

## RESOLUTION NO. 2020-104

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH WESTERN ENGINEERING CONTRACTORS, INC. FOR THE RAILROAD STREET IMPROVEMENTS (WTR049) AND OLD TOWN PLAZA PHASES 2 AND 3 (WCE022) PROJECTS IN THE AMOUNT OF \$8,412,855; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$841,285.50; AND AMENDING THE FISCAL YEAR 2019-20 BUDGET AND 2019-2024 CAPITAL IMPROVEMENT PROGRAM BY \$4,305,923**

**WHEREAS**, the Railroad Street Improvements (WTR049) Project will result in road reconstruction; utility construction (wet and dry/joint trench); construction of new curbs, gutters, accessible sidewalks and ramps; construction of two parking lots (with landscape and irrigation improvements) along an approximately 2,000-foot segment of Railroad Street and an approximately 180-foot segment of Grove Street; and the undergrounding of existing overhead utilities in a joint utility trench when feasible; and

**WHEREAS**, the Old Town Plaza Phases 2 and 3 (WCE022) Project will result in a complete park plaza with a formal entrance to the plaza, trellis structures, concrete seat wall seating, a large open space pavilion, public art, a performance lawn, site lighting, bike parking, park signage and hardscape and landscape areas; and

**WHEREAS**, an invitation to bid was duly advertised on January 15, 2020, and January 22, 2020, and bids were opened on February 27, 2020; and

**WHEREAS**, On March 11, 2020 Council directed the City Engineer to reject all bids and re-bid the Projects pursuant to Resolution Number 2020-043; and

**WHEREAS**, an invitation to bid was duly advertised on March 18, 2020, and March 25, 2020, and bids were opened on April 8, 2020; and

**WHEREAS**, the City received five bids and Western Engineering Contractors, Inc. was determined to be the responsible bidder submitting the lowest responsive bid; and

**WHEREAS**, the Projects are a project under California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, hereinafter referred to as CEQA); which requires that cities consider the environmental consequences of their actions before approving a project; and

**WHEREAS**, the City previously analyzed the Railroad Street Improvements (WTR049) and the Old Town Plaza Phase 2 and 3 (WCE022) Projects' potential environmental impacts and adopted the original Mitigated Negative Declaration (SCH No. 2016112036) and Mitigation Monitoring and Reporting Program prepared for the Projects on January 11, 2017, and later adopted a Supplemental Mitigated Negative Declaration (SCH No. 2019049135) and Mitigation Monitoring and Report Program on July 24, 2019; and

**WHEREAS**, based on staff's review of the Projects, no special circumstances exist that would create a reasonable possibility that this Project will have a significant impact on the environment beyond what was analyzed and disclosed in the Supplemental Initial Study/Mitigated Negative Declaration prepared for the Projects; no further environmental review under CEQA is required; and

**WHEREAS**, the Projects will utilize federal funds administered through the Department of Housing and Urban Development (HUD) and thus also require review under the National Environmental Policy Act (42 U.S.C. 4321 et seq., herein after NEPA); and

**WHEREAS**, an Environmental Assessment to analyze proposed environmental impacts under NEPA was prepared and determined that with incorporation of mitigation measures identified in the Environmental Assessment, the Projects would have a Finding of No Significant Impact; and

**WHEREAS**, the Finding of No Significant Impact was publically circulated, approved by the City Manager on October 23, 2019, and the Request for Release of Funds was approved by HUD on December 13, 2019; no further environmental review under NEPA is required; and

**WHEREAS**, the Projects are included in the approved Fiscal Year 2019-24 Capital Improvement Program and are budgeted with funds in the approved Fiscal Year 2019-20 Budget.

**NOW, THEREFORE, 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 Western Engineering Contractors, Inc. for the Railroad Street Improvements (WTR049) and Old Town Plaza Phases 2 and 3 (WCE022) Projects in the amount of \$8,412,855 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 \$841,285.50; and,
- 3) Amends the FY 2019-2024 Capital Improvement Program and Fiscal Year 2019-20 Budget for the Railroad Street Improvements Project (WTR049) by adding \$1,755,308 in SB1 LSR Funds (Fund 227), returning \$113,365 in Drainage Fee (Fund 503) funds, and returning \$855,586 in General Fund Capital Reserve (Fund 106) funds; and
- 4) Amends the FY 2019-2024 Capital Improvement Program and Fiscal Year 2019-20 Budget for the Old Town Plaza Phases 2 and 3 Project (WCE022) by adding \$651,873 in Drainage Fee (Fund 503) funds, adding \$111,081 in SB1 LSR Funds (Fund 227), adding \$856,612 in General Fund Capital Reserve (Fund 106) funds and adding \$1,900,000 in Debt Proceeds (Fund 345).

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 13<sup>th</sup> day of May 2020



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STEVE LY, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



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JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



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JONATHAN P. HOBBS,  
CITY ATTORNEY

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2020-104**

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 May 13, 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**