely Regalado*  
Management Analyst

**ITEM 6B**

**Coachella Valley Association of Governments  
Transportation Committee  
April 1, 2024**



**STAFF REPORT**

**Subject:** Contract Amendment for Hoy Civil Engineering

**Contact:** Erica Felci, Chief Operating Officer ([efelci@cvaq.org](mailto:efelci@cvaq.org))

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**Recommendation:** Authorize the Executive Director to execute Amendment No. 3 to the Professional Services Agreement with Hoy Civil Engineering, increasing the annual amount by \$47,952, incorporating annual increases to adjust for inflation and extending the contract through December 2027

**Background:** At the December 2, 2019 meeting, the CVAG Executive Committee approved a contract with Hoy Civil Engineering (HCE). HCE is a local engineering company, led by the City of Coachella's former engineer Jonathan Hoy, that provides engineering, program management, grant writing and municipal consulting services. Under this contract, HCE has provided professional services to CVAG in navigating projects through each phase of project delivery, from design to right-of-way acquisition to construction. HCE brings extensive background to CVAG, including long-established partnerships with federal, state, county, local and tribal jurisdictions and expert knowledge of project delivery, as well as history with regional projects.

HCE's experience and expertise has been invaluable to the CVAG Transportation Department as it achieves milestones for several major projects – most notably construction of both CV Link and CV Sync. HCE also has provided analysis and expertise as CVAG addresses funding needs for regional projects, including providing a cash flow analysis for the agency. HCE provides key support for big, regional projects, including monitoring cost control; managing schedules; funding administration; preparing requests for proposals; processing documents through Caltrans related to Requests for Authorization, initial financial plans, contract procurements and Supplemental Agreements, audit preparation; construction management oversight; coordination with stakeholders and project partners; as well as departmental management duties.

The contract has been amended twice, most recently in February 2022 to add two additional personnel beyond the principal-in-charge. Staff is now recommending Amendment No. 3, which would consider an inflation factor for the hourly rates and overall cost of the contract. Staff is recommending a formula that mirrors the increases that the Transportation and Executive Committee use for the Transportation Uniform Mitigation Fee (TUMF), which is the one-time impact fee charged on all new development occurring within the CVAG region. The TUMF increase is calculated on the CPI for All Urban Consumers (CPI-U), All items, as the over-the-year percent change, measured as of December in the calendar year which ends in the previous fiscal year.

Amendment No. 3, if approved, would immediately add a 7.4 percent increase to the hourly rates and total amount – which mirrors the 7.4 percent increase adopted for the TUMF for 2024. It also would allow for the amounts to be adjusted each January based on any rate increase adopted by CVAG’s committees. Amendment No. 3 also extends the term of the contract from December 2025 through December 2027, unless extended in writing by the Executive Director an additional year.

With approval, the Executive Director and/or Legal Counsel would also be authorized to make clarifying revisions before finalizing the contract. Should it be determined that HCE’s services are not needed, the agreement can be terminated at any time without cause.

**Fiscal Analysis:** HCE’s original agreement was for a not-to-exceed annual amount of \$220,000. Amendment No. 1 extended the terms of the contract until December 2022, with an option to extend by the Executive Director, with a not-to-exceed annual maximum of \$275,000. This provided for up to 32 hours a week, although compensation will continue to be paid on a time and materials basis. Amendment No. 2 was for a not-to-exceed annual maximum of \$646,360.

Amendment No. 3 would allow for annual increases based on the adopted TUMF rate, starting with a 7.4 percent increase for this year. The amount would apply to the hourly rates and the yearly total, which would increase to \$694,312. Future increases would occur through the length of the contract, which is being recommended to extend through 2027.

The cost of the services for this agreement will be paid for with existing transportation funding sources and incorporated into CVAG’s annual fiscal year budget.

In considering this contract, CVAG staff has previously analyzed the rates for similar services at local firms. The rates were as high as \$300 per hour for principals and \$210 for a project manager/ engineer, which is significantly higher than the hourly rates outlined in this amendment. CVAG staff would also note that HCE has established expertise with CVAG’s projects and have been key contributors to major projects such as the meaning they will be able to hit the ground running.

**Attachment:** Amendment No. 3 to the Professional Services Agreement for Hoy Civil Engineering

**COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS  
AGREEMENT FOR PROFESSIONAL SERVICES – AMENDMENT NO.3**

**THIS AMENDMENT No. 3** (“Amendment”) is made and entered into on **April 29, 2024**, by and between the **Coachella Valley Association of Governments**, a California Joint Powers Authority (“CVAG”) and **Hoy Civil Engineering**, an independent contractor, (“Consultant”). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. Recitals. This Amendment No. 3 is made with respect to the following facts and purposes:
  - a. On December 2, 2019, CVAG and Consultant entered into that certain agreement entitled “Coachella Valley Association of Governments Agreement for Professional Services” between CVAG and Consultant in an amount not to exceed \$220,000.
  - b. On September 21, 2020, CVAG and Consultant executed Amendment No. 1 to the Professional Services Agreement with Hoy Civil Engineering, extending the term to December 2022 and providing for an additional \$55,000 a year.
  - c. On February 28, 2022, CVAG and Consultant executed Amendment No. 2 to the Professional Services Agreement with Hoy Civil Engineering, extending the term to December 2025, amending the Services/Scope of Work in its entirety, and increasing the annual amount payable to an amount not-to-exceed \$646,360.
  - d. The parties now desire to amend the Agreement as set forth in this Amendment No. 3.
2. Amendment. Section 2, TERM OF AGREEMENT, is hereby amended in its entirety to read as follows:

“2. TERM OF AGREEMENT. The term of this Agreement shall be from December 2, 2019 to December 31, 2027, unless extended in writing by the Executive Director an additional year.”
3. Amendment Section 4, PAYMENT FOR SERVICES, of the Agreement is hereby amended in its entirety to read as follows:

“4. PAYMENT FOR SERVICES. Consultant shall be compensated at the attached Consultant hourly rates (Exhibit B) on a Time and Materials basis. **Total Annual Compensation shall not exceed Six Hundred Ninety-Four Thousand Three Hundred Twelve Dollars (\$694,312.00) through December 31, 2024**, without written approval by the Executive Director. The total not-to-exceed amount will be adjusted annually to take effect on January 1<sup>st</sup> based upon the CVAG adopted annual Transportation Uniform Mitigation Fee (TUMF) Inflation Adjustment. TUMF Inflation Adjustments will be applied annually to the total not-to-exceed compensation amount and the hourly rates in Exhibit B commencing January 1, 2025, and annually thereafter through December 31, 2027. Consultant shall be paid within thirty (30) days of presentation of an invoice to CVAG for services performed to CVAG’s satisfaction.

Consultant shall submit invoices describing the services performed by line item and category, the date services were performed, a description of reimbursable costs, and any other information requested by CVAG.”

4. Continuing Effect of Agreement. Except as amended by this Amendment, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after the date of this Amendment, whenever the term “Agreement” appears in the Agreement, it shall mean the Agreement as amended by this Amendment.
5. Adequate Consideration. The parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment.
6. Counterparts. This Amendment may be executed in duplicate originals, each of which is deemed to be an original, but when taken together shall constitute but one and the same instrument.

[ Signatures on Following Page]

**IN WITNESS THEREOF**, the parties have executed this Amendment No. 3 as of the day and year first set forth above, which date shall be considered by the parties to be the effective date of this Amendment No. 3.

**Consultant: HOY CIVIL ENGINEERING**

\_\_\_\_\_  
Jonathan D. Hoy PE, Consultant

**COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS**

\_\_\_\_\_  
Tom Kirk, Executive Director

DRAFT

## Exhibit B

### Hourly Rates

Hoy Civil Engineering's fee to perform the work described in the Scope of Work above is represented by the hourly rate schedule shown below. Hoy Civil Engineering will adhere to the needs of the Coachella Valley Association of Governments (CVAG) to complete the requested tasks.

<b>Personnel Classification</b>	<b>*Hourly Rate through December 31, 2024</b>
Principal-in-Charge	\$188.00
Project Engineer	\$145.00
Project Manager	\$145.00

\*Hourly rates will be adjusted by the CVAG adopted Transportation Uniform Mitigation Fee (TUMF) Inflation Adjustment rate each calendar year to take effect beginning January 1, 2025, and future adopted revised fees upon their effective date throughout the term of the agreement.

<b>Annual Estimate Through December 31, 2024</b>				
<b>Personnel Classification</b>	<b>Rate</b>	<b>Hours/Week</b>	<b>Week/Year</b>	<b>Yearly Total</b>
Principal-in-Charge	\$ 188.00	34	52	\$ 332,384.00
Project Engineer	\$ 145.00	24	52	\$ 180,964.00
Project Manager	\$ 145.00	24	52	\$ 180,964.00
			<b>Total:</b>	<b>\$ 694,312.00</b>

DRAFT

**ITEM 6C**

**Coachella Valley Association of Governments  
Transportation Committee  
April 1, 2024**



**STAFF REPORT**

**Subject:** TUMF Annual and Five-Year Report for Fiscal Year 2022/2023

**Contact:** Peter Satin, Conservation Program Manager ([psatin@cvag.org](mailto:psatin@cvag.org))

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**Recommendation: Accept the Transportation Uniform Mitigation Fee (TUMF) Annual and Five-Year Report for Fiscal Year 2022/2023**

**Background:** The Mitigation Fee Act (Government Code §66006) requires local agencies receiving development mitigation fees in connection with the approval of a development project to deposit those fees in separate accounts based on the purpose for which each fee was adopted, and to annually report to the public the collection and use of the fees in each such account. The Mitigation Fee Act also requires a report every five years as to the unexpended portion of fees in each account. The Transportation Uniform Mitigation Fee (TUMF) Annual and Five-Year Report is prepared each year to satisfy the requirement of the Mitigation Fee Act.

CVAG's TUMF program is comprised of TUMF and Measure A regional arterial funds. The two sources combined generated a total of \$35,542,230 during fiscal year 2022/2023, which represents a 6-percent decrease in revenues over fiscal year 2021/2022 (Table 1). Local Measure A funds are received by TUMF-collecting jurisdictions for their local street and road projects in the Coachella Valley, and are determined via a formula quantifying total dwelling units and taxable sales. Dwelling unit data is collected annually from each jurisdiction and is forwarded on to the Riverside County Transportation Commission (RCTC).

*Table 1: TUMF program revenues in fiscal year 2021/2022 compared to fiscal year 2020/2021.*

<b>Fund</b>	<b>FY 22/23</b>	<b>FY 21/22</b>	<b>Difference</b>	<b>% Difference</b>
<i>TUMF</i>	\$7,712,811	\$10,360,011	\$(2,647,200)	-26%
<i>Measure A</i>	\$27,829,419	\$27,299,763	\$529,656	2%
<i>Total</i>	\$35,542,230	\$37,659,774	\$(2,117,544)	-6%

The TUMF program began in fiscal year 1989/1990 and saw a steady increase in local Measure A funding received by CVAG's member jurisdictions until the Great Recession, which began in 2008 and resulted in significant downturns in revenues generated. Since then, revenues from both Measure A funding and TUMF assessments have again begun to climb, although they plateaued briefly during the COVID-19 pandemic. Despite revenues being down compared to FY 21/22, reflecting less new development across all sectors, the income generated over the course of FY 22/23 is much more in keeping with historical trends.

The report was provided to the Desert Valleys Builders Association for comment, who noted minimal transcription errors in a letter to CVAG dated March 14. Those errors have been corrected

in the version now being presented for the Committee's approval. A final comment letter was issued March 21, and is attached.

**Fiscal Analysis:** There is no fiscal impact from receiving and filing the Annual and Five-year Report.

**Attachments:** TUMF Annual and Five-Year Report for Fiscal Year 2022/2023  
DVBA comment letter, March 21, 2024

# TRANSPORTATION UNIFORM MITIGATION FEE ANNUAL AND FIVE-YEAR REPORT

FISCAL YEAR 2022-2023



COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS  
74-199 El Paseo, Suite 100  
Palm Desert, CA 92260

# COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

## Transportation Uniform Mitigation Fee Fiscal Year 2022-2023 Annual Report

CVAG  
Transportation Department



Cover photo courtesy of Christopher Parman, City of Cathedral City  
Ofelia Bringas Memorial Bridge

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## Introduction

In November 1988, Riverside County voters approved Measure A, a one-half cent increase in sales tax over a twenty-year period to be used for transportation purposes. A major factor contributing to the support of Measure A was the “return to source” concept which requires the additional sales tax revenue generated in a specific geographic area be used to finance projects within that same area, and that a new development impact fee, the Transportation Uniform Mitigation Fee (TUMF) be adopted valley wide on all new development. The program has been so successful that, in November 2002, Riverside County voters approved a 30-year extension of Measure A (2009 - 2039). Despite its success, Measure A funds will only contribute a portion of the transportation improvement funding necessary to prevent a potential breakdown of the regional transportation system.

The TUMF program was developed to generate additional funds required for necessary improvements to the regional transportation system. Local jurisdictions may choose not to collect TUMF, however, jurisdictions not collecting TUMF forfeit their share of local Measure A funds to the regional arterial program.

TUMF, like all development impact fees, requires a nexus be demonstrated between the proposed development and the impacts to be mitigated. In TUMF’s case, the assessment is based on the number of vehicle trips new development or site improvements may generate. The most recent nexus study<sup>1</sup>, conducted in 2018, determined that by 2040, over one million trips will be added to the Coachella Valley due to projected development. At the same time, a Transportation Project Prioritization Study<sup>2</sup> (TPPS) was conducted to provide an unbiased, methodological way to provide CVAG direction in determining funding for regional arterials by identifying and ranking discrete segments to be improved.

The 2018 nexus study originally proposed a fee of \$751/trip; however, this fee was reduced to the current \$245/trip after re-evaluating which regional transportation projects would likely be built in the near-term<sup>3</sup>. With the new revised trip rate, the actual development fees can be calculated for individual land uses. The Institute of Transportation Engineers (ITE) has exhaustively analyzed different land uses with respect to trip generation and publishes the ITE Trip Generation Manual. This manual is the accepted industry standard with respect to trip generation data.

Development occurs within many different land uses. Previously, CVAG had utilized as many as 70 land-use categories and sub-categories. During the most recent nexus study, CVAG’s TUMF Advisory Committee determined that consolidating the land-use categories would simplify the process without impacting the amount of TUMF collected. CVAG has since aggregated all land use categories into twelve general categories.

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<sup>1</sup> <https://cvag.org/wp-content/uploads/2021/10/2018-CVAG-Nexus-Report-FINAL-10-17-18.pdf>

<sup>2</sup> <https://cvag.org/wp-content/uploads/2021/10/CVAG-TPPS-2017-04-27-rev2017-06-26.pdf>

<sup>3</sup> The previous trip rate, from 2006, was \$192/trip.

The fees for each category are determined by multiplying the trip rate established in the nexus study by the ITE factor for trips per land use. For example, ITE shows a residential single-family dwelling unit generates, on average, 9.44 trips per day. Hence,

$$\frac{\$245}{\text{trip}} * \frac{9.44 \text{ trips}}{\text{dwelling unit}} = \frac{\$2,312.80}{\text{dwelling unit}}$$

which CVAG has rounded to a final fee assessment of \$2,310 for a single-family residence. CVAG’s adopted TUMF policies, as codified in the TUMF Handbook, allow for the consideration of annual adjustments for inflation based on the Consumer Price Index for All Urban Consumers (CPI-U), all items. If approved by CVAG’s Executive Committee, these adjustments take place on January 1 of the calendar year following their adoption. In 2023, CVAG applied a 7.4% increase to all fee rates, as described below.

<i>Land-use Category</i>	<i>Assessment Unit</i>	<i>Fee 2022</i>	<i>Fee 2023</i>
<i>Residential</i>			
<i>Single-Family Detached</i>	Dwelling unit	\$2,358	\$2,550
<i>Multi-Family, Mobile Home</i>	Dwelling unit	\$1,358	\$1,470
<i>Nursing/Congregate Care</i>	Dwelling unit	\$505	\$545
<i>Transit Oriented Development</i>	Dwelling unit	15% discount	
<i>Low-Income Housing</i>	Dwelling unit	Exempt	
<i>Non-Residential</i>			
<i>Industrial</i>	1,000 square feet	\$1,240	\$1,340
<i>Office</i>	1,000 square feet	\$2,440	\$2,640
<i>Retail</i>	1,000 square feet	\$6,135	\$6,640
<i>Fuel – Gas</i>	Dispenser	\$8,790	\$9,515
<i>Fuel – Electric</i>	Dispenser	\$93	\$100
<i>Golf Course</i>	Acre	\$939	\$1,015
<i>Hotel</i>	Room	\$3,583	\$3,880

TUMF works in conjunction with CVAG’s allocation of Measure A to fund the CVAG share of regional transportation projects. CVAG apportions 35% of the CVAG share of the cost of each regional transportation project identified in the TPPS to TUMF. The balance is paid with Measure A funds. No portion of a project is funded until sufficient funding to complete the project has been committed. TUMF revenues are applied to the TPPS projects in order of priority, such that a new project will only be funded when sufficient revenues for projects underway are assured. Because the project priorities set out in the TPPS control the order of funding, it also controls generally the approximate timeline for the commencement of each listed project.

## Fiscal Year 2022-2023 Summary

The following information pertains to the TUMF fund for the year ending June 30, 2023<sup>4</sup>. There were no interfund transfers or loans from the TUMF Fund. No fees were re-allocated pursuant to Gov Code Section 66001 for sums that remain unspent after five years and for which a date of commencement of the improvement has not been provided.

Fund Balance – July 1, 2022	\$7,561,808
Balance of fees collected (accrual basis) - June 30, 2023	\$7,712,811
Interest earnings from Investment Pool	\$290,571
Refunds	(\$23,378)
Other miscellaneous revenues/receipts	\$38,379
Project costs	(\$3,148,304)
Program management expenditures	(\$618,241)
Fund Balance - June 30, 2023	\$11,813,645

<b><i>Five Year Test Using First In First Out Method</i></b>	
<i>Includes fees collected, interest earned, and miscellaneous revenues</i>	
Revenues Collected from Fiscal Year 2018/2019	\$5,053,234
Revenues Collected from Fiscal Year 2019/2020	\$5,077,605
Revenues Collected from Fiscal Year 2020/2021	\$6,278,423
Revenues Collected from Fiscal Year 2021/2022	\$10,511,729
Revenues Collected from Fiscal Year 2022/2023	\$8,041,761
<b>Total Revenue for Last Five Years</b>	<b>\$34,962,752</b>

As of June 30, 2023, \$153,984,066 has been collected by the assessment of TUMF. Taking into account the additional \$24,360,350 in Measure A In-Lieu funds collected, the TUMF program has generated a total of **\$178,344,416** since program inception on July 1, 1989.

<sup>4</sup> TUMF revenues reported in this Annual Report may differ from revenues reported in CVAG's annual financial statements through a combination of factors, including reporting methodology. Local agency reconciliations after the close of a fiscal year but before issuance of the TUMF Annual Report for that fiscal year may result in receipt of payments being booked to a different fiscal period than the period in which the fee collection is reported. Additionally, contributions to the TUMF fund may be made by CVAG member agencies that do not formally participate in the TUMF program but otherwise benefit from improvements to the regional transportation system. Such payments are here broken out as miscellaneous revenues, but are not attributed to the balance of fees collection.

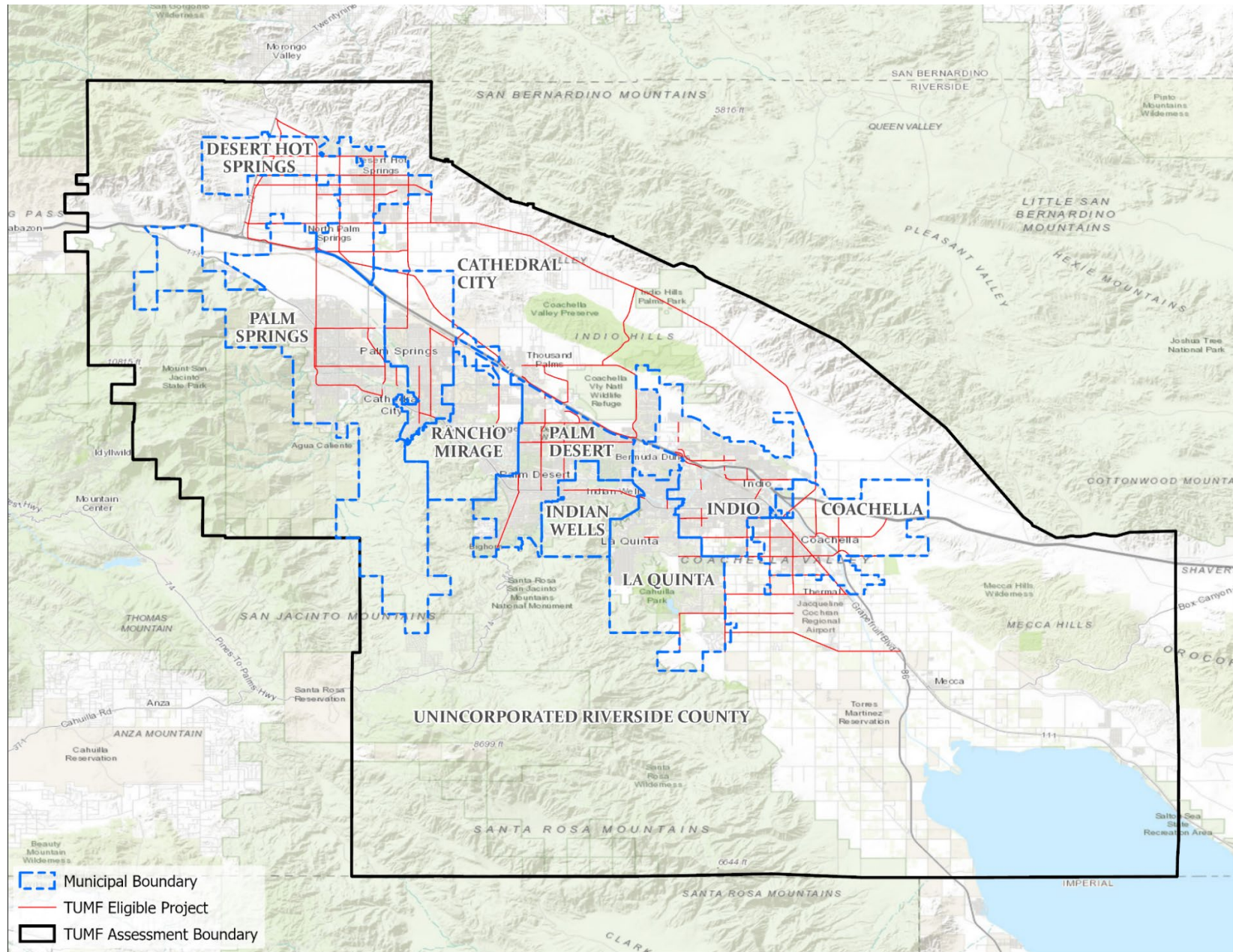


Figure 1: TUMF assessment boundary and participating jurisdictions. Projects eligible for TUMF funding are described more fully in the Transportation Project Prioritization Study, 2018, and are displayed here only for context.

## TUMF Collections by Jurisdiction, Fiscal Year 2022-2023

This section sorts TUMF collections for fiscal year 2022-2023 by jurisdiction. As of 2013, each of the regional municipalities within the Coachella Valley, along with the County of Riverside, are participating in CVAG’s TUMF program. All TUMF shortfalls have been collected and no in-lieu payments were made during the reporting period.

The total TUMF collected for fiscal year 2022-2023 was \$7,712,811 with 30-percent generated by the City of Indio. An additional \$27,829,419 of Measure A funding was disbursed to CVAG for regional arterial projects.

The monthly collection totals for each jurisdiction are displayed below, along with a breakdown of the land use for which fees were collected. More detailed land use analyses are provided in the following section.

### All Jurisdictions

	<i>TUMF 22/23</i>	<i>% FY</i>	<i>Total to Date</i>	<i>% Total</i>
<i>Cathedral City</i>	\$219,300	3%	\$12,835,886	8%
<i>Coachella</i>	\$591,174	8%	\$7,706,638	5%
<i>Desert Hot Springs</i>	\$547,661	7%	\$8,025,394	5%
<i>Indian Wells</i>	\$171,642	2%	\$3,583,469	2%
<i>Indio</i>	\$2,320,377	30%	\$38,720,534	25%
<i>La Quinta</i>	\$1,129,722	15%	\$7,256,018	5%
<i>Palm Desert</i>	\$1,305,186	17%	\$25,361,573	16%
<i>Palm Springs</i>	\$268,145	3%	\$17,366,705	11%
<i>Rancho Mirage</i>	\$491,195	6%	\$12,722,179	8%
<i>Riverside County</i>	\$668,409	9%	\$20,405,670	13%
<b><i>Total TUMF</i></b>	<b>\$7,712,811</b>	<b>100%</b>	<b>\$153,984,066</b>	<b>100%</b>
<b><i>Total In Lieu</i></b>	<b>\$-</b>		<b>\$24,360,350</b>	
<b><i>Regional Arterials</i></b>	<b>\$27,829,419</b>		<b>\$416,500,418</b>	
<b><i>Total</i></b>	<b>\$35,542,230</b>		<b>\$594,844,834</b>	

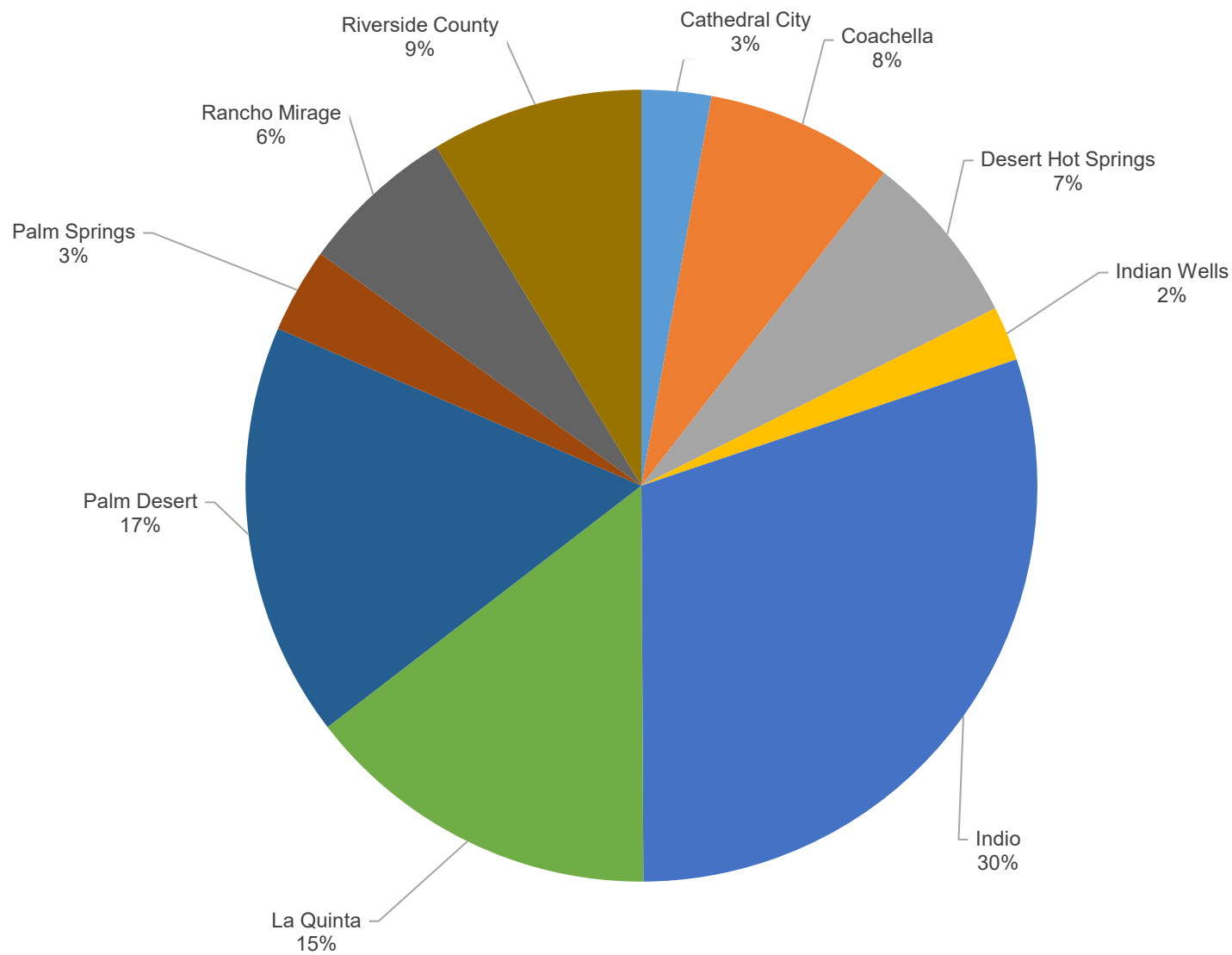


Figure 2: Proportion of total TUMF collections per jurisdiction for fiscal year 2022-2023.

## Cathedral City

	<i>Collected</i>	<i>Refunds</i>	<i>Total</i>
<i>Jul</i>	\$2,358	\$0	\$2,358
<i>Aug</i>	\$34,309	\$0	\$34,309
<i>Sep</i>	\$41,373	\$0	\$41,373
<i>Oct</i>	\$6,131	\$0	\$6,131
<i>Nov</i>	\$2,358	\$0	\$2,358
<i>Dec</i>	\$8,795	\$0	\$8,795
<i>Jan</i>	\$30,747	\$0	\$30,747
<i>Feb</i>	\$2,550	\$0	\$2,550
<i>Mar</i>	\$48,840	\$0	\$48,840
<i>Apr</i>	\$5,100	\$0	\$5,100
<i>May</i>	\$5,100	\$0	\$5,100
<i>Jun</i>	\$31,640	\$0	\$31,640
<b>Total</b>	<b>\$219,301</b>	<b>\$0</b>	<b>\$219,301</b>

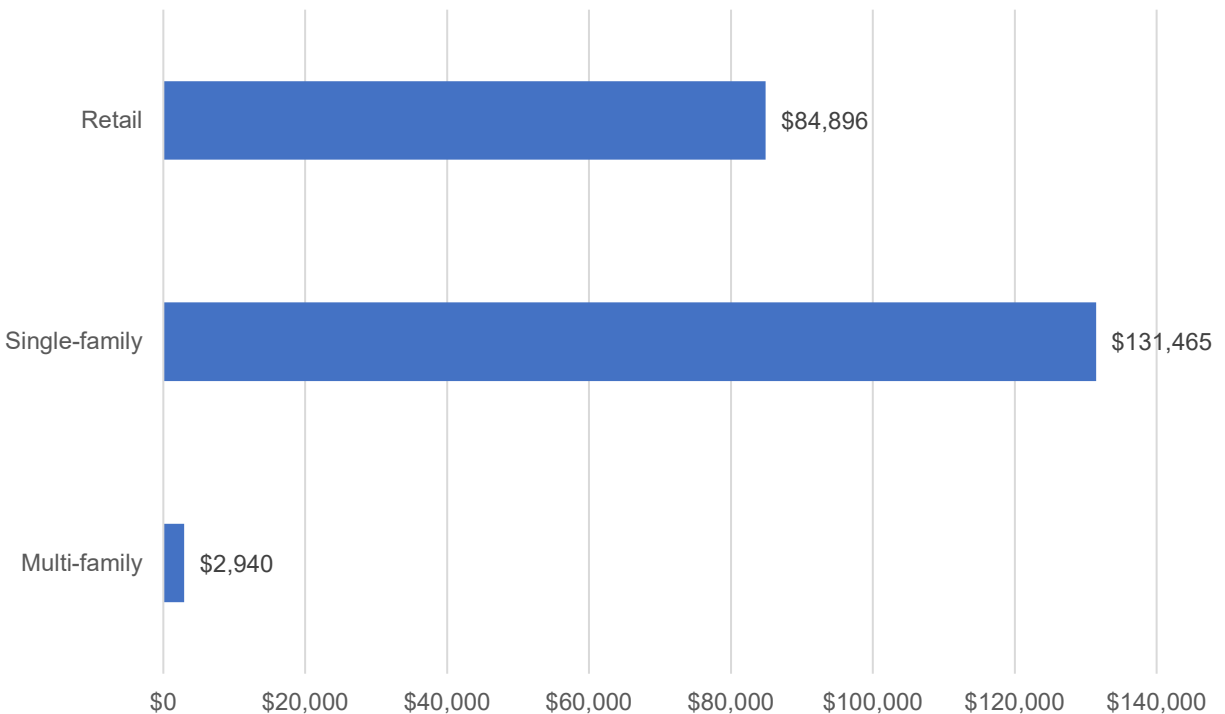


Figure 3: Cathedral City TUMF collections per land use category, fiscal year 2022-2023.

## Coachella

	<i>Collected</i>	<i>Refunds</i>	<i>Total</i>
<i>Jul</i>	\$33,699	\$0	\$33,699
<i>Aug</i>	\$122,616	\$0	\$122,616
<i>Sep</i>	\$149,281	\$0	\$149,281
<i>Oct</i>	\$16,506	\$0	\$16,506
<i>Nov</i>	\$0	\$0	\$0
<i>Dec</i>	\$16,506	\$0	\$16,506
<i>Jan</i>	\$17,264	\$0	\$17,264
<i>Feb</i>	\$0	\$0	\$0
<i>Mar</i>	\$122,400	\$0	\$122,400
<i>Apr</i>	\$38,250	\$0	\$38,250
<i>May</i>	\$45,900	\$0	\$45,900
<i>Jun</i>	\$28,751	\$0	\$28,751
<b>Total</b>	<b>\$591,174</b>	<b>\$0</b>	<b>\$591,174</b>

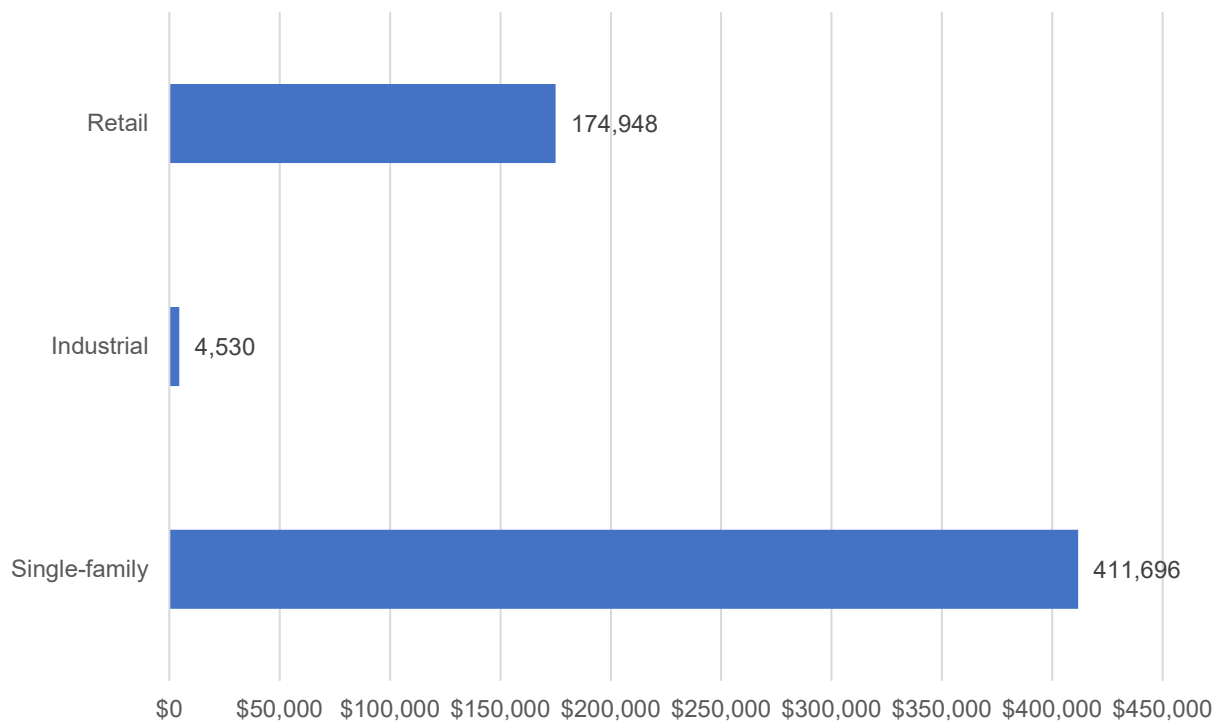


Figure 4: Coachella TUMF collections per land use category, fiscal year 2022-2023.

## Desert Hot Springs

	<i>Collected</i>	<i>Refunds</i>	<i>Total</i>
<i>Jul</i>	\$42,802	\$0	\$42,802
<i>Aug</i>	\$2,358	\$0	\$2,358
<i>Sep</i>	\$47,160	\$0	\$47,160
<i>Oct</i>	\$25,890	\$0	\$25,890
<i>Nov</i>	\$40,038	\$0	\$40,038
<i>Dec</i>	\$16,554	\$0	\$16,554
<i>Jan</i>	\$37,728	\$0	\$37,728
<i>Feb</i>	\$25,938	\$0	\$25,938
<i>Mar</i>	\$77,214	\$0	\$77,214
<i>Apr</i>	\$6,444	\$0	\$6,444
<i>May</i>	\$198,559	\$0	\$198,559
<i>Jun</i>	\$26,976	\$0	\$26,976
<b>Total</b>	<b>\$547,661</b>	<b>\$0</b>	<b>\$547,661</b>

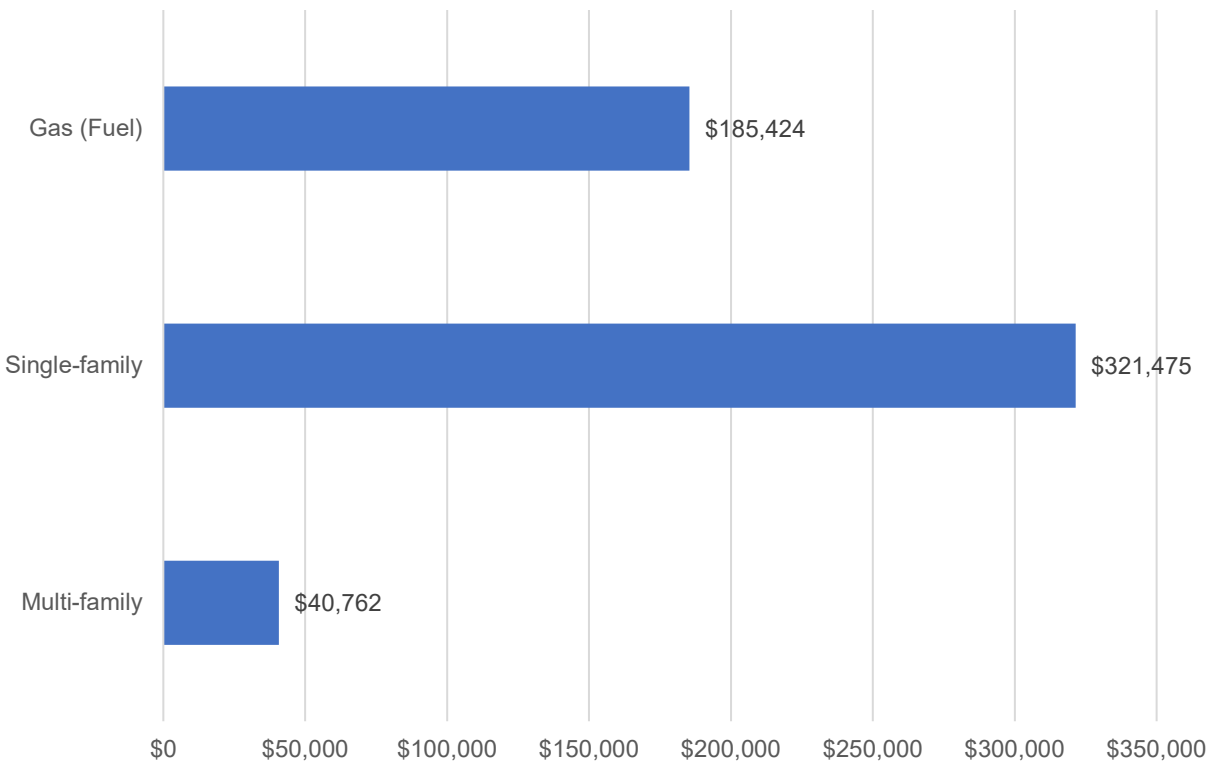


Figure 5: Desert Hot Springs TUMF collections per land use category, fiscal year 2022-2023.

## Indian Wells

	<i>Collected</i>	<i>Refunds</i>	<i>Total</i>
<i>Jul</i>	\$18,864	\$0	\$18,864
<i>Aug</i>	\$7,074	\$0	\$7,074
<i>Sep</i>	\$4,716	\$0	\$4,716
<i>Oct</i>	\$2,358	\$0	\$2,358
<i>Nov</i>	\$4,716	\$0	\$4,716
<i>Dec</i>	\$49,518	\$0	\$49,518
<i>Jan</i>	\$2,550	\$0	\$2,550
<i>Feb</i>	\$2,550	\$0	\$2,550
<i>Mar</i>	\$0	\$2,310	- \$2,310
<i>Apr</i>	\$17,850	\$0	\$17,850
<i>May</i>	\$28,050	\$0	\$28,050
<i>Jun</i>	\$7,458	\$0	\$7,458
<b>Total</b>	<b>\$171,642</b>	<b>\$0</b>	<b>\$143,394</b>

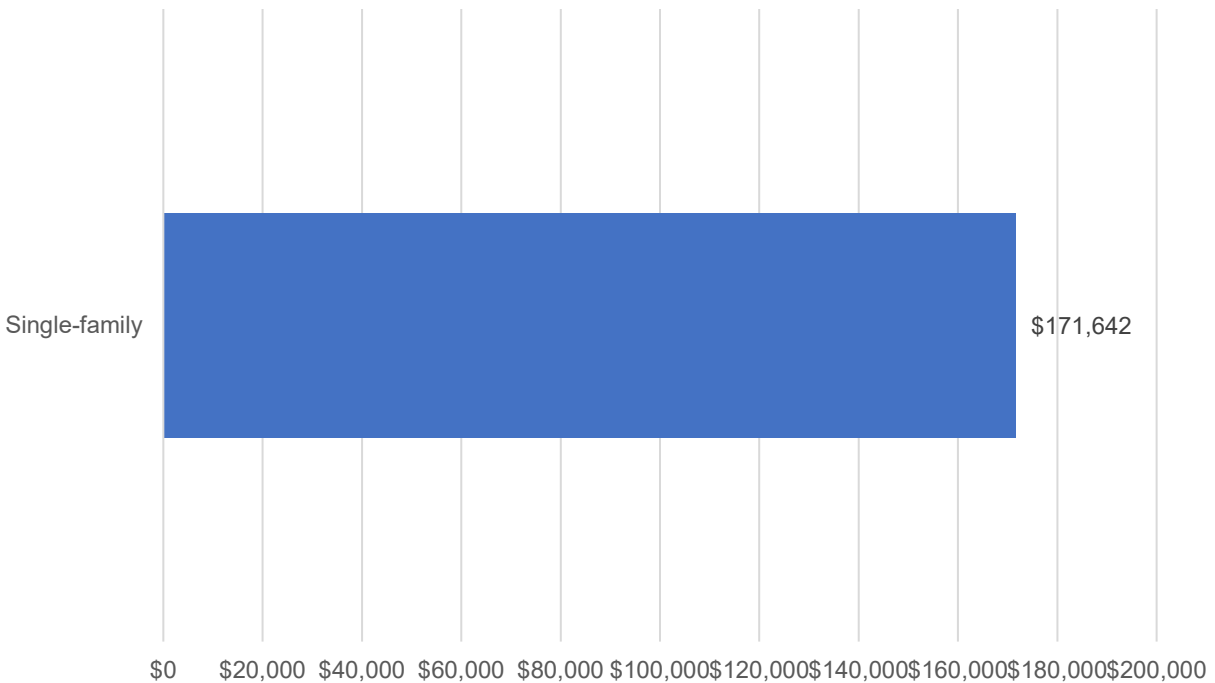
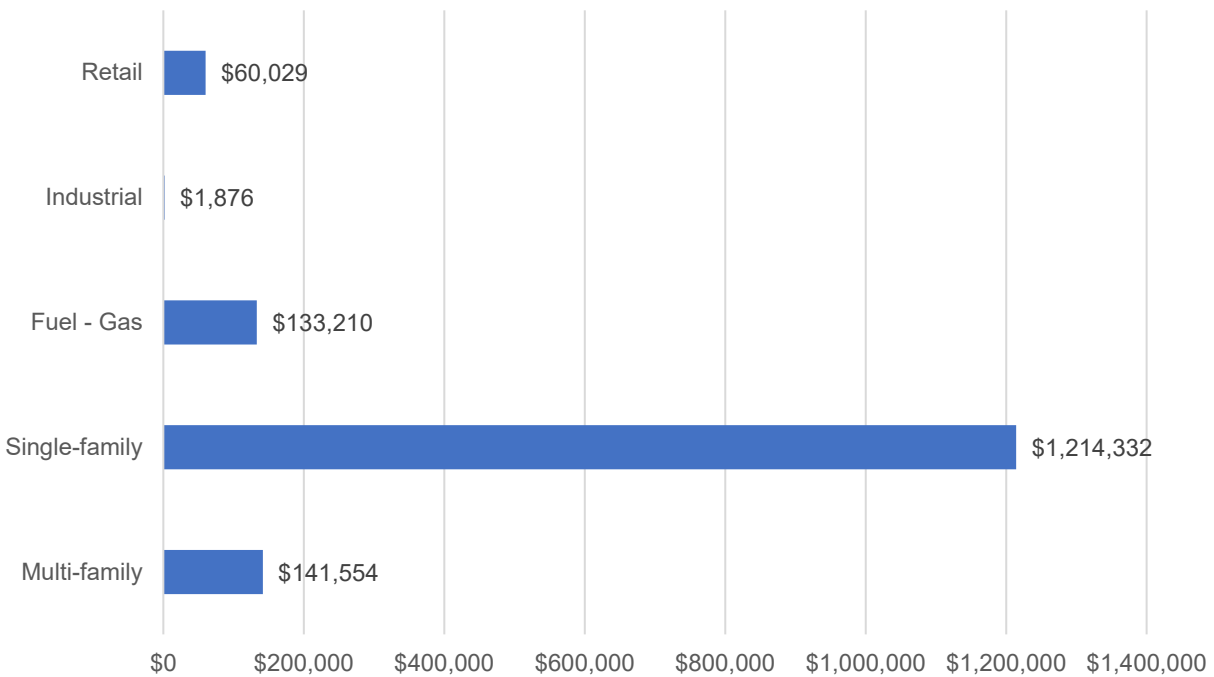


Figure 6: Indian Wells TUMF collections per land use category, fiscal year 2022-2023.

Indio

	<i>Collected</i>	<i>Refunds</i>	<i>Total</i>
<i>Jul</i>	\$102,921	\$0	\$102,921
<i>Aug</i>	\$40,134	\$0	\$40,134
<i>Sep</i>	\$479,570	\$0	\$479,570
<i>Oct</i>	\$182,894	\$0	\$182,894
<i>Nov</i>	\$4,716	\$0	\$4,716
<i>Dec</i>	\$413,433	\$0	\$413,433
<i>Jan</i>	\$286,525	\$0	\$286,525
<i>Feb</i>	\$127,058	\$0	\$127,058
<i>Mar</i>	\$68,712	\$0	\$68,712
<i>Apr</i>	\$80,202	\$0	\$80,202
<i>May</i>	\$60,250	\$0	\$60,250
<i>Jun</i>	\$473,962	\$0	\$473,962
<b>Total</b>	<b>\$2,320,377</b>	<b>\$0</b>	<b>\$2,320,377</b>



*Figure 7: Indio TUMF collections per land use category, fiscal year 2022-2023. Due to the volume of permits processed by Indio, CVAG is still coordinating on verifying land use allocations. Any required refunds or underpayments will be reported in next year’s annual report.*

## La Quinta

	<i>Collected</i>	<i>Refunds</i>	<i>Total</i>
<i>Jul</i>	\$73,172	\$0	\$73,172
<i>Aug</i>	\$82,530	\$0	\$82,530
<i>Sep</i>	\$33,012	\$0	\$33,012
<i>Oct</i>	\$99,036	\$0	\$99,036
<i>Nov</i>	\$30,654	\$0	\$30,654
<i>Dec</i>	\$120,258	\$0	\$120,258
<i>Jan</i>	\$41,240	\$0	\$41,240
<i>Feb</i>	\$48,450	\$0	\$48,450
<i>Mar</i>	\$13,350	\$0	\$13,350
<i>Apr</i>	\$58,650	\$0	\$58,650
<i>May</i>	\$186,150	\$0	\$186,150
<i>Jun</i>	\$343,220	\$0	\$343,220
<b>Total</b>	<b>\$1,129,722</b>	<b>\$0</b>	<b>\$1,129,722</b>

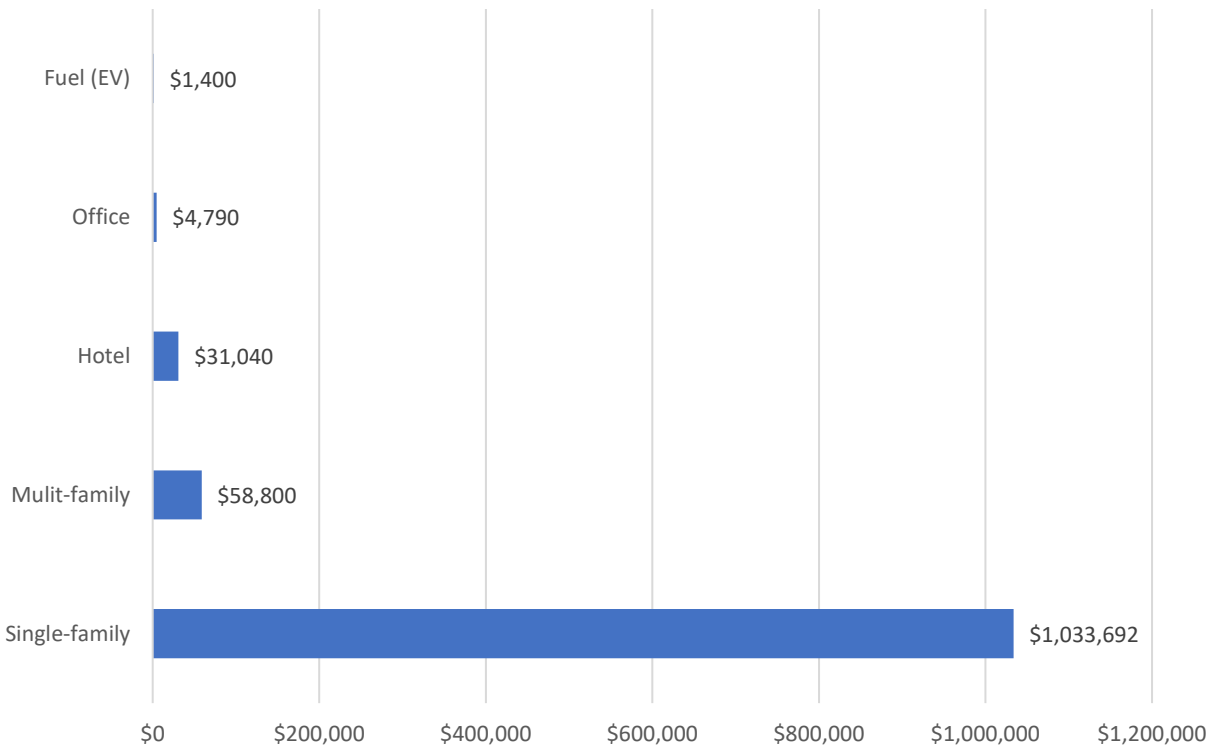


Figure 8: La Quinta TUMF collections per land use category, fiscal year 2022-2023.

## Palm Desert

	<i>Collected</i>	<i>Refunds</i>	<i>Total</i>
<i>Jul</i>	\$162,836	\$0	\$162,836
<i>Aug</i>	\$97,678	\$0	\$97,678
<i>Sep</i>	\$95,120	\$0	\$95,120
<i>Oct</i>	\$47,160	\$0	\$47,160
<i>Nov</i>	\$63,666	\$0	\$63,666
<i>Dec</i>	\$31,509	\$0	\$31,509
<i>Jan</i>	\$52,890	\$0	\$52,890
<i>Feb</i>	\$116,396	\$0	\$116,396
<i>Mar</i>	\$86,704	\$0	\$86,704
<i>Apr</i>	\$41,316	\$0	\$41,316
<i>May</i>	\$140,370	\$0	\$140,370
<i>Jun</i>	\$369,540	\$0	\$369,540
<b>Total</b>	<b>\$1,305,186</b>	<b>\$0</b>	<b>\$1,305,186</b>

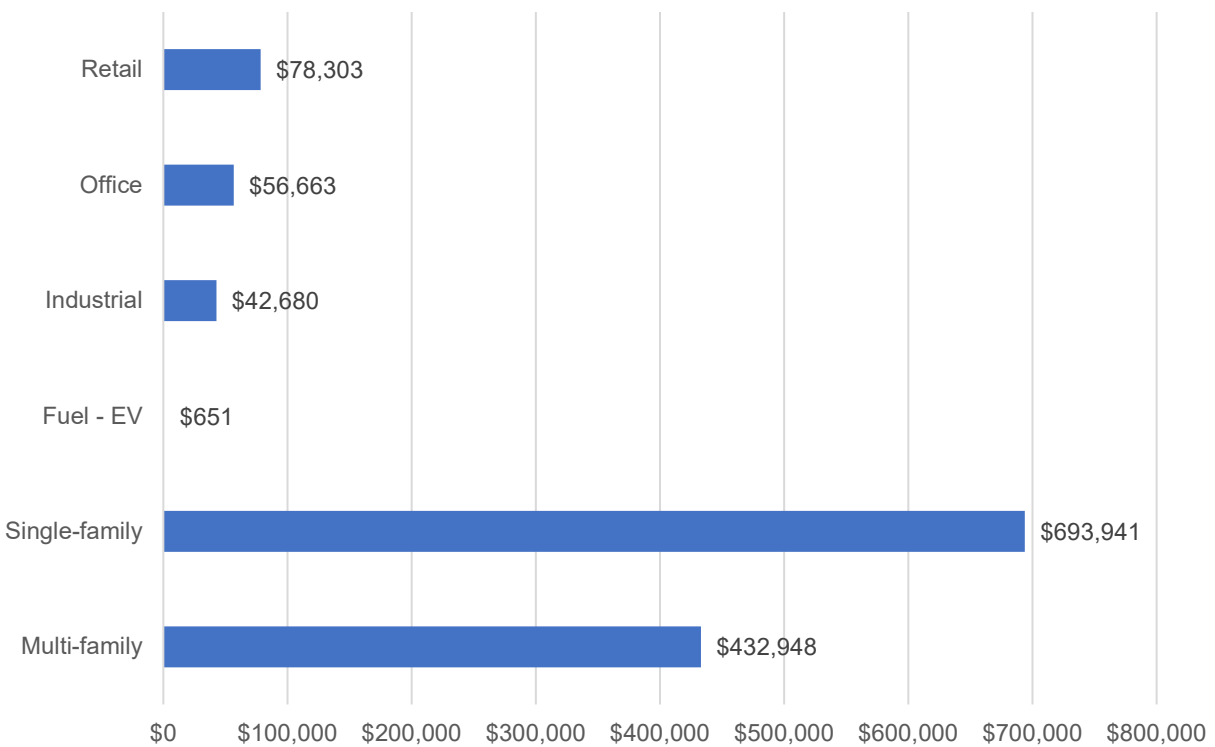


Figure 9: Palm Desert TUMF collections per land use category, fiscal year 2022-2023.

## Palm Springs

	<i>Collected</i>	<i>Refunds</i>	<i>Total</i>
<i>Jul</i>	\$16,506	\$0	\$16,506
<i>Aug</i>	\$72,511	\$0	\$72,511
<i>Sep</i>	\$65,926	\$0	\$65,926
<i>Oct</i>	\$22,003	\$0	\$22,003
<i>Nov</i>	\$4,716	\$0	\$4,716
<i>Dec</i>	\$4,716	\$0	\$4,716
<i>Jan</i>	\$2,358	\$0	\$2,358
<i>Feb</i>	\$25,116	\$0	\$25,116
<i>Mar</i>	\$46,834	\$0	\$46,834
<i>Apr</i>	\$0	\$0	\$0
<i>May</i>	\$7,458	\$0	\$7,458
<i>Jun</i>	\$0	\$0	\$0
<b>Total</b>	<b>\$268,145</b>	<b>\$0</b>	<b>\$268,145</b>

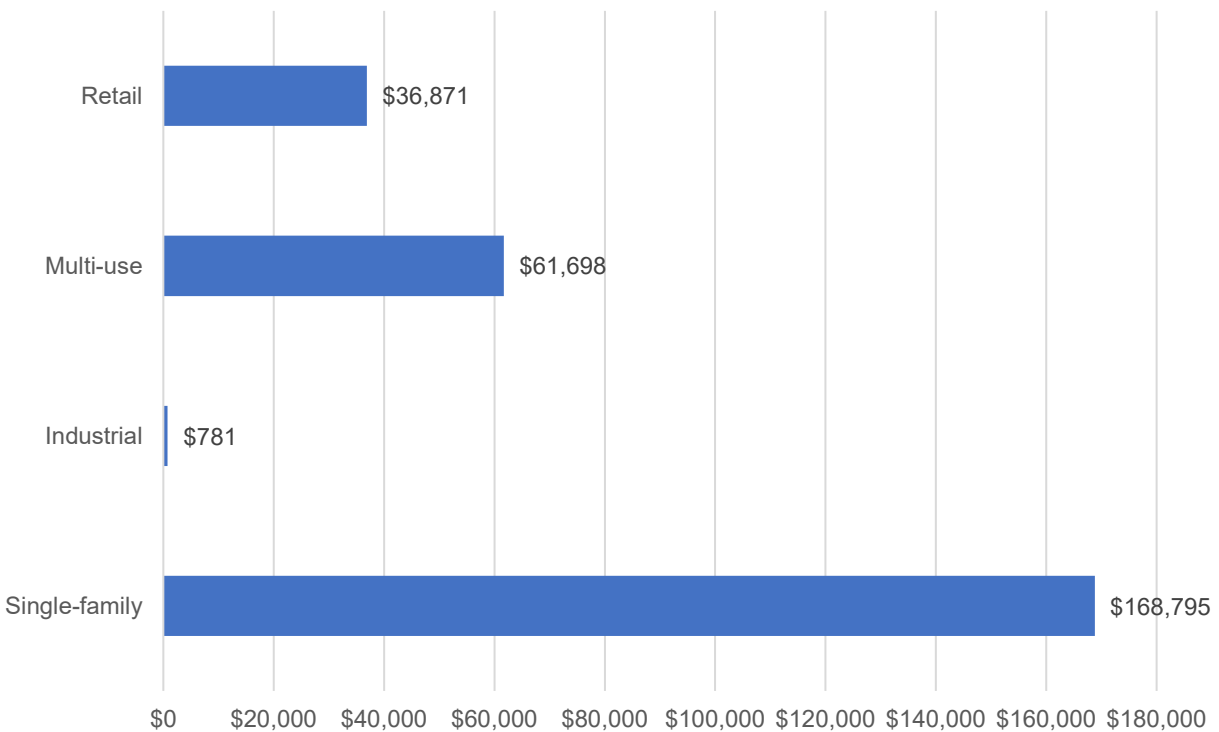


Figure 10: Palm Springs TUMF collections per land use category, fiscal year 2022-2023.

## Rancho Mirage

	<i>Collected</i>	<i>Refunds</i>	<i>Total</i>
<i>Jul</i>	\$9,336	\$0	\$9,336
<i>Aug</i>	\$73,002	\$0	\$73,002
<i>Sep</i>	\$49,518	\$0	\$49,518
<i>Oct</i>	\$18,864	\$0	\$18,864
<i>Nov</i>	\$123,089	\$0	\$123,089
<i>Dec</i>	\$9,432	\$0	\$9,432
<i>Jan</i>	\$4,668	\$0	\$4,668
<i>Feb</i>	\$40,416	\$0	\$40,416
<i>Mar</i>	\$30,408	\$0	\$30,408
<i>Apr</i>	\$39,840	\$0	\$39,840
<i>May</i>	\$48,450	\$0	\$48,450
<i>Jun</i>	\$44,172	\$0	\$44,172
<b>Total</b>	<b>\$491,195</b>	<b>\$0</b>	<b>\$491,195</b>

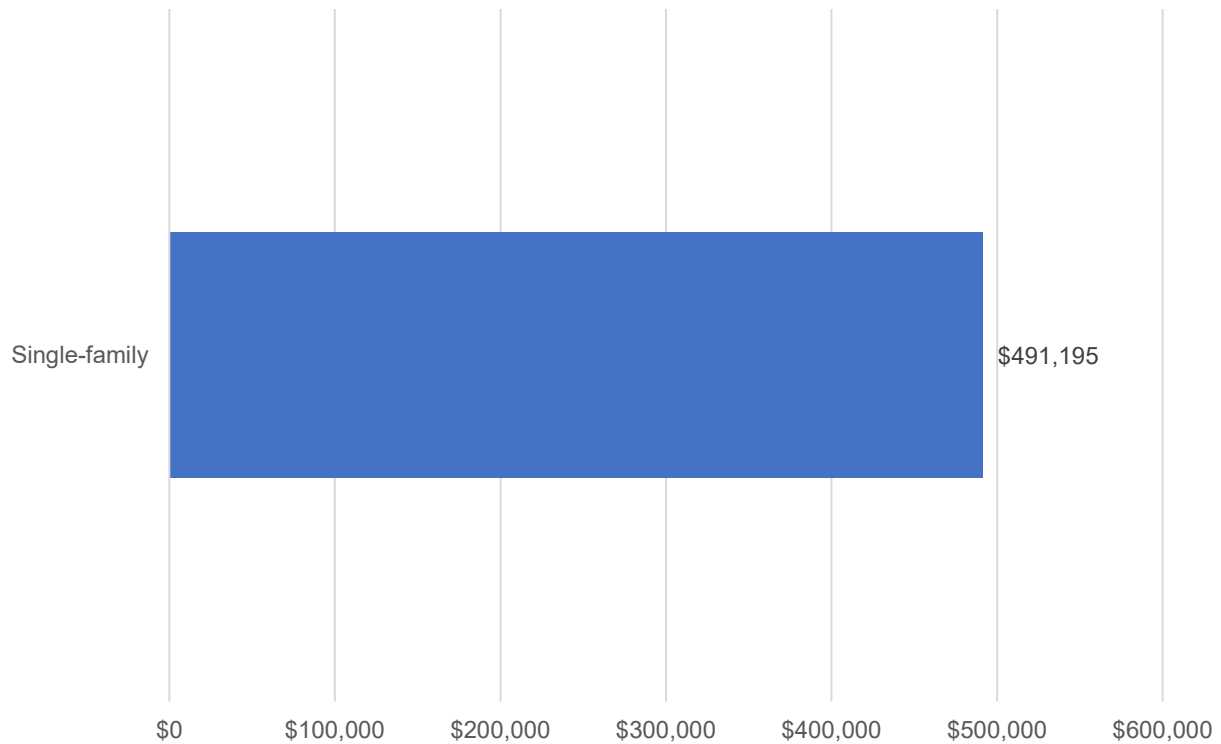


Figure 11: Rancho Mirage TUMF collections per land use category, fiscal year 2022-2023.

## Riverside County

	<i>Collected</i>	<i>Refunds</i>	<i>Total</i>
<i>Jul</i>	\$129,862	\$0	\$129,862
<i>Aug</i>	\$34,398	\$0	\$34,398
<i>Sep</i>	\$45,518	\$0	\$45,518
<i>Oct</i>	\$61,390	\$0	\$61,390
<i>Nov</i>	\$29,746	\$0	\$29,746
<i>Dec</i>	\$16,506	\$0	\$16,506
<i>Jan</i>	\$20,400	\$0	\$20,400
<i>Feb</i>	\$48,222	\$0	\$48,222
<i>Mar</i>	\$76,569	\$0	\$76,569
<i>Apr</i>	\$81,300	\$16,296	\$65,004
<i>May</i>	\$53,218	\$0	\$53,218
<i>Jun</i>	\$71,281	\$	\$71,281
<b>Total</b>	<b>\$668,409</b>	<b>\$16,296</b>	<b>\$652,113</b>

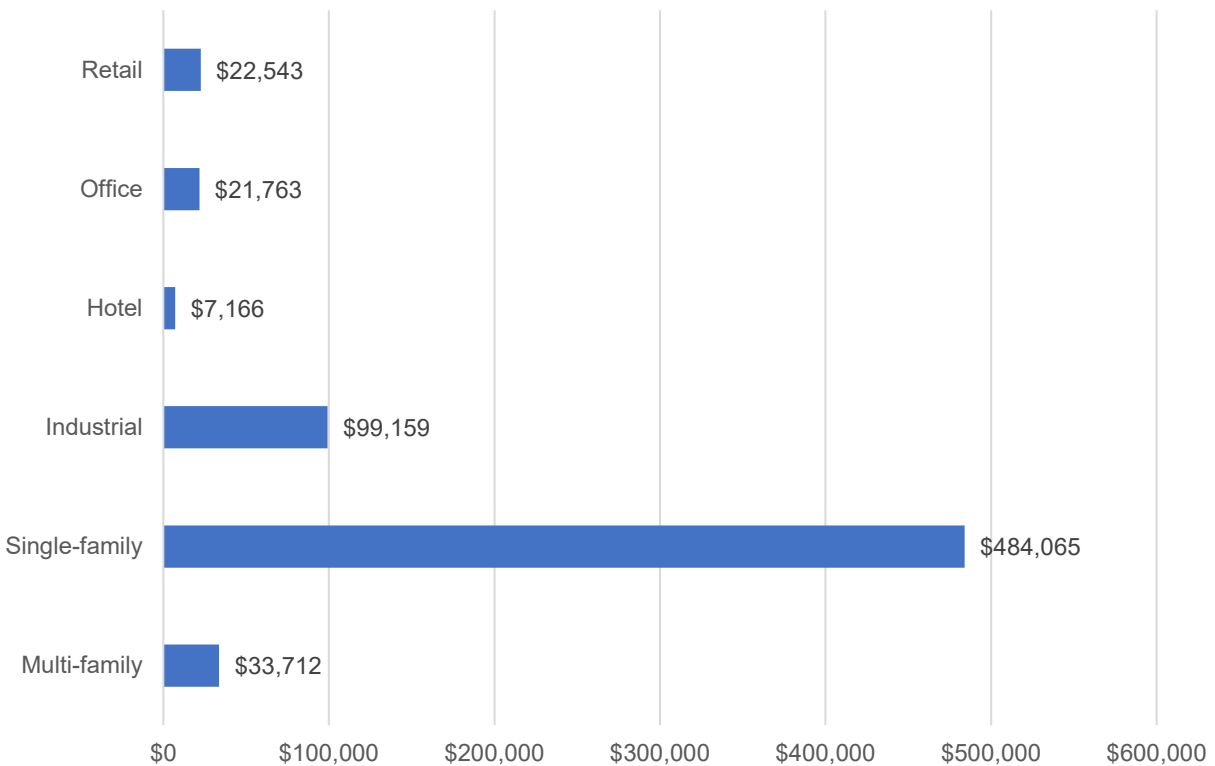


Figure 12: Riverside County TUMF collections per land use category, fiscal year 2022-2023.

## TUMF Collections by Land Use Category, Fiscal Year 2022-2023

This section sorts each jurisdiction's TUMF collections into different land use categories. Residential development was by far the dominant source of TUMF revenue, contributing to almost 75-percent of the total collected fees, with the next highest categories being multi-family development and traditional fueling stations at 10- and 5-percent, respectively.

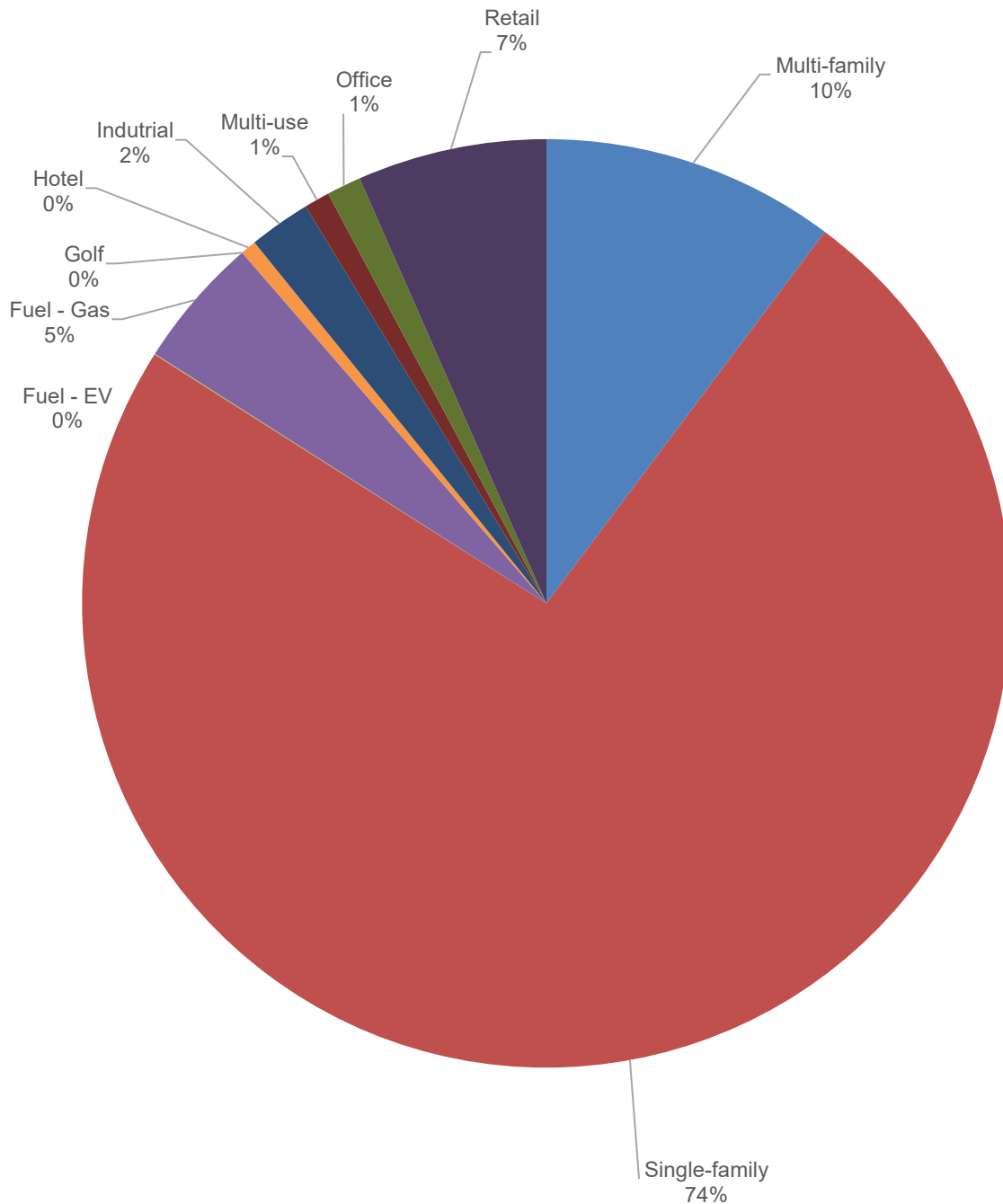


Figure 13: Proportion of total TUMF collections per land use category.

Table 1: TUMF collections per land use.

	<i>Multi-family</i>	<i>Single-family</i>	<i>Industrial</i>	<i>Office</i>	<i>Retail</i>	<i>Fuel - Gas</i>	<i>Fuel - EV</i>	<i>Golf</i>	<i>Hotel</i>	<i>Multi-use</i>
<i>Cathedral City</i>	\$2,940	\$131,465	\$0	\$0	\$84,896	\$0	\$0	\$0	\$0	\$0
<i>Coachella</i>	\$0	\$411,696	\$4,530	\$0	\$174,948	\$0	\$0	\$0	\$0	\$0
<i>Desert Hot Springs</i>	\$40,762	\$321,475	\$0	\$0	\$0	\$185,424	\$0	\$0	\$0	\$0
<i>Indian Wells</i>	\$0	\$171,642	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Indio</i>	\$141,554	\$1,214,332	\$1,876	\$0	\$60,029	\$133,210	\$0	\$0	\$0	\$0
<i>La Quinta</i>	\$58,800	\$1,033,692	\$0	\$4,790	\$0	\$0	\$1,400	\$0	\$31,040	\$0
<i>Palm Desert</i>	\$432,948	\$693,941	\$42,680	\$56,663	\$78,303	\$0	\$651	\$0	\$0	\$0
<i>Palm Springs</i>	\$0	\$168,795	\$781	\$0	\$36,871	\$0	\$0	\$0	\$0	\$61,698
<i>Rancho Mirage</i>	\$0	\$491,195	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Riverside County</i>	\$33,712	\$484,065	\$99,159	\$21,763	\$22,543	\$0	\$0	\$0	\$7,166	\$0
<b>Total</b>	\$710,716	\$5,122,298	\$149,026	\$83,216	\$457,590	\$318,634	\$2,051	\$0	\$38,206	\$61,698

Table 2: Development units per land use.

	<i>Multi-family</i>	<i>Single-family</i>	<i>Industrial (sq ft)</i>	<i>Office (sq ft)</i>	<i>Retail (sq ft)</i>	<i>Fuel - Gas (dispensers)</i>	<i>Fuel - EV (dispensers)</i>	<i>Golf (ac)</i>	<i>Hotel (rooms)</i>
<i>Cathedral City</i>	2	54	0	0	12,881	0	0	0	0
<i>Coachella</i>	0	168	3,653	0	27,946	0	0	0	0
<i>Desert Hot Springs</i>	17	148	0	0	0	18	0	0	0
<i>Indian Wells</i>	0	73	0	0	0	0	0	0	0
<i>Indio</i>	115	579	1,400	0	9,856	14	0	0	0
<i>La Quinta</i>	44	414	0	1,963	0	0	14	0	8
<i>Palm Desert</i>	604	301	58,729	24,300	12,567	0	7	0	0
<i>Palm Springs</i>	0	71	630	0	6,133	0	0	0	0
<i>Rancho Mirage</i>	0	160	0	0	0	0	0	0	0
<i>Riverside County</i>	25	361	37,745	5,922	3,395	0	0	0	2
<b>Total</b>	807	2,329	102,157	32,185	72,778	32	21	0	10

## Measure A Collections

Jurisdictions participating in the collection of TUMF receive 100% of their local Measure A for street and road projects. The formula for local Measure A distribution involves two variables in equal proportions: 1) dwelling units, and 2) taxable sales. These variables are updated on an annual basis for use beginning July 1st of each fiscal year.

As of June 30, 2023, the cumulative amount of regional Measure A received – \$318,325,479 – has exceeded the amount of TUMF collected – \$153,984,066. In all jurisdictions, the cumulative local Measure A received has exceeded the cumulative TUMF collected.

The graphs on the following pages illustrate the comparison on an all-jurisdiction cumulative basis as well as individual jurisdictions by fiscal year.

### All Jurisdictions

	<i>TUMF Collections</i>	<i>Measure A Collections</i>
<i>Cathedral City</i>	\$12,835,886	\$40,774,388
<i>Coachella</i>	\$7,706,638	\$12,277,152
<i>Desert Hot Springs</i>	\$8,025,394	\$10,274,552
<i>Indian Wells</i>	\$3,583,469	\$6,566,746
<i>Indio</i>	\$38,720,534	\$40,874,432
<i>La Quinta</i>	\$7,256,018	\$11,139,565
<i>Palm Desert</i>	\$25,361,573	\$70,297,043
<i>Palm Springs</i>	\$17,366,705	\$56,011,049
<i>Rancho Mirage</i>	\$12,722,179	\$23,959,185
<i>Riverside County</i>	\$20,405,670	\$46,151,366
<b>Total</b>	<b>\$153,984,066</b>	<b>\$318,325,479</b>

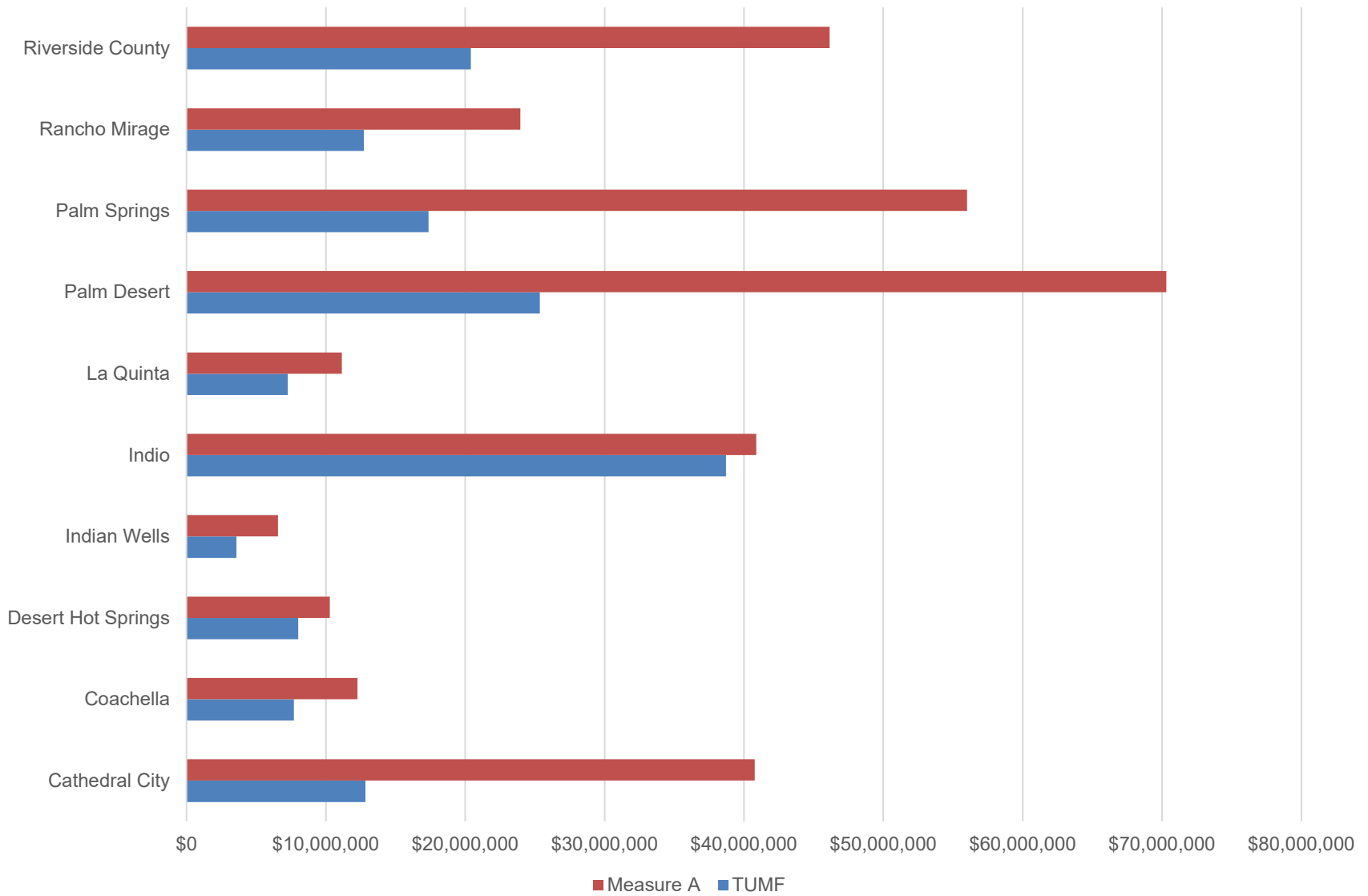


Figure 14: Local Measure A received compared to TUMF collected per jurisdiction, 1989-2023

## Cathedral City

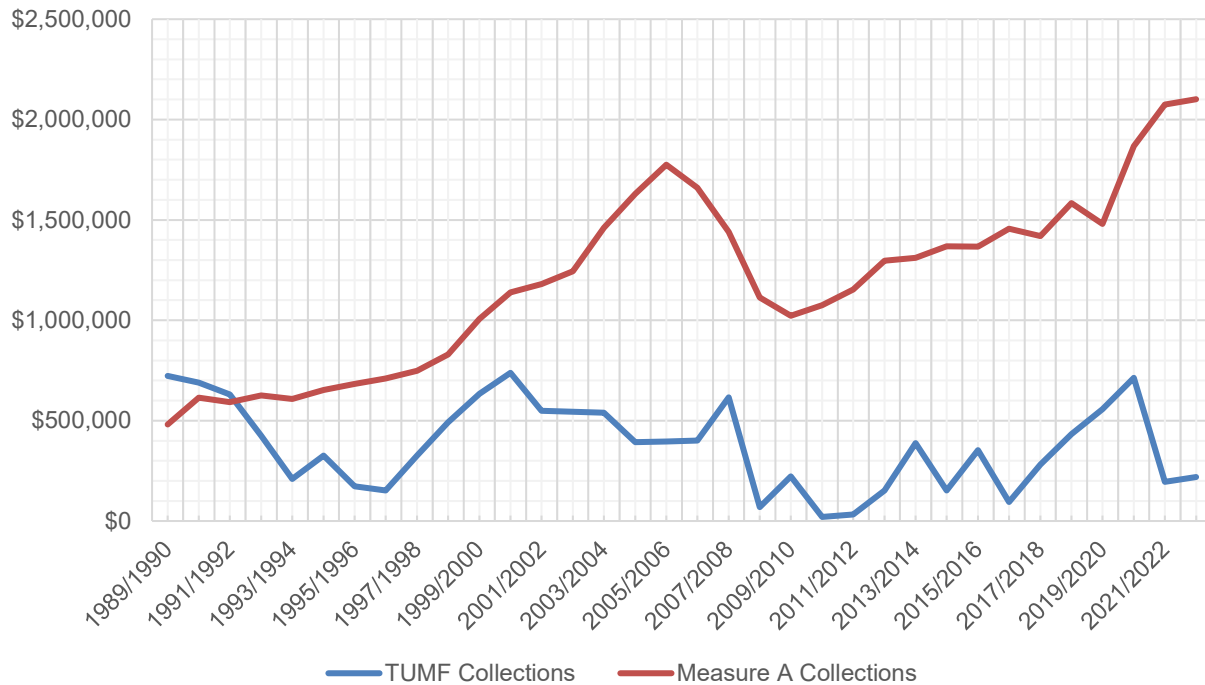


Figure 15: Cumulative TUMF collected by CVAG compared to Measure A funds collected by Cathedral City.

## Coachella

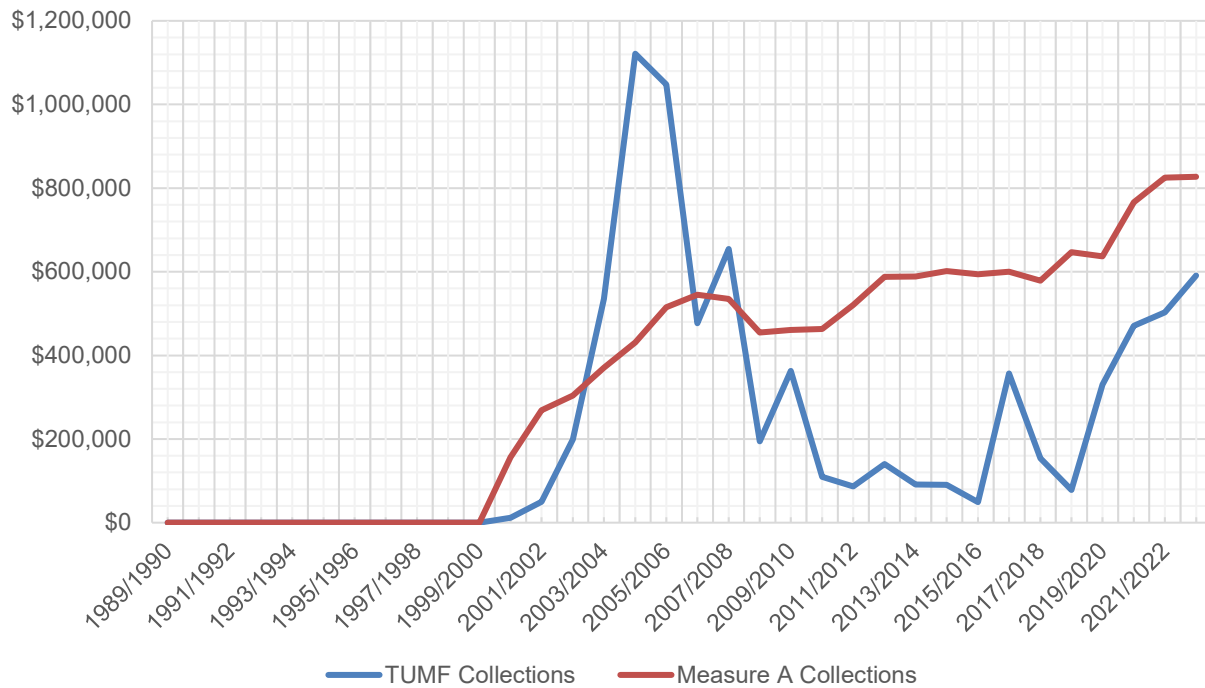


Figure 16: Cumulative TUMF collected by CVAG compared to Measure A funds collected by Coachella.

## Desert Hot Springs

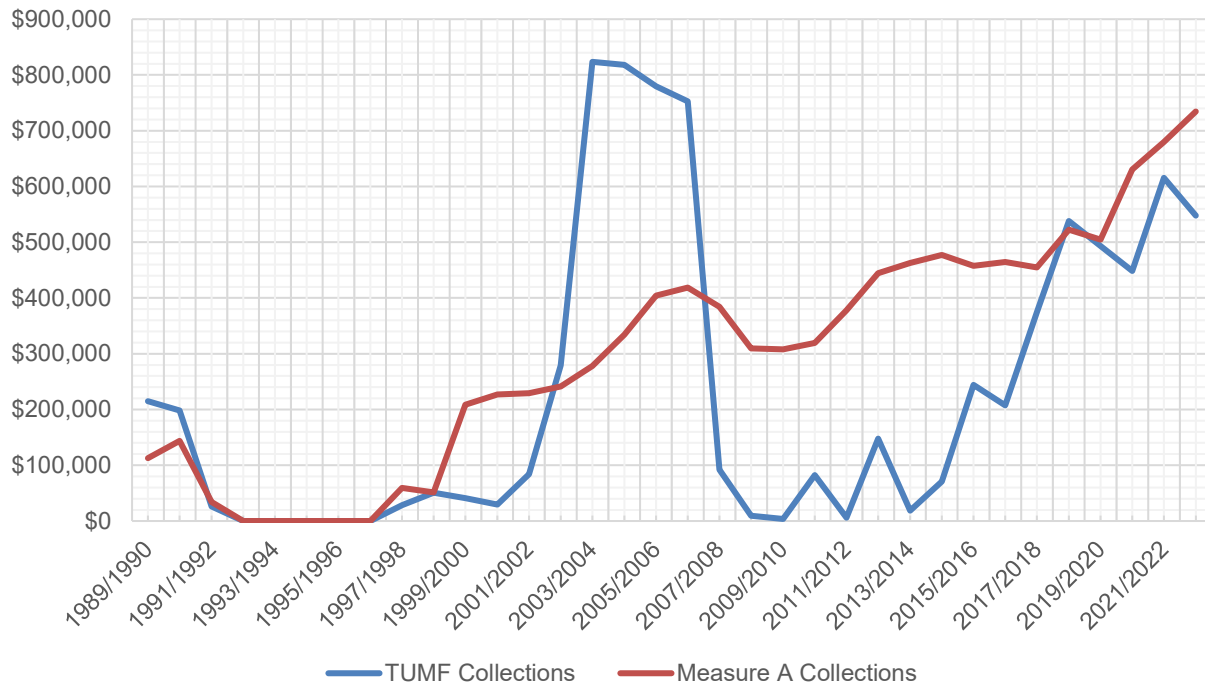


Figure 17: Cumulative TUMF collected by CVAG compared to Measure A funds collected by Desert Hot Springs.

## Indian Wells

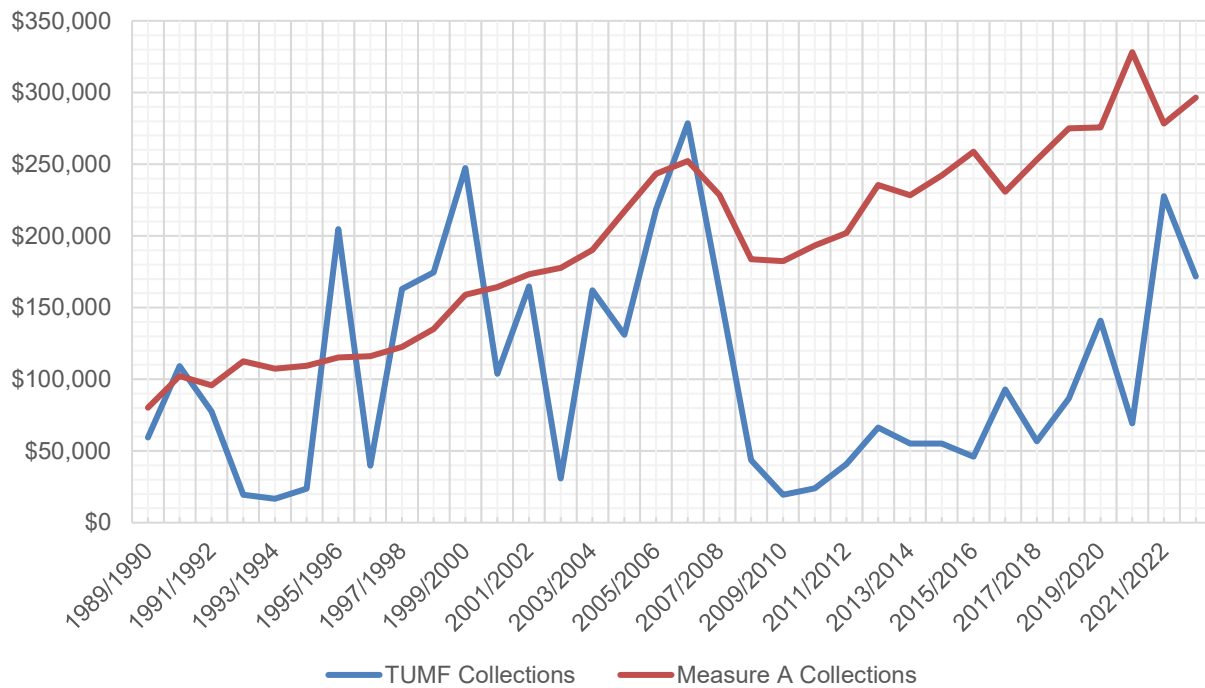


Figure 18: Cumulative TUMF collected by CVAG compared to Measure A funds collected by Indian Wells.

## Indio

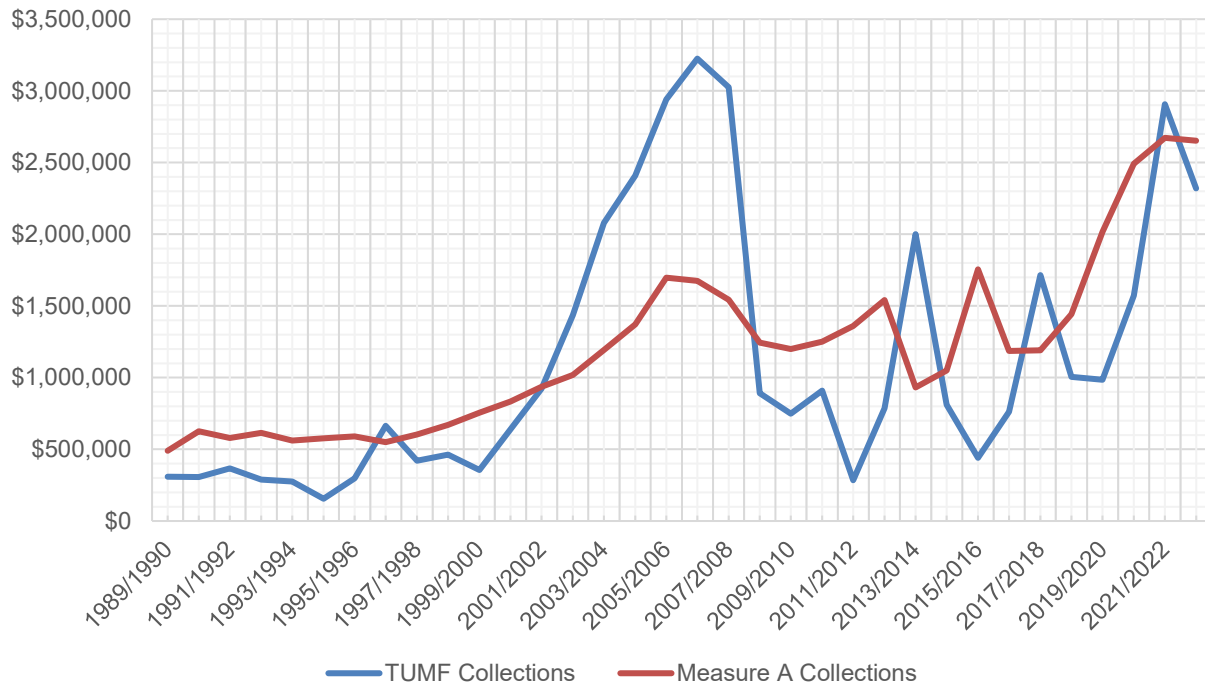


Figure 19: Cumulative TUMF collected by CVAG compared to Measure A funds collected by Indio.

## La Quinta

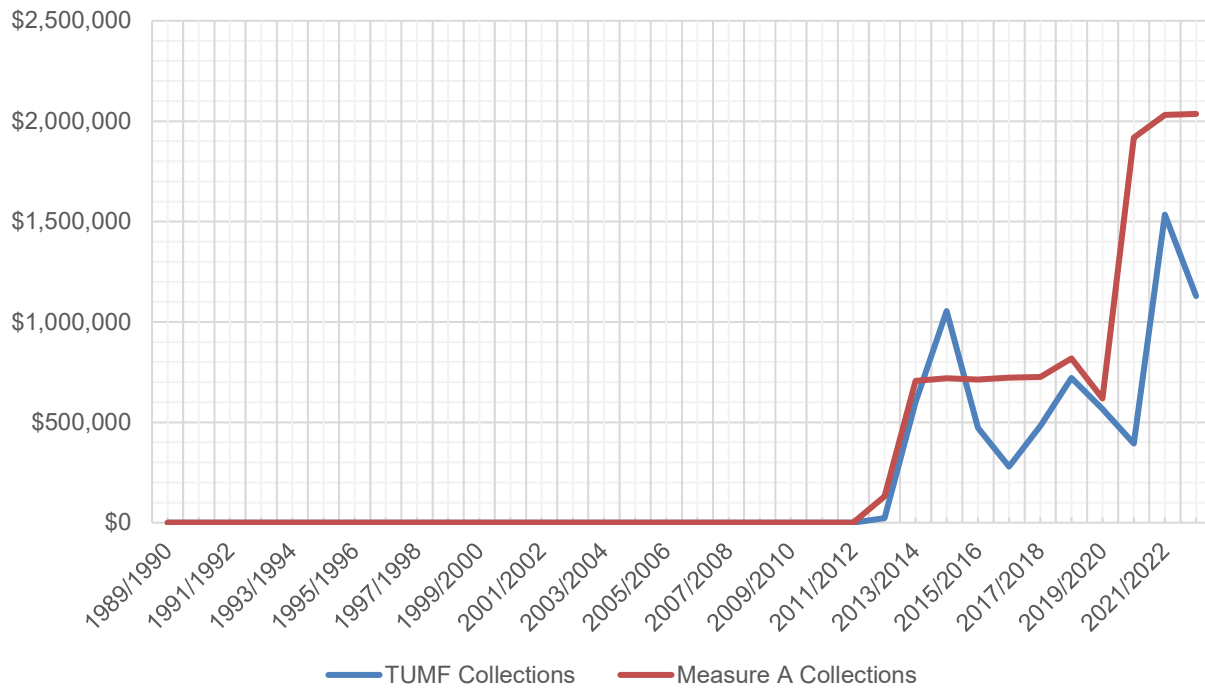


Figure 20: Cumulative TUMF collected by CVAG compared to Measure A funds collected by La Quinta.

## Palm Desert

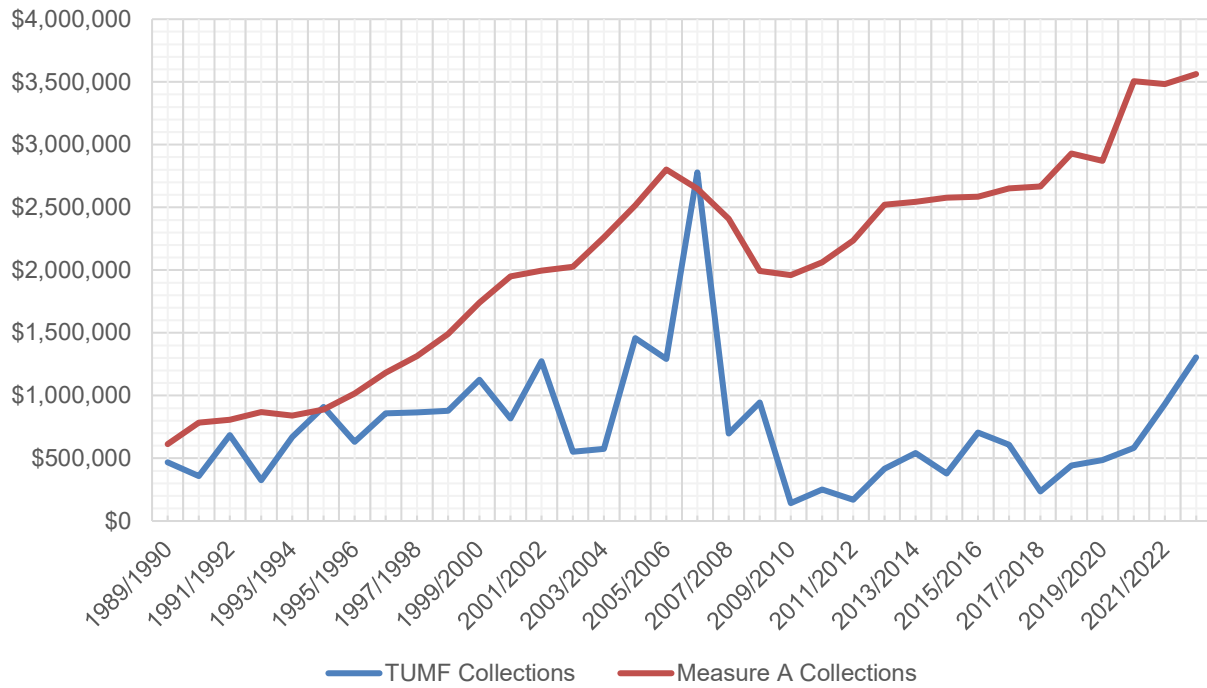


Figure 21: Cumulative TUMF collected by CVAG compared to Measure A funds collected by Palm Desert.

## Palm Springs

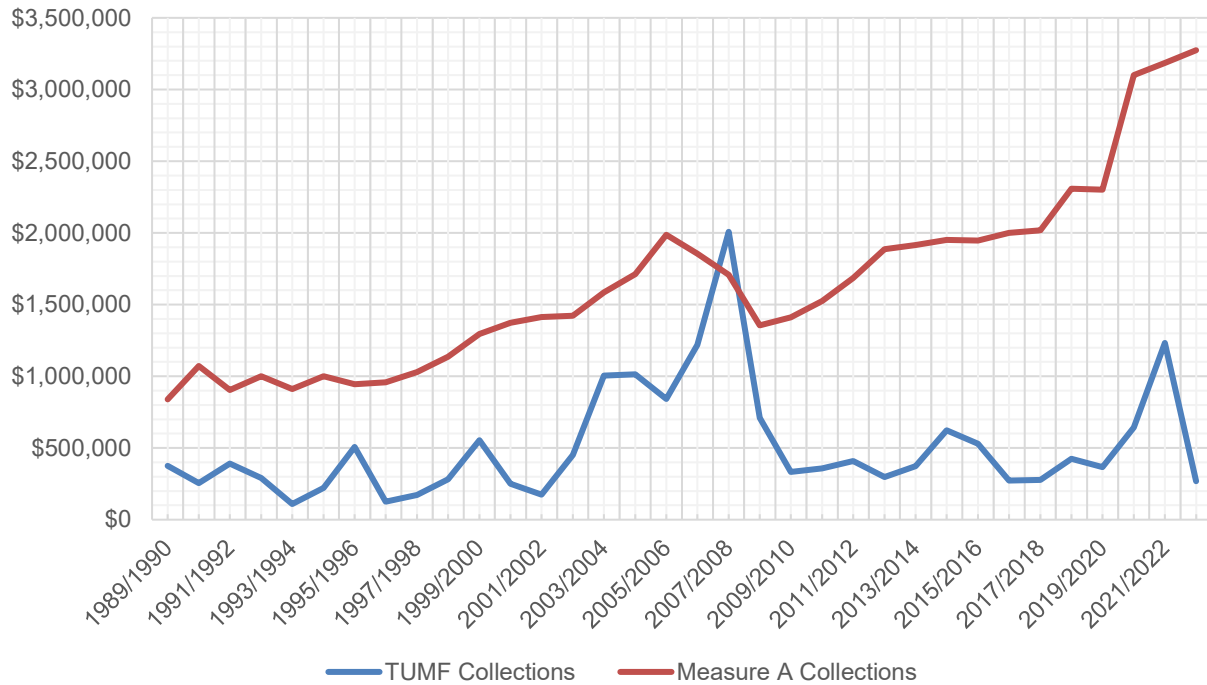


Figure 22: Cumulative TUMF collected by CVAG compared to Measure A funds collected by Palm Springs.

## Rancho Mirage

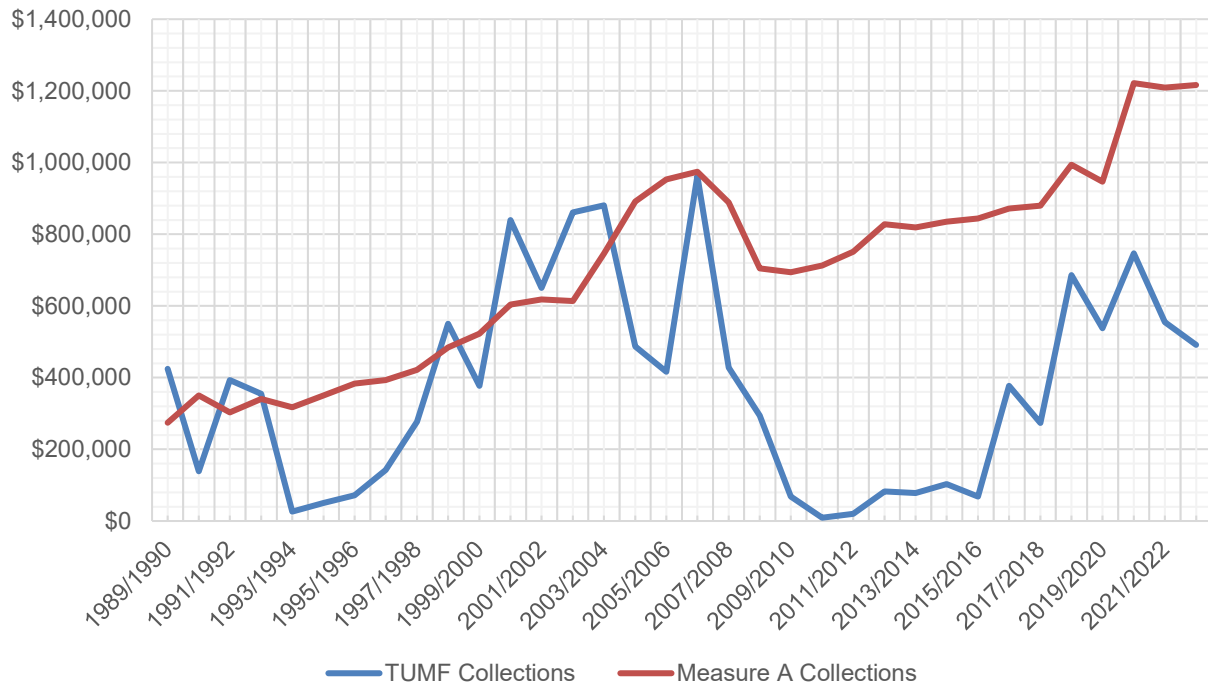


Figure 23: Cumulative TUMF collected by CVAG compared to Measure A funds collected by Rancho Mirage.

## Riverside County

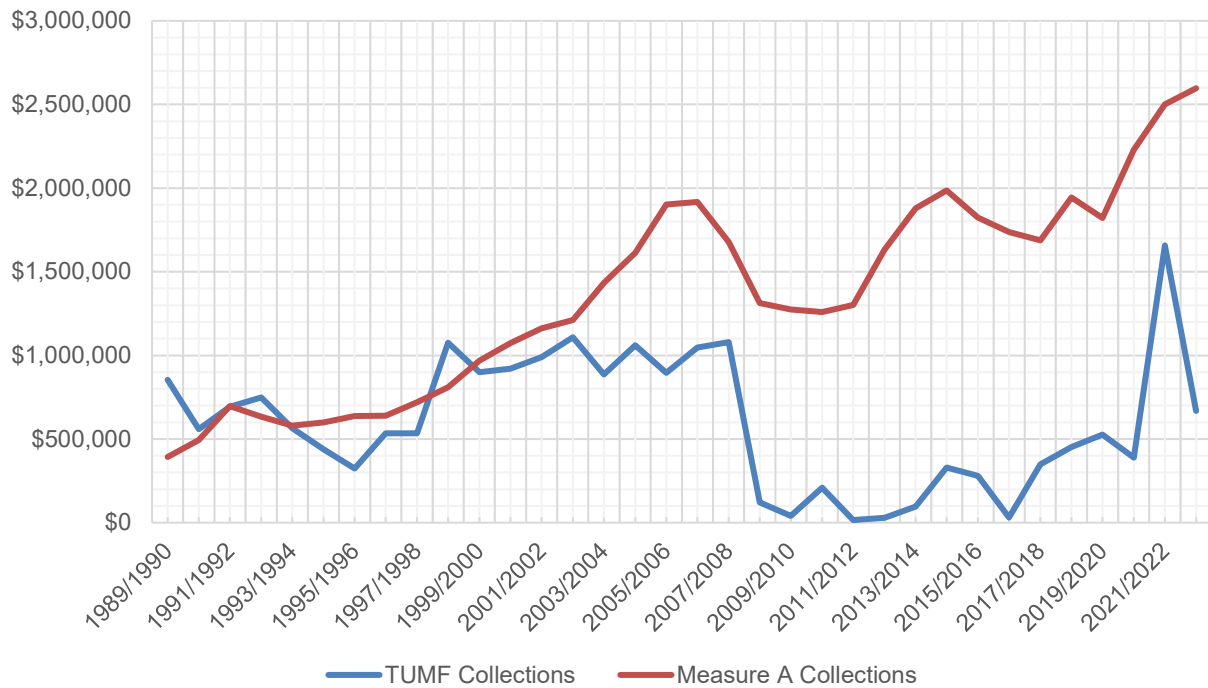


Figure 24: Cumulative TUMF collected by CVAG compared to Measure A funds collected by Riverside County.

## Congestion Management Program

The Congestion Management Program (CMP) is an effort to link land use, transportation, and air quality, to promote reasonable growth management programs that will effectively utilize new transportation funds, alleviate traffic congestion and related impacts, and improve air quality.

The CMP states: "Any jurisdiction that adopts a multi-jurisdictional Transportation Uniform Mitigation Fee (TUMF) which complements the objectives of the CMP, will be found in compliance with the CMP requirements." All jurisdictions, regardless of whether or not they participate in the TUMF Program, must comply with other required elements of the CMP, such as development of deficiency plans if the actual level of service (LOS) falls below the minimum CMP requirement standard of "E", a Transportation Demand Management (TDM) plan, and adherence to the Conformance and Monitoring Process.

Measure A funds are distributed to local jurisdictions for local street and road projects. These funds are distributed by the Riverside County Transportation Commission (RCTC), based on a Coachella Valley formula that applies a 50% weight to the proportionate share of dwelling units and a 50% weight to taxable sales generated. The CMP requires, as of January 1, 1992, that all new development be tracked in non-TUMF jurisdictions, and calculations performed annually, to demonstrate an equitable share of Measure A funds towards the Regional Arterial Program.

### CVAG Monitoring Process

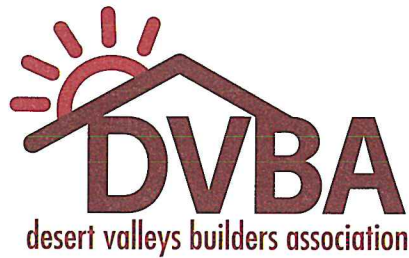
To meet requirements of the CMP, In-Lieu jurisdictions forward copies of their approved Building Activity Report (or its equivalent) to CVAG on a monthly basis. CVAG staff reviews the report and requests copies of building permits issued for all development subject to TUMF. Data is then extracted from the building permits and entered into the jurisdiction's database as if the jurisdiction was participating in the TUMF program. Estimation is obtained when fees are calculated on development subject to TUMF.

The City of La Quinta began participation in the TUMF Program in April 2013. Prior to its participation in the collection of TUMF, La Quinta forfeited its local Measure A to the Regional Arterial Program on a monthly basis. The amount of local Measure A was tracked and compared with estimated revenue that would have been generated if TUMF had been collected. CVAG has recovered all Measure A funds from La Quinta as of September 30, 2019.

Table 3: Expenditures on Measure A & TUMF eligible projects.

Project Description	Lead Agency <sup>1</sup>	Project Cost	Approved CVAG Share	Actual Expenditures Prior to FY 17/18	Actual Expenditures FY 17/18	Actual Expenditures FY 18/19	Actual Expenditures FY 19/20	Actual Expenditures FY 20/21	Actual Expenditures FY 21/22	Actual Expenditures FY 22/23	Total Expenditures to Date
<b>Interchanges</b>											
Interchange Preparation Fund	Various	\$ 14,049,238.75	\$ 14,239,238.75	\$ 5,126,986.94	\$ 827,766.80	\$ 3,451,214.96	\$ 1,304,285.39	\$ 123,407.25	\$ 1,117,650.82	\$ 126,256.32	\$ 12,077,567.48
Jackson St./I-10 IC	COR	\$ 8,300,000.00	\$ 6,225,000.00	\$ 879,007.86	\$ 240,692.41	\$ 1,429,739.85	\$ 608,883.09	\$ 197,655.55	\$ 207,548.27	\$ 799,945.59	\$ 4,363,472.62
Monroe St./I-10 IC	COR	\$ 14,137,200.00	\$ 12,102,900.00	\$ 764,237.78	\$ 234,370.70	\$ 1,280,917.83	\$ 733,006.98	\$ 193,912.35	\$ 2,057,142.74	\$ 2,578,316.65	\$ 7,841,905.03
Portola Ave./I-10 IC	COR	\$ 72,100,000.00	\$ 13,061,250.00	\$ -	\$ -	\$ 1,199,789.65	\$ 1,418,084.56	\$ 1,072,227.29	\$ 193,216.51	\$ 9,524.71	\$ 3,892,842.72
Jefferson St./I-10 IC	COR	\$ 77,886,000.00	\$ 42,160,000.00	\$ 24,794,743.50	\$ 2,526,375.42	\$ 839,987.59	\$ -	\$ 45,660.46	\$ -	\$ -	\$ 28,206,766.97
Avenue 50/I-10 IC	COA	\$ 2,800,000.00	\$ 2,300,768.00	\$ 1,361,229.00	\$ 654,736.92	\$ 259,613.98	\$ 25,188.10	\$ -	\$ -	\$ -	\$ 2,300,768.00
Indian Canyon Dr./I-10 IC	PS	\$ 26,476,137.00	\$ 3,142,835.00	\$ 2,604,198.31	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,604,198.31
Palm Dr./Gene Autry Tr./I-10 IC	COR	\$ 38,603,000.00	\$ 25,931,000.00	\$ 5,997,055.54	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,997,055.54
Date Palm Dr./I-10 IC incl. RR bridge	Various	\$ 31,721,000.00	\$ 17,181,000.00	\$ 11,678,993.37	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,678,993.37
Monterey Ave./I-10 Ramp Improvements	PD	\$ 8,100,000.00	\$ 5,150,000.00	\$ 3,990,633.40	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,990,633.40
<b>Subtotal Interchanges:</b>		<b>\$ 294,172,575.75</b>	<b>\$ 141,493,991.75</b>	<b>\$ 57,197,085.70</b>	<b>\$ 4,483,932.25</b>	<b>\$ 8,461,263.86</b>	<b>\$ 4,089,448.12</b>	<b>\$ 1,632,862.90</b>	<b>\$ 3,575,567.34</b>	<b>\$ 3,514,043.27</b>	<b>\$ 82,954,203.44</b>
<b>Bridges</b>											
Cathedral Canyon Bridge	CC	\$ 22,038,000.00	\$ 2,577,092.58	\$ 204,229.30	\$ -	\$ 58,910.30	\$ -	\$ 566,210.51	\$ 1,483,574.17	\$ 9,299.26	\$ 2,322,223.54
Ave. 66 Grade Separation	COR	\$ 23,490,000.00	\$ 16,964,667.00	\$ 2,355,213.07	\$ 379,345.70	\$ 3,105,748.25	\$ 4,279,140.40	\$ 3,618,244.59	\$ 1,972,967.32	\$ 520,473.80	\$ 16,231,133.13
Ramon Bridge Widening	PS	\$ 35,998,000.00	\$ 8,146,500.00	\$ 657,611.09	\$ 56,906.56	\$ 263,238.85	\$ 492,089.93	\$ 309,886.89	\$ 73,832.48	\$ 243,326.70	\$ 2,096,692.30
Vista Chino Bridge (across WWR)	PS	\$ 114,700.00	\$ 8,172,375.00	\$ 107,911.44	\$ 38,714.95	\$ 72,223.89	\$ 125,662.61	\$ 4,761.79	\$ 15,482.11	\$ 19,147.18	\$ 383,903.97
Dune Palms Bridge over WWR	LQ	\$ 19,993,000.00	\$ 9,119,730.00	\$ 154,962.67	\$ 414,810.68	\$ 691,953.59	\$ 558,541.81	\$ 279,840.58	\$ 286,611.62	\$ 903,950.33	\$ 3,290,671.28
South Palm Canyon Bridge	PS	\$ 101,968.00	\$ 865,326.00	\$ 49,809.73	\$ 12,790.28	\$ 28,677.48	\$ 12,772.62	\$ 32,812.83	\$ 3,655.26	\$ 1,841.91	\$ 142,360.11
East Palm Canyon Bridge	PS	\$ 102,083.00	\$ 1,109,811.00	\$ 25,714.78	\$ 18,193.23	\$ 16,963.55	\$ 5,299.66	\$ 133,408.85	\$ 68,413.95	\$ 77,636.36	\$ 345,630.38
Ave. 50 Bridge (WWR & SR86)	COA	\$ 7,407,835.00	\$ 5,535,626.00	\$ 356,093.43	\$ 86,569.99	\$ 125,156.01	\$ 224,987.05	\$ 46,490.43	\$ 554,688.77	\$ 210,037.69	\$ 1,604,023.37
Avenue 44 Bridge (across WWR)	Indio	\$ 19,230,000.00	\$ 3,216,000.00	\$ -	\$ 284,329.98	\$ 127,864.02	\$ 75,690.63	\$ 40,263.53	\$ 32,670.39	\$ 26,184.92	\$ 566,993.47
Ave. 56 Grade Separation	COR	\$ 22,218,043.00	\$ 14,884,000.00	\$ 12,421,562.59	\$ 952,902.31	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,374,464.90
Frank Sinatra Bridge (across WWR)	RM	\$ 35,290,000.00	\$ 4,548,658.00	\$ 128,982.29	\$ 39,199.50	\$ 20,825.41	\$ 24,265.56	\$ 37,034.59	\$ 20,409.04	\$ -	\$ 270,716.39
Date Palm Bridge (across WWR)	CC	\$ 18,703,000.00	\$ 1,608,925.00	\$ 193,820.80	\$ 1,083,342.32	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,277,163.12
Indian Canyon Ave. (from Garnet to and incl. RR crossing)	PS	\$ 21,500,000.00	\$ 7,500,000.00	\$ 1,342,311.90	\$ -	\$ 222,130.35	\$ 27,543.11	\$ 197,060.49	\$ 297,090.52	\$ 168,139.25	\$ 2,254,275.62
<b>Subtotal Bridges:</b>		<b>\$ 226,186,629.00</b>	<b>\$ 89,196,510.58</b>	<b>\$ 17,998,223.09</b>	<b>\$ 3,347,105.50</b>	<b>\$ 4,733,691.50</b>	<b>\$ 5,825,993.38</b>	<b>\$ 5,265,805.08</b>	<b>\$ 4,809,395.63</b>	<b>\$ 2,180,037.40</b>	<b>\$ 44,160,251.58</b>
<b>Arterial Links</b>											
North Indian Canyon (20th to Dillon)	COR	\$ 4,788,000.00	\$ 3,591,000.00	\$ 636,489.56	\$ -	\$ 1,036,124.06	\$ 369,637.89	\$ 194,697.22	\$ 2,524,828.32	\$ -	\$ 4,761,777.05
Avenue 48 - Van Buren to Dillon	COR	\$ 4,700,000.00	\$ 3,525,000.00	\$ -	\$ 245,314.68	\$ 319,933.84	\$ 30,545.79	\$ 135,207.55	\$ 84,515.52	\$ 191,183.18	\$ 1,006,700.56
Madison St. (from Ave. 52 to Indio Blvd.)	Indio	\$ 46,250,000.00	\$ 24,204,794.00	\$ 8,665,329.99	\$ 4,072,772.29	\$ 6,448,163.54	\$ 1,798,595.70	\$ 242,336.24	\$ 75,455.97	\$ 116,770.56	\$ 21,419,424.29
Traffic Signals Project	COA	\$ 1,950,000.00	\$ 1,725,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Jefferson St./Vamer Road north of I-10	Indio	\$ 6,000,000.00	\$ 4,500,000.00	\$ 1,611,753.83	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,611,753.83
Hwy. 111 in Indio	Indio	\$ 11,400,000.00	\$ 7,074,099.15	\$ 1,029,586.71	\$ 1,255,770.12	\$ 4,626,430.62	\$ 140,653.66	\$ -	\$ -	\$ -	\$ 7,052,441.11
Ave. 48 between Jackson and Van Buren	COA	\$ 3,622,000.00	\$ 991,500.00	\$ 83,066.23	\$ 26,418.04	\$ 41,773.56	\$ 840,242.17	\$ -	\$ -	\$ -	\$ 991,500.00
Date Palm Drive North of I-10	CC	\$ 3,116,000.00	\$ 2,337,000.00	\$ 464,133.55	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 464,133.55
Jackson Street Signal Improvements	Indio	\$ 3,000,000.00	\$ 2,655,900.00	\$ 198,081.05	\$ 2,278,420.28	\$ 8,439.40	\$ 167,959.27	\$ -	\$ -	\$ -	\$ 2,652,900.00
Avenue 50 (Calhoun to Harrison)	COA	\$ 4,500,000.00	\$ 3,375,000.00	\$ -	\$ -	\$ 197,149.72	\$ 88,705.98	\$ 209,539.78	\$ 57,850.01	\$ 665,318.06	\$ 1,218,563.55
Avenue 50 (SR86 to I-10)	COA	\$ 1,820,000.00	\$ 1,365,000.00	\$ -	\$ 692,970.11	\$ 37,776.05	\$ 15,206.26	\$ 273,472.69	\$ -	\$ 345,574.89	\$ 1,365,000.00
2017 ATP Regional Bicycle/Pedestrian Safety Program	Various	\$ 14,627,890.00	\$ 10,235,384.00	\$ -	\$ 722,787.67	\$ 1,461,151.14	\$ 3,008,033.24	\$ 1,369,880.71	\$ 1,762,498.55	\$ 1,020,987.44	\$ 9,345,138.75
Fred Waring/Washington Street Intersection	LQ	\$ 1,860,745.00	\$ 1,395,555.00	\$ -	\$ -	\$ -	\$ 252,092.04	\$ 929,945.27	\$ 116,140.66	\$ -	\$ 1,298,177.97
Avenue 50 and Jackson Street Intersection Improvement	Indio	\$ 1,594,600.00	\$ 1,195,950.00	\$ -	\$ -	\$ 8,797.73	\$ 190,868.03	\$ 85,515.55	\$ 81,595.83	\$ 194,012.64	\$ 560,789.78
2019 ATP Safety Program	Various	\$ 6,472,978.00	\$ 4,854,733.50	\$ -	\$ -	\$ -	\$ 1,520,510.45	\$ 731,836.76	\$ 523,696.71	\$ 46,122.75	\$ 2,822,166.67
Indian Canyon Two-way Conversion	PS	\$ 2,000,000.00	\$ 1,500,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000.00	\$ -	\$ 1,500,000.00
Grapefruit Blvd. between Leoco Lane and 9th Street	COA	\$ 5,024,462.00	\$ 1,453,820.83	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,453,820.76	\$ 1,453,820.76
Avenue 50 Widening (Jefferson St to Jackson St)	Indio	\$ 900,000.00	\$ 675,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 18,682.50	\$ 18,682.50
Jefferson St between Ave 38 and Sun City Blvd	Indio	\$ 300,000.00	\$ 225,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,648.50	\$ 1,648.50
Avenue 56 (Harrison to 111) FY 27/28 (Future)	COR	\$ 10,531,470.00	\$ 7,898,603.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Monterey Ave. from Dinah Shore to Gerald Ford (Future)	RM	\$ 1,877,072.00	\$ 770,034.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Portola Ave., N. of Gerald Ford Dr. FY 2021/22 (Future)	PD	\$ 2,139,739.00	\$ 534,934.83	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Frank Sinatra at Hwy 111 (Future)	RM	\$ 1,794,282.00	\$ 670,712.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Subtotal Arterial Links:</b>		<b>\$ 140,269,238.00</b>	<b>\$ 86,753,930.31</b>	<b>\$ 12,688,440.92</b>	<b>\$ 9,294,453.19</b>	<b>\$ 14,185,739.66</b>	<b>\$ 8,423,050.48</b>	<b>\$ 4,172,231.77</b>	<b>\$ 6,726,581.57</b>	<b>\$ 4,054,121.28</b>	<b>\$ 59,544,618.87</b>
<b>Total:</b>		<b>\$ 660,628,442.75</b>	<b>\$ 317,446,432.64</b>	<b>\$ 87,883,749.71</b>	<b>\$ 17,125,490.94</b>	<b>\$ 27,380,695.02</b>	<b>\$ 18,338,491.98</b>	<b>\$ 11,070,899.75</b>	<b>\$ 15,111,544.54</b>	<b>\$ 9,748,201.95</b>	<b>\$ 186,659,073.89</b>

COR-County of Riverside, RM-Rancho Mirage, IW-Indian Wells, PD-Palm Desert, PS-Palm Springs, CC-Cathedral City, COA-Coachella LQ-La Quinta;



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March 21, 2024

**Coachella Valley Association of Governments**

Tom Kirk, Executive Director

c/o Peter Satin, Conservation Program Manager

74-199 El Paseo, Suite 100

Palm Desert, CA 92260

Dear Mr. Kirk:

Thank you for providing the Desert Valleys Builders Association the opportunity to review the Coachella Valley Association of Government's "Transportation Uniform Mitigation Fee Annual and Five-Year Report, fiscal Year 2022-2023."

Inconsistencies were found in early drafts of the annual report.

Finally, upon completion of a third draft we are content that CVAG's annual reporting obligations pursuant to the Mitigation Fee Act have been met.

Respectfully,

Gretchen Gutierrez  
Chief Executive Officer

34360 Gateway Drive • Palm Desert • CA 92211

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www.TheDVBA.org

**ITEM 6D**

**Coachella Valley Association of Governments  
Transportation Committee  
April 1, 2023**



**STAFF REPORT**

**Subject:** TUMF Inflation Adjustment for Calendar Year 2025

**Contact:** Peter Satin, Conservation Program Manager ([psatin@cvag.org](mailto:psatin@cvag.org))

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**Recommendation:** Adopt a 3.6-percent increase in Transportation Uniform Mitigation Fee (TUMF) rates to take effect January 1, 2025, and update the TUMF Handbook to reflect the revised fee upon its effective date

**Background:** The Transportation Uniform Mitigation Fee (TUMF) was established in 1989 as a one-time impact fee charged on all new development occurring within the CVAG region. Monies collected through the TUMF program are applied to transportation-related capital facilities and infrastructure required to serve new growth within the Coachella Valley and are intended to compliment revenue generated through Riverside County's Measure A sales tax. To date, TUMF has provided less than the intended share of match toward Measure A funding.

The current TUMF rates were adopted in 2018 upon the completion of a revised Nexus Study, Transportation Project Prioritization Study, Regional Arterial Cost Estimate, and Active Transportation Plan. Prior to their adoption, the fee had remained unchanged at \$192/trip for over a decade. The 2018 Nexus Study originally proposed a revised fee of \$751/trip; however, this fee was reduced to the current \$245/trip after re-evaluating which regional transportation projects would likely be built in the near-term. This rate equates to \$2,313 for a single-family dwelling, as compared to the \$10,104 currently charged by Western Riverside Council of Governments for similar development.

The 2018 TUMF Handbook allows for the consideration of an annual inflation adjustment:

*The inflation factor shall be the same one utilized by the Coachella Valley Local Development Mitigation Fee, based on the Riverside-San Bernardino-Ontario Consumer Price Index (CPI). Such CPI will be reviewed annually by the Executive Committee which will determine whether or not to apply the inflation factor.*

The Local Development Mitigation Fee (LDMF) inflation factor is calculated on the CPI for All Urban Consumers (CPI-U), All items, as the over-the-year percent change, measured as of December in the calendar year which ends in the previous fiscal year. The Riverside-San Bernardino-Ontario CPI is measured every other month, and does not include data for the month of December. To approximate a data point for an unrecorded month, the Bureau of Labor Statistics (BLS) recommends taking the square root of the product of the indexes for the preceding and subsequent months, in this case November and January. This approximated December data point can then be used to calculate the over-the-year percent change.

Applying regular increases due to inflation is a preferred approach to infrequent increases to catch up over time. An inflation factor of 7.4-percent was applied across each of CVAG's TUMF

categories by the Executive Committee at its April 2023 meeting. In accordance with California’s Mitigation Fee Act, and to allow member jurisdictions time to update their local TUMF ordinances as needed, implementation of the inflation factor did not go into effect until January 1, 2024.

The CPI-U, All items for the Riverside-San Bernardino-Ontario metropolitan area rose by 3.58-percent for calendar year 2023. BLS notes that some entities choose to calculate “core” inflation on the CPI-U, less food and energy (the latter of which includes motor fuel), as these items tend to be more volatile in their pricing. Removing these volatile items from the regional CPI results in an inflation factor of 4.72-percent, largely due to reductions in the price of fuel and other energy sources. There is no specific index pertaining to the costs of land. As such, CVCC staff recommend applying the CPI-U, All items inflation factor of 3.58-percent to the current fee assessments, as described in the below table.

<i>TUMF Category</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Difference</i>
<u><i>Residential (per dwelling unit)</i></u>			
<i>Single family detached</i>	\$2,740	<b>\$2,840</b>	\$100
<i>Multi-family attached</i>	\$1,580	<b>\$1,635</b>	\$55
<i>Nursing/congregate care</i>	\$585	<b>\$605</b>	\$20
<i>Transit oriented single family</i>	\$2,330	<b>\$2,415</b>	\$85
<i>Transit oriented multi-family</i>	\$1,345	<b>\$1,395</b>	\$50
<u><i>Non-Residential (per 1,000 sq. ft)</i></u>			
<i>Retail</i>	\$7,130	<b>\$7,385</b>	\$255
<i>Office</i>	\$2,835	<b>\$2,935</b>	\$100
<i>Industrial</i>	\$1,440	<b>\$1,490</b>	\$50
<i>Fuel - gas (per dispensing unit)</i>	\$10,220	<b>\$10,585</b>	\$365
<i>Fuel - electric (per dispensing unit)</i>	\$105	<b>\$110</b>	\$5
<i>Hotel (per room)</i>	\$4,165	<b>\$4,315</b>	\$150
<i>Golf course (per acre)</i>	\$1,090	<b>\$1,130</b>	\$40

The revised rates would be implemented January 1, 2025 so that member jurisdictions will have sufficient time to amend local ordinances. The rates listed in the TUMF Handbook will also be updated at that time to reflect the adjustment.

This information was provided to the Desert Valleys Builders Association (DVBA) for comment on March 8, 2024. They have submitted a letter (attached) indicating support for a “periodic, systematic, and standard increase.”

**Fiscal Analysis:** Based on TUMF revenues generated in fiscal year 2022-2023, adjusting current TUMF rates based on the CPI-U, All items inflation rate of 3.56-percent would result in additional revenue of \$275,774.

Revising the TUMF Handbook will have no fiscal impact.

**Attachments:** DVBA comment letter dated March 21, 2023

**ITEM 6E**

**Coachella Valley Association of Governments  
Transportation Committee  
April 1, 2024**



**STAFF REPORT**

**Subject:** Funding a Non-Infrastructure Project in Cycle 7 of the State's Active Transportation Program

**Contact:** Randy Bowman, Transportation Program Manager ([rbowman@cvag.org](mailto:rbowman@cvag.org))

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**Recommendation:** Authorize the Executive Director to commit regional transportation funding to CVAG's non-infrastructure grant application to maximize leveraging points in the application for Cycle 7 of the state's Active Transportation Program, with the condition that actual expenditure of funds would be dependent on securing the grant funding

**Background:** The Coachella Valley has made it a priority to make significant investments in the local and regional transportation networks, particularly as it pertains to creating safe routes for pedestrians and cyclists. The California Transportation Commission's Active Transportation Program (ATP) is a major source of state and federal funding for projects. The ATP is an incredibly competitive grant program that attracts hundreds of applications each cycle – and the Coachella Valley has been consistently successful in bringing home millions of dollars for local and regional projects. Since 2014, CVAG and its members have received \$108.4 million in ATP funding.

For the previous ATP cycles, CVAG has submitted a grant application that focuses on the design or construction of a regional multi-modal project, such as CV Link and connections such as CV Link. This year, after coordinating with CTC staff and local partners, CVAG staff is taking a different approach and will be seeking funding for a valley-wide active transportation education and awareness program. This project, which the CTC refers to as a non-infrastructure program, will allow CVAG to bolster its investments in CV Link, the Arts and Music Line and other connections that cities have built.

The education and awareness program supports goals and objectives of the 2010 Non-Motorized Transportation Plan and 2016 Active Transportation Plan for the development and implementation of education and encouragement plans aimed at youth, adult cyclists, pedestrians, and motorists to increase public awareness of the benefits of bicycling and of available resources and facilities. The program will also support programming and activating the CV Link, which is expected to be substantially completed by the end of 2024. The 2016 CV Link Conceptual Master Plan recommended marketing promotional activities such as sporting and fitness events such as bike tours, running and walking events, and dog walk days to improve community health; and educational events and programming.

CVAG received feedback on the program concept from CTC staff when they held a workshop in the desert in January. CVAG staff went into greater project detail during a virtual site visit in March. The California Transportation Commission will receive applications for ATP Cycle 7

funding through June 17, 2024. The feedback from CTC staff has been generally positive and staff is developing a grant application that addresses the CTC feedback and highlights previous ATP investments such as CV Link. Principal elements of the program will include public participation, alignment to CTC ATP requirements, addressing the potential to increase biking and walking and reduce fatalities and injuries, demonstrating how the program will be evaluated for effectiveness, and innovative elements. In addition, the program will demonstrate how it will benefit schools and neighborhoods in disadvantaged communities adjacent to the CV Link.

The program, if funded, is expected to span three years, with the first year including procurement of vendors and program setup followed up two full years of education and engagement activities. Highlighted activities in the proposed program include:

- Community bike rides and bike challenges;
- Traffic gardens (parking lots marked for mini-city bicycle and pedestrian education);
- Creating and publishing a regional bike and trail map;
- Bike/walk to school events;
- Bike rodeos;
- Community art walks and rides;
- Community twilight rides; and
- Publishing a playbook to sustain the program beyond the grant funding

Staff has begun outreach to the community and prospective partners and engagement activities will continue this spring to reinforce the community support required for the grant application. The proposed program is similar to the smaller education program being conducted for the Arts and Music Line project using local funds. CVAG signaled its commitment to conduct the program in the Cycle 6 grant application, which helped CVAG win \$36,483,000 for the construction of the project. The Executive Committee authorized the education program consultant contract in December 2023, and work is under way to launch the program in fall 2024. The valley-wide education program will utilize many of the elements of the Arts and Music Line program for other areas of the Coachella Valley.

While CVAG and the valley have been successful in securing ATP funds, staff would caution that this is an extremely competitive funding program. Projects are scored on a 100-point scale, with every point counting. Evaluators consider cost-effectiveness, community buy-in and available matching funds in providing an application score. In a tight budget year, such the one the State is facing now, it is not uncommon for projects to need more than 90 points to be in the money. Staff is now recommending the Committee approves the funding approach approved in the last three cycles of ATP, which is to authorize the Executive Director to use regional transportation funding in order to maximize the prospects of a high-scoring grant application.

**Fiscal Analysis:** The exact amount of funds needed for the project is still being determined as the consultants finalize the scope of the project; however, the project is currently estimated to cost approximately \$3.1 million. Generally, showing a match of at least 20 percent can help maximize the score. As was done in the previous ATP cycles, CVAG staff is recommending that a local share of funding be committed locally. For the proposed grant application, the commitment of local funding will help with the scoring for a sustained program beyond the grant funding.

As was done in Cycles 4-6, the additional funding will be identified and reported to the Executive Committee once the total project cost is known, which could be in the Fall 2024 based on the

current ATP grant cycle. Staff is recommending that, with approval of this item, the allocation of regional transportation funding is conditioned on successfully securing the grant funds.

## **ITEM 7A**

**Coachella Valley Association of Governments  
Transportation Committee  
April 1, 2024**



### **STAFF REPORT**

**Subject:**       **Regional Pavement Management Program**

**Contact:**       Jonathan Hoy, Director of Transportation ([jhoy@cvag.org](mailto:jhoy@cvag.org))

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**Recommendation: Direct the Executive Director to update the 2011 Pavement Management Analysis Report and return with policy recommendations for a Regional Pavement Management Program for CVAG’s Regional Arterial Roadway Network**

**Background:** Over the years, CVAG staff have considered the creation of a regional pavement management program that would address pavement maintenance on CVAG’s regional arterial roadway network. Currently, member agencies are responsible for pavement maintenance of both regional arterials and local roadways within their jurisdictional boundaries. A regional pavement management program would use a cost-sharing approach to lessen the burden on member jurisdictions and achieve consistent quality along major arterials, economies of scale and properly timed lane closures that minimize impact on residents and visitors, particularly during major events.

With this agenda item, staff is recommending some initial steps in developing a pavement management program, including directing the Executive Director to update the 2011 Pavement Management Analysis Report. Based on the Transportation Committee’s direction, CVAG staff intends to secure cost proposals from vendors on the recently approved Qualified Vendor List and present a proposed contract with scope of work for Committee approval. Staff would also analyze the cost implications of the program, not just in reduced costs for cities but also funding opportunities at the regional level.

#### *Importance of Pavement Management*

Pavement management is the process of planning, budgeting, funding, designing, constructing, monitoring, evaluating, maintaining, and rehabilitating the pavement network to provide maximum benefits for available funds. A pavement management system is a set of tools or methods that assists decision makers in finding optimum strategies for providing and maintaining pavements in a serviceable condition over a given time period.

Once implemented, an effective pavement management system can assist agencies in developing long-term rehabilitation programs and budgets. Essentially, these investments are made in order to extend the useful life of a roadway. The key is to develop policies and practices that delay the inevitable total reconstruction for as long as practical yet still remain within the target zone for cost effective rehabilitation. Cities and Riverside County use agency-specific pavement management programs to implement rehabilitation activities, such as pothole repair, slurry seals, overlays, and reconstruction within their jurisdictions.

As shown in Figure 1, over time pavement quality drops until the pavement condition is unacceptable. Streets that are repaired when they are in a good condition will cost less over their lifetime than streets

that are allowed to deteriorate to a poor condition. Without an adequate routine pavement maintenance program, streets require more frequent reconstruction, thereby costing millions of extra dollars.

Figure 2 illustrates the approach, as each roadway approaches the steep part of its deterioration curve, applying a remedy will extend the pavement life - at a minimum cost, thereby avoiding costly heavy overlays and reconstruction. Thus, the goal of a pavement management system is to identify the optimal level of funding, timing, and renewal strategy agencies should adopt to keep their roadway network at a satisfactory level of service.

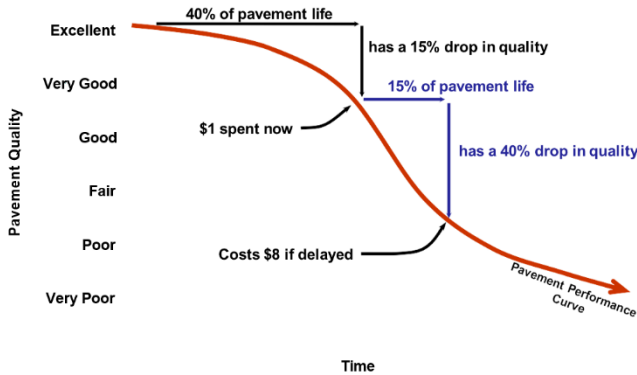


Figure 1 Pavement Deterioration and Life Cycle Costs

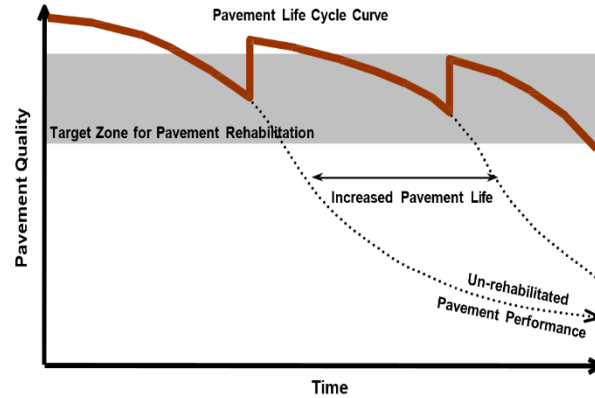


Figure 2 Pavement Life Cycle Curve

Pavement quality is determined by observing the level of distress and assigning a score between 0-100, which is called the Pavement Condition Index (PCI). PCI values are used to approximate the remaining pavement life and to identify the level of maintenance or rehabilitation required by a segment of street pavement. Higher PCI values indicate that less expensive treatment types, like crack sealing or slurry seal are needed, while lower PCI values indicate that more expensive treatments such as overlay or reconstruction are required to maintain the street's integrity

PCI	Condition Description	Possible Rehab Activities	Potential Remaining Life
100	Excellent	Routine Maintain Activities	15 to 25 Years
95			
90			
85	Very Good	Seal Coats, Slurries, Chip Seals, Microsurfacing	12 to 20 Years
80			
75			
70	Good	Thin Overlays, Possibly With Localized Repairs and Edge Grinding	10 to 15 years
65			
60			
55	Fair	Progressively Thicker Overlays, Possible Full With Grinding and Base Rrepairs	7 to 10 Years
50			
45			
40	Moderate		
35			
30			
25	Poor	Partial to Full Reconstruction, Possibly With Base Stabilization	0 to 10 Years
20			
15			
10	Very Poor		
5			
0			

## *Implementing a Regional Pavement Management Program*

Regional arterials typically have four to six travel lanes and convey both regional and local traffic. This considerable amount of traffic leads to significant pavement distress, thus requiring a higher level of maintenance than lesser capacity local and residential streets. Cities and the County generally use a combination of state Gas Tax, Senate Bill (SB1) Road Maintenance & Rehabilitation Account funding, and general fund revenues to finance these improvements, which are generally identified under their respective Capital Improvement Programs. When SB1 was approved in 2017, it essentially doubled the Gas Tax revenues that Cities and the County have available for maintenance. Despite this fact, there is not enough funding and there are concerns that the gas tax may dwindle, due to electrification of the fleet, unless alternative, for example mileage based, strategies replace or supplement it. To meet the overall needs of pavement maintenance within these jurisdictions, leading agencies have to pick and choose which streets receive treatment, resulting in lower pavement conditions throughout their roadway network. These funding deficiencies compound year to year making it more and more difficult to prevent the deterioration of their roadways.

Investing in a regional pavement management program in a cost-sharing partnership with the cities and county would extend the life of regional roadways and ensure they do not deteriorate to a poor condition.

Under the Measure A ordinance, CVAG is responsible for programming 50% of Coachella Valley funding toward state highways and regional road improvements that will help relieve traffic congestion, increase safety, improve air quality, plan adequately for traffic, and capacity enhancements. Measure A also allows revenues to be used for preventative maintenance if a majority of Coachella Valley local governments give approval. The Transportation Project Prioritization Study (TPPS) functions as the implementation plan for this endeavor. The TPPS is generally updated every five years, and serves as an unbiased, methodological way to provide CVAG direction in determining funding for regional arterials by prioritizing the eligible study segments. To date, the TPPS has focused on building out the regional transportation network and therefore has not included preventative maintenance projects.

During the 2010 TPPS update, CVAG evaluated the potential for implementing a pavement management system and the Executive Committee commissioned a Pavement Management Analysis Report. The final 2011 report found that the nine Coachella Valley cities and Riverside County of CVAG have nearly 350 miles of streets that make up their inter-agency arterial roadway network. Using a replacement cost of \$2.4 million per mile, CVAG agencies have over \$840 million invested in their arterial roadway network that would benefit from a regional pavement management program.

While CVAG staff and public works directors certainly saw a need to implement a pavement management program ~14 years ago, there were still billions of dollars of bridge replacement, new or upgraded interchanges and capacity enhancing roadways that were unfunded in the region's TPPS. The top 10 projects identified in the 2010 TPPS update alone totaled over \$345 million. These costs raised cashflow concerns, therefore pavement maintenance was not included in the final 2010 TPPS update. These competing and complementary priorities and lack of funding to accomplish all that is desired persists today. While SB1 provided additional local streets revenue, CVAG, and RCTC's, formula state and federal sources of funding that went to big projects has largely dried up, mostly due to changes in the State's transportation policy. That said, CVAG has benefitted from planning ahead, even when the source of funding for programs is uncertain, "Shovel Ready" is as relevant to a pavement management program as it is to an interchange or bridge.

The recommended action would take an initial step in the development of this program by updating the 2011 Pavement Management Analysis Report. Staff anticipates needing consulting support for this analysis and has started to seek proposals from the Qualified Professional Services Vendor List, which the CVAG Transportation and Executive Committees approved in February 2023. CVAG will work with public works staff from Cities and the County to select a consultant and update the 2011 report. The

recommended consultant agreement will be presented for Committee approval prior to starting work on this project.

This analysis can take between six months and one year to complete. Once the report has been updated a program can be developed that would allocate a share of regional funding to implement maintenance and repair strategies for pavement on the regional arterial roadway network.

**Fiscal Analysis:** Staff is currently seeking consultant proposals to determine the full cost of updating the 2011 Pavement Management Analysis Report. Staff estimates the work will cost about \$250,000, and Measure A funding can be used for this cost.

The costs of the pavement management program would be calculated as part of the update. Staff is also exploring opportunities to fund the program, either through Measure A or other funding sources being explored by Riverside County Transportation Commission.

## **ITEM 7B**

**Coachella Valley Association of Governments  
Transportation Committees  
April 1, 2024**



### **STAFF REPORT**

**Subject:** Next Steps for the Arts and Music Line Project

**Contact:** Randy Bowman, Transportation Program Manager ([rbowman@cvaq.org](mailto:rbowman@cvaq.org))

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**Recommendation: Authorize the Executive Director to take the following actions for the Arts & Music Line project:**

1. **Execute Amendment No. 3 to the agreement with Albert A. Webb Associates to extend the term to December 31, 2025, for an additional not-to-exceed amount of \$2,234,565; and authorize the Executive Director and/or Legal Counsel to make clarifying changes/revisions before execution; and**
2. **Negotiate and execute amendments to existing reimbursement agreements with the Cities of Coachella, Indio and La Quinta to adjust the local share of pre-construction services**

**Background:** In December 2022, the Executive Committee, at the recommendation of the Transportation Committee, authorized the Executive Director to take the necessary steps to accept \$36.483 million in Active Transportation Program (ATP) funding for the Arts and Music Line (AML project). This innovative multi-modal project will provide nearly nine miles of protected bicycle facilities (Class 1 and Class 4) along Avenue 48, Van Buren Street, Hjorth Street, the La Quinta Evacuation Channel, and Dillon Road in the Cities of La Quinta, Indio and Coachella. It will also provide more than six miles of new or upgraded Class 2 and Class 3 bikeways that directly connect the project to 11 disadvantaged schools.

The project scope includes branded elements like colored concrete, special markings and signage, lighting, two bridge under-crossings, traffic signal construction, paving, concrete channel modifications as well as connections to the CV Link and to the polo grounds, which is home to the world-renowned Coachella and Stagecoach art and music festivals. It also features innovative safety features including bicycle signals with fully protected bicycle movements, raised and/or recessed bike/pedestrian crossings, and bicycle signal indicators to alert cyclists that they have been detected by the traffic signal.

CVAG's work with the project design team – Webb and Associates – predates the ATP award and their work helped to secure the outside funding. The contract was authorized by the Executive Committee on September 30, 2019 and has been amended twice since then. The Executive Director executed a no-cost time extension on September 30, 2021. On December 5, 2022, the Executive Committee authorized Amendment No. 2, which further extended the design contract term and added additional budget to incorporate the required National Environmental Policy Act (NEPA) review process, and the design changes proposed in the ATP grant application.

Staff is now recommending Amendment No. 3 to cover additional project coordination needed to complete the environmental review and get the project construction-ready.

Since December 2022, Webb has brought the project design to 90 percent complete, extensively engaging with the partnering cities, Tribal government staff, Caltrans, Coachella Valley Water District (CVWD), Union Pacific Railroad (UPRR), and other utilities. Substantial, additional project coordination and design effort have been required to get the plans to this current status, which has depleted the contract balance sooner than expected. Additional project coordination and design efforts have also been needed to meet new requirements in the federal Build America Buy America Act enacted in October 2023. Additional work also included field survey and utility coordination; additional traffic signal installations; stormwater mitigation design; coordination meetings with the CVAG CV Sync and CV Link projects; incorporating input from the project municipal partners and other stakeholders, and CVWD; value engineering activities to balance construction and operations and maintenance costs of the project after construction; and additional plan and specification preparations to meet Caltrans requirements. A key element of the project is the extension of a Class 1 shared use path from Avenue 48 along the La Quinta Evacuation Channel, which will connect with the CV Link at Promontory Point north of Highway 111. CVAG has invested approximately \$300,000 to date engaging CVWD regarding the design of the path and its crossing through the intersection of Jefferson Street and Highway 111. CVAG anticipates an additional \$360,000 is needed to resolve design issues with CVWD before the project plans are completed. Further effort will be needed to complete the plans, acquire additional right-of-way, and provide assistance to respond to technical questions from bidders during the construction bidding stage in 2025.

The NEPA approval and 100 percent project plans are scheduled to be complete this summer, followed by limited right-of-way finalization. Construction is anticipated to start in 2025. With this item, staff is recommending Amendment No. 3 to the existing contract with Albert A Webb Associates contract for additional budget to cover the additional project coordination and design effort needed from the designer to get the project to construction contract award. Staff also anticipates returning to the Committee once construction is awarded to consider another amendment with Webb for construction support will be recommended with the construction contract award. In addition to recommending execution of the contract amendment, staff is seeking authorization to negotiate and execute amendments to the cost-sharing agreements that CVAG has with the cities of La Quinta, Indio and Coachella. These recommended actions would also authorize the Executive Director and/or Legal Counsel to make clarifying revisions before execution

**Fiscal Analysis:** The original contract for Webb Associates was for a not-to-exceed amount of \$2,731,897 and a contract term of November 18, 2021. Amendment No. 1 extended the contract term to December 31, 2022 at no additional cost. Amendment No. 2 increased the contract amount by an additional \$1,060,000 and extended the contract term to December 31, 2024. Amendment No. 3 will increase the contract amount by an additional \$2,234,565 and extend the contract term to December 31, 2025.

Funding is being split on the 75 percent/25 percent funding formula that is standard for regional projects. Because the Arts and Music Line's local share spans more than one jurisdiction, the approved reimbursement agreements split the 25 percent local share based on the length of the project in each jurisdiction. Consequently, the local share has been split with the City of La Quinta covering 25 percent, City of Indio covering 67 percent, and the City of Coachella covering the remaining 8 percent. CVAG staff will revise the agency reimbursement agreements to account for the additional \$2,234,565. With approval of Amendment No. 3, the adjusted local share totals for design services will be as follows:

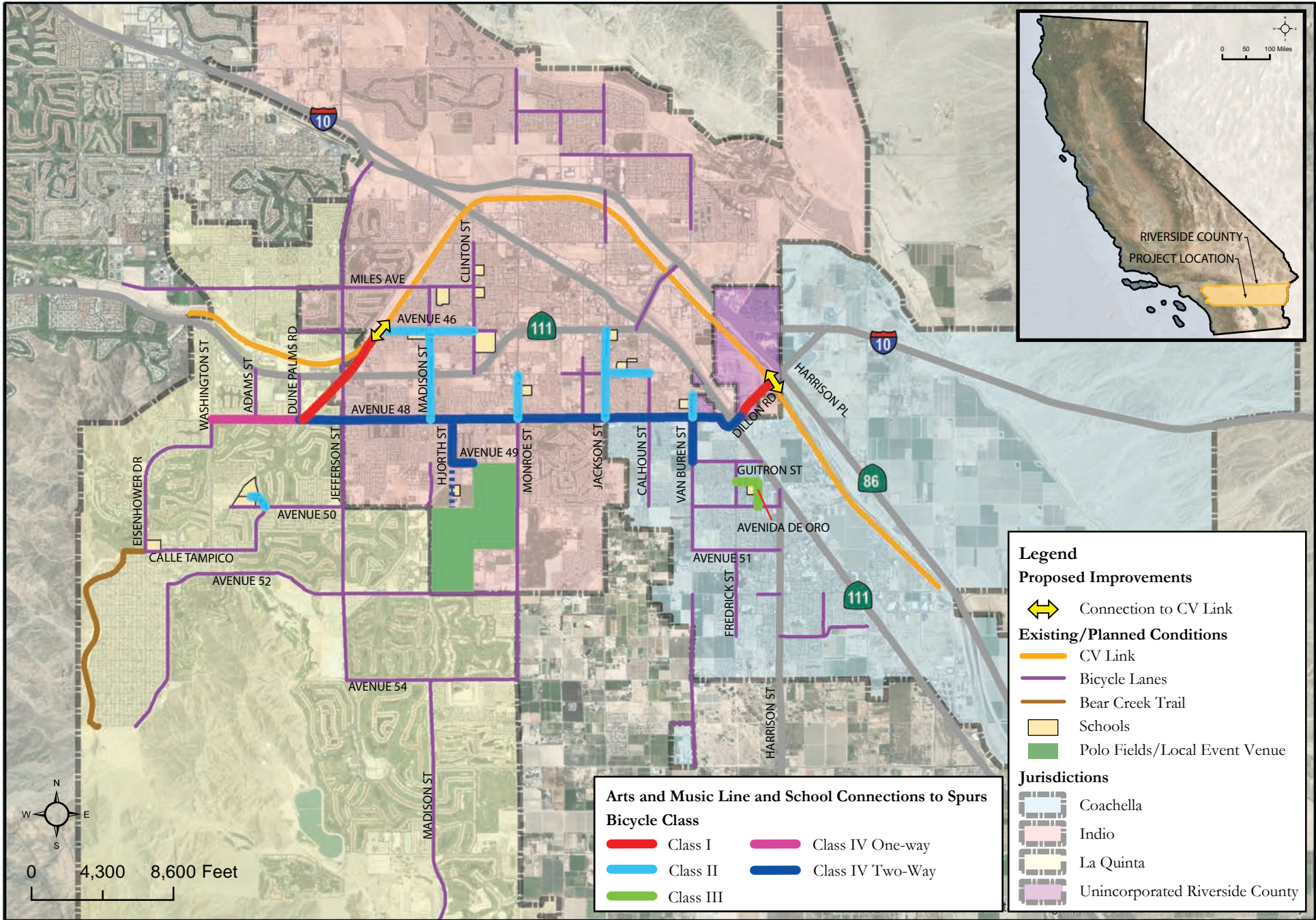
<u>La Quinta</u>	<u>Indio</u>	<u>Coachella</u>	<u>Local Share (25%)</u>
\$376,654	\$1,009,433	\$120,529	\$1,506,616
25%	67%	8%	100%

CVAG staff has coordinated with the staff at these partnering cities about the anticipated cost.

Looking ahead, CVAG staff continues to look for additional funding opportunities for the AML. Construction costs continue to rise and are being tracked as the project design continues. Staff will also work with its member jurisdictions to address cost-sharing of the local share of the construction phase, allowing them to budget for future fiscal years.

**Attachments:**

1. Project Location Map
2. Albert A. Webb Associates – Art & Music Line Amendment No. 3



CVAG Arts and Music Line  
Active Transportation Program Cycle 6 Grant Application

Project Location Map

**AMENDMENT NUMBER THREE**  
**to the**  
**ALBERT A. WEBB ASSOCIATES**  
**PROFESSIONAL ENGINEERING AND ENVIRONMENTAL SERVICES AGREEMENT**  
**for the**  
**COACHELLA VALLEY ART AND MUSIC LINE**

This **AMENDMENT NUMBER THREE** is made and entered into this 29<sup>th</sup> day of April 2024, by and between the **Coachella Valley Association of Governments**, a California joint powers agency (**CVAG**), and **Albert A. Webb Associates (Consultant)**, and is made with reference to the following background facts and circumstances. All other terms and conditions shall remain the same as stated in the original Agreement dated November 18, 2019, for the Coachella Valley Art and Music Line project.

1. **This Amendment Number Three extends the term of the contract to December 31, 2025.**
2. **This Amendment Number Three authorizes the additional scope of services in accordance with the attached Albert A. Webb Associates letter dated March 11, 2024 for the not-to-exceed amount of \$2,234,565.00. The total amount payable shall not exceed \$6,026,462.00.**

Original Contract	November 18, 2019	\$2,731,897.00
Amendment Number One	September 27, 2021	No Cost
Amendment Number Two	December 5, 2022	\$1,060,000.00
Amendment Number Three	April 29, 2024	<u>\$2,234,565.00</u>
<b>Total Contract not-to-exceed</b>		<b>\$6,026,462.00</b>

**IN WITNESS WHEREOF**, the parties hereto have caused this **Amendment Number Three** to be executed by their duly authorized representatives on this date:

**COACHELLA VALLEY ASSOCIATION  
OF GOVERNMENTS**

**ALBERT A. WEBB ASSOCIATES**

By: \_\_\_\_\_  
Tom Kirk, CVAG Executive Director

By: \_\_\_\_\_  
Dilesh Sheth, Senior V.P.

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Attachment A-1**

**Albert A. Webb Associates – Art & Music Line Amendment No. 3  
Additional Scope of Services and Compensation**

Please refer to the following Albert A. Webb Associates letter dated March 11, 2024.

DRAFT



**Corporate Headquarters**  
3788 McCray Street  
Riverside, CA 92506  
951.686.1070

**Murrieta Office**  
41870 Kalmia Street #160  
Murrieta, CA 92562  
T: 951.686.1070

March 11, 2024

Mr. Randy Bowman  
Program Manager - Transportation  
Coachella Valley Association of Governments  
74-199 El Paseo, Suite 100  
Palm Desert, CA 92260

**RE:** CVAG' s Arts & Music Line Contract Amendment

Dear Randy:

Albert A. Webb Associates (WEBB) is requesting a budget amendment for Arts & Music Line to provide additional professional services related to additional engineering and additional environmental documentation according to the National Environmental Policy Act (NEPA).

The Scope of Services is described in Exhibit A, and the Compensation for Additional Work is described in Exhibit B.

We look forward to continuing to work with CVAG on this project.

Sincerely,

**Albert A. Webb Associates**

  
Dilesh Sheth, PE, TE  
Senior Vice President



## **EXHIBIT A - SCOPE OF SERVICES**

### **Task 1 – Additional NEPA Services**

#### NEPA Technical Studies

Additional effort associated with the Caltrans NEPA document coordination and technical studies.

#### HRER

- Æ will prepare an Historic Resource Evaluation Report (HRER) to the standards outlined in Caltrans Standard Environmental Reference (SER), Volume 2, Cultural Resources.
- Æ will include additional time for Caltrans' second review of the Historic Properties Survey Report (HPSR) packet to accommodate two rounds of comments for the HRER.
- WEBB will include additional time for Caltrans review and coordination.

#### La Quinta Evacuation Channel East Bank

Address the change in project design from the west to the east bank of the channel:

- Æ will conduct a pedestrian spot-check survey of the east side of the La Quinta Evacuation Channel.
- Æ will update the HRER, Archaeological Survey Report (ASR), Area of Potential Effects (APE) map, and HPSR with the revised project description and survey results.
- Æ will include additional time for a third round of review and comments of the HPSR packet by Caltrans.
- WSP will conduct a site visit of east bank and prepare a memorandum for Caltrans review and approval to supplement the approved Natural Environment Study – Minimal Impacts (NES-MI) and Jurisdictional Delineation.
- WEBB will include additional time for Caltrans review and coordination.

#### Water Quality Technical Memorandum

- WEBB will address the comments from Caltrans requesting additional detail in the Water Quality Technical Memorandum (WQTM).
- A Risk Level Assessment will be conducted and requested calculations of disturbed surface will be provided for the entire project and the east bank alignment change.
- WEBB will include additional time for Caltrans review and coordination.

#### Traffic Study

Analyze additional intersections for traffic signal warrants.

- Youngs Lane & Avenue 48
- Solano Avenue/Sundial Street & Avenue 48
- Oasis Street & Avenue 48
- Rancho Las Flores Park Driveway & Van Buren Street
- Van Buren Street with an RRFB or Pedestrian Hybrid Beacon at Martin Van Buren Elementary
- Avenue 49 and Braley Court, a Pedestrian Hybrid Beacon

## **Task 2 – Geotechnical and Drainage Analyses for the Bike Barrier Mitigations**

Avenue 48 within the boundaries of the City of Indio and the City of Coachella currently does not have the Master Drainage System in place. Consequently, it frequently experiences significant water accumulation on the street during rainstorms. In response to this issue, both cities have sought drainage solutions to address the reduced capacity resulting from the proposed bike barrier on the street's north side. As part of our inquiry, we have pinpointed medians near Solano Avenue as potential locations for implementing underground storm drain systems. Our scope of service is as follows:

- We will prepare drainage analysis to determine the loss of capacity due to bike barriers along Avenue 48 between Washington Street and Dillon Road.
- We will prepare drainage analysis to determine the mitigation stormwater volume at the downstream end of Avenue 48 to keep the flow depth to the previous condition.
- We will prepare drainage analysis to determine the underground drainage system needed to mitigate the additional flow.
- We will perform hand excavation of four percolation borings to depths up to 10 feet below the ground surface. Collect soil samples for grain size analyses. Set percolation pipe in the percolation borings and pre-saturate the test locations.
- We will perform percolation testing in accordance with the Riverside County Handbook. Upon test completion, we will pull the percolation pipe and loosely backfill the borings with native soil.
- We will perform laboratory testing, which is anticipated to include grain size analyses. The final laboratory test program will depend on the soil conditions encountered during the investigation.
- We will prepare a limited percolation test report for the project, including a discussion of the soil types encountered, grain size analyses test results, percolation test data with calculated infiltration rates, and a figure depicting the percolation test locations.

## **Task 3 – La Quinta Evacuation Channel Connector (LQEC Connector) Technical Memorandum, Alignment and Design Changes**

Assess five potential alignment options for the LQEC connector and draft a technical memorandum outlining the rationale behind selecting the preferred option.

In response to a request from CVWD staff during the December 18<sup>th</sup> meeting, relocate the LQEC Connector to the east bank and ensure the Channel Connector remains outside of a 100-year flood zone. Our scope of service includes:

- We will prepare preliminary alignment and profile for the east bank LQEC Connector. Prepare preliminary retaining wall profile to keep the 100-year flood. Prepare preliminary drainage analysis for before and after conditions.

- We will provide coordination with the CVWD and their consultant for preliminary design and drainage analysis approval.
- We will prepare the final alignment and profile for the east bank LQEC Connector. Prepare the final retaining wall profile design to keep the 100-year flood. Prepare final drainage analysis for before and after conditions. Prepare scour analysis per CVWD requirements.
- We will prepare a structural design for the retaining wall and the LQEC Connector.
- We will prepare electrical design alternatives and final electrical design plans.
- We will prepare plans for the safety features (phone booth, surveillance camera, and sensors).
- We will coordinate with the CVWD and their consultant to approve the final design, drainage, and scour analysis.

#### **Task 4 – Hjorth Street Alignment Extension to Avenue 50**

The Mountain Vista Elementary School (School) is located between Avenue 49 and Avenue 50 on Hjorth Street. To enhance student benefits, CVAG has chosen to extend the Arts and Music Line to connect with the school. Our scope of service is outlined as follows:

Collect traffic and parking data at the school site.

- We will prepare school connector alternatives with Class IV, Class III, and Class II bike facilities, as well as different parking configurations, and provide traffic calming features.
- We will coordinate with the City of Indio and obtain approval for preferred alternatives.
- We will prepare final street improvement and signing & striping plans

#### **Task 5 - Prepare Improvement Plans for New Traffic Signals**

As listed within the NEPA traffic study, additional intersections are supported for traffic signal warrant analysis, including pedestrian bicycle treatments. Our scope of service includes the final design of the following intersections:

- Youngs Lane & Avenue 48
- Solano Avenue/Sundial Street & Avenue 48
- Oasis Street & Avenue 48
- Rancho Las Flores Park Driveway & Van Buren Street
- Van Buren Street with an RRFB or Pedestrian Hybrid Beacon at Martin Van Buren Elementary
- Avenue 49 and Braley Court, a Pedestrian Hybrid Beacon

## **Task 6 – Revise Signing and Striping Plans**

Due to the modifications of the traffic study operational analysis and civil adjustments of curb and gutter, several iterations impacted the final design elements of the signing and striping layouts at the proximity of the intersections and transitions to and from existing conditions. Our scope of service is outlined as follows:

- We will utilize traffic simulation tools to evaluate the impact of proposed signing and identified areas for enhancement or revision.
- Local, regional, and state regulations from the CA-MUTCD had been updated during the design process. The team will implement modifications to account for design impacts.
- We will modify sight lines and placement of signs to minimize overlapping.
- We will determine appropriate signage placement and types, considering factors such as visibility, readability, and driver comprehension.

## **Task 7 – Prepare Signing, Striping, and Pavement Marking Plans for the School Connector Spurs**

- We reviewed inventory of existing bike signing, striping, and markings along the school connector spurs.
- We reviewed the City of Indio’s grind and overlay project signing & striping plans.
- We provided recommendations for improvements based on existing and after grind and overlay project completion.
- We Prepared signing, striping, and marking improvement plans for the following roadways.
  - Avenue 46 from Shields Road to Clinton Street
  - Madison Street from Avenue 48 to Avenue 46
  - Monroe Street from Avenue 48 to Dr. Carreon Boulevard
  - Jackson Street from Jackson Street to Highway 111
  - Dr. Carreon Boulevard from Jackson Street to Calhoun Street
  - Moon River Drive from Avenue 50 to La Quinta Middle School

## **Task 8 – Additional Effort for the Project Lighting**

### **Connector Mock Up**

- We will coordinate Mockups with the consultant team and agencies to provide location and costs for Mockup Demo of lighting fixtures.
- We will coordination with Manufacturers for product costs and delivery

- We will coordinate with the controls team to run night-time demonstrations of the color-changing capabilities of proposed light fixtures.
- We will coordinate for a power source to run proposed light fixtures.

#### Connector Lighting Consultation Revisions

- We will provide a new lighting scheme along Dillon Rd. from Ave 48 to Cabazon Rd. Lighting shall be incorporated into the raised concrete barrier. Coordinate pricing and cost estimate updates with BABA-compliant lighting fixtures. Lighting designs shall be a collaborative effort between lighting designer, civil engineer, and project artist.
- We will provide a new lighting scheme along Hjorth St. from Avenue 48 to Avenue 49, on Van Buren St. from Avenue 48 to the project boundary, and along Dillion Rd. from Cabazon to the freeway overpass. Lighting shall be incorporated into the concrete path per Circular Dimensions request. Coordinate pricing and cost estimate updates. Lighting designs shall be a collaborative effort between the lighting designer, civil engineer, and artist. Provide a new lighting scheme along the channel connector to the project boundary/CV link connection bridge. Lighting shall be incorporated per the direction of Circular Dimensions. Coordinate pricing and cost estimate updates. Lighting designs shall be a collaborative effort between the lighting designer, civil engineer, and artist.
- Additional team meetings for lighting design coordination with artist and agencies.

#### Connector Electrical Construction Document Revisions

- We will update existing electrical construction documents to include the new lighting designs along Dillon Rd. from Ave 48 to Cabazon Rd., along Hjorth St. from Ave 48 to Avenue 49, on Van Buren St. from Avenue 48 to the project boundary, along Dillion Rd. from Cabazon to the freeway overpass and along the channel connector to the project boundary/CV link connection bridge. Provide electrical engineering services for additional electrical systems and lighting controls for new lights, modify panel schedules, details, and fixture schedules, and coordinate drafting services.
- We will have additional coordination with the team for an additional electrical meter pedestal and lighting control cabinet. Three (3) anticipated.
- We will Provide CSI 'Book' specifications for all light fixtures.

#### Connector Baba Compliance coordination

- We will provide consultation and coordination to provide alternate BABA-compliant light fixtures per CVAG request. Lighting concepts and budgets were established before BABA compliance requirements.

- Before the construction, WEBB will organize a lighting demonstration event for the project. This is to ensure that all stakeholders have a clear understanding of the proposed lighting solutions.

#### Connector Fiber Connection Coordination/Plan Revisions.

- We will provide coordination and design changes to the electrical documents, including fiber drops into the lighting control cabinets. Additional coordination with the lighting commissioning team is needed to determine the fiber switch interface with lighting control equipment.
- We will have additional team meetings for control cabinet locations and lighting control requirements.

#### **Task 9 – Coordination with the CV Sync Project**

CVAG is implementing Phase 2 of the CV Sync project along Avenue 48, spanning from Washington Street to Dillon Road. The construction of the CV Sync project will precede Arts and Music Line. It's imperative to coordinate efforts with the CV Sync project to reduce the need for reconstructing the CV Sync facility and to ensure its compatibility as communication infrastructure for the Arts and Music Line.

#### **Task 10 – Revise Street Improvements and Intersection Improvement Plans**

- We will prepare street improvement plans for the Dr. Carreon segment from Jackson St to Calhoun St in Indio.
- We will update the intersection of Washington Street and Avenue 48 to minimize the reconstruction and acquisition of additional right-of-way.
- We will update street improvement plans for bike barrier saw-cut lines.
- We will update ramps around adjusted traffic signal poles to meet ADA guidelines.
- We will update Van Buren street improvements to accommodate IID pole relocation requirements.

#### **Task 11 – Revise Art Treatment Plans**

- WEBB will revise art treatment plans to reduce the color concrete.

#### **Task 12 – Research and Recommend Cost Effective Alternate to the Color Concrete**

WEBB will conduct a thorough analysis of costs associated with alternative pavement coating options, providing stakeholders with insights into the financial/ maintenance and constructability implications. Additionally, a memorandum will outline the advantages and disadvantages of using alternative coating pavement compared to the originally proposed

colored concrete, facilitating informed decision-making.

### **Task 13 – Additional Graphics, Animation, and Presentation Preparation Services**

- We obtained drone footage for the La Quinta Evacuation Channel.
- We Prepared three animations (at-grade, undercrossing, and overcrossing for the LQEC west bank connector.
- We Prepared two animations for the LQEC east bank connector with different lighting options.
- We will prepare and assist with presentations for CVWD, Safety Personnel, and the school district.

### **Task 14 – Prepare Tree Planting Exhibit for the Urban Greening Program Grant**

WEBB assisted the CVAG with preparing an exhibit for tree-planting along the Arts and Music alignment. WEBB reviewed existing landscaping, trees, opportunities, and constraints along the corridor and recommended the proposed trees.

### **Task 15 – Prepare Additional Legal and Plats and Provide Additional Right-of-Way Effort**

We have estimated that approximately 15 legal and plats are needed for the project. After 65% plan preparation, it is determined that an additional 35 legal and plats are required. We will prepare additional legal and plats.

WEBB will provide additional appraisals, acquisitions, negotiations, and escrow coordination services.

### **Task 16 – Utility Potholing and Utility Relocation**

- We estimated approximately 20 potholes are needed for the project. After 65% plan preparation, it is determined that an additional 30 potholes are needed for the project.
- We will coordinate with IID to relocate power poles along Van Buren.
- We will coordinate with the Valley Sanitary District for manholes located within the bike barrier.

### **Task 17 – Additional Field Survey**

- WEBB conducted further research on ROW and titles for the existing easements along Ave 48, including locations at Adams St, Endless Sky, Dune Palms Rd, Miraflores Blvd, Bougainvillea St, Jefferson St, Hjorth St, Calle Conejo, Coronado Dr, Desert Grove Dr, Arabia St, Oasis St, and intersections at Ave 49/Hjorth St, Ave 49/Bralely Ct, Van Buren St, Las Flores Park, as well as along Dillon Rd.
- WEBB conducted additional field topo and ROW delineation research at Solano Ave and the parkway spanning between Monroe St and Arabia St, to facilitate the installation of a new signal location and for drainage mitigation purposes.

- WEBB also conducted extra field topo at intersections along Ave 48, including Jackson St, Madison St, Monroe St, Outdoor Resort, Shields Ave, and Youngs Ln, to ensure compliance with ADA curb ramp designs.
- Furthermore, WEBB will conduct field topo and ROW research along the Dr. Carreon segment between Jackson St and Mangrove St. This is intended to support roadway widening efforts aimed at accommodating buffered Class II bike lanes at this segment.

## **Task 18 – Wayfinding Signages and Bike Amenities Hubs**

### **Wayfinding Signages & Project Specific Signs**

- As part of enhancing accessibility and navigation within the project area, WEBB will prepare the wayfinding signage plan. This plan will optimize the placement and design of signages to facilitate smooth movement for bicyclists along the corridor.
- WEBB will design the street name signs explicitly tailored for the project, contributing to a cohesive and visually appealing streetscape that enhances the overall aesthetics and functionality of the project.

### **Bicycle Amenities Data Review and Design**

- We will review the project bike amenities matrix at 9 locations and make recommendations on needed improvements. The recommendations will take into account the condition of each amenity type, required maintenance, needed utility infrastructure, or other specifics.
- The team will develop a memorandum that reflects the specifications for each amenity type, inventory results, recommendations to be shown at the 9 locations (amenities layouts), and submit the results for CVAG acceptance.
- We will develop a layout and submittal for each of the nine locations including specific location for each amenity type.
- Results for the task will be presented via a virtual meeting and the task assumes one round of revisions. Attend up to two (2) meetings with the project team.
- WEBB will provide the landscape themed plan sheets for the proposed bike amenities locations.

## **Task 19 – Additional Project Management and Coordination**

WEBB will provide additional project management and coordination. WEBB will schedule, chair, and prepare meeting agendas and meeting minutes. WEBB will collaborate closely with Golden Voice and the School District to facilitate and design the connection between Ave 49 and 50.

**Task 20 – Additional Specification and Cost Estimate**

WEBB will provide project specifications and cost estimates, including various options like colored concrete or pavement coating alternative for the bike pathway, as well as alternatives for the raised bike barrier.

**EXHIBIT B - COMPENSATION FOR ADDITIONAL SCOPE OF SERVICES**

Services described in our Scope of Work (Exhibit "A") shall be provided on a time and material basis not to exceed **\$2,234,565**.

Compensation Breakdown

Task 1-Additional NEPA Effort	\$ 87,441
Task 2-Geotechnical and Drainage Analyses for the Bike Barrier Mitigation	\$ 28,457
Task 3-La Quinta Evacuation Channel Connector (LQEC Connector)	\$ 358,989
Task 4-Hjorth Street Alignment Extension to Ave 50	\$ 47,000
Task 5-Prepare Improvement Plans for New Traffic Signal	\$ 203,500
Task 6-Revise Signing and Striping Plans	\$ 165,000
Task 7-Prepare Signing, Striping, and Pavement Marking Plans for the School Connector Spur	\$ 25,000
Task 8- Additional Effort for the Project Lighting	\$ 88,705
Task 9-Coordination with the CV Sync Project	\$ 10,000
Task 10-Resive Street Improvement & Intersection Improvement Plans	\$ 250,000
Task 11-Revise Art Treatment Plans	\$ 25,000
Task 12-Research & Recommend Alternate for Color Concrete	\$ 20,000
Task 13-Additional Graphics, Animation & Presentation Preparation	\$ 87,660
Task 14-Prepare Tree Planting Exhibit for Urban Greening Grant	\$ 12,000
Task 15-Prepare Additional Legal & Plats & Additional ROW	\$ 320,643
Task 16-Utility Potholing and Utility Relocation	\$ 189,670
Task 17-Additional Field Survey	\$ 30,000
Task 18-Wayfinding Signage and Bike Amenities Hubs	\$ 80,000
Task 19-Additional Project Management and Coordination	\$ 163,500
Task 20-Specifications and Cost Estimate	\$ 42,000
	<hr/>
	<b>\$ 2,234,565</b>

**ITEM 7C**

**Coachella Valley Association of Governments  
Transportation Committee  
April 1, 2024**



**STAFF REPORT**

**Subject:** Construction Contract award for CV Link Multi-Modal Transportation Corridor Project – Segment 6, Project No. CVL-2024-001

**Contact:** Jonathan Hoy, Director of Transportation ([jhoy@cvag.org](mailto:jhoy@cvag.org))

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**Recommendation: Authorize the Executive Director to execute a construction contract with the lowest responsive, responsible bidder for Segment 6 of CV Link**

**Background:** CV Link is a major innovation in alternative transportation that will provide a safe route to walk, run, bike or use low-speed electric vehicles, such as golf carts. CV Link provides significant environmental, health, and economic benefits to generations of current and future residents and visitors. The project generally uses a dual-path design: a wide concrete pathway for bikes and low speed electric vehicles, and a smaller, decomposed granite path for walkers and joggers. On-street segments, such as the pathway that's open in Palm Desert, use a cycle track design.

CV Link will ultimately span more than 40 miles valleywide. To date, more than 33 miles have been completed or under construction. With this item, CVAG staff is recommending the Transportation and Executive Committees authorize the construction of about six additional miles. CVAG staff intends to have the entire project substantially constructed by the end of this calendar year.

The CV Link route is being built in segments that were first approved by the California Transportation Commission (CTC) in May 2019. Segmenting allows CVAG to deliver large percentages of the project as soon as segments have right-of-way acquired, rather than hold the entire project up while CVAG works through the process of securing access on remaining parcels. CV Link was segmented into seven segments. This segmenting means the project benefits can be realized sooner rather than later. Each segment identifies smaller, sub-segments that have independent utility and CVAG had support from the state to expedite the construction of them if possible.

This item relates to what the CTC has identified as Segments 6. Segments 6 is primarily located in Cathedral City, where two separate pathways along the Palm Canyon and the Whitewater Wash connect at a confluence point near Cathedral Canyon Drive and then extend southeasterly to Date Palm Drive. Once Segments 6 is completed, and connects to the construction that CVAG authorized in December 2023, CV Link will have two uninterrupted pathways from downtown Cathedral City to South Palm Canyon Drive and to the Palm Springs Visitor Center.

On March 1, 2024, CVAG published the Notice to Bidders for CV Link's construction, including providing instructions to prospective bidders, and setting a public bid opening date. The Notice to bidder's is attached to this staff report.

At 9 a.m. April 1, 2024. CVAG staff will publicly open and read aloud each bid that has been received. These bids will be reviewed for completeness and then the “apparent low bidder” will be verbally presented to the Transportation Committee during the staff report for this item.

A robust review of the bid proposals received will be conducted by CVAG staff and project consultants. The lowest responsive, responsible bidder will be confirmed and CVAG will publish a Notice of Intent to Award the contract on its website. The final recommendation will be presented to CVAG’s Executive Committee for approval on April 29, 2024.

CVAG staff is recommending that the Transportation Committees give the Executive Director authorization to execute a contract with the lowest responsive, responsible bidder for Segment 6. The recommended action would also authorize the Executive Director and/or Legal Counsel to make clarifying revisions before execution.

**Fiscal Analysis:** The engineer’s estimate is \$20 million. The cost of construction will be paid from existing funding sources for CV Link, which includes \$20 million in Measure A funding that was approved in CVAG’s 2023/24 Fiscal Year Budget.

**Attachments:**

1. Notice to Bidders
2. Segment 6 Map

# Coachella Valley Association of Governments (CVAG)

## Notice to Bidders

Sealed Bids will be received at Coachella Valley Association of Governments, 74-199 El Paseo, Suite 100, Palm Desert, CA 92260, telephone (760) 346-1127 until 9:00am (Addendum#1) on **Monday, April 1, 2024** at which time they will be publicly opened at said address, for construction in accordance with the specifications therefore, to which special reference is made, as follows:

### CV Link Multi-Modal Transportation Corridor Project – Segment 6 Project No. CVL-2024-001

This project is located in the Coachella Valley and consists, in general, of the construction of approximately 5.9 miles of concrete and on-street path to accommodate bicycles, pedestrians, and low-speed electric vehicles. The work to be performed includes, but is not limited to, site demolition, a 14-foot wide concrete path, decomposed granite landscape improvements, wayfinding signage, benches, trash and recycling receptacles, water fountains, metal railing, solar pathway lights, grading, drainage, pathway centerline striping, seeded glass concrete, in addition to procuring all materials and performing all other work necessary to complete the work in accordance with the project plans and specifications.

The DBE Contract goal is 0 percent.

A non-mandatory pre-bid meeting is scheduled for **10:00 am on Tuesday, March 12, 2024**. This meeting is to inform bidders of project requirements and subcontractors of subcontracting and material supply opportunities.

Topic: CV Link Segment 6 Non-Mandatory Pre-Bid Meeting

Time: Mar 12, 2024 10:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89800612619?pwd=RXJlMnRPOWhEZTEvUTNyRmlJSklQZz09>

Meeting ID: 898 0061 2619

Passcode: 343969

**This project is subject to the “Buy America” provisions of the Surface Transportation Assistance Act of 1982 as amended by the Intermodal Surface Transportation Assistance Efficiency Act of 1991.**

Bids are required for the entire work described herein. The Contractor shall possess a current and active State of California Class "A" Contractor's license at the time this contract is awarded. The successful bidder shall furnish a payment bond and a performance bond.

This contract is subject to state contract nondiscrimination and compliance requirements pursuant to Government Code, Section 12990.

Inquiries or questions based on alleged patent ambiguity of the plans, specifications or estimate must be communicated as a bidder inquiry, in writing, prior to bid opening. Any such inquiries or questions, submitted after bid opening, will not be treated as a bid protest. Technical questions should be directed to Allen McMillen, Contracts Analyst at Coachella Valley Association of Governments, 74-199 El Paseo, Suite 100, Palm Desert, CA 92260, telephone (760) 346-1127, electronic mail: [amcmillen@cvag.org](mailto:amcmillen@cvag.org)

The Specifications and other Contract Documents will ONLY be available to purchase online at [www.planitplanroom.com](http://www.planitplanroom.com). They may be purchased as an electronic download or hard copy. For orders by phone contact: PlanIT Reprographics at (760) 345-2500 or by email at: [info@planitprintworks.com](mailto:info@planitprintworks.com). A non-

refundable additional charge will be required of any bidder who requests that the Contract Documents be mailed within California (costs for out-of-state mailings will be higher). Bids must be submitted on the City's Bid Forms. Bids WILL NOT be accepted in Electronic Format.

Engineering Estimate:	\$20M
Bid Bond	10 %
Performance Bond	100 %
Payment Bond	100 %
Working Days	140 working days

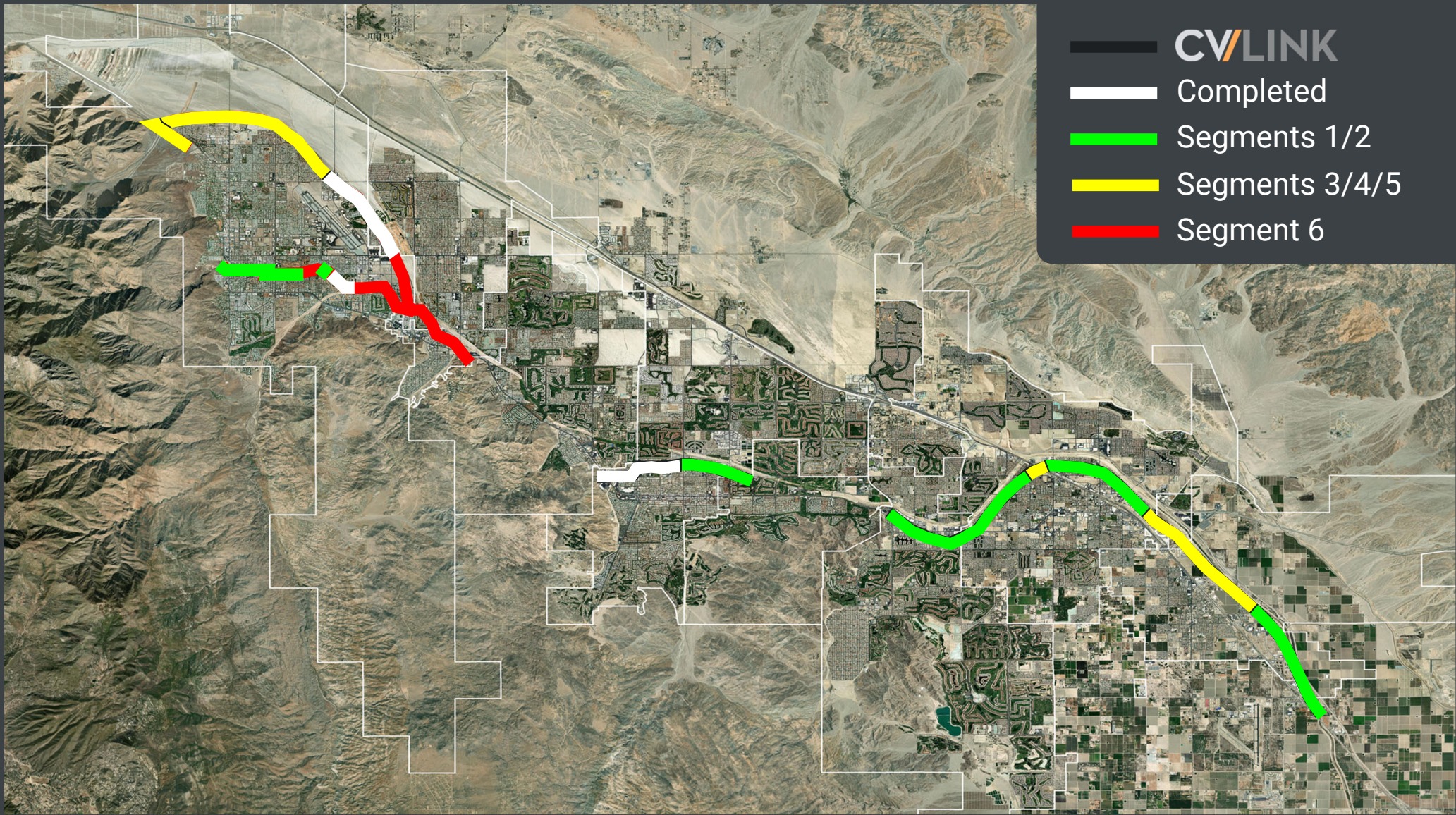
The Coachella Valley Association of Governments affirms that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation.

The Coachella Valley Association of Governments, in accordance with Title VI of the Civil Rights Act of 1964 (78 Stat. 252) and the Regulations of the Department of Commerce (15 C.F.R., Part 8) and related statutes, issued pursuant to such Act, hereby notifies all bidders that minority businesses will be afforded full opportunity to submit bids, and it will affirmatively insure that the contract entered into pursuant to this advertisement will be awarded to the lowest responsible bidder without discrimination on the grounds of race, color, sex, national origin, religion, age, or disability.

Pursuant to Labor Code section 1771.1, any Contractor bidding, or subcontractor to be listed on a bid proposal subject to Public Contract Code section 4104, shall not be qualified to bid after March 1, 2015, unless currently registered and qualified to perform public works pursuant to Labor Code section 1725.5. No Contractor or subcontractor may be awarded a contract or perform work on any contract for public work, after April 1, 2015, without proof of current registration with the Department of Industrial Relations pursuant to Labor Code section 1725.5 to perform public works.

Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates, in the county, or counties, in which the work is to be done have been determined by the Director of the California Department of Industrial Relations. These wages are set forth in the General Prevailing Wage Rates for this project, available from the California Department of Industrial Relations' Internet web site at <http://www.dir.ca.gov/DLSR/PWD>.

The U.S. Department of Transportation (DOT) provides a toll-free "hotline" service to report bid rigging activities Bid rigging activities can be reported Mondays through Fridays, between 8:00 a.m. and 5:00 p.m., eastern time, Telephone No. 1-800-424-9071. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report these activities. The "hotline" is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially, and caller anonymity will be respected.



**ITEM 7D**

**Coachella Valley Association of Governments  
Transportation Committee  
April 1, 2024**



**STAFF REPORT**

**Subject:** Contract Amendment with Alta Planning & Design for CV Link

**Contact:** Jonathan Hoy, Director of Transportation ([jhoy@cvag.org](mailto:jhoy@cvag.org))

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**Recommendation: Authorize the Executive Director to execute Amendment No. 13 to the agreement with Alta Planning & Design for a total not-to-exceed amount of \$294,000**

**Background:** Construction on CV Link's multi-modal pathway continues throughout the Coachella Valley. While construction enters its final stages in the cities of Indio, La Quinta, and Palm Desert, CVAG's contractor is breaking ground on new segments. This new construction includes segments in north Palm Springs, the City of Coachella, and through Tribal lands that include the Twenty-Nine Palms Band of Mission Indians, and Cabazon Band of Cahuilla Indians. An additional six miles of pathway in Cathedral City is ready for construction and, as detailed in a separate staff report, it has a bid opening date of April 1, 2024.

As construction moves forward, the project's lead design firm, Alta Planning & Design, has had to address design changes caused by field conditions and additional permitting requirements from Caltrans, Union Pacific Railroad and the Coachella Valley Water District (CVWD). To account for these design changes, prepare for the bid advertisement of the next segments, and ensure on-call construction support, CVAG staff is recommending a contract amendment with Alta Planning & Design.

Alta's work with the project dates back to July 18, 2014, when the CVAG Executive Committee approved a contract with for planning, design and engineering services related to CV Link in an amount of \$6,217,000, plus a 10 percent contingency. The contract has been amended by the Executive Committee many times over the years as the route was adjusted and CV Link went from a concept to a project under construction. The most recent amendment was in June 2023, when the Executive Committee approved a not-to-exceed amount of \$287,500. The scope of the current contract includes various tasks, such as design and construction support.

Alta has played an integral role in the development of CV Link, and their experience with the project cannot be replicated. The team has extensive expertise in the field of active transportation and has been a resource not only to CVAG but to member jurisdictions as the design was being finalized. Alta provided the construction support/management for the first, 2.3-mile section of CV Link between Vista Chino Road in Palm Springs and Ramon Road in Cathedral City. They also were an on-location resource as the City of Palm Springs built nearly one mile of the project along Demuth Park and the Tahquitz Creek Golf Course. Alta continues to play an integral part of CV Link as CVAG obtains the remaining right-of-way to construct the rest of the project.

Alta and its subconsultants are supporting CVAG through construction and preparing final design packages for the project. This work included the preparation of bid documents for the next segment, which will extend the pathway through Cathedral City. Alta continues to assist CVAG with the redesign of the Cook Street crossing caused by CVWD's Groundwater Replenishment Project, securing an encroachment permit from Caltrans for the Highway 111 work in Palm Springs, finalizing the Union Pacific Railroad undercrossing in Indio and preparing bid documents for the Avenue 52 connector in the City of Coachella. Under this amendment, Alta will continue to provide construction support work through the end of this calendar year to respond to requests for information, attend construction coordination meetings and make necessary plan revisions as required for permitting.

Responding to these agencies requires immediate attention to keep the project moving forward. These tasks also require Alta to prepare additional exhibits and revise construction documents.

With Alta being the lead designer of CV Link, they are a critical part of the overall project design and will continue to be involved with the project while it is under construction. If there are design changes that need to be made in the field during construction, Anser Advisory Group – the CV Link construction management team that the CVAG Executive Committee hired in January 2020 – takes the lead on coordinating with the construction contractor to provide a solution. Those contractors will then work with Alta to get the final sign off on the design changes so work can continue. The terms of the contract amendment align with the work anticipated for the next segment of construction.

The recommended authorization would also allow the Executive Director and/or Legal Counsel to make minor, clarifying contract changes prior to execution.

**Fiscal Analysis:** Amendment No. 13 includes a not to exceed amount of \$294,000. The cost of services will be paid for from existing funding sources for CV Link.

**Attachment:** Amendment No. 13 to Alta's contract and scope of work

**AMENDMENT NUMBER THIRTEEN  
to the  
ALTA PLANNING + DESIGN - CVAG  
DESIGN AND ENGINEERING SERVICES AGREEMENT  
for the  
CV LINK PROJECT**

This **AMENDMENT NUMBER THIRTEEN** is made and entered into this 29<sup>th</sup> day of April 2024, by and between the **Coachella Valley Association of Governments**, a California joint powers agency (**CVAG**), and **Alta Planning + Design (Consultant)**, and is made with reference to the following background facts and circumstances. All other terms and conditions shall remain the same as stated in the original Agreement for the CV Link Project.

- 1. **This Amendment Number Thirteen authorizes CVAG to extend the contract term to April 30, 2025**
- 2. **This Amendment Number Thirteen authorizes CVAG funds in the amount not to exceed \$294,000**

**Summary**

Previously authorized Active Transportation Program federal funds as noted in Revised Executive Committee report 9-29-15	\$ 6,217,000
Amendment Number One	\$ 239,000
Amendment Number Two	\$ 204,238
Amendment Number Three	\$ 106,302
Amendment Number Four (Contract Extension Only)	\$ 0
Amendment Number Five	\$ 1,260,287
Amendment Number Six	\$ 1,359,550
Amendment Number Seven (Contract Extension Only)	\$ 0
Amendment Number Eight	\$ 438,438
Amendment Number Nine	\$ 578,211
Amendment Number Ten	\$ 551,352
Amendment Number Eleven (Contract Extension Only)	\$ 0
Amendment Number Twelve	\$ 287,500
Amendment Number Thirteen	\$ 294,000
<b>Current Cost for CV Link Project</b>	<b>\$11,535,878</b>

**IN WITNESS WHEREOF**, the parties hereto have caused this **Amendment Number Thirteen** to be executed by their duly authorized representatives on this date:

**COACHELLA VALLEY ASSOCIATION  
OF GOVERNMENTS**

**ALTA PLANNING + DESIGN**

By: \_\_\_\_\_  
Tom Kirk, CVAG Executive Director

By: \_\_\_\_\_  
Mike Rose, Vice President

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Exhibit A.**

**Statement of Work**

**Introduction and Understanding**

This scope of work has been prepared at the request of Coachella Valley Association of Governments (CVAG) to provide services for continued Construction Assistance of CV Link Segment 1, Segments 3-5, Segment 6 and other design, engineering and coordination tasks as directed by CVAG to support this and future CV Link segments. Many of these tasks require consultation and approvals by various agencies and the specific needs change as the work progresses. These fees will be billed on a time and materials basis, as directed by CVAG, up to completion of the task.

**Alta offers the following scope of work:**

**1. Complete the Design for the Connection to Hovley Lane via Cook St.**

Continued development of this segment in conjunction with CVWD and the City of Palm Desert at the direction of CVAG.

Proposed Fee: \$15,000

**2. Complete HWY 111 Permitting**

Respond to comments and desired redesign from CalTrans to secure permits.

Proposed Fee \$10,000

**3. Construction Administration**

PMT meetings, RFI responses, plan adjustments and other tasks as directed by CVAG. This is estimated at 18K per month for one year, March 2024 to December 2024. This is inclusive of tasks that arise that require services from Alta and/or our subcontractors on this project and includes expenses for up to 6 site visits in 2024. Alta designers and engineers can better assist with CA when site visits are included. 18K per month is based on the historical average billings for the last year that include unforeseen tasks as requested by CVAG.

Proposed Fee: \$180,000

**7. Continued UPRR work for the undercrossing in Indio**

Continued work with CVAG, CVWD and UPRR to design and get approval for the railroad undercrossing in Indio.

Proposed Fee: \$15,000

**8. City of Coachella Connector**

Develop a full Bid set for the City of Coachella Connector

Proposed Fee: \$25,000

**9. Contingency of 20%**

This contingency is for any new proposed tasks as directed by CVAG. This 20% will be allocated at the discretion of CVAG.

Contingency: \$49,000

**Exhibit B.**  
**Price Formula**

	<b>Task</b>	<b>Estimated Fee</b>
1	Hovley via Cook St.	15000
2	Hwy 111 Permitting	10000
3	Construction Admin	180000
4	UPRR work	15000
5	City of Coachella Connector	25000
	<b>Subtotal</b>	<b>245000</b>
6	20% Contingency	49000
	<b>Total</b>	<b>\$294,000</b>

DRAFT

**Exhibit C.**

**Schedule**

**Estimated Schedule**

Project Manager shall commence performance of Services and proceed toward completion of deliverables upon notice to proceed.

**Task**

1. Hovley Via Cook St.
2. Hwy 111 Permitting
3. Construction Admin
4. UPRR Work
5. City of Coachella Connector
6. Contingency of 20%

**Expected Completion Dates**

- Dependent upon CVAG, CVWD and Palm Desert
- Upon approval by Caltrans
- Ongoing through duration of construction
- Upon Approval by UPRR
- As Directed by CVAG
- As Directed by CVAG

DRAFT

**ITEM 8a**

Coachella Valley Association of Governments  
Transportation Committee  
April 1, 2024



**STAFF REPORT**

**Subject:** Status of I-10 Interchange Projects

**Contact:** Gustavo Gomez, Transportation Management Analyst ([ggomez@cvag.org](mailto:ggomez@cvag.org))

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**Recommendation: Information**

**Background:** Attached is the status for Interstate 10 interchange projects as of March 2024:

Completed: Indian Canyon @ I-10 (Mar '12); Gene Autry/Palm Drive @ I-10 (Mar '12); Date Palm Drive @ I-10 (May '14); Monterey Avenue Ramp @ I-10 (Apr '15); Bob Hope/Ramon @ I-10 (Sep '11); and Jefferson Street @ I-10 (Nov '17)

Monroe @ I-10: Final environmental document approved by Caltrans & PS&E phase is ongoing. The 95% plans resubmitted to Caltrans in November 2023 for review. Construction cost estimate is being updated after addition of cycle track/ low-speed electric vehicle (LSEV) path. Right-of-way (ROW) acquisition to begin this year.

Jackson @ I-10: Environmental document was approved in September 2021. CVAG approved funding for PS&E. PS&E phase started in May 2022 and work is ongoing.

Avenue 50 @ I-10: PS&E 90% complete. Seeking funding opportunities to advance the project to construction phase.

Avenue 50 @ SR 86: Funding agreement amendment for PS&E and ROW acquisition approved by Executive Committee in September 2020 for grant matching funds. Seeking grant funding to complete PS&E and ROW phases.

Dillon Road @ I-10 @ SR 86: PA&ED underway.

Golf Center Parkway @ I-10: PSR on hold.

Da Vall Drive @ I-10: PSR/PDS is complete and approved by Caltrans. Caltrans submitted an agreement to proceed with PA&ED phase for evaluation.

Portola @ I-10: County completed PS&E and obtained Caltrans approval to shelve the project in April 2022. Per CVAG approval in June 2022, the project has been suspended.

**Fiscal Analysis:** Funding for these projects has been budgeted through the project phase indicated and secured through various funding sources.

**ITEM 8b**

**COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS**  
Regional Arterial Program - Project Status Report  
3/27/2024



Project Description	Lead Agency	CVAG Funded						Status
		PEng	ENV	PS&E	ROW	CON	Through	
<b>Interchanges</b>								
Avenue 50 @ 86S	COA						ROW	CVAG approved funding for PS&E & ROW.
Avenue 50 @ I-10	COA						PS&E	PS&E contract underway.
Jackson Street @ I-10	COR						PS&E	Final Env Doc approved by Caltrans. CVAG approved PS&E funds. PS&E phase ongoing.
Monroe Street @ I-10	COR						Construction	Final Env Doc approved by Caltrans. Resubmitted 95% PSE to Caltrans with cycle track facility added.
Portola Avenue @ I-10	COR						PS&E	Caltrans agreed to shelve. Suspend until funding for ROW, utilities and construction is obtained.

<b>Arterial Links</b>								
Avenue 48 (Van Buren St to Dillon Rd)	COR						Construction	Final design and ROW underway. CVAG approved construction funds.
Avenue 50 (Calhoun St to Harrison St)	COA						Construction	PS&E & ROW underway.
Avenue 50 (Jefferson St to Jackson St)	Indio						PS&E	Under design and environmental phase.
Date Palm Drive (I-10 to Vamer Rd)	CC						PS&E	Phase II is completed. The final design for Phase III in underway.
Jackson Street Widening (Ave 49 to Ave 52)	Indio						PS&E	Environmental filed on October 2021. PS&E & ROW underway.
Jefferson Street (Ave 38 to Sun City Blvd)	Indio						Environmental	Under design and environmental phase.
Madison Street (Highway 111 to Ave 48)	Indio						Construction	Under construction.

<b>Bridges</b>								
Airport Boulevard Bridge	COR						Construction	CVAG Executive Committee approved funding from design to construction.
Avenue 44 Bridge over WWR	Indio						Construction	Enviro cleared. ROW cleared. Plans are at 99%. Pending funding from Caltrans.
Avenue 50 Bridge over WWR	COA						ROW	PS&E & ROW underway.
Avenue 50 Bridge over LQEC	LQ						Construction	CVAG Executive Committee approved funding from design to construction.
Avenue 66 Grade Separation over UPRR	COR						Construction	Repairing damage improvements from summer storms before final acceptance from Caltrans.
Cathedral Canyon Drive Bridge	CC						Construction	Construction complete. Completing close out documentation by Caltrans.
Dillon Road over WWR	COA						Environmental	CEQA and NEPA complete. State clarification required for eligibility of HBP funds for PS&E and construction.
Dune Palms Road Bridge over WWR	LQ						Construction	Project under construction. City constructing project by advancing Highway Bridge Project (HBP) funding.
East Palm Canyon Drive Bridge over Palm Canyon Wash	PS						ROW	In final design. Plans submitted for review.
Indian Canyon Drive (Garnet Incl. RR Crossing)	PS						Construction	Project in construction.
Ramon Road Bridge	PS						ROW	ROW pending CVWD final agreement almost complete. Update plans to latest Caltrans standards.
South Palm Canyon Drive Bridge over Tahquitz Creek	PS						PS&E	Plans complete. Requesting funding from Caltrans for construction. RFB anticipated April 2024
Vista Chino Bridge over WWR	PS						PEng	Project is in PEng phase. Extensive negotiations with SCE for utility relocation.

<b>Interchange Preparation Fund Projects</b>								
Da Vall Drive @ I-10	CC						PSR	PSR-PDS approved by Caltrans.
Dillon Road @ I-10 & SR86	COA						PSR	PSR complete. PA&ED is underway.
Golf Center Parkway @ I-10	Indio						PSR	PSR on hold.

<b>Regional Projects</b>								
Broadband Strategic Plan	CVAG							Market Assessment complete. Advisory committee kicked off in March.
CV Sync - Phase 1	CVAG						Construction	Executive Committee authorized CVAG to file the Notice of Completion June 2023.
CV Sync - Phase 2	CVAG						Construction	Construction underway.
CV Sync - Phase 3	CVAG						PEng/ENV	Feasibility Study and CV Sync design kicked off in January 2024.
Flooding and Blowsand - Phase 1	CVAG						PEng/ENV	ROW basemaps and environmental complete. Utilities coordination underway.

COR-County of Riverside; RM-Rancho Mirage; IW-Indian Wells; PD-Palm Desert, PS-Palm Springs; CC-Cathedral City; COA-Coachella LQ-La Quinta;  
Other Acronyms: PAED = Project Approval and Environmental Design; PE = Preliminary Engineering; PSR = Project Study Report; RR = Railroad; UPRR = Union Pacific Railroad; WWR = Whitewater River; SCE = Southern California Edison; HBP = Highway Bridge Program; CVWD = Coachella Valley Water District  
LATA = Local Agency Technical Assistance; RFP = Request for Proposal, RFB = Request for Bids

CVAG Funded Phase Legend	
PEng	Preliminary Engineering
ENV	Environmental
PS&E	Plans Specifications & Estimates
ROW	Right-of-way
CON	Construction

**ITEM 8c**

**COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS**  
 Bicycle & Pedestrian Safety Program - Project Status Report  
 3/27/2024



Bike & Pedestrian Safety Projects Project Description	Lead Agency	CVAG Funded			Status
		Design	CON	Through	
Avenue 48 Bicycle Lanes	Indio			Construction	Project completed.
Calhoun Street Improvements	Indio			Construction	Project completed.
Date Palm Sidewalk Gaps	CC			Construction	Project completed.
Dinah Shore Mid-Block Crossing	CC			Construction	Project completed.
Indian Canyon Intersection Pedestrian Enhancements	PS			Construction	Project completed. In project closeout phase.
Palm Canyon Crosswalks	PS			Construction	Project completed.
Palm Canyon Intersection Pedestrian Enhancements	PS			Construction	Project completed.
Palm Drive Signals and Lighting	DHS			Construction	Project completed.
S. Palm Canyon, E. Palm Canyon Improvements	PS			Construction	Project completed.
Vista Chino Signals	PS			Construction	Project completed.

Project Description	Lead Agency	Grant Funded			Status
		Design	App	CON	
CV Link	CVAG				Construction ongoing. Additional segments recommended in separate agenda item.
ATP - Arts & Music Line	CVAG				Design & NEPA underway. Contract amendment addressed in separate agenda item.
ATP - Cathedral City Downtown Connectors	CC				Contract issued for construction. Restriping bike lanes on E. Palm Canyon has begun.
ATP - DHS CV Link Extension	DHS				Under design.

COR-County of Riverside; RM-Rancho Mirage; IW-Indian Wells; PD-Palm Desert, PS-Palm Springs; CC-Cathedral City; COA-Coachella; LQ-La Quinta; DHS-Desert Hot Springs  
 ATP-Active Transportation Program; ROW-Right of Way, NEPA- National Environmental Policy Act, MPO-Metropolitan Planning Organization

**ITEM 8d**

**FY 2023/2024 TRANSPORTATION COMMITTEE ATTENDANCE ROSTER**



CVAG JURISDICTION	NOV (Dec											
	JUL	AUG	SEPT	OCT	4)*	DEC	JAN	FEB	MAR	APR	MAY	JUN
Blythe	-	-	✓	-	✓	-	-	✓	-	-	-	-
Cathedral City	-	-	✓	-	✓	-	-	✓	-	-	-	-
Coachella	-	-	✓	-	✓	-	-	✓	-	-	-	-
Desert Hot Springs	-	-	✓	-	✓	-	-	✓	-	-	-	-
Indian Wells	-	-	✓	-	✓	-	-	✓	-	-	-	-
Indio	-	-	✓	-	✓	-	-	✓	-	-	-	-
La Quinta	-	-	✓	-	✓	-	-	✓	-	-	-	-
Palm Desert	-	-	✓	-	✓	-	-	✓	-	-	-	-
Palm Springs	-	-	✓	-	✓	-	-	✓	-	-	-	-
Rancho Mirage	-	-	✓	-	✓	-	-	✓	-	-	-	-
Riverside County	-	-	✓	-	✓	-	-	✓	-	-	-	-
Agua Caliente Band of Cahuilla Indians	-	-		-	✓	-	-		-	-	-	-
Torres Martinez Desert Cahuilla Indians	-	-	✓	-		-	-		-	-	-	-

Absent	
No Meeting	-
Holiday	H
Vacancy	**
In Attendance	✓

\*This is a joint meeting with the Executive Committee.

**ITEM 8e**

**Coachella Valley Association of Governments  
Transportation Committee  
April 1, 2024**



**STAFF REPORT**

**Subject:** CV Link-Solar Lights and Railroad Right-of-Way

**Contact:** Martin Magaña, CVAG Consultant ([mmagana@cvag.org](mailto:mmagana@cvag.org))

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**Recommendation: Information**

**Background:** At the February 26, 2024 meeting, the Executive Committee took two actions that provided the Executive Director to take steps related to the ongoing construction of CV Link. Staff would have normally provided these items to the Transportation Committee for its review and concurrence. But the urgent nature of both items did not allow them to be on the Transportation Committee's February 2024 agenda. Staff is providing a recap for the Transportation Committee's information.

*Pre-purchase of Solar Lights*

The Executive Committee authorized the Executive Director to approve a purchase agreement with Urban Solar to provide 5,424 solar lights at a unit price of \$93.45 per light for CV Link, in an amount not to exceed \$546,054.75. The action also authorized a 10 percent contingency for supplemental purchases as necessary during construction. These authorizations are a continuation of CVAG's approach to pre-purchase project elements to better ensure schedule deadlines are met and vendor supplied materials are consistent.

The Executive Director in 2019 had been authorized to purchase 121,000 lbs. of seeded glass from T. B. Penick & Sons, and 4,811 solar lights from Urban Solar. At the time, construction was on the horizon but the design of some segments was being finalized. Since then, the construction contractor, Ames Construction, determined that there is an additional need of 5,424 solar lights to complete the remainder of CV Link construction. This includes enough solar lights for Segments 3, 4, 5 & 6, plus some extra lights to keep in storage in the event they need replacement.

The solar lights are unique in that they are not just aesthetically pleasing, but also serve as wayfinding and safety features of the pathway. The solar lights are embedded into the concrete pavement and incorporate the project's signature orange and blue color scheme. There is no need to purchase additional seeded glass since CVAG purchased enough for the entire CV Link project.

*Union Pacific Right-of-Way*

The Executive Committee also authorized the Executive Director to take the necessary steps to execute a Public Pedestrian Underpass Agreement with Union Pacific Railroad Company

(UPRR), including authorizing one-time costs not to exceed \$164,000 and flagging costs of \$1,400 daily during construction.

Since August 2018, CVAG has been working extensively with UPRR to obtain all approvals for an undercrossing of CV Link at the railroads adjacent to Indio Boulevard in the City of Indio. As part of these approvals, CVAG needed to obtain approval from the California Public Utilities Commission (CPUC), approval from UPRR on the construction plans, and Public Pedestrian Underpass Agreement where CV Link impacts the UPRR right-of-way.

The undercrossing at the UPRR crossing was Bid Alternative B in the construction contracts that the Transportation and Executive Committees unanimously approved in December 2023. This right of way has been one of the most difficult to secure and CVAG has been pursuing all options. The CVAG Executive Committee adopted a Resolution of Necessity back on June 28, 2021, to initiate condemnation proceedings. While CVAG was working through the condemnation process, it received approval from the CPUC on September 22, 2022, and also received approval from UPRR of the construction plans on February 28, 2023, but not the Public Pedestrian Underpass Agreement.

On November 6, 2023, CVAG received prejudgment possession of the undercrossing. Although CVAG had received prejudgment possession, approval from the CPUC and approval from UPRR on the construction plans, they still required approval of the Public Pedestrian Underpass Agreement as part of the right-of-way certification.

CVAG staff on February 19 received UPRR's Public Pedestrian Underpass Agreement. The approval by the Executive Committee and execution of the agreement were the final steps to clear right-of-way activities for CV Link under UPRR property.

**Fiscal Analysis:** There is no additional cost to this informational update. Costs associated with the project are covered under funding secured for CV Link.

**ITEM 8f**

**Coachella Valley Association of Governments  
Transportation Committee  
April 1, 2024**



**STAFF REPORT**

**Subject:** Update on broadband installation in the City of Indio

**Contact:** Randy Bowman, Transportation Program Manager ([rbowman@cvaq.org](mailto:rbowman@cvaq.org))

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**Recommendation: Information**

**Background:** The development of high-speed broadband internet access in the Coachella Valley continues to be a priority for member jurisdictions. In April 2023, the CVAG Executive Committee authorized the Executive Director to take the necessary actions to accept \$978,460 to conduct a Coachella Valley Broadband Strategic Plan. In September 2023, the Executive Committee authorized the execution of a professional service contract with HR Green Pacific, Inc. to provide engineering services for the strategic plan. Work on the strategic plan began in November and is expected to be completed by March 2025.

While CVAG works on the strategic plan, several individual jurisdictions have been pursuing their own planning and implementation efforts to fund the deployments of last-mile broadband within their right-of way. The City of Indio approached CVAG staff last year for opportunities to leverage the CV Sync project to co-locate city broadband infrastructure with the CV Sync infrastructure. In June, the CVAG Executive Committee authorized the Executive Director to execute a contract change order with the CV Sync contractor and a reimbursement agreement with the City of Indio to cover the costs associated with the co-location. The Executive Director was also authorized to execute similar agreements with other jurisdictions should the opportunity arise.

Indio and CVAG staff successfully collaborated on the design of the fiber co-location over the ensuing months and in February 2024, Indio and CVAG executed the reimbursement agreement. Under the terms of the agreement, Indio will fully reimburse CVAG to add fiber innerduct and related infrastructure to the CV Sync project at a cost not to exceed \$900,000. CVAG is working with the CV Sync contractor, Crosstown, to execute the change order.

Indio has allocated an additional \$650,000 and is now undertaking the design of filling their CV Sync innerduct with broadband fiber under contracts separate from CVAG. In September 2023, Indio applied for Federal Funding Account grant funding from the California Public Utilities Commission to continue expanding broadband network beyond the facilities being co-located with CV Sync infrastructure in the community. As of the publication of this staff report, Indio was still awaiting notification on the award.

CVAG staff continues to welcome additional opportunities to work with member jurisdictions within the CV Sync project area of the opportunity to leverage the project to advance their broadband initiatives. In addition to the work with the City of Indio, CVAG staff is in discussions with staff from the Cities of Palm Springs and Cathedral City as well as the Agua Caliente Band of Cahuilla Indians, who are also interested in leveraging CV Sync to advance their respective broadband

efforts. Should the discussions lead to co-location implementation, CVAG will enter into reimbursement agreements and provide updates to CVAG's committees.

**Fiscal Analysis:** There is no additional cost to CVAG as any costs associated with the co-location are fully covered by the City of Indio.

CVAG has an existing construction contract with Crosstown for Phase II of CV Sync. A contract change order will be prepared to cover all of the construction-related expenses necessary to co-locate the City of Indio's Broadband fiber with CV Sync's fiber. These costs would be covered through the reimbursement agreement. The same applies to other CVAG members should agreements be executed for broadband fiber co-location.