

RESOLUTION NO. 2015-223

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE UNION PARK WAY PAVEMENT AND DRAINAGE REHABILITATION PROJECT (WPR007) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH FBD VANGUARD CONSTRUCTION INC. FOR THE PROJECT IN THE AMOUNT OF \$1,392,754.40; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$208,913; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER, IF FBD VANGUARD CONSTRUCTION INC. DOES NOT MEET FILING OBLIGATIONS

WHEREAS, the Union Park Way Pavement and Drainage Rehabilitation Project (WPR007) (the "Project") will rehabilitate the pavement on Union Park Way, upgrade existing curb ramps, repair and replace portions of damaged curb, gutter, and construct drainage system improvements. Pavement will be replaced with roller compacted concrete; and

WHEREAS, the Project is included in the approved Fiscal Year 2015-20 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2015-16 Budget; and

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

WHEREAS, the Project is a project under CEQA; and

WHEREAS, 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; and

WHEREAS, an invitation to bid was duly advertised on September 18, 2015 and September 25, 2015, and bids were opened on October 13, 2015; and

WHEREAS, FBD Vanguard Construction 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 finds this project exempt from CEQA pursuant to State CEQA Guidelines Section 15301.

Finding: The proposed Project is exempt from CEQA pursuant to section 15301 of the State CEQA Guidelines.

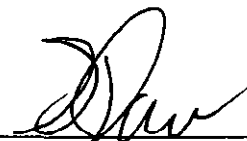
Evidence: The proposed Project is exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). This exemption applies to the minor alteration of existing public or private facilities when the alteration involves negligible or

no expansion of an existing use. The proposed project involves reconstruction of the pavement on Union Park Way, upgrade existing curb ramps, repair and replace portions of damaged curb, and gutter. This work is minor in nature in that it does not expand the use beyond its current condition and focuses on repairs and improvements. No special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, this project qualifies for the identified exemption and no further environmental review is required.

AND BE IT ALSO RESOLVED that the City Council of the City of Elk Grove hereby:

- 1) Authorizes the City Manager to execute a construction contract with FBD Vanguard Construction Inc. for the Union Park Way Pavement and Drainage Rehabilitation Project (WPR007), in the amount of \$1,392,754.40 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney;
- 2) Authorizes the City Engineer to approve change orders not-to-exceed \$208,913; and
- 3) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, Myers and Sons Construction LP, in the amount of \$1,592,996 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney, if FBD Vanguard Construction Inc., does not meet filing obligations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 28th day of October 2015.



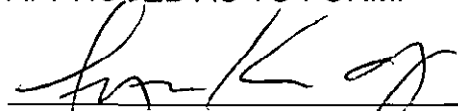
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



SUZANNE E. KENNEDY,
ACTING CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2015-223**

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 October 28, 2015 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*

Jason Lindgren FOR

Jason Lindgren, City Clerk
City of Elk Grove, California

