

RESOLUTION NO. 2023-053

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING THE 2023 PAVEMENT SLURRY SEAL AND RESURFACING PROJECT PHASE 3 (WPR023); AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH VSS INTERNATIONAL, INC. FOR THE PROJECT IN THE AMOUNT OF \$1,982,120; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$198,212; 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 2022-2023 BUDGET AND FISCAL YEAR 2022-2027 CAPITAL IMPROVEMENT PROGRAM (CEQA EXEMPT)

WHEREAS, the 2023 Pavement Slurry Seal and Resurfacing Project Phase 3 (WPR023) (Project) includes placing slurry seal, micro-surfacing, two-layer treatment system, three-layer treatment system, adjusting utility frames and covers, and re-striping various streets throughout the City; and

WHEREAS, an invitation to bid was duly advertised on January 27, 2023, and February 3, 2023, and electronic bids were received on February 21, 2023; and

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

WHEREAS, Pavement Coatings Co. 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 Project is included in the approved Fiscal Year 2022-2027 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2022-2023 Budget; and

WHEREAS, \$790,000 of SB1 Local Partnership Program Funds (Fund 228) from the 2022 Pavement Seal Resurfacing Project (WPR022) was unspent and can be transferred and utilized on the Project prior to the grant funds expiring; and

WHEREAS, the corresponding \$790,000 of Measure A Maintenance funds in the WPR023 Project can go back to Fund 294 as these local funds are no longer necessary and can be utilized on future transportation infrastructure improvements.

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

- 1) Finds the 2023 Pavement Slurry Seal and Resurfacing Project Phase 3 (WPR023) exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (existing facilities) of the State CEQA Guidelines based upon the following finding:

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. The Project includes application of slurry seal, micro-surfacing, two-layer treatment system, three-layer treatment system, adjusting utility frames and covers, and re-striping existing streets throughout the City. As the Project involves maintenance activities to existing infrastructure and will involve no expansion of use, it qualifies for the identified exemption and no additional environmental review under CEQA is required; and

- 2) Approves the Project; and
- 3) Authorizes the City Manager to execute a construction contract with VSS International, Inc. for the 2023 Pavement Slurry Seal and Resurfacing Project Phase 3 (WPR023) in the amount of \$1,982,120 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 \$198,212; and,
- 5) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, Pavement Coatings Co., if, VSS International, Inc., does not meet filing obligations; and
- 6) Amends the Fiscal Year 2022-2023 Budget and Fiscal Year 2022-2027 Capital Improvement Program as follows:
 - a. Decrease the Fiscal Year 2022-2023 expenditure budget in Senate Bill 1 Local Partnership Program funds (Fund 228) associated with the 2022 Pavement Slurry Seal and Resurfacing Project (WPR022) by \$790,000.00; and
 - b. Increase the Fiscal Year 2022-2023 expenditures budget in Senate Bill 1 Local Partnership Program funds (Fund 228) associated with the 2023 Pavement Slurry Seal and Resurfacing Project (WPR023) by \$790,000.00; and
 - c. Decrease the Fiscal Year 2022-2023 expenditure budget in Measure A Maintenance funds (Fund 294) associated with the 2023 Pavement Slurry Seal and Resurfacing Project (WPR023) by \$790,000.


PASSED AND ADOPTED by the City Council of the City of Elk Grove this 8th day of March 2023


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. 2023-053

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 March 8, 2023 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California