

**RESOLUTION NO. 2019-071**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE ELK GROVE AND LAGUNA BOULEVARDS UPRR XING INTERIM BIKE LANE IMPROVEMENTS PROJECT (WAM002) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH B & M BUILDERS, INC. FOR THE PROJECT IN THE AMOUNT OF \$239,994.75; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$30,005.25; 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; AND AMENDING THE FISCAL YEAR 2018-19 BUDGET AND 2018-2023 CAPITAL IMPROVEMENT PROGRAM**

**WHEREAS**, the Elk Grove and Laguna Boulevards UPRR Xing Interim Bike Lane Improvements Project (WAM002) (Project) includes improved safety for cyclists through the installation of green bike lane pavement markings along the existing Class 2 bicycle lane in both directions along Elk Grove Boulevard and Laguna Boulevard at the Union Pacific Railroad Overcrossing, including minor modifications to curbs and gutters to accommodate additional width for the Class 2 bicycle lanes, and

**WHEREAS**, the Project is located at Elk Grove Boulevard between Four Winds Drive and Franklin Boulevard, and at Laguna Boulevard between Babson Drive and Santorini Drive; and

**WHEREAS**, an invitation to bid was duly advertised on March 13, 2019 and March 20, 2019, and bids were opened on April 4, 2019; and

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

**WHEREAS**, Chrisp Company 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**, Section 15301 (Class 1: 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. This Project involves re-striping existing bike lanes within existing City right-of-way and minor modifications to curb and gutter pans. As the Project involves no expansion of use and improves safety of bicycle lanes, it is the type of activity consistent with those allowed under CEQA Categorical Exemption 15301(c) No further environmental review is required to support the Project, and

**WHEREAS**, the Project is included in the approved Fiscal Year 2018-23 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2018-19 Budget; and

**WHEREAS**, the estimated project cost is less than the total available budget.

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

- 1) Finds the Project exempt from CEQA pursuant to section 15301 of the State CEQA Guidelines and approves the Project, and
- 2) Authorizes the City Manager to execute a construction contract with B & M Builders, Inc. for the Elk Grove and Laguna Boulevards UPRR Xing Interim Bike Lane Improvements Project (WAM002) in the amount of \$239,994.75 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and
- 3) Authorizes the City Engineer to approve change orders not-to-exceed \$30,005.25, and
- 4) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, Chrisp Company, if B & M Builders, Inc., Inc , does not meet filing obligations, and
- 5) Authorizes staff to amend the FY 2018-19 Capital Improvement Program and Fiscal Year 2018-19 Budget by reducing the remaining project budget authority to \$372,000 and returning any additional funds back to their respective fund(s).

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 24<sup>th</sup> day of April 2019



STEVE LY, 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. 2019-071**

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

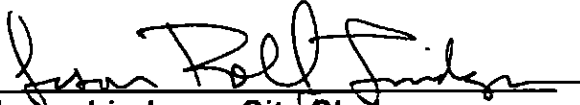
***I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 24, 2019 by the following vote:***

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

**NOES:           COUNCILMEMBERS:     None**

**ABSTAIN:       COUNCILMEMBERS:     None**

**ABSENT:         COUNCILMEMBERS:     None**

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