

2006 SEP 21 PM **OAKLAND CITY COUNCIL**

RESOLUTION No: 80182 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND EXPRESS APPRECIATION FOR A GIFT OF INTERPRETIVE EXHIBITS FROM THE FRIENDS OF PERALTA HACIENDA HISTORICAL PARK, A NON-PROFIT ORGANIZATION, FOR AN ADOBE ALCOVES DISPLAY PROJECT WITH AN ESTIMATED VALUE OF FORTY-SEVEN THOUSAND DOLLARS (\$47,000.00), AND AUTHORIZING THE CITY ADMINISTRATOR: 1) TO ENTER INTO A DONATION AGREEMENT WITH FRIENDS OF PERALTA HACIENDA HISTORICAL PARK FOR THE INTERPRETIVE EXHIBITS, 2) TO ENTER INTO A CONTRACT WITH A CONSTRUCTION CONTRACTOR SELECTED BY FRIENDS OF PERALTA HACIENDA HISTORICAL PARK FOR AN AMOUNT NOT-TO-EXCEED ONE DOLLAR (\$1) TO INSTALL THE EXHIBITS, AND 3) TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE LICENSE AGREEMENT WITH FRIENDS OF PERALTA HACIENDA HISTORICAL PARK FOR MAINTENANCE OF THE ADOBE WALL AND ALCOVES AND INTERPRETIVE EXHIBITS FOR A PERIOD OF FIVE (5) YEARS WITH TWO (2) CONSECUTIVE FIVE-YEAR OPTIONS TO RENEW

WHEREAS, Peralta Hacienda Historical Park – Phase IIIA Landscape Improvement is a Capital Improvement Program project designated in FY 2001-2003; and

WHEREAS, the project construction is substantially complete; and

WHEREAS, the Friends of Peralta Hacienda Historical Park, a non-profit organization, through grant funding from the National Endowment for the Humanities, wishes to give the City interpretive exhibits to be installed in the newly completed Adobe Wall Alcoves of the project; and

WHEREAS, the interpretive exhibits are in accord with the master plan for the Peralta Hacienda Historical Park project; and

WHEREAS, the City wishes to accept the gift from Friends of Peralta Hacienda Historical Park; and

WHEREAS, Friends of Peralta Hacienda Historical Park wish to select the licensed contractor that will install the exhibits and the City of Oakland's advertising and competitive bidding requirements are not triggered because the expenditure of City funds is *de minimus*; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work and the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now therefore, be it

RESOLVED: That the City Council accepts a gift of interpretive exhibits for the Peralta Hacienda Historical Park Adobe Alcove area of the Phase IIIA Landscape Improvement Project (Project No. C196710) with an estimated value of forty-seven thousand dollars (\$47,000.00), from the Friends of Peralta Hacienda Historical Park and authorizes the City Administrator, or her designee, to enter into a donation agreement with the Friends of Peralta Hacienda Historical Park for the interpretive exhibits; and, be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, or her designee, to enter into a contract not-to-exceed \$1 with a construction contractor selected by the Friends of Peralta Hacienda Historical Park to perform the installation services in accord with drawings, plans, specifications and details prepared by Friends of Peralta Hacienda Historical Park; and, be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, or her designee, to negotiate and execute an amendment to an existing license agreement between the Friends of Peralta Hacienda Historical Park and City of Oakland for Friends to maintain and repair the interpretive exhibits for a period of five (5) years with two (2) consecutive five-year options to renew; and, be it

FURTHER RESOLVED: That the City Administrator, or her designated representative, is hereby authorized to approve and execute any subsequent agreement, amendments, modifications, or extension of agreements, within the City Administrator's contract authority, related to the improvements under this Resolution, except to the extent that such amendments or extension of agreements involve unbudgeted costs;

FURTHER RESOLVED: That any agreements authorized hereunder, including amendments, modifications, or extensions, shall be approved as to form and legality by the Office of the City Attorney and filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT - 3 2006, 2006

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND ~~PRESIDENT OF THE COUNCIL DE LA FUENTE~~ - 7


NOES - 0

ABSENT -- 0

ABSTENTION - 0

Excused - De La Fuente - 1

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California