

**RESOLUTION NO. 2011-149**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH NORTH WEST SURFACING FOR THE ELK GROVE-FLORIN ROAD PEDESTRIAN IMPROVEMENTS PROJECT IN THE AMOUNT OF \$51,399.14, AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$10,279.83, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH BIONDI PAVING, THE SECOND LOWEST BIDDER, IF NORTH WEST SURFACING DOES NOT MEET FILING OBLIGATIONS**

**WHEREAS**, the Elk Grove-Florin Road Pedestrian Improvements Project (Capital Improvement Project ID PT0132) is budgeted within the approved Fiscal Year 2011-12 Budget; and

**WHEREAS**, an invitation to bid was duly advertised on June 8, 2011 and bids were opened on July 14, 2011; and

**WHEREAS**, North West Surfacing was determined to be the responsible bidder submitting the lowest responsive bid; and

**WHEREAS**, the Elk Grove-Florin Road Pedestrian Improvements Project is a project under the California Environmental Quality Act (Section 21000, et seq. of the California Public Resources Code, hereafter CEQA); and

**WHEREAS**, the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., and the State CEQA Guidelines, California Code of Regulations, title 14, section § 15000 et seq., requires that cities consider the environmental consequences of their actions before approving a project; and

**WHEREAS**, the Project is exempt from CEQA pursuant to State CEQA Guidelines (Division 6 of Chapter 3 of Title 14 of the California Code of Regulations) Section 15301(c) (Existing Facilities); and

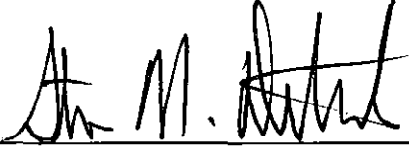
**WHEREAS**, a Notice of Exemption was filed with and endorsed by the Sacramento County Recorder on September 13, 2010.

**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 North West Surfacing for the Elk Grove-Florin Road Pedestrian Improvements Project in the amount of \$51,399.14 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney and authorizes the City Engineer to approve change orders not-to-exceed \$10,279.83; and

- 2) Finds that should North West Surfacing fail to meet their obligations in executing the construction contract, the City Manager is thereby authorized to execute a construction contract with Biondi Paving (second lowest responsible bidder) in the amount of \$53,905 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney and authorizes the City Engineer to approve change orders not-to-exceed \$10,781.

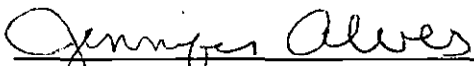
**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 27<sup>th</sup> day of July 2011.

  
\_\_\_\_\_  
STEVEN M. DETRICK, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JENNIFER ALVES, ASSISTANT CITY  
ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2011-149**

**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 July 27, 2011 by the following vote:***

**AYES :            COUNCILMEMBERS:        *Detrick, Cooper, Davis, Hume, Scherman***

**NOES:            COUNCILMEMBERS:        *None***

**ABSTAIN :        COUNCILMEMBERS:        *None***

**ABSENT:         COUNCILMEMBERS:        *None***

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