

**RESOLUTION NO. 2010-206**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION  
CONTRACT WITH HEMINGTON LANDSCAPE SERVICES, INC. FOR THE  
WILLIAMSON DRIVE SIDEWALK IMPROVEMENTS PROJECT  
IN THE AMOUNT OF \$78,219 AND AUTHORIZING THE CITY  
ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$23,500**

**WHEREAS**, the Williamson Drive Sidewalk Improvements Project (Capital Improvement Project ID PT0133) is included in the approved 2010-15 Capital Improvement Program and is budgeted within the approved Fiscal Year 2010-11 Budget; and

**WHEREAS**, an invitation to bid was duly advertised on August 25, 2010 and bids were opened on September 24, 2010; and

**WHEREAS**, Hemington Landscape Services, 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:

- 1) Finds that the Williamson Drive Sidewalk Improvements Project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Title 14 of the California Code of Regulations Section 15301(c); and
- 2) Finds that an Environmental Assessment leading to a Finding of No Significant Impact (EA/FONSI) was completed for the Williamson Drive Sidewalk Improvements Project pursuant to 24 CFR 58.36 and the National Environmental Policy Act; and
- 3) Authorizes the City Manager to execute a construction contract with Hemington Landscape Services, Inc. for the Williamson Drive Sidewalk Improvements Project in the amount of \$78,219 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 \$23,500; and
- 5) Finds that should Hemington Landscape Services, Inc. fail to meet their obligations in executing the construction contract, the City Manager is thereby authorized to execute a construction contract with B&M Builders, Inc. (second lowest responsible bidder) in the amount of \$87,757.99 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney and authorizes the City Engineer to approve change orders not-to-exceed \$26,500.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 13<sup>th</sup> day of October 2010.

  
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SOPHIA SCHERMAN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JASON LINDGREN, INTERIM CITY CLERK

  
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SUSAN COCHRAN, CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2010-206**

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


***I, Jason Lindgren, Interim 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 13, 2010 by the following vote:***

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

**NOES:            COUNCILMEMBERS:        *None***

**ABSTAIN :        COUNCILMEMBERS:        *None***

**ABSENT:         COUNCILMEMBERS:        *None***

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