

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: AUDREE V. JONES-TAYLOR

SUBJECT: Good Tidings Foundation Contract-
deFremery Basketball Courts

DATE: June 20, 2013

City Administrator	Date
Approval <i>[Signature]</i>	6/20/13

COUNCIL DISTRICT: District 3

RECOMMENDATION

Resolution Authorizing the City Administrator or Her Designee to Waive the Advertising and Bidding Requirements for Award of a Contract in the Amount of Ten Thousand Dollars (\$10,000) to Good Tidings Foundation for the Purchase of Materials for Improvements at deFremery Park Basketball Courts

REASON FOR URGENCY

This project is ready for construction and thus any delays in compensating the Good Tidings Foundation for the equipment will hold up the installation of the basketball hoops and overall renovation of the courts. The original goal of the project was to be completed early summer, to be aligned with the greatest need for recreational spaces for Oakland's children and youth. The unanticipated budgetary shortfall necessitated a request for Council to approve the waiver of competitive advertising and bidding so that the City Administrator can, without conducting a competitive process, purchase necessary basketball equipment from the Good Tidings Foundation. The request was submitted to Council as soon as staff became aware of the need to add additional funds to complete the project.

OUTCOME

The result of this contract will allow for Good Tidings Foundation to purchase basketball court supplies and materials, at a below market rate, in order to complete the rehabilitation of the deFremery Basketball Courts.

BACKGROUND/LEGISLATIVE HISTORY

The Office of Parks and Recreation (OPR) has worked with the Good Tidings Foundations for the past 15 years to restore, renew, and develop basketball courts throughout the City of Oakland. This particular court project requires additional funds in the amount of \$10,000 as the space was not originally designed as basketball courts and thus needs additional paving and construction work. Funding for the additional cost was originally intended to come from multiple sponsors. Not all sponsorships materialized, thus OPR would like to request that \$10,000 be directed from OPR's budget to purchase the basketball hoops, backboard, and poles through the Good Tidings Foundation, who can purchase the supplies at a below market rate.

ANALYSIS

Throughout the many collaborations between Good Tidings Foundation and OPR, Good Tidings has proven to be a reputable partner serving the best interests of the City. The City wishes to purchase equipment necessary to complete the deFremery basketball court improvements through Good Tidings for \$10,000. The City Administrator is authorized to award contracts for products up to \$100,000 provided staff complies with the City's advertising and bidding requirements. (Oakland Muni. Code § 2.04.020) The City's purchasing ordinance requires staff to conduct a competitive process for the purchase of products when the expenditure ranges from \$500 to \$50,000. (Oakland Muni. Code § 2.04.040.B.2) This process entails soliciting bids from three or more vendors. However, Council is permitted to waive such competitive bidding upon a finding that it is in the best interest of the City to do so. (Oakland Muni. Code § 2.04.050.1.5) Therefore, Council waiver of the City's advertising and bidding requirements is needed for the City Administrator to proceed with this purchase.

Staff recommends that the Council waive competitive bidding in this instance because Good Tidings can provide the basketball equipment to complete the project at less than market value.

PUBLIC OUTREACH/INTEREST

This project was catalyzed at the request of many neighbors, park users, and community based organizations who expressed concern about the poor condition of the existing courts, citing this as the reason for their minimal usage. This project has been done with the support of the Office of Parks and Recreation staff and the deFremery Recreation Center Director.

COORDINATION

In preparation of this report, the Office of Parks and Recreation consulted Public Works staff, the Office of the City Attorney, the Budget Office and Contract and Compliance.

COST SUMMARY/IMPLICATIONS

If the resolution is approved the City will enter into an agreement with the Good Tidings Foundation to purchase project materials in the amount of \$10,000 and the basketball court renovation project will be completed. Funding is available in Office of Parks and Recreation Fund 1010, Organization 503230, Project 0000000, Program Code NB04. By leveraging this relatively small dollar amount OPR will receive a \$43,000 improvement project.

If the resolution is not approved the project would be stalled, and or cancelled unless alternate external funding is identified.

SUSTAINABLE OPPORTUNITIES

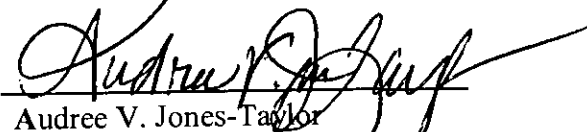
Economic: This resolution will result in a positive impact to the City, as it will result in increased assets to the City that are publically accessible to all. The purchase of these materials will be made at a highly discounted rate which the Good Tidings Foundation has access to.

Environmental: *Not applicable*

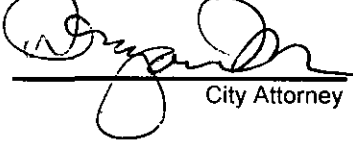
Social Equity: Improvements made to the deFremery Park Basketball Courts will provide children, youth, and adults with greater access to play and recreation spaces. These courts are currently in poor condition.

For questions regarding this report, please contact Audree V. Jones-Taylor, Director of Oakland Parks and Recreation, 510.238.7527

Respectfully submitted,



Audree V. Jones-Taylor
Director, Oakland Parks and Recreation


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO WAIVE THE ADVERTISING AND BIDDING REQUIREMENTS FOR AWARD OF A CONTRACT IN THE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000) TO GOOD TIDINGS FOUNDATION FOR THE PURCHASE OF EQUIPMENT FOR IMPROVEMENTS AT DEFREMERY PARK BASKETBALL COURTS

WHEREAS, GOOD TIDINGS FOUNDATION, is a 501-(c)-3 children's charity that was founded in 1995 to support arts, education, athletics, and dreams for youth from communities of need in the Greater Bay Area, and

WHEREAS, GOOD TIDINGS FOUNDATION creates original projects and works in partnership with professional sports franchises, businesses and agencies throughout the Bay Area to leverage resources in order to increase access to enriching opportunities by deserving youth. They design, fund and build projects that are maintained and programmed in perpetuity by school districts, recreation departments, or city governments.

WHEREAS, Oakland Municipal Code § 2.04.020 authorizes the City Administrator to award contracts for products up to \$100,000 provided staff complies with the City's advertising and bidding requirements: and

WHEREAS, Oakland Municipal Code § 2.04.040.B.2 requires staff to conduct a competitive process for the purchase of products when the expenditure ranges from \$500 to \$50,000, and this process entails soliciting bids from three or more vendors; and

WHEREAS, Oakland Municipal Code § 2.04.050.1.5 permits the Council to waive such competitive bidding upon a finding that it is in the best interest of the City to do so; and

WHEREAS, staff recommends that the Council waive competitive bidding in this instance because Good Tidings can provide the basketball equipment to complete the project at less than market value; now, therefore, be it

RESOLVED: That the City Council finds and determines that, pursuant to Oakland Municipal Code § 2.04.050.1.5 and for the reasons stated above and in the accompanying report, it is in the best interests of the City to waive the competitive bidding requirements for the purchase of materials for improvements to the basketball courts at deFremery Park and so waives the requirements; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend the grant award, except for any increase in the contract cost; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve the proposed agreement as to form and legality and copies of this agreement shall be filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California