

**RESOLUTION NO. 2012 - 53**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK  
ADOPTING THE PLANS & SPECIFICATIONS AND AWARDING THE CONTRACT  
TO GHILOTTI CONSTRUCTION COMPANY FOR THE  
ARLEN DRIVE AND EAST COTATI AVENUE OVERLAYS PROJECT  
CITY PROJECT NO. 2010-07**

**WHEREAS**, the plans and specifications for the Arlen Drive and East Cotati Avenue Overlays Project No. 2010-07 were designed by Winzler & Kelly/GHD, and approved by the Deputy City Engineer; and

**WHEREAS**, the Project was advertised for bids City Staff opened bids for the Arlen Drive and East Cotati Avenue Overlays Project No. 2010-07 on May 15, 2012; and

**WHEREAS**, three (3) bid proposals were received for the Arlen Drive and East Cotati Avenue Overlays Project No. 2010-07 ranging in price from \$569,056 to \$619,707; and

**WHEREAS**, GHD reviewed all bids for responsiveness; and

**WHEREAS**, GHD determined that Ghilotti Construction Company submitted the lowest cost bid and is the lowest responsive and responsible bidder; and

**WHEREAS**, on June 12, 2012 a duly noticed public meeting was held on the approval of the plans and specifications and the award of the contract; and

**WHEREAS**, the City Council determined that the Project is exempt from the requirements of the California Quality Act (CEQA) pursuant to the following authorities:

1. Section 15301 of the State CEQA Guidelines, the repair and maintenance of existing public facilities, including existing streets, sidewalks, gutters and bike paths, is Categorically Exempt from the provisions of CEQA (Class 1 – Existing Facilities). The project involves no expansion of an existing use. There are no federally listed or candidate species, or suitable habitat, or Critical Habitat within the construction area. There is no substantial evidence that there would be a significant adverse environmental impact associated with the project.
2. Section 15302 of the CEQA Guidelines, replacement and/or reconstruction of an existing facility for the same purpose and capacity is Categorically Exempt from the provisions of CEQA.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Rohnert Park as follows:

1. The above recitals are true and correct and are hereby incorporated into this Resolution as findings of the City Council of the City of Rohnert Park.

2. In making its findings the City Council relied upon and hereby incorporates by reference all of the bid materials, correspondence, staff reports and all other related materials.
3. The plans and specifications for the Arlen Drive and East Cotati Avenue Overlays Project No. 2010-07 are hereby approved and adopted.
4. The Project is hereby found to be categorically exempt from CEQA in accordance with the CEQA Guidelines as cited in this resolution.
5. In accordance with California Public Contract Code Section 20160 and following any other applicable laws, the City Council of the City of Rohnert Park hereby finds the bid of Ghilotti Construction Company for the Arlen Drive and East Cotati Avenue Overlays Project No. 2010-07 to be the lowest, responsive bid and waives any irregularities in such bid in accordance with applicable law.
6. The City Manager is hereby authorized and directed to execute the contract with Ghilotti Construction Company for the amount of five hundred sixty-nine thousand fifty-six dollars (\$569,056.00) for construction of the Project in accordance with the bid documents and applicable law upon submission by Ghilotti Construction Company of all documents required pursuant to the Project bid documents.
7. City staff is hereby directed to issue a Notice of Award to Ghilotti Construction Company for this project.
8. This Resolution shall become effective immediately.
9. All portions of this resolution are severable. Should any individual component of this Resolution be adjudged to be invalid and unenforceable by a body of competent jurisdiction, then the remaining resolution portions shall continue in full force and effect, except as to those resolution portions that have been adjudged invalid. The City Council of the City of Rohnert Park hereby declares that it would have adopted this Resolution and each section, subsection, clause, sentence, phrase and other portion thereof, irrespective of the fact that one or more section subsection, clause sentence, phrase or other portion may be held invalid or unconstitutional.

**DULY AND REGULARLY ADOPTED** by the City Council of the City of Rohnert Park this 12<sup>th</sup> day of June, 2012.

**CITY OF ROHNERT PARK**



Mayor

*[Handwritten signature of the Mayor]*

**ATTEST:**

*[Handwritten signature of John M. Curcio]*  
 City Clerk

AHANOTU: AYE BELFORTE: AYE CALLINAN: AYE STAFFORD: AYE MACKENZIE: AYE  
 AYES: ( 5 ) NOES: ( 0 ) ABSENT: ( 0 ) ABSTAIN: ( 0 )