

RESOLUTION NO. 2013-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE WATERMAN ROAD ACCESSIBILITY IMPROVEMENTS PROJECT EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH SIERRA NATIONAL CONSTRUCTION, INC. FOR THE 9716 WATERMAN ROAD ACCESSIBILITY IMPROVEMENTS PROJECT IN THE AMOUNT OF \$91,544, AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$13,732, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER IF SIERRA NATIONAL CONSTRUCTION, INC. DOES NOT MEET FILING OBLIGATIONS, AND AMENDING THE FISCAL YEAR 2012-17 CAPITAL IMPROVEMENT PROGRAM AND THE FISCAL YEAR 2012-13 BUDGET FOR \$83,425

WHEREAS, plans and specifications have been prepared for a construction contract for the 9716 Waterman Road Accessibility Improvements Project (Capital Improvement Project ID WAC004) (the "Project"); and

WHEREAS, the Project has received allocation of Federal Grant Funds; and

WHEREAS, the Project is included in the approved 2012-17 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2012-13 Budget that require an amendment to increase funding from the Roadway Fee Program by \$68,425; and

WHEREAS, due to the use of federal funds for this project in the form of Community Development Block Grants funds, the project qualifies for review under the National Environmental Policy Act (42 U.S.C. 4321 et seq., herein after NEPA); and

WHEREAS, the NEPA review was completed through the preparation of an Environmental Finding Form and the Project qualifies for a Categorical Exclusion pursuant to 24 CFR Part 58.35(a) because it does not require any mitigation for compliance with any required statues or authorities, nor does it require any formal permit or license; and

WHEREAS, Section 15301(c) (Existing Facilities) of the State CEQA Guidelines (Chapter 3 of Division 6 of Title 14 of the California Code of Regulations) provides an exemption from CEQA for projects involving the minor alteration of existing public or private facilities when the alteration involves negligible or no expansion of an existing use; and

WHEREAS, an invitation to bid was duly advertised on December 12, 2012 and bids were opened on January 14, 2013; and

WHEREAS, Sierra National Construction, Inc. was determined to be the responsible bidder submitting the lowest responsive bid and Sinclair General Engineering was determined to be the responsible bidder submitting the second lowest responsive bid.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby:

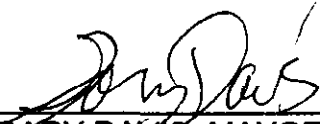
- 1) Finds the proposed project exempt from CEQA pursuant to section 15301(c) of the State CEQA Guidelines based upon the following finding:

Finding: The proposed project is exempt from CEQA pursuant to section 15301(c) of the State CEQA Guidelines.

Evidence: The proposed project is exempt from CEQA pursuant to State CEQA Guidelines Section 15301(c) (Existing Facilities). This exemption applies to minor alteration of existing public or private facilities when the alteration involves negligible or no expansion of an existing use. The Project consists of the design and construction of a sidewalk infill segment and frontage improvements along an existing roadway for the purpose of improving safety and accessibility, as well to provide for a continuous path of pedestrian travel. The Project site is located in the public right-of-way along an existing roadway in a highly urbanized area. The Project will not expand the existing right-of-way and will result in only a negligible expansion (infill) of the existing sidewalk. The Project is therefore exempt under CEQA Categorical Exemptions. No special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, the Project qualifies for this exemption and no further environmental review is required.

- 2) Authorizes the City Manager to execute a construction contract with Sierra National Construction, Inc. for the 9716 Waterman Road Accessibility Improvements Project (the "Project") in the amount of \$91,544, upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney and the Risk Manager; and authorizes the City Engineer to approve change orders not-to-exceed \$13,732, and authorizes the City Manager to execute a construction contract with Sinclair General Engineering if Sierra National Construction, Inc. does not meet filing obligations; and
- 3) Amends the Fiscal Year 2012-17 Capital Improvement Program and the Fiscal Year 2012-13 Budget by reducing the allocation of Roadway Fee Funds for the Waterman Road Realignment Project (PT0080) by \$1,861 and the Lingleaf Drive Bridge Project (PT0117) by \$66,564 and increasing the project budget for the 9716 Waterman Road Accessibility Improvements Project (WAC004) by \$68,425 from the Roadway Fee Fund, and \$15,000 from the Drainage Fund.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 23rd day of January 2013.




GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2013-15

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) **ss**
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 23, 2013 by the following vote:

AYES : COUNCILMEMBERS: Davis, Detrick, Cooper, Hume

NOES: COUNCILMEMBERS: None

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None


Jason Lindgren, City Clerk
City of Elk Grove, California