

RESOLUTION NO. 2016-158

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE 2016 SLURRY SEAL PROJECT (WPR015) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH VSS INTERNATIONAL, INC. FOR THE 2016 SLURRY SEAL PROJECT (WPR015) IN THE AMOUNT OF \$1,665,000; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$333,000; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER, INTERMOUNTAIN SLURRY SEAL, INC., IF VSS INTERNATIONAL, INC. DOES NOT MEET FILING OBLIGATIONS

WHEREAS, the 2016 Slurry Seal Project (WPR015) (the "Project") will place slurry seal and localized pavement repairs on various streets throughout the City. Some streets will receive asphalt concrete overlay and curb ramp replacement; and

WHEREAS, the Project is included in the approved Fiscal Year 2015-20 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2015-2016 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 July 13, 2016 and July 20, 2016, and bids were opened on August 4, 2016; and

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

WHEREAS, Intermountain Slurry Seal, 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 and some overlay and curb ramp improvements. 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 ALSO RESOLVED that the City Council of the City of Elk Grove hereby:

- 1) Authorizes the City Manager to execute a construction contract with VSS International, Inc. for the 2016 Slurry Seal Project (WPR015), in the amount of \$1,665,000 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 \$333,000; and
- 3) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, Intermountain Slurry Seal, Inc., in the amount of \$2,039,039 upon receipt of all required bonds and insurance and that approval of such bonds and insurance by the City Attorney if, VSS International, Inc., does not meet filing obligations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 24th day of August 2016.



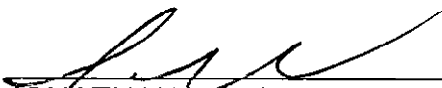
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2016-158**

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 August 24, 2016 by the following vote:

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

NOES: **COUNCILMEMBERS:** None

ABSTAIN : **COUNCILMEMBERS:** None

ABSENT: **COUNCILMEMBERS:** None



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