

RESOLUTION NO. 2015-209

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE SOUTHSIDE AVENUE SIDEWALK IMPROVEMENT PROJECT (WAC008) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH ABIDE BUILDERS, INC. FOR THE SOUTHSIDE AVENUE SIDEWALK IMPROVEMENT PROJECT (WAC008) IN THE AMOUNT OF \$117,618.98; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$17,643; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER, R&R PACIFIC CONSTRUCTION, IF ABIDE BUILDERS, INC. DOES NOT MEET FILING OBLIGATIONS

WHEREAS, the Southside Avenue Sidewalk Improvement Project (WAC008) (the "Project") construct improvements to create an accessible path of travel along the south side of Southside Avenue from Elk Grove-Florin Road to Jessie Baker Elementary School; and

WHEREAS, the Project is included in the approved Fiscal Year 2015-20 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2015-16 Budget; and

WHEREAS, the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, hereinafter referred to as 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 September 4, 2015 and September 11, 2015, and bids were opened on September 24, 2015; and

WHEREAS, Abide Builders, 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 this project exempt from CEQA pursuant to State CEQA Guidelines Section 15301.

Finding: The proposed Project is exempt from CEQA pursuant to section 15301 of the State CEQA Guidelines.

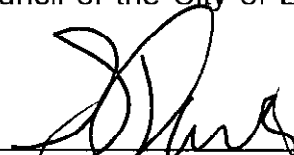
Evidence: The proposed Project is exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). This exemption applies to the minor alteration of existing public or private facilities when the alteration involves negligible or

no expansion of an existing use. The proposed project involves constructing sidewalks and curb ramps on existing streets within the existing right of way. This work is minor in nature in that it does not expand the use beyond its current condition and focuses on repairs and improvements. No trees will be impacted and nor do any special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, this project qualifies for the identified exemption and no further environmental review is required.

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

- 1) Authorizes the City Manager to execute a construction contract with Abide Builders, Inc. for the Southside Avenue Sidewalk Improvement Project (WAC008), in the amount of \$117,618.98 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney;
- 2) Authorizes the City Engineer to approve change orders not-to-exceed \$17,643; and
- 3) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, R&R Pacific Construction, in the amount of \$117,908 upon receipt of all required bonds and insurance and that approval of such bonds and insurance by the City Attorney if, Abide Builders, Inc., does not meet filing obligations and authorizes the City Engineer to approve change orders not-to-exceed \$17,643.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14th day of October 2015.



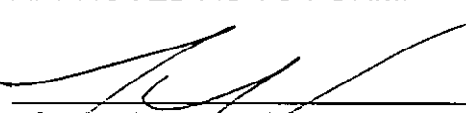
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN R. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2015-209**

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

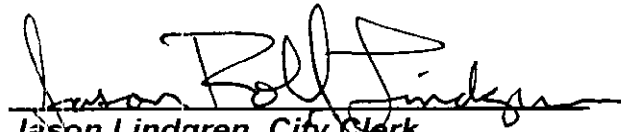
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on October 14, 2015 by the following vote:

AYES : **COUNCILMEMBERS:** *Davis, Hume, Detrick, Ly, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*


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