

**RESOLUTION NO. 2019-117**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE 2019 PAVEMENT SLURRY SEAL AND RESURFACING PROJECT (WPR019) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH CENTRAL VALLEY ENGINEERING & ASPHALT, INC. FOR THE ASPHALT CONCRETE REPAIRS IN PREPARATION FOR WPR019 PROJECT (OM1905) IN THE AMOUNT OF \$728,028; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$100,000; 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 Asphalt Concrete Repairs in Preparation for WPR019 Project (OM1905) (Project) includes completion of asphalt concrete (AC) repairs in preparation for the 2019 Pavement Slurry Seal and Resurfacing Project (WPR019); and

**WHEREAS**, an invitation to bid was duly advertised on April 3, 2019 and April 10, 2019, and bids were opened on April 23, 2019; and

**WHEREAS**, Central Valley Engineering & Asphalt, Inc. was determined to be the responsible bidder submitting the lowest responsive bid; and

**WHEREAS**, McGuire and Hester was determined to be the responsible bidder submitting the second lowest responsive bid; and

**WHEREAS**, the 2019 Pavement Slurry Seal and Resurfacing Project (WPR019) and associated Asphalt Concrete Repairs 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 (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**, the Project is included in the approved Fiscal Year 2018-23 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2018-19 Budget.

**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 pursuant to section 15301 of the State CEQA Guidelines and approves the Project; and

- 2) Authorizes the City Manager to execute a construction contract with Central Valley Engineering & Asphalt, Inc. for the Asphalt Concrete Repairs in Preparation for WPR019 Project (OM1905) in the amount of \$728,028, for the Base Bid plus Alternates A and B, 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 \$100,000; and
- 4) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, McGuire and Hester, if Central Valley Engineering & Asphalt, 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 June 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. 2019-117**

**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 12, 2019 by the following vote:***

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

**NOES:           COUNCILMEMBERS:        *None***

**ABSTAIN:       COUNCILMEMBERS:        *None***

**ABSENT:        COUNCILMEMBERS:        *None***

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