

RESOLUTION NO. 2015-184

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE THE ELK GROVE-FLORIN ROAD STORM DRAIN IMPROVEMENTS PROJECT (WDR011); AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH NORTH STAR CONSTRUCTION AND ENGINEERING, INC FOR THE ELK GROVE-FLORIN ROAD STORM DRAIN IMPROVEMENTS PROJECT (WDR011) IN THE AMOUNT OF \$657,735 AND AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$98,660; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER, R.A NEMETZ CONSTRUCTION COMPANY, INC., IF NORTH STAR CONSTRUCTION AND ENGINEERING, INC. DOES NOT MEET FILING OBLIGATIONS

WHEREAS, the Elk Grove-Florin Road Storm Drain Improvements Project (WDR011) (the "Project") will install a new storm drain pipe system along Elk Grove-Florin Road, and construction of a new outfall structure at Whitehouse Creek; 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, on December 14, 2011, the City Council adopted Resolution 2011-261, certifying an *Environmental Impact Report* and adopting a Mitigation Monitoring and Reporting Program for, and approving, the Storm Drainage Master Plan which includes the proposed Project (SCH No. 2011012035); and

WHEREAS, an invitation to bid was duly advertised on August 12, 2015 and August 19, 2015, and bids were opened on September 1, 2015; and

WHEREAS, North Star Construction and Engineering, 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 finds this project exempt from CEQA pursuant to State CEQA Guidelines Section 15301.


Finding: The proposed Project is are included in the Storm Drain Master Plan Program, which was analyzed under a prior Environmental Impact Report and no further environmental review is required.

Evidence: On December 14, 2011, the City Council certified an Environmental Impact Report (EIR) and adopted a Mitigation Monitoring and Reporting Program for the City's Storm Drainage Master Plan (SCH No. 2011012035), which included the proposed project. The potential environmental impacts were adequately analyzed as part of the EIR. No substantial changes are proposed to the project and there are no substantial changes in circumstances or new information that would require major revisions to the EIR. Therefore, 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 North Star Construction and Engineering, Inc. for the Elk Grove-Florin Road Storm Drain Improvements Project (WDR011), in the amount of \$657,735 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 \$98,660;
- 3) Authorizes the City Manager to execute a construction contract with the second lowest bidder, R.A. Nemetz Construction Company, Inc., in the amount of \$689,480 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney if North Star Construction and Engineering, Inc. does not meet filing obligations and authorizes the City Engineer to approve change orders not-to-exceed \$103,422.


PASSED AND ADOPTED by the City Council of the City of Elk Grove this 9th day of September 2015



GARY DAVIS, 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. 2015-184**

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

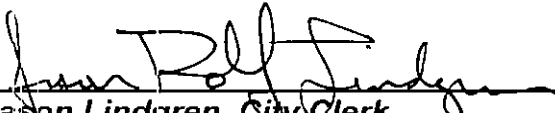
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on September 9, 2015 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California