

RESOLUTION NO. 2014-227

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THAT THE 2014 SLURRY SEAL PROJECT (WPR008) IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH VSS INTERNATIONAL, INC. IN THE AMOUNT OF \$1,232,000 AND AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$184,800; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER IF THE FIRST LOWEST BIDDER DOES NOT MEET FILING OBLIGATIONS; AND AMENDING THE FISCAL YEAR 2014-19 CAPITAL IMPROVEMENT PROGRAM

WHEREAS, the 2014 Slurry Seal and Overlay Project (WPR008) (Project) consists of improvements to various streets for the placement of slurry seal, crack sealing, isolated area of pavement reconstruction, placement of pavement markers, and placement of traffic striping and markings, and seal coating the City Hall parking lot; and

WHEREAS, the 2014 Slurry Seal and Overlay Project is included in the approved 2014-19 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2014-15 Budget; and

WHEREAS, the Slurry and Overlay Project Fiscal Year 2015 includes the seal coat and restriping of the City Hall parking lot and is in the approved 2014-19 Capital Improvement Program and is budgeted with Facilities and Fleet funds in the approved Fiscal Year 2014-15 Budget; and

WHEREAS, the City Hall parking lot seal coat and restriping will be completed earlier in the budgeted fiscal year if the funds are transferred into the 2014 Slurry Seal and Overlay Project; and

WHEREAS, the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, herein after CEQA) requires that cities consider the environmental consequences of their actions before approving a project; and

WHEREAS, the Project is a project under CEQA; and

WHEREAS, Section 15301 (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 August 20, 2014 and bids were opened on September 18, 2014; and

WHEREAS, VSS International, Inc. was determined to be the responsible bidder submitting the lowest responsive bid.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds that the 2014 Slurry Seal and Overlay Project is exempt from environmental review pursuant to Sections 15301 of Chapter 3 of Division 6 of Title 14 of the California Code of Regulations (State CEQA Guidelines):

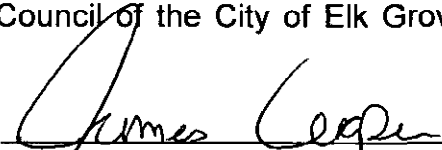
Finding: The proposed Project is exempt from CEQA under State CEQA Guidelines Sections 15301(c) (Existing Facilities).

Evidence: The proposed Project is exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). This exemption applies to the minor alteration of existing public or private facilities when the alteration involves negligible or no expansion of an existing use. The proposed Project consists of base repairs and resurfacing existing roads throughout the City and seal coating the City Hall parking lot. Work will not result in ground disturbance outside of the existing roadway and parking lot. As such, the Project will result in no expansion of use. 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 is exempt.

AND BE IT RESOLVED that the City Council of the City of Elk Grove hereby:

- 1) Authorizes the City Manager to execute a construction contract with VSS International, Inc. for the 2014 Slurry Seal Project (WPR008) in the amount of \$1,232,000 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and
- 2) Authorizes the City Engineer to approve change orders not-to-exceed \$184,800; and
- 3) Authorizes the City Manager to execute a construction contract with the second lowest responsive and responsible bidder, Telfer Highway Technologies, in the amount of \$1,429,380.11 should VSS International, Inc. not meet filing obligations; and
- 4) Amends the Fiscal Year 2014-19 Capital Improvement Program to transfer \$25,000 (Fund 602, Facilities and Fleet) from the Slurry and Overlay Project FY15 (WPR009) to the 2014 Slurry Seal and Overlay Project (WPR008).

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 8th day of October 2014



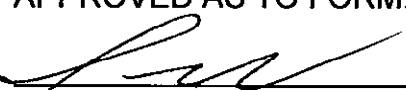
JAMES COOPER, VICE MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2014-227**

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

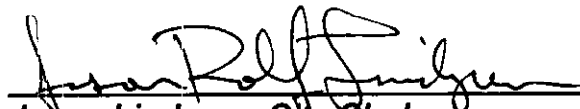
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on October 8, 2014 by the following vote:

AYES : **COUNCILMEMBERS:** *Cooper, Detrick, Hume, Trigg*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Davis*



**Jason Lindgren, City Clerk
City of Elk Grove, California**