



**CITY OF ELK GROVE
CITY COUNCIL STAFF REPORT**

AGENDA TITLE: Adopt resolution finding the Railroad Quiet Zone at Dwight Road and Sims Road Project (WTR008) exempt under the California Environmental Quality Act; authorizing the City Manager to execute a construction contract with Central Valley Engineering and Asphalt, Inc. in the amount of \$59,934; authorizing the City Engineer to approve change orders not-to-exceed \$8,990; and authorizing the City Manager to execute a construction contract with the second lowest bidder if the first lowest bidder does not meet filing obligations

MEETING DATE: March 23, 2016

PREPARED BY: Bryan Stone, Project Manager
Jennifer Maxwell, CIP Service Manager

DEPARTMENT HEAD: Robert Murdoch, Public Works Director /
City Engineer

RECOMMENDED ACTION:

Staff recommends the City Council adopt a resolution:

- 1) Finding the Railroad Quiet Zone at Dwight Road and Sims Road Project (WTR008) (Project) exempt from the California Environmental Quality Act (CEQA);
- 2) Authorizing the City Manager to execute a construction contract with Central Valley Engineering and Asphalt, Inc. for the Project in the amount of \$59,934;

- 3) Authorizing the City Engineer to approve change orders not-to-exceed \$8,990; and
- 4) Authorizing the City Manager to execute a construction contract with the second lowest responsive and responsible bidder, Martin General Engineering, Inc., should Central Valley Engineering and Asphalt, Inc. not meet filing obligations.

BACKGROUND INFORMATION:

The Project will create a Quiet Zone at the northwest City boundary by closing one railroad crossing and constructing improvements at a second access. Quiet Zones limit drivers’ ability to go around the railroad crossing arms which provides legal authorization for the railroad to decline routinely blowing their horn on approach, thus improving the local residents’ quality of life. The project will install a fence, median curb, asphalt dike, striping, and signage improvements at Sims Road and remove roadway surfacing, and install a fence, gate, and signage to restrict public access at Dwight Road. The Project Location Map is provided under Attachment 2.

The project required extensive coordination with Sacramento Regional County Sanitation District (Regional San), Sacramento County, Union Pacific Railroad, and the Federal Railroad Administration as portions of the project are within these agencies rights-of-way or jurisdiction.

BID ANALYSIS:

The call for bids was advertised on February 17, 2016 and February 24, 2016. The City Clerk received the following six bids on Thursday, March 3, 2016:

Table 1 – Bids Received

| Contractor Name | Address | Total Bid Price |
|--|---|------------------------|
| Engineer’s Estimate | N/A | \$143,000.00 |
| Central Valley Engineering and Asphalt, Inc. | 216 Kenroy Lane Roseville, CA | \$ 59,934.00 |
| Martin General Engineering, Inc. | 12485 Quicksilver Drive Rancho Cordova, CA | *\$ 74,660.30 |
| Abide Builders, Inc. | 825 Riverside Parkway West Sacramento, CA | \$ 86,430.00 |

| Contractor Name | Address | Total Bid Price |
|------------------------------------|--|------------------------|
| Sierra National Construction, Inc. | 5433 El Camino Avenue, Carmichael, CA | \$ 96,069.00 |
| FBD Vanguard Construction, Inc. | 651 Enterprise Court Livermore, CA | *\$117,225.00 |
| CE Green, Inc. | 6105 Main Avenue Orangevale, CA | *\$125,572.60 |

*Martin General Engineering, Inc.; FBD Vanguard Construction, Inc.; and CE Green, Inc. had math errors in their total bid price changing the amount of their listed total bid price in the Bid Results to the amount listed above.

After review of the bids received, staff has determined that Central Valley Engineering and Asphalt, Inc. is the lowest responsible bidder submitting the lowest responsive total bid price of \$59,934. There is sufficient budget to award the total bid amount.

As specified in the construction contract, the contractor must execute and return the contract, along with other specified requirements, within ten calendar days following receipt of the Notice of Award.

Construction is anticipated to begin in April 2016 assuming no complications with the contract execution process. The contract allows 30 working days to complete the required work. The work is expected to be complete in June 2016.

ENVIRONMENTAL REVIEW:

The California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” The proposed Project is a project under CEQA.

Staff has reviewed the Project to determine the required level of review under CEQA. The proposed Project is exempt from CEQA under State CEQA Guidelines Section 15301 (Existing Facilities). This exemption applies to 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.

The project will install a fence, median curb, asphalt dike, striping, and signage improvements at Sims Road and remove roadway surfacing, and install a fence, gate, and signage to restrict public access at Dwight Road in order to implement a railroad quiet zone for the Union Pacific corridor in North West Elk Grove. No trees will be removed and no special circumstances exist that would create a reasonable possibility that the proposed project will have a significant adverse effect on the environment. Therefore, the Project is exempt.

FISCAL IMPACT:

The Fiscal Year 2015-16 Budget for the Project includes \$307,000 in Gas Tax funds (Fund 221). The approved budget also includes \$55,000 in External Agencies funds (Fund 338) however; these funds will not be used for the project. These funds were to be provided by Regional San (at their request) for pavement repair work to a portion of their road, however the work and funds were recently removed by mutual agreement.

A summary of estimated total Project costs based on the lowest responsive and responsible bid is shown in Table 2:

**Table 2 – Total Estimated Project Costs for the
Railroad Quiet Zone at Dwight Road and Sims Road Project (WTR008)
(First Lowest Responsive and Responsible Bid)**

| Capital Costs | Projected Cost |
|---|-----------------------|
| Design/Environmental | \$72,500 |
| Construction Engineering | \$55,250 |
| Construction Contract including contingency | \$68,924 |
| Total Costs | \$196,674 |

Should Central Valley Engineering and Asphalt, Inc. fail to meet its obligations in executing the construction contract, the next lowest responsible bidder, Martin General Engineering, Inc., may instead be awarded the contract. Funds would still be available for the construction contract of \$74,660.30, as well as contingency to accommodate potential change orders up to \$8,990, for a total construction budget of \$83,650.30. A summary of estimated total Project costs based on the second lowest responsive and responsible bid is shown in Table 3:

**Table 3 – Total Estimated Project Costs for the
Railroad Quiet Zone at Dwight Road and Sims Road Project (WTR008)
(Second Lowest Responsive and Responsible Bid)**

| Capital Costs | Projected Cost |
|---|-----------------------|
| Design/Environmental | \$72,500 |
| Construction Engineering | \$55,250 |
| Construction Contract including contingency | \$83,650.30 |
| Total Costs | \$211,400.30 |

Project savings after final close-out will be returned to Gas Tax funds (Fund 221).

ATTACHMENTS:

1. Resolution
2. Project Location Map

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE RAILROAD QUIET ZONE AT DWIGHT ROAD AND SIMS ROAD PROJECT (WTR008) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH CENTRAL VALLEY ENGINEERING AND ASPHALT, INC. FOR THE RAILROAD QUIET ZONE AT DWIGHT ROAD AND SIMS ROAD PROJECT (WTR008) IN THE AMOUNT OF \$59,934; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$8,990; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER, MARTIN GENERAL ENGINEERING, INC., IF CENTRAL VALLEY ENGINEERING AND ASPHALT, INC. DOES NOT MEET FILING OBLIGATIONS

WHEREAS, the Railroad Quiet Zone at Dwight Road and Sims Road Project (WTR008) (the "Project") will install a fence, median curb, asphalt dike, striping, and signage improvements at Sims Road and remove roadway surfacing, and install a fence, gate, and signage to restrict public access at Dwight road in order to implement a railroad quiet zone for the Union Pacific corridor in North West Elk Grove; 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 February 17, 2016 and February 24, 2016, and bids were opened on March 3, 2016; and

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

WHEREAS, Martin General Engineering, 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 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 will install a fence, median curb, asphalt dike, striping, and signage improvements at Sims Road and remove roadway surfacing, and install a fence, gate, and signage to restrict public access at Dwight road in order to implement a railroad quiet zone for the Union Pacific corridor in North West Elk Grove. No trees will be removed and 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 Central Valley Engineering and Asphalt, Inc. for the Railroad Quiet Zone at Dwight Road and Sims Road Project (WTR008), in the amount of \$59,934 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 \$8,990; and
- 3) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, Martin General Engineering, Inc., in the amount of \$74,660.30 upon receipt of all required bonds and insurance and that approval of such bonds and insurance by the City Attorney if, Central Valley Engineering and Asphalt, Inc., does not meet filing obligations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 23rd day of March 2016.

GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:

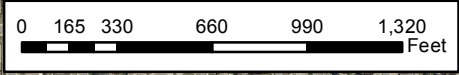
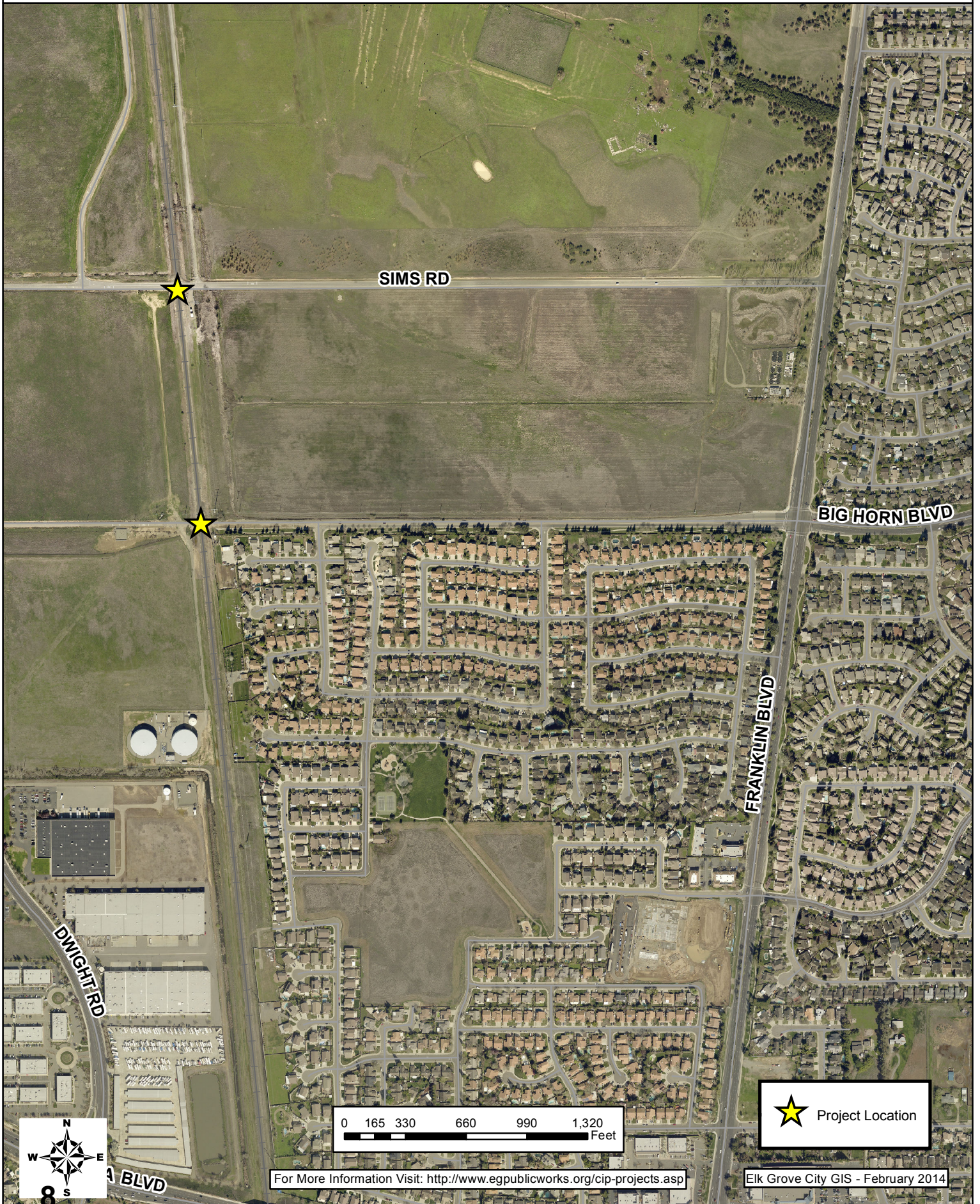
APPROVED AS TO FORM:

JASON LINDGREN, CITY CLERK

JONATHAN P. HOBBS,
CITY ATTORNEY

Quiet Zone at Dwight Rd and Sims Rd - WTR008

Project Location Map



 Project Location

For More Information Visit: <http://www.egpublicworks.org/cip-projects.asp>

Elk Grove City GIS - February 2014