

RESOLUTION NO. 2009-31

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE REDUCTION OF THE RETENTION FOR THE CONSTRUCTION
CONTRACT WITH RGW CONSTRUCTION FOR THE GRANT LINE ROAD / STATE
ROUTE 99 INTERCHANGE RECONSTRUCTION PROJECT
FROM 10% (\$3,103,662.93) TO A LUMP SUM OF \$250,000.00**

WHEREAS, the Grant Line Road / State Route 99 Interchange Reconstruction Project (Capital Improvement Project ID PT0009) (Project) was awarded to RGW Construction (RGW) on October 25, 2006 and was opened to traffic on October 14, 2008; and

WHEREAS, the construction contract requires a 10% retention withholding until the Project is accepted by the City Council, the purpose of which is to withhold funds to be used by the City to complete the work if the Contractor defaults on the contract; and

WHEREAS, California Department of Transportation (Caltrans) Standard Construction Specifications allow for a reduction in retention from 10% to 5% once the project is 20% complete; and

WHEREAS, the City is holding \$3,103,662.93 of RGW's contract earnings in escrow and they have less than \$85,000 in contract and change order work to perform; and

WHEREAS, this Project requires Caltrans acceptance prior to City's acceptance of the Project, thereby extending the time the retention is held beyond the time normally expected for City let projects.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the reduction of the retention for the construction contract with RGW Construction for the Grantline Road / State Route 99 Interchange Reconstruction Project from 10% (\$3,103,662.93) to a lump sum of \$250,000.00.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 11th day of February 2009.



PATRICK HUME, MAYOR of the
CITY OF ELK GROVE

ATTEST:



SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2009-31

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

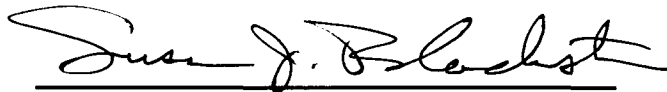
I, Susan J. Blackston, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 11, 2009 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*



**Susan J. Blackston, City Clerk
City of Elk Grove, California**