



 City Attorney

 FILED
 OFFICE OF THE CITY CLERK
 OAKLAND

2015 JUN 12 AM 8:51

OAKLAND CITY COUNCIL

 RESOLUTION No. 85667 C.M.S.

RESOLUTION 1) AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT A GIFT OF IN-KIND SERVICES FROM THE GOLDEN STATE WARRIORS AND THE GOOD TIDINGS FOUNDATION FOR THE VERDESE CARTER BASKETBALL COURT RENOVATION PROJECT VALUED AT TWENTY THREE THOUSAND DOLLARS (\$23,000.00); 2) AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONSTRUCTION CONTRACT WITH DRYCO CONSTRUCTION, INC. FOR ONE DOLLAR (\$1.00) TO PERFORM THE SERVICES AND AUTHORIZE THE WORK ON CITY PROPERTY; AND 3) WAIVE ADVERTISING AND BIDDING REQUIREMENTS FOR THE PROJECT

WHEREAS, the 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, the 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, including designing, funding and building projects that are maintained and programmed in perpetuity by school districts, recreation departments, or city governments; and

WHEREAS, the Golden State Warriors and the Good Tidings Foundation approached the City of Oakland to renovate the Verdesse Carter basketball courts at no cost to the City of Oakland with an anticipated project completion and grand opening to coincide with the closing of the 2015 National Basketball Association (NBA) season and Finals featuring the Golden State Warriors in June 2015; and

WHEREAS, Oakland Municipal Code Section 2.04.050.A requires the City Administrator to conduct advertising and bidding and award to the lowest responsible, responsive bidder for the purchase of products or services, and Oakland Municipal Code section 2.04.050.I.5 states that the Council may waive advertising and bidding requirements upon a finding that it is in the City's best interest to do so; and

WHEREAS, staff recommends waiving the advertising and bidding requirements because the funder has a deadline of June 2015 for project completion and in light of the City's budgetary constraints and the growing need for quality recreational opportunities, staff wishes to leverage public and private resources wherever feasible to improve city parks and neighborhoods; and

WHEREAS, after conducting community outreach to gauge local community interest in the project, the Verdese Carter Park basketball courts were chosen by the donor due to their heavy use and high value to the local community; and

WHEREAS, the Verdese Carter Park basketball court renovation project does not create unbudgeted costs for the city; now, therefore, be it

RESOLVED: That the Oakland City Council hereby authorizes the City Administrator to accept a gift of in-kind services valued at an amount of \$23,000 from the Golden State Warriors and the Good Tidings Foundation and to execute a one dollar (\$1.00) construction contract with Dryco Construction, Inc. to perform the services for the Verdese Carter basketball court renovation project and to authorize the work on City property; and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code section 2.04.050.I.5 and based on the determinations of the City Administrator and staff in the accompanying agenda report and above, the Council finds that it is in the City's best interest to waive advertising and bidding requirements for the construction of the project and so waives the requirements; and be it

FURTHER RESOLVED: That the Council finds that the performance of this contract is in the public interest because of economy and shall not result in the loss of employment or salary by any person having permanent status in the competitive services; and be it

FURTHER RESOLVED: That Dryco Construction shall provide insurance, and bonds as required by law, and the contract shall be approved for form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to approve any subsequent amendments, modifications, or extension of said agreements, except those related to increasing the amount of the contract provided that the City Attorney's Office shall review and approve the proposed amendments as to form and legality and copies shall be filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 17, 2015


PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, ~~KAPLAN~~, ~~REID~~ AND PRESIDENT GIBSON MCELHANEY

NOES - 0

ABSENT - 2 Kaplan, Reid

ABSTENTION - 0

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