

RESOLUTION NO. 2013-7

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THAT THE ELK GROVE BOULEVARD AT ELK GROVE-FLORIN ROAD BUS TURNOUT PROJECT IS EXEMPT FROM CEQA PURSUANT TO STATE CEQA GUIDELINES SECTION 15301(C) (EXISTING FACILITIES); AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH F. LODUCA COMPANY FOR THE ELK GROVE BOULEVARD AT ELK GROVE-FLORIN ROAD BUS TURNOUT PROJECT IN THE AMOUNT OF \$75,837.30; AND AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$15,162.70; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER IF F. LODUCA COMPANY DOES NOT MEET FILING OBLIGATIONS

WHEREAS, plans and specifications have been prepared for a construction contract for the Elk Grove Boulevard at Elk Grove-Florin Road Bus Turnout Project (Capital Improvement Project ID WTE003) (the "Project"); and

WHEREAS, the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, hereinafter CEQA) requires that cities consider the environmental consequences of their actions before approving a project; and

WHEREAS, the proposed Project is a project under CEQA; and

WHEREAS, an invitation to bid was duly advertised on November 2, 2012 and bids were opened on December 6, 2012; and

WHEREAS, F. Loduca Company was determined to be the responsible bidder submitting the lowest responsive bid; and

WHEREAS, Glissman Excavating 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 that the Elk Grove Boulevard at Elk Grove-Florin Road Bus Turnout Project is exempt from further environmental review under the California Environmental Quality Act ("CEQA") pursuant to the following finding:

Finding: The proposed project is exempt from CEQA pursuant to State CEQA Guidelines Section 15301(c) (Existing Facilities).

Evidence: The proposed project is exempt from CEQA pursuant to State CEQA Guidelines Section 15301(c) (Existing Facilities). This exemption applies to minor alteration of existing public or private facilities when the alteration involves negligible or no expansion of an existing use. The proposed improvements will take place at an existing bus stop and adjacent previously graded land within the City of Elk Grove to

allow for the installation of a bus shelter and associated improvements to meet ADA standards. The Project will involve minor alterations to existing public facilities, such as widening the roadway pavement to provide a safe bus turnout, and would not result in expansion of use beyond existing conditions. The Project's improvements would not affect access to nearby residences or businesses. No special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, the project qualifies for this exemption and no further environmental review is required.

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

- 1) Authorizes the City Manager to execute a construction contract with F. Loduca Company for the Elk Grove Boulevard at Elk Grove-Florin Road Bus Turnout Project in the amount of \$75,837.30 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 \$15,162.70.

- 2) Finds that should F. Loduca Company fail to meet its obligations in executing the construction contract, the City Manager is thereby authorized to execute a construction contract with the second lowest responsive and responsible bidder in the amount of \$79,276.26 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 \$15,723.74.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 9th day of January 2013.




GARY DAVIS, 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. 2013-7**

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

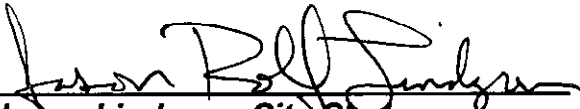
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 9, 2013 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*


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