

RESOLUTION NO. 2020-138

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING SHELDON ROAD BIKE LANES AND TURN LANES PROJECT (WTR054) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH A. TEICHERT & SON, INC. (DBA TEICHERT CONSTRUCTION) FOR THE SHELDON ROAD BIKE LANES AND TURN LANES PROJECT (WTR054) IN THE AMOUNT OF \$1,566,183; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$234,927; 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; AND AMENDING THE FISCAL YEAR 2019-20 BUDGET AND 2019-2024 CAPITAL IMPROVEMENT PROGRAM BY REMOVING \$648,280 IN ELK GROVE ROADWAY FEE (FUND 328) FUNDS

WHEREAS, the Sheldon Road Bike Lanes and Turn Lanes Project (WTR054) (Project) includes the work of 1) repair heavily distressed HMA areas, by replacing full structure first, which account for approximately 20% of the rehabilitation area; 2) grind and inlay shall be placed on top of paving fabric; 3) localized widening to accommodate the proposed two-way left turn lane plus bike lane for a total roadway width; 4) new striping for Sheldon Road with new localized two-way left turn lane pockets from Scenic Elk Court to Armaria Court; and

WHEREAS, an invitation to bid was duly advertised on May 6, 2020, and May 13, 2020, and bids were opened on June 3, 2020; and

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

WHEREAS, McGuire and Hester was determined to be the responsible bidder submitting the second lowest responsive bid; 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 (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 minor alteration of existing public or private facilities when the alteration involves negligible or no expansion of an existing use. The Project would rehabilitate the existing road surface and structure and would also include minor widening within City right-of-way to accommodate localized two-way left turn lane pockets. These turn-lane pockets would allow for safer vehicle turning movements through this section of Sheldon Road, which has experienced multiple collisions. These turn-lane pockets would allow for safer vehicle turning movements through this section of Sheldon Road, which has experienced multiple collisions. The creation of these localized two-way left turn lane pockets to improve safety deficiencies does not constitute the creation of additional through-travel lanes and is therefore not considered capacity increasing. As the Project is not capacity increasing, involves

negligible expansion of use, and would occur entirely within City right-of-way, the Project qualifies under CEQA Section 15301 (Class 1 Existing Facilities). The Project also qualifies for an exemption under CEQA Section 15304(h) (Class 4 Minor Alterations to Land) which allows for the creation of bicycle lanes on existing right-of-way. No further environmental review is required; and

WHEREAS, the Project is included in the approved Fiscal Year 2019-24 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2019-20 Budget; and

WHEREAS, the bid results were on average 30% less than the Engineer's Estimate and funds allocated to the Project are not needed and can be used in the future on other capital projects.

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 pursuant to section 15301 of the State CEQA Guidelines and approves the Sheldon Road Bike Lanes and Turn Lanes (WTR054) Project; and
- 2) Authorizes the City Manager to execute a construction contract with Teichert Construction for the Sheldon Road Bike Lanes and Turn Lanes (WTR054) Project in the amount of \$1,566,183 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 \$234,927; and
- 4) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, McGuire and Hester, if Teichert Construction does not meet filing obligations; and
- 5) Authorizes an amendment to the FY 2019-24 Capital Improvement Program and Fiscal Year 2019-20 Budget for the Sheldon Road Bike Lanes and Turn Lanes Project (WTR054) removing \$648,280 in Elk Grove Roadway Fee (Fund 328) funds.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 24th day of June 2020



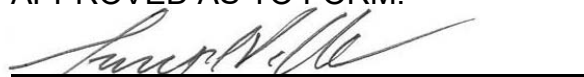
STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2020-138**

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

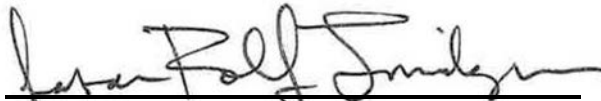
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 24, 2020 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *Nguyen*



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