

RESOLUTION NO. 2019-030

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE INSTALLATION, MAINTENANCE AND REPAIR OF CURBS, GUTTERS, SIDEWALKS AND RELATED ITEMS (OM1901) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH ESCOBEDO COCNETE & DEMOLITION IN THE AMOUNT OF \$275,000; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$50,000; 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

WHEREAS, the Installation, Maintenance and Repair of Curbs, Gutters, Sidewalks and Related Items Project (OM1901) (Project) will result in City-issued Work Orders to complete as needed concrete work for maintenance and repair of curb, gutter, sidewalk and related items; and

WHEREAS, the Project funding is included in the approved Fiscal Year 2019 Operations and Maintenance budget; and

WHEREAS, the Project is a project under 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; and

WHEREAS, Section 15301(c) (Class 1: 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. OM1901 involves repair and maintenance of existing sidewalks, curbs, and gutters located within City right-of-way, throughout the City limits. The Project is needed to maintain safe and accessible pedestrian facilities and is consistent with the City's general plan designation and general plan policies regarding pedestrian paths and accessibility. As the Project will not involve installation of new facilities and will either not expand or negligibly expand the use of the existing facilities, it qualifies for the identified exemption and no further environmental review is required; however, should it be later determined by the City that the Project will include installation of new sidewalk or other new facilities, then staff shall conduct additional environmental review to determine the level of CEQA analysis; and

WHEREAS, an invitation to bid was duly advertised on January 11, 2019 and January 18, 2019, and bids were opened on February 5, 2019; and

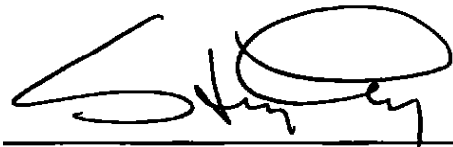
WHEREAS, Escobedo Concrete & Demolition was determined to be the responsible bidder submitting the lowest responsive bid; and

WHEREAS, Arrow Drilling, Inc. dba Arrow Construction 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) Finds the Project exempt from CEQA pursuant to section 15301(c) (Class 1: Existing Facilities) of the State CEQA Guidelines and approves the Project; however, should the Project be revised to include installation of new facilities, then Staff shall conduct additional environmental review to determine the level of CEQA analysis; and,
- 2) Authorizes the City Manager to execute a construction contract with Escobedo Concrete & Demolition for the Installation, Maintenance and Repair of Curbs, Gutters, Sidewalks and Related Items (OM1901) in the amount of \$275,000 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and,
- 3) Authorizes the City Engineer to approve change orders not-to-exceed \$50,000; and,
- 4) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, Arrow Drilling, Inc. dba Arrow Construction, if Escobedo Concrete & Demolition does not meet filing obligations;

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 27th day of February 2019



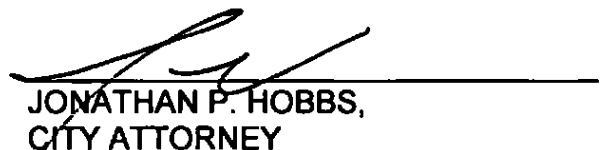
STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2019-030**

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

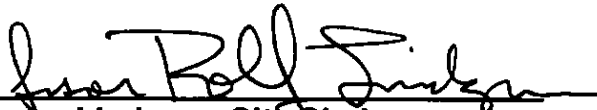
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 27, 2019 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *Nguyen*


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