

**RESOLUTION NO. \_\_\_\_\_ (CM)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING CONTRACT CHANGE ORDER NO. 2 WITH PAVEMENT COATINGS CO., A CORPORATION, FOR THE 2023 CITYWIDE PAVEMENT MAINTENANCE PROJECT, NO. ST-23-15148, AND INCREASING THE TOTAL CONTACT AMOUNT TO \$1,554,145.60; AUTHORIZING A BUDGET TRANSFER FROM THE WATER ENTERPRISE FUND [0720]; AND DIRECTING THE INTERIM CITY MANAGER TO EXECUTE SAME**

**WHEREAS**, on June 13, 2023, the City Council adopted Resolution No. 97-23 (CM), approving plans and specifications and authorized calling for bids for the 2023 Citywide Pavement Maintenance, Project No. ST-23-01; and

**WHEREAS**, on July 18, 2023, the City Council adopted Resolution No. 140-23 (CM) awarding construction contract to Pavement Coatings Co., a corporation, for the 2023 Citywide Pavement Maintenance Project, No. ST-23-15148, in the amount of \$1,294,296, plus an additional 15% contingency for unforeseen change orders for a total project amount of \$1,488,440; and

**WHEREAS**, on December 1, 2023, Contract Change Order No. 1 was approved by the City Manager, and added \$198,574.25 to the contract for additional work; and

**WHEREAS**, Contract Change Order No. 1 was not required to be approved by the City Council because it was within the signing authority of the City Manager; and

**WHEREAS**, Contract Change Order No. 2 increases the contract total in the amount of \$61,275.35 for a revised total amount not to exceed \$1,554,145.60, to pay for cost of actual quantities installed based on the bid unit pricing, including additional digouts, slurry seals, striping, and associated traffic control costs.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:**

1. This action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(5), in that adopting a Resolution approving the change order with Pavement Coatings Co., a corporation, does not meet CEQA's definition of a "project", because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment and if a "project", is exempt under the "common sense" exception (14 Cal. Code Regs. § 15061(b)(3) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment.

2. That Contract Change Order No. 2 with Pavement Coatings Co., a corporation, for the 2023 Citywide Pavement Maintenance Project, No. ST-23-15148, increasing the contract total in the amount of \$61,275.35, a copy of which is attached hereto and incorporated by this reference, is hereby approved.

3. That the budget transfer of \$65,705.60 from budget account 0720-913-7831-14834 to budget account 0720-913-7837-15148, is hereby authorized.

4. The Interim City Manager is hereby authorized and directed to execute said Contract Change Order No. 2 for and on behalf of the City of Watsonville with minor revisions that may be approved by the Interim City Manager and the City Attorney.

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