RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, ALL ADDENDA, ALL ENVIRONMENTAL FINDINGS, AND AWARDING A CONSTRUCTION CONTRACT, IN THE AMOUNT OF $352,144.95, TO ODYSSEY LANDSCAPE CO., INC. FOR THE VICTORY PARK PONDS IMPROVEMENT (PROJECT NO. M07032)

WHEREAS, the City Clerk of the City of Stockton did, on the 14th day of May 2009, open, examine, and publicly declare the sealed proposals or bids offered for the Victory Park Ponds Improvement (Project No. M07032); now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. That the plans, specifications, and all addenda contained in the bid for the Victory Park Ponds Improvement (Project No. M07032) are incorporated herein by reference and are hereby approved and adopted.

2. That all of said bids except that next herein mentioned are hereby rejected.

3. That said work is hereby authorized and the contract awarded to the lowest and best regular responsible bidder, to wit: Odyssey Landscape Co., Inc. in the amount of Three Hundred Fifty-two Thousand One Hundred Forty-four and 95/100 Dollars ($352,144.95).

4. That the City Manager is hereby authorized and directed to execute a contract with Odyssey Landscape Co., Inc. in accordance with the plans, specifications and all addenda for such work hereinafore adopted by the City Council.

5. That the City Clerk is hereby authorized to return to each of the unsuccessful bidders, the bidder's bonds, certified checks and cashier's checks which accompanied the respective bids for the above-mentioned work.

6. With regard to environmental clearance requirements for Victory Park Ponds Improvement, it has been determined that this action/project is exempt from the requirements of the California Environmental Quality Act ("CEQA") as specified in Section(s) 15301(c) and 15302(c) of the State CEQA Guidelines.

7. In accordance with Section 65402 of the Government Code, it has been determined that this project or action conforms to the City's General Plan designation for the site and with the General Plan Policy Document, as amended.
8. The City Manager is hereby authorized and directed to take the appropriate actions to carry out the purpose and intent of this resolution.

PASSED, APPROVED AND ADOPTED JUN - 2 2009

ATTEST:

ANN JOHNSTON, Mayor
of the City of Stockton

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton