

Attachment 1

RESOLUTION 24-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVING AWARD OF A CONSTRUCTION CONTRACT FOR THE PASO ROBLES VETERAN'S MEMORIAL BUILDING PATIO AND CANOPY, AND FINDING THE ACTION EXEMPT FROM CEQA

WHEREAS, on February 6, 2024, City Council approved the design and preparation of construction documents for a shade structure to be built in the grassy area between the Veteran's Memorial Building and the Senior Center; and

WHEREAS, plans were prepared and advertised for bids, with an Engineer's Estimate of \$105,000; and

WHEREAS, at the bid opening on August 1, 2024, two (2) bids were received ranging from \$107,497.30 to \$119,000.00; and

WHEREAS, after bid opening, Newton Construction submitted a bid protest against the bid submitted by Kies and Son Construction, Inc.; and

WHEREAS, City staff, in conjunction with legal counsel, reviewed the protest and determined that it was without merit; and

WHEREAS, staff reviewed the lowest bid from Kies and Son Construction, Inc. and found it to be a responsive and responsible bid.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2. The City finds that this action is categorically exempt from the California Environmental Quality Act under the Class 1 exemption, which applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing structures, facilities, mechanical equipment, or topographical features where the project involves negligible or no expansion of existing or former use. (State CEQA Guidelines, § 15301) and that none of the exceptions to the Class 1 exemption set forth in State CEQA Guidelines section 15300.2 apply.

Section 3. The City Council hereby approves the Paso Robles Veteran's Memorial Building Patio and Canopy contract to Kies and Son Construction, Inc., to deem the protest submitted by Newton Construction without merit, and authorizes the City Manager to execute the Agreement, subject to any minor, technical, or non-substantive changes as approved by the City Manager and the City Attorney consistent with City Council action, in the amount of \$107,497.30.

APPROVED this 3rd day of September 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attachment 1

John R. Hamon Jr., Mayor

ATTEST:

Melissa Boyer, City Clerk