

RESOLUTION NO. 2008-129

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE DENYING AN AWARD PROTEST, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$833,183.58 WITH DIEDE CONSTRUCTION, INC. FOR THE SAFE ROUTES TO SCHOOL LAGUNA CREEK TRAIL BRIDGE PROJECT, AUTHORIZING A CONTINGENCY FUND OF \$130,000, AND AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS

WHEREAS, Caltrans awarded to the City of Elk Grove a Safe Routes To School Grant for the Safe Routes to School-Laguna Creek Trail Bridge and Associated Improvements Project (Project) (Capital Improvement Project ID PT0065); and

WHEREAS, this Project is identified in the City's 2007-2012 Capital Improvement Program; and

WHEREAS, this Project will improve student access to Elk Grove Elementary and Joseph Kerr Middle Schools and involves constructing a bridge across Laguna Creek; and

WHEREAS, the Laguna Creek Trail Bridge was developed in cooperation with the Cosumnes Community Services District, Elk Grove Unified School District and the Fallbrook Neighborhood Association; and

WHEREAS, construction bid documents reflect improvements desired by the Elk Grove Unified School District and the community; and

WHEREAS, an invitation to bid was duly advertised, bids were opened on Tuesday, May 20, 2008 and Diede Construction Inc. was determined to be the responsible bidder submitting the lowest responsive bid; and

WHEREAS, an award protest letter was submitted by the second lowest bidder, Westcon Construction Corporation; and

WHEREAS, Diede Construction, Inc.'s bid cannot be found nonresponsive based on available information, and Diede Construction, Inc. was determined to be the responsible bidder submitting the lowest responsive bid.

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

1. Denies the award protest; and
2. Authorizes the City Manager to execute a construction contract in the amount of \$833,183.58 with Diede Construction, Inc. for the Safe Routes to School Laguna Creek Trail Bridge Project; and

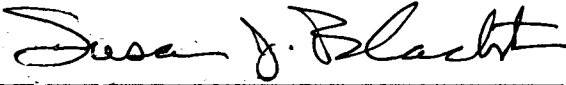
3. Authorizes a contingency fund of \$130,000; and
4. Authorizes the City Engineer to approve change orders.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 11th day of June 2008.



PATRICK HUME, VICE MAYOR of the
CITY OF ELK GROVE

ATTEST:



SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2008-129

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


I, Susan J. Blackston, 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 11, 2008 by the following vote:

AYES : **COUNCILMEMBERS:** ***Hume, Scherman, Leary***

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

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

ABSENT: **COUNCILMEMBERS:** ***Davis, Cooper***



Susan J. Blackston, City Clerk
City of Elk Grove, California