

RESOLUTION NO. 2017-107

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE CITYWIDE PAVEMENT RESURFACING 2017 PROJECT (WPR017) (REBID) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH VSS INTERNATIONAL, INC. FOR THE CITYWIDE PAVEMENT RESURFACING 2017 PROJECT (WPR017) (REBID) IN THE AMOUNT OF \$2,758,000; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$413,700; 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 Citywide Pavement Resurfacing 2017 Project (WPR017) (Rebid) (the "Project") will place slurry seal, microsurfacing, rubberized cape seal, signing and striping on various streets throughout the City; and

WHEREAS, the Project is included in the approved Fiscal Year 2016-21 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2016-17 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 April 21, 2017 and April 28, 2017 and bids were opened on May 8, 2017; and

WHEREAS, VSS International, Inc. was determined to be the responsible bidder submitting the lowest responsive bid; and

WHEREAS, American Pavement Systems, Inc. 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 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. The proposed project consists of placement of slurry seal and localized pavement repairs on various streets throughout the City. The work is minor in nature in that it does not expand the use beyond its current condition and focuses on maintenance and repairs to the existing facilities. No trees will be removed and no special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, this project qualifies for the identified exemption and no further environmental review is required.

AND BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby:

- 1) Approves the Project and authorizes the City Manager to execute a construction contract with VSS International, Inc. for the Citywide Pavement Resurfacing 2017 Project (WPR017) (Rebid) in the amount of \$2,758,000 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 \$413,700; and
- 3) Authorizes the City Manager to execute a construction contract with American Pavement Systems, Inc., the second lowest responsive and responsible bidder, should VSS International, Inc. not meet filing obligations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 24th day of May 2017.




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. 2017-107**

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

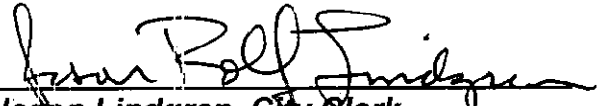
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on May 24, 2017 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*


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