

**RESOLUTION NO. 2017-059**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH PETERSON DEVELOPMENTS FOR THE OLD TOWN PLAZA RESTROOM BUILDING PROJECT (WCE021) IN THE AMOUNT OF \$236,000; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$23,600; AND AMENDING THE FISCAL YEAR 2016-21 CAPITAL IMPROVEMENT PROGRAM AND FISCAL YEAR 2016-17 BUDGET BY \$35,826**

**WHEREAS**, the Old Town Plaza Restroom Building Project (WCE021), the "Project", includes the following components: construct permanent bathroom facilities, connect power, water and sewer site utilities, construct a sidewalk connection from the public sidewalk to the restroom building, and site improvements including hardscape around the restroom; and

**WHEREAS**, the Project is included in the approved Fiscal Year 2016-21 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2016-17 Budget; and

**WHEREAS**, the Project is a project under California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, hereinafter referred to as "CEQA"); and

**WHEREAS**, on January 11, 2017, the City Council adopted a Mitigated Negative Declaration ("MND") and Mitigation Monitoring and Reporting Program ("MMRP") for the Project, and no further environmental review is required; and a notice of Determination under CEQA was filed with the Sacramento County Clerk/Recorder on January 13, 2017; and

**WHEREAS**, an invitation to bid the Project was duly advertised on February 3, 2017 and February 10, 2017 and bids were opened on February 28, 2017; and

**WHEREAS**, Peterson Developments was determined to be the responsible bidder submitting the lowest responsive bid; and.

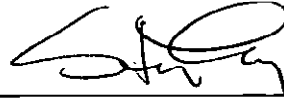
**WHEREAS**, additional funding is needed to award the project beyond the current budget.

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

- 1) Authorizes the City Manager to execute a construction contract with Peterson Developments for the Old Town Plaza Restroom Building Project (WCE021) in the amount of \$236,000 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and
- 2) Authorizes the City Engineer to approve change orders not-to-exceed \$23,600; and

- 3) Authorizes the City Manager to execute a construction contract with American River Construction, Inc., the second lowest responsive and responsible bidder, should Peterson Developments not meet filing obligations; and
- 4) Amends to the FY 2016-17 Capital Improvement Program and Fiscal Year 2016-17 Budget for the Old Town Plaza Project (WCE021) by adding \$35,826:00 in General Fund funds.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 22<sup>nd</sup> day of March 2017.



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STEVE LY, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



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JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



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JONATHAN P. HOBBS,  
CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2017-059**

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

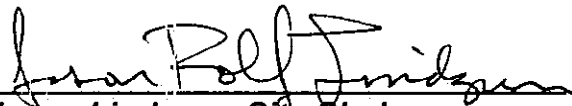
***I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 22, 2017 by the following vote:***

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

**NOES:        COUNCILMEMBERS:        *None***

**ABSTAIN:    COUNCILMEMBERS:        *None***

**ABSENT:     COUNCILMEMBERS:        *None***

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