

RESOLUTION NO. 2020-004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ACCEPTING THE ELK GROVE AND LAGUNA BOULEVARDS UPRR XING INTERIM BIKE LANE IMPROVEMENTS PROJECT (WAM002) AS COMPLETE; AUTHORIZING THE CITY ENGINEER TO PREPARE AND THE CITY CLERK TO FILE THE NOTICE OF COMPLETION WITH THE SACRAMENTO COUNTY RECORDER; AND AUTHORIZING STAFF TO AMEND THE ANNUAL BUDGET AND CAPITAL IMPROVEMENT PROGRAM TO USE UP TO \$244,000 IN AVAILABLE LTF – BIKES AND PEDESTRIANS (FUND 305) FUNDS IN PLACE OF CURRENTLY BUDGETED MEASURE A SAFETY, BIKE AND PEDESTRIAN (FUND 393) FUNDS; REDUCING THE REMAINING PROJECT BUDGET AUTHORITY TO ZERO AND RETURNING ANY REMAINING FUNDS BACK TO THEIR RESPECTIVE FUND(S)

WHEREAS, on April 24, 2019, the City Council authorized the award of a construction contract to B & M Builders, Inc., for the Elk Grove and Laguna Boulevards UPRR XING Interim Bike Lane Improvements Project (WAM002) (the “Project”); and

WHEREAS, on May 22, 2019, the City Council authorized an increased scope of work and increased the change order authority for the project by \$23,000; and

WHEREAS, the Project included installation of green bike lane pavement markings within the existing Class 2 bike lane in both directions of Elk Grove Boulevard and Laguna Boulevard at the Union Pacific Railroad Overcrossing and minor modifications of curbs and gutters to accommodate additional width for the Class 2 bike lanes, and additional green pavement markings were installed on E. Stockton Boulevard from northbound State Route 99 ramps to Elk Grove Boulevard at the request of the Trails Committee; and

WHEREAS, B & M Builders, Inc. has completed the work in accordance with the terms and conditions of the contract documents for the Project; and

WHEREAS, if no liens or claims have been filed within thirty-five (35) days of filing the Notice of Completion, the retained payment funds and any remaining amount due will be released to B & M Builders, Inc.; and

WHEREAS, post construction work is typically completed within one hundred twenty (120) days of the City Clerk filing the Notice of Completion with the Sacramento County Recorder and then all invoices can be paid; and

WHEREAS, the project is using Measure A, Safety, Bike and Pedestrian (Fund 393) and there are more restrictive funds in the form of LTF – Bikes and Pedestrians (Fund 305) available in other projects; and

WHEREAS, the City would prefer to utilize more restrictive funds first allowing more flexible funding to be saved for other needs.

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

- 1) Accepts the Elk Grove and Laguna Boulevards UPRR XING Interim Bike Lane Improvements Project (WAM002) as complete;
- 2) Authorizes the City Engineer to prepare a Notice of Completion and the City Clerk to file the Notice of Completion for the Project with the Sacramento County Recorder; and
- 3) Authorizes staff to amend the Annual Budget and Capital Improvement Program as follows:
 - a. Substitute up to \$244,000 in LTF – Bikes and Pedestrians (Fund 305) funds from the Elk Grove-Florin Rd. and Elk Grove Park Sidewalk Infill (WAC026), 2016 Bus Stop Accessibility Improvements (WAC027), and Whitehouse Creek Trail Connection (WTL038) Projects in place of Measure A, Safety, Bike and Pedestrian (Fund 393) funds currently budgeted for the Elk Grove and Laguna Boulevards UPRR XING Interim Bike Lane Improvements Project; and
 - b. Increase the amount of Measure A - Safety, Bike and Pedestrian (Fund 393) funds in the Elk Grove-Florin Rd. and Elk Grove Park Sidewalk Infill (WAC026), 2016 Bus Stop Accessibility Improvements (WAC027), and Whitehouse Creek Trail Connection (WTL038) Projects by the amount of LTF - Bikes and Pedestrians (Fund 305) removed; and
 - c. Reduce the remaining project budget authority to zero and return any remaining funds back to their respective fund(s).

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 8th day of January 2020




STEVE LY, 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. 2020-004**

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 8, 2020 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*



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