

RESOLUTION NO. 2024-043

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING THE SOUTHEAST INDUSTRIAL AREA STORM DRAIN IMPROVEMENTS PHASE 2 PROJECT (WDR052); AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH MOZINGO CONSTRUCTION, INC. FOR THE PROJECT IN THE AMOUNT OF \$848,616.10; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT TO EXCEED \$127,290; 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 (NO FURTHER CEQA REVIEW REQUIRED)

WHEREAS, the Southeast Industrial Area Storm Drain Improvements Project (WDR052) (Project) is located in southeastern Elk Grove near the intersection of Waterman Road and Grant Line Road and the storm drain improvements have been divided into two phases due to environmental permitting requirements around Mahon Pond; and

WHEREAS, Phase 1 of the Project was awarded on February 8, 2023, and is currently in construction and Phase 2 will result in construction of 1,300 feet of 60-inch storm drainpipe along the Waterman Road Extension, approximately 1,900 feet southeast of the intersection of Grant Line Road and Waterman Road; and

WHEREAS, an invitation to bid was duly advertised on February 16, 2024, and February 23, 2024, and electronic bids were received on Tuesday, March 19, 2024; and

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

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

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

WHEREAS, the potential environmental impacts of the Southeast Industrial Area Storm Drain Improvements Project Phase 2 (WDR052) were previously analyzed in an Environmental Impact Report (EIR) and Supplemental EIR (SEIR) (State Clearinghouse No. 2015102067). These analyses resulted in certification and adoption of the EIR and associated Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (MMRP) in May 2019, with certification and adoption of the SEIR and associated Statement of Overriding Considerations and MMRP in January 2021; and

WHEREAS, the Project is included in the approved 2023-2028 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2023-24 Budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby:

- 1) Finds that as the potential environmental impacts of the Project were previously analyzed in a certified EIR and SEIR, and as there are no substantial changes in circumstances or new information that would require revisions to the respective MMRPs or certified EIR/SEIR, no further environmental review is required under CEQA; and
- 2) Approves the Project; and
- 3) Authorizes the City Manager to execute a construction contract with Mozingo Construction, Inc. for the Southeast Industrial Area Storm Drain Improvements Phase 2 Project (WDR052) in the amount of \$848,616.10 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and,
- 4) Authorizes the City Engineer to approve change orders not to exceed \$127,290; and,
- 5) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, Soracco, Inc., if Mozingo Construction, Inc., does not meet filing obligations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 10th day of April 2024




BOBBIE SINGH-ALLEN, 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. 2024-043

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 April 10, 2024 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Brewer, Robles, Spease, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California