

RESOLUTION NO. 2013-200

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE SHELDON ROAD AND BADER ROAD CULVERT IMPROVEMENT PROJECT (WDR002/WDR003); AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH B&M BUILDERS INC. IN THE AMOUNT OF \$188,722.50; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$30,000; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER IF B&M BUILDERS DOES NOT MEET FILING OBLIGATIONS.

WHEREAS, pursuant to the City of Elk Grove's (City) Storm Drain Master Plan, the City performs various system upgrades and replacement projects to maintain and enhance the aesthetics of the City's infrastructure; and

WHEREAS, the Sheldon Road and Bader Road Culvert Improvement Project (Capital Improvement Project ID No.'s WDR002 and WDR003) (Project) is included in the Storm Drain Master Plan; 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, on December 14, 2011, the City Council adopted Resolution No. 2011-261, certifying an Environmental Impact Report and adopting a Mitigation Monitoring and Reporting Program for, and approving, the Storm Drainage Master Plan which includes the proposed Project (SCH No. 2011012035); and

WHEREAS, an invitation to bid was duly advertised on September 11, 2013 and bids were opened on October 3, 2013; and

WHEREAS, B&M Builders Inc. was determined to be the responsible bidder submitting the lowest responsive bid.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds that the storm drain improvements of the Sheldon Road and Bader Road Culvert Improvements are adequately covered under the Storm Drain Master Plan Environmental Impact Report pursuant to the following finding:


Finding: Storm Drain System replacements and upgrades are included in the Storm Drain Master Plan Program, which was analyzed under a prior Environmental Impact Report and no further environmental review is required.

Evidence: On December 14, 2011, the City Council certified an Environmental Impact Report (EIR) and adopted a Mitigation Monitoring and Reporting Program for the City's Storm Drainage Master Plan (SCH No. 2011012035), which included the proposed removal and replacement of the existing undersized storm drain pipe and inlets. The potential environmental impacts were adequately analyzed as part of the EIR. No substantial changes are proposed to the project and there are no substantial changes in circumstances or new information that would require major revisions to the EIR. Therefore, no further environmental review is required.

AND, 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 B&M Builders Inc. for the Sheldon Road and Bader Road Culvert Improvement Project (WDR002/WDR003) in the amount of \$188,722.50, 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 \$30,000;
- 3) Authorizes the City Manager to execute a construction contract with the second lowest bidder if B&M Builders Inc. does not meet filing obligations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 23rd day of October 2013.



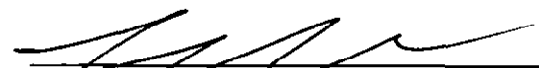
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2013-200**

**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 October 23, 2013 by the following vote:

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

NOES: COUNCILMEMBERS: None

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None


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