

RESOLUTION NO. 2018-117

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE EMERALD VISTA DRIVE STORM DRAIN IMPROVEMENTS PROJECT (WDR024) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH MOZINGO CONSTRUCTION, INC., IN THE AMOUNT OF \$773,700; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$116,000; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST RESPONSIVE BIDDER IF THE FIRST LOWEST RESPONSIVE BIDDER DOES NOT MEET FILING OBLIGATIONS

WHEREAS, the Emerald Vista Drive Storm Drain Improvements Project (WDR024) (Project) will reduce the risk of street flooding by replacing approximately 1,060 feet of existing storm drain pipe and manholes along Emerald Vista Drive, from Tipton Court/Grimsby Court south to the outfall at Elk Grove Creek, including replacement of the existing outfall and installation of a trash rack.; and

WHEREAS, the Project is included in the approved Fiscal Year 2017-22 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2017-18 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) which requires that cities consider the environmental consequences of their actions before approving a project; and

WHEREAS, Section 15301(c) (Class 1: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 operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; and

WHEREAS, an invitation to bid was duly advertised on April 18, 2018 and April 25, 2018, and bids were opened on May 17, 2018; and

WHEREAS, Mozingo Construction, Inc., was determined to be the responsible bidder submitting the lowest responsive bid; and

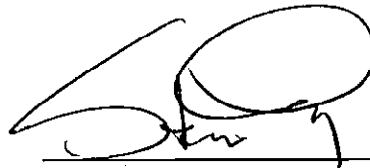
WHEREAS, Soracco, Inc., was determined to be the responsible bidder submitting the second lowest responsive bid.

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

- 1) Finds the Project exempt from CEQA pursuant to section 15301(c) of the State CEQA Guidelines and approves the Project; and

- 2) Authorizes the City Manager to execute a construction contract with Mozingo Construction, Inc., for the Emerald Vista Drive Storm Drain Improvements Project (WDR024) in the amount of \$773,700 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and
- 3) Authorizes the City Engineer to approve change orders not-to-exceed \$116,000; and
- 4) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, Soracco, Inc., in the amount of \$860,114 if, Mozingo Construction, Inc., does not meet filing obligations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of June 2018.



STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2018-117

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

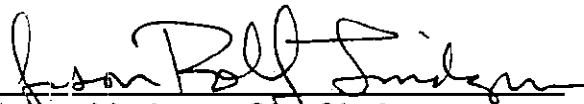
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 13, 2018 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Detrick*



Jason Lindgren, City Clerk
City of Elk Grove, California