

**RESOLUTION NO. 2015-162**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE 2015 SLURRY SEAL PROJECT (WPR009) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH CALIFORNIA PAVEMENT MAINTENANCE COMPANY, INC. FOR THE 2015 SLURRY SEAL PROJECT (WPR009) IN THE AMOUNT OF \$849,958.25 AND AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$167,000; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER IF CALIFORNIA PAVEMENT MAINTENANCE COMPANY, INC. DOES NOT MEET FILING OBLIGATIONS**

**WHEREAS**, the 2015 Slurry Seal Project (WPR009) (the "Project") consists of improvements to various streets for the placement of slurry seal, crack sealing, isolated area of pavement reconstruction, placement of pavement markers, and thermoplastic traffic striping and markings; and

**WHEREAS**, the Project is included in the approved Fiscal Year 2014-19 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2014-15 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 July 8, 2015 and July 15, 2015, and bids were opened on August 6, 2015; and

**WHEREAS**, California Pavement Maintenance Company, 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 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.

**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 California Pavement Maintenance Company, Inc. for the 2015 Slurry Seal Project (WPR009), in the amount of \$849,958.25 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 \$167,000;
- 3) Authorizes the City Manager to execute a construction contract with the second lowest bidder, VSS International, Inc., in the amount of \$864,045 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney if California Pavement Maintenance Company, Inc. does not meet filing obligations.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 12<sup>th</sup> day of August 2015.



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GARY DAVIS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



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JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



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JONATHAN P. HOBBS,  
CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2015-162**

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

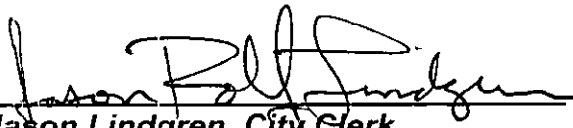
*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a special meeting of said Council held on August 12, 2015 by the following vote:*

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

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

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

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

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