

**RESOLUTION NO. 2022-118**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING THE 2022 PAVEMENT SLURRY SEAL AND RESURFACING PHASE 2 PROJECT (WPR022); AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH VSS INTERNATIONAL, INC. FOR THE PROJECT IN THE AMOUNT OF \$2,240,120; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$336,000; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST RESPONSIVE BIDDER IF THE FIRST LOWEST RESPONSIVE BIDDER DOES NOT MEET FILING OBLIGATIONS (CEQA EXEMPT)**

**WHEREAS**, the 2022 Pavement Slurry Seal and Resurfacing Phase 2 Project (WPR022) (Project) includes placement of slurry seal, micro-surfacing, and two-layer treatment system, and re-stripping of various streets throughout the City; and

**WHEREAS**, an invitation to bid was duly advertised on March 25, 2022 and April 1, 2022, and electronic bids were received on Tuesday, April 26, 2022; and

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

**WHEREAS**, American Pavement Systems, Inc. was determined to be the responsible bidder submitting the second-lowest responsive bid; and

**WHEREAS**, the Project is a project under the 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 Project includes Measure A Maintenance (Fund 294) from the Operations and Maintenance budget in the amount of \$295,000; and

**WHEREAS**, the Project is included in the approved Fiscal Year 2021-26 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2021-22 Budget.

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

- 1) Finds the 2022 Pavement Slurry Seal and Resurfacing Phase 2 Project (WPR022) exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (existing facilities) of the State CEQA Guidelines based upon the following evidence:

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. As this Project involves placement of slurry seal, micro-surfacing, use of a two-layer treatment system, and re-stripping of various streets throughout the City and does not involve any expansion of use, it qualifies for the identified exemption and no additional environmental review under CEQA is required; and

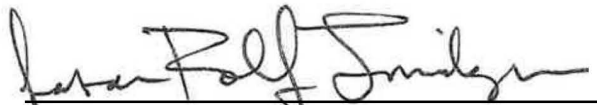
- 2) Approves the Project; and
- 3) Authorizes the City Manager to execute a construction contract with VSS International, Inc. for the 2022 Pavement Slurry Seal and Resurfacing Phase 2 Project (WPR022) in the amount of \$2,240,120 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and,
- 4) Authorizes the City Engineer to approve change orders not-to-exceed \$336,000; and,
- 5) Authorizes the City Manager to execute a construction contract with the second-lowest responsive bidder, American Pavement Systems, Inc., if, VSS International, Inc., does not meet filing obligations;

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 25<sup>th</sup> day of May 2022




BOBBIE SINGH-ALLEN, 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. 2022-118**

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 25, 2022 by the following vote:*

**AYES:**        **COUNCILMEMBERS:** *Singh-Allen, Suen, Hume, Spease, Nguyen*

**NOES:**       **COUNCILMEMBERS:** *None*

**ABSTAIN:**   **COUNCILMEMBERS:** *None*

**ABSENT:**   **COUNCILMEMBERS:** *None*

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