

RESOLUTION NO. 2018-120

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH ROBERT A BOTHMAN CONSTRUCTION FOR THE LOWER LAGUNA CREEK OPEN SPACE PRESERVE TRAIL PROJECT (WTL022) (FEDERAL PROJECT: ATPL-5479(051)) IN THE AMOUNT OF \$1,742,597.30; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$174,259; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST RESPONSIVE BIDDER IF THE FIRST LOWEST RESPONSIVE BIDDER DOES NOT MEET FILING OBLIGATIONS (NO FURTHER CEQA REVIEW REQUIRED)

WHEREAS, the Lower Laguna Creek Open Space Preserve Trail Project (WTL022) (Federal Project: ATPL-5479(051)) (Project) is across the Lower Laguna Creek Open Space Preserve, and will result in approximately one mile of Class I Bikeway (Multi-Use Trail), through an open space preserve, adjacent to Laguna Creek; and

WHEREAS, the major improvements include a Class I Bikeway consisting of a 10-foot wide asphalt trail with two-foot decomposed granite shoulders, a 60,000 square foot educational area including eight-foot wide decomposed granite paths and interpretive sign stations, appropriate trail signs, striping, pavement markings, and restoration of native riparian and wetland landscaping (Work); and

WHEREAS, the Project is included in the approved Fiscal Year 2017-22 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2017-18 Budget; and

WHEREAS, the Project is a project under the 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. Additionally, as the Project is receiving federal funding, the project is also subject to the National Environmental Policy Act (NEPA) with the California Department of Transportation (Caltrans) as the NEPA lead agency; and

WHEREAS, the Project's potential environmental impacts were adequately analyzed under CEQA and documented in an Initial Study which resulted in a Mitigated Negative Declaration (MND) and a Mitigation Monitoring and Reporting Program (MMRP) (State Clearing House #2016032014). On April 27, 2016, the City Council, as the CEQA lead agency, approved the MND and the MMRP. In addition to those actions, the City Council also approved the Project; and

WHEREAS, due to the Project receiving federal funding, the Project is subject to review under the National Environmental Policy Act (NEPA) with the California Department of Transportation (Caltrans) as the NEPA lead agency. Caltrans completed its review of the Project and determined it exempt under 23 CFR 771.117(c): activity (c)(3); and

WHEREAS, an invitation to bid was duly advertised on April 4, 2018 and April 11, 2018, and bids were opened on May 8, 2018; and

WHEREAS, Robert A Bothman Construction was determined to be the responsible bidder submitting the lowest responsive bid;

WHEREAS, Granite Rock Company 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:

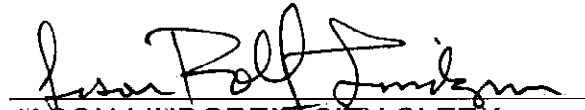
- 1) Authorizes the City Manager to execute a construction contract with Robert A. Bothman Construction for the Lower Laguna Creek Open Space Preserve Trail Project (WTL022) (Federal Project: ATPL-5479(051)) in the amount of \$1,742,597.30 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and,
- 2) Authorizes the City Engineer to approve change orders not-to-exceed \$174,259; and,
- 3) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, Granite Rock Company in the amount of \$1,852,723, should Robert A. Bothman Construction not meet filing obligations;

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of June 2018.



STEVE LY, 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. 2018-120

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

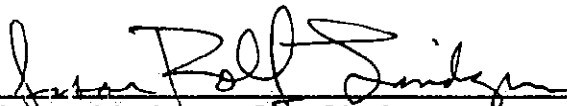
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 13, 2018 by the following vote:

AYES: **COUNCILMEMBERS:** *Ly, Suen, Hume, Nguyen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Detrick*



Jason Lindgren, City Clerk
City of Elk Grove, California