

RESOLUTION NO. 2023-120

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING THE 8380 AND 8400 LAGUNA PALMS WAY TENANT
IMPROVEMENTS (WFC038) (WFC039) PROJECTS – PHASE 1; AUTHORIZING THE
CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH MESA
ENERGY SYSTEMS, INC. FOR THE PROJECTS IN THE AMOUNT OF \$999,500;
AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-
EXCEED \$100,000; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A
CONSTRUCTION CONTRACT WITH ACCO ENGINEERED SYSTEMS IF THE FIRST
LOWEST RESPONSIVE BIDDER DOES NOT MEET FILING OBLIGATIONS
(CEQA EXEMPT)**

WHEREAS, the 8380 and 8400 Laguna Palms Way Tenant Improvements (WFC038) (WFC039) Projects – Phase 1 (Projects) will result in 26 new rooftop Heating, Ventilation, and Air Conditioning (HVAC) units. The Work includes disconnecting, demolishing and removing the existing rooftop HVAC units, procuring, fabricating, storing, installing, start-up and commissioning of 26 new rooftop HVAC units, at the City owned and occupied facilities located at 8380 Laguna Palms Way (10 units) and 8400 Laguna Palms Way (16 units), Elk Grove, CA 95758; and

WHEREAS, during the design process, it was determined that new HVAC units have significant procurement lead times that could delay construction; therefore. In order to avoid potential delays, staff prepared this Phase 1 HVAC Unit Procure and Install construction contract, with remaining improvements to follow in Phase 2; and

WHEREAS, an invitation to bid was duly advertised on April 7, 2023 and April 14, 2023, and electronic bids were received on May 4, 2023; and

WHEREAS, Mesa Energy Systems, Inc. was determined to be the responsible bidder submitting the lowest responsive bid; and

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

WHEREAS, the terms of the Community Workforce and Training Agreement will apply to these Projects consistent with Council action at the December 14, 2022 meeting; and

WHEREAS, the Projects are 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 Projects are included in the approved Fiscal Year 2022-27 Capital Improvement Program and are budgeted with funds in the approved Fiscal Year 2022-23 Budget.

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

- 1) Finds the 8380 Laguna Palms Way Tenant Improvements (WFC038) (WFC039) Projects – Phase 1 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. This Project involves disconnecting, demolishing, and removing the existing rooftop HVAC units, procuring, fabricating, storing, installing, start-up and commissioning of 26 new rooftop HVAC units, at the City owned and occupied facilities located at 8380 Laguna Palms Way (10 units) and 8400 Laguna Palms Way (16 units). As the proposed improvements (WFC038, WFC039) involve alteration of existing facilities with no expansion of use, the improvements qualify for the identified exemption and no additional environmental review under CEQA is required; and

- 2) Approves the Projects; and
- 3) Authorizes the City Manager to execute a construction contract with Mesa Energy Systems, Inc. for the 8380 Laguna Palms Way Tenant Improvements (WFC038) (WFC039) Projects – Phase 1 in the amount of \$999,500 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 \$100,000; and,
- 5) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, ACCO Engineered Systems, Inc., if, Mesa Engineering Systems, Inc., does not meet filing obligations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 24th day of May 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. 2023-120

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 May 24, 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