

RESOLUTION NO. 2009-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE INCREASING CONTRACT AUTHORITY BY \$1,949,000 OF THE PREVIOUSLY BUDGETED CONTINGENCY AMOUNT FOR THE CONTRACT WITH RGW CONSTRUCTION FOR THE GRANT LINE ROAD/STATE ROUTE 99 INTERCHANGE RECONSTRUCTION PROJECT AND RATIFYING EXPENDITURE OF \$564,364.22 IN CONTINGENCY FUNDS BEYOND EXISTING CONTRACT AUTHORITY

WHEREAS, on October 25, 2006, the City Council of the City of Elk Grove awarded the construction contract in the amount of \$29,736,613 to RGW Construction; and

WHEREAS, at the time of the award of the construction contract to RGW Construction, the project budget included \$2,841,000 for construction contract contingency; and

WHEREAS, on February 18, 2008, the City Council of the City of Elk Grove approved additional construction contract contingency of \$2,391,156, and the staff report identified the total construction contract contingency to be \$5,232,156; and

WHEREAS, the approved project budget of \$83,727,624 includes \$5,232,156 for construction contract contingency; and

WHEREAS, a payment was made to RGW Construction, Inc. in December 2008 that exceeded available contract authority by \$564,364.22 in order to avoid interest penalties required under the contract, and this payment was made from previously budgeted contingency funds.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby increases contract authority by \$1,949,000 of the previously budgeted contingency amount of \$2,841,000 for the contract with RGW Construction, resulting in a total contract authority of \$34,968,769, for the Grant Line Road/State Route 99 Interchange Reconstruction Project.

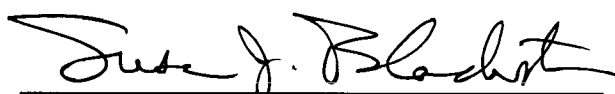
BE IT FURTHER RESOLVED that the payment of \$664,238.67 in December 2008 to RGW Construction, Inc., which exceeded existing contract authority by \$564,364.22, is hereby ratified.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14th day of January 2009.



PATRICK HUME, MAYOR of the
CITY OF ELK GROVE

ATTEST:



SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FOR



SUSAN COCHRAN, CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2009-13

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

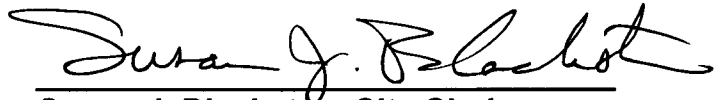
I, Susan J. Blackston, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 14, 2009 by the following vote:

AYES : **COUNCILMEMBERS:** *Hume, Scherman, Cooper, Davis, Detrick*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Susan J. Blackston, City Clerk
City of Elk Grove, California