

RESOLUTION NO. 2011-212

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE NEIGHBORHOOD LIVABILITY (SPEED CONTROL) IMPROVEMENT PHASE 2 AND PHASE 3 PROJECT EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH VINTAGE PAVING COMPANY, INC. FOR THE NEIGHBORHOOD LIVABILITY (SPEED CONTROL) IMPROVEMENT PHASE 2 AND PHASE 3 PROJECT IN AN AMOUNT NOT-TO-EXCEED \$188,634.40 AND AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED \$38,000.00; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH B&B ASPHALT, THE SECOND LOWEST BIDDER, IF VINTAGE PAVING COMPANY, INC. DOES NOT MEET FILING OBLIGATIONS

WHEREAS, the Elk Grove City Council adopted a Speed Control Program in November 2008 establishing a system where residents can nominate streets for traffic calming through a petition process; and

WHEREAS, citizens petitioned for traffic calming measures on various streets in the City; and

WHEREAS, on October 27, 2010, January 12, 2011, May 25, 2011 the City Council approved and directed staff to design speed control measures on various streets throughout the City; and

WHEREAS, the Neighborhood Livability (Speed Control) Improvement Phase 2 and Phase 3 Project includes speed control improvements to only those streets approved by the City Council; and

WHEREAS, the Neighborhood Livability (Speed Control) Improvement Phase 2 and Phase 3 Project are budgeted within the approved Fiscal Year 2011-12 Budget; and

WHEREAS, an invitation to bid was duly advertised on October 12, 2011, and bids were opened on November 1, 2011; and

WHEREAS, Vintage Paving Company, Inc. was determined to be the responsible bidder submitting the lowest responsive bid and B&B Asphalt was determined to be the responsible bidder submitting the second lowest responsive bid.

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

- 1) Finds that the Neighborhood Livability (Speed Control) Improvement Phase 2 and Phase 3 Project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of

Title 14 of the California Code of Regulations (State CEQA Guidelines) based upon the following finding:

Finding: the Neighborhood Livability (Speed Control) Improvement Phase 2 and Phase 3 Project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of the State CEQA Guidelines.

Evidence: The proposed project is exempt from CEQA pursuant to Section 15301(c) of Chapter 3 of Division 6 of Title 14 of the California Code of Regulations (State CEQA Guidelines). This exemption applies to minor alteration of existing public or private facilities when the alteration involves negligible or no expansion of an existing use. The proposed improvements would take place within existing streets and sidewalks, on paved or previously graded land within the City of Elk Grove's right-of-way or public utility easements to allow for the installation of traffic control devices, signage, and striping. The project would involve minor alterations to existing public facilities to provide improved traffic and pedestrian safety in conjunction with existing structures and facilities and would not result in expansion of use beyond existing conditions. The project's improvements would not affect access to nearby residences or businesses. No special circumstances exist that would create a reasonable possibility that the proposed project will have a significant adverse effect on the environment. Therefore the project qualifies for the Section 15301(c) exemption and no further environmental review is required; and

- 2) Authorizes the City Manager to execute a construction contract with Vintage Paving Company, Inc. in the amount of \$188,634.40 for the Neighborhood Livability (Speed Control) Improvement Phase 2 and Phase 3 Project 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 \$38,000; and
- 3) Finds that should Vintage Paving Company, Inc. fail to meet their obligations in executing the construction contract, the City Manager is thereby authorized to execute a construction contract with B&B Asphalt (second lowest responsible bidder) in the amount of \$201,270.00 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 \$38,000.00.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 9th day of November 2011.



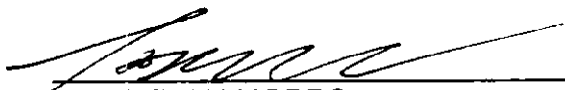
STEVEN M. DETRICK, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:



JASON LINDGREN, CITY CLERK



JONATHAN HOBBS,
INTERIM CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2011-212**

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

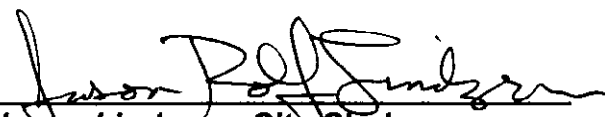
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on November 9, 2011 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Cooper, Scherman*



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