

**RESOLUTION NO. 2023-021**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING THE ON-CALL CONCRETE SERVICES – INSTALLATION, MAINTENANCE AND REPAIRS OF CURBS, GUTTERS, SIDEWALKS AND RELATED ITEMS (OM2305) PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A MAINTENANCE CONTRACT WITH CENTRAL VALLEY ENGINEERING & ASPHALT, INC. FOR THE FOR THE PROJECT BASED ON THE RATES AND SCOPE OF SERVICES IN THE BID; AUTHORIZING THE CITY ENGINEER OR AUTHORIZED DESIGNEE TO ISSUE WORK ORDERS UNDER THIS MAINTENANCE CONTRACT IN AN AMOUNT NOT-TO-EXCEED THE AMOUNT BUDGETED FOR THIS WORK THROUGH THE FISCAL YEAR ANNUAL BUDGET PROCESS; AND AUTHORIZING THE CITY ENGINEER TO REBID THE PROJECT IF THE FIRST LOWEST RESPONSIVE BIDDER DOES NOT MEET FILING OBLIGATIONS (CEQA EXEMPT)**

**WHEREAS**, the proposed Work for the On-Call Concrete Services – Installation, Maintenance and Repairs of Curbs, Gutters, Sidewalks and Related Items (OM2305) Project (Project) shall be performed in accordance with the plans, specifications and other Contract Documents and shall include but not be limited to the following: remove and replace concrete sidewalks, curbs, gutters, driveways, ADA access ramps, including adjacent hot mix asphalt (HMA) pavement, root removals, install detectable warning surface (DWS), and other related items as directed by the Engineer (Work); and

**WHEREAS**, an invitation to bid was duly advertised on December 9, 2022 and December 16, 2022, and electronic bids were received on January 10, 2023; and

**WHEREAS**, Central Valley Engineering & Asphalt, Inc. was determined to be the responsible bidder submitting the lowest responsive bid; and

**WHEREAS**, the City Engineer may rebid the Project if Central Valley Engineering & Asphalt, Inc. does not meet filing obligations; 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 (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**, the Project is included in the approved Fiscal Year 2022-23 Budget; and

**WHEREAS**, the quantities listed for each work task are approximate and not guaranteed; therefore, the City Engineer or authorized designee shall have the authority to amend quantities or tasks for the duration of the contract.

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

- 1) Finds the On-Call Concrete Services – Installation, Maintenance and Repairs of Curbs, Gutters, Sidewalks and Related Items (OM2305) Project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (existing facilities) of the State CEQA Guidelines based upon the following finding:

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. The Project will remove and replace concrete sidewalks, curbs, gutters, driveways, ADA access ramps, and install detectable warning surfaces. The Project will also remove roots and replace any associated hot mix asphalt (HMA) pavement within the construction footprint of the proposed repairs. As these proposed alterations and modifications would occur within existing City-owned facilities, would negligibly expand the existing use of these facilities, and would not have a significant effect on the environment, the Project qualifies for the identified exemption. No further environmental review under CEQA is required; and

- 2) Approves the Project; and
- 3) Authorizes the City Manager to execute a maintenance contract with Central Valley Engineering & Asphalt, Inc. for the On-Call Concrete Services – Installation, Maintenance and Repairs of Curbs, Gutters, Sidewalks and Related Items (OM2305) Project based on the rates and scope of services in the bid, upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and,
- 4) Authorizes the City Engineer, or authorized designee, to issue work orders under this maintenance contract in an amount not-to-exceed the amount budgeted for this work through the Annual Budget process; and,
- 5) Authorizes the City Engineer to rebid the Project, if Central Valley Engineering & Asphalt, Inc., does not meet filing obligations.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 8<sup>th</sup> day of February 2023




BOBBIE SINGH-ALLEN, 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. 2023-021**

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 February 8, 2023 by the following vote:*

**AYES:**        **COUNCILMEMBERS:**    *Singh-Allen, Spease, Brewer, Robles, Suen*

**NOES:**       **COUNCILMEMBERS:**    *None*

**ABSTAIN:**   **COUNCILMEMBERS:**    *None*

**ABSENT:**    **COUNCILMEMBERS:**    *None*

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