

**RESOLUTION NO. 2014-128**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE SPEED CONTROL IMPROVEMENTS PHASE 4 PROJECT (WSC004) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND DIRECTING THE FILING OF A NOTICE OF EXEMPTION; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH VINTAGE PAVING COMPANY, INC. FOR THE SPEED CONTROL IMPROVEMENTS PHASE 4 PROJECT (WSC004) IN THE AMOUNT OF \$98,963 AND AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$14,845; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER IF VINTAGE PAVING COMPANY, INC. DOES NOT MEET FILING OBLIGATIONS**

**WHEREAS**, the Speed Control Improvements Phase 4 Project, (WSC0004) (Project) includes, but is not limited to, installation of asphalt speed humps, concrete bulb-out islands, thermoplastic striping and pavement markings at the following four locations: Freitag Way, Laguna Oaks Drive, Mainline Drive, and Laguna Park Drive; and

**WHEREAS**, the Speed Control Improvements Phase 4 Project, is included in the approved 2013-18 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2013-14 Budget; and

**WHEREAS**, the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, herein after 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(c) (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 16, 2014, and bids were opened on May 8, 2014; and

**WHEREAS**, the apparent low bidder, Robert Burns Construction Inc., requested to be relieved of its bid due to a mistake and has demonstrated to staff such mistake; and

**WHEREAS**, Vintage Paving Company, Inc. was determined to be the responsible bidder submitting the next lowest responsive bid.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby finds this project is exempt from CEQA pursuant to State CEQA Guidelines Section 15301.


**Finding:** The proposed project is exempt from CEQA pursuant to section 15301(c) of the State CEQA Guidelines.

**Evidence:** The proposed project is exempt from CEQA under State CEQA Guidelines Section 15301(c). This exemption applies to the minor alteration of existing public facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project consists of installation of asphalt speed humps, concrete bulb-out islands, thermoplastic striping and pavement markings. The proposed improvements would include the minor alteration of existing facilities within City right-of-way, involving no expansion of existing uses. No trees will be removed. No special circumstances exist that would create a reasonable possibility that the proposed project will have a significant adverse effect on the environment. Therefore, the project is exempt.

**AND 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 Vintage Paving Company, Inc. for the Speed Control Improvements Phase 4 Project, (WSC004) in the amount of \$98,963, upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney;
- 2) Authorizes the City Engineer to approve change orders not-to-exceed \$14,845; and
- 3) Authorizes the City Manager to execute a construction contract with the second lowest bidder if Vintage Paving Company, Inc. does not meet filing obligations.

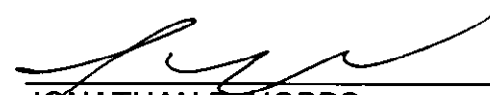
**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 11<sup>th</sup> day of June 2014.

  
\_\_\_\_\_  
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. 2014-128**

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


*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 11, 2014 by the following vote:*

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

**NOES:**       **COUNCILMEMBERS:**    *None*

**ABSTAIN :**   **COUNCILMEMBERS:**    *None*

**ABSENT:**     **COUNCILMEMBERS:**    *None*

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