

RESOLUTION NO. 2025-200

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING THE ON-CALL CONCRETE SERVICES – INSTALLATION, MAINTENANCE AND REPAIR OF CURBS, GUTTERS, SIDEWALKS, AND RELATED ITEMS PROJECT (OM2605); AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH BSR RENOVATIONS LLC FOR THE PROJECT BASED ON RATES AND SCOPE OF SERVICES IN THE BID; AUTHORIZING THE PUBLIC WORKS DIRECTOR, OR AUTHORIZED DESIGNEE, TO ISSUE WORK ORDERS UNDER THIS MAINTENANCE CONTRACT IN AN AMOUNT NOT TO EXCEED THE AMOUNT BUDGETED FOR THIS WORK THROUGH THE FISCAL YEAR ANNUAL BUDGET PROCESS; AND 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 (CEQA EXEMPT)

WHEREAS, the On-Call Concrete Services – Installation, Maintenance and Repair of Curbs, Gutters, Sidewalks and Related Items Project (OM2605) (Project) includes removing and replacing concrete sidewalks, curbs, gutters, driveways, and ADA access ramps, including adjacent hot mix asphalt (HMA) pavement, root removals, installing detectable warning surface (DWS), and other related items as directed by the City; and

WHEREAS, an invitation to bid was duly advertised on August 29, 2025, and September 5, 2025, and electronic bids were received on September 25, 2025; and

WHEREAS, on September 25, 2025, City staff received a bid protest letter from TCW Concrete Inc., the second lowest bidder, challenging BSR Renovation LLC's bid; and

WHEREAS, for the reasons explained in the accompanying staff report, the bid protest does not present sufficient grounds for the City to reject the bid of BSR Renovations LLC's; and

WHEREAS, BSR Renovations LLC was determined to be the responsible bidder submitting the lowest responsive bid; and

WHEREAS, TCW Concrete Inc. 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 quantities listed for each work task are approximate and not guaranteed; therefore, the City Engineer or authorized designee shall have the authority to amend quantities or tasks for the duration of the contract.

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

- 1) Finds the On-Call Concrete Services – Installation, Maintenance and Repair of Curbs, Gutters, Sidewalks and Related Items (OM2605) 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 removing and replacing concrete sidewalks, curbs, gutters, driveways, ADA access ramps, including adjacent hot mix asphalt HMA pavement, root removals, installing detectable warning surface DWS, and other related items. The proposed improvements would occur within existing City-owned parcels and would not add any additional vehicle travel lanes; therefore, the Project would result in no expansion of use and qualifies for the identified exemption. No additional environmental review under CEQA is required; and

- 2) Approves the Project; and
- 3) Rejects the bid protest submitted by TCW Concrete Inc., and finds the lowest bid submitted by BSR Renovations LLC to be both responsible and responsive and waives any minor irregularities in Pavement Coating Co.'s bid, if any; and
- 4) Authorizes the City Manager to execute a construction contract with BSR Renovations LLC for the On-Call Concrete Services – Installation, Maintenance and Repair of Curbs, Gutters, Sidewalks and Related Items (OM2605) based on rates and scope of services in the bid, upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and
- 5) Authorizes the City Manager to modify the scope of work and/or extend the termination date of this contract; and
- 6) Authorizes the Public Works Director, or approved designee, to issue work orders under this maintenance contract in an amount not to exceed the amount budgeted for this work through the Annual Budget process; and
- 7) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, TCW Concrete Inc., if, BSR Renovations LLC does not meet filing obligations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 22nd day of October 2025



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. 2025-200

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 22, 2025 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California