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2015 JUN 12 AM 8:51

AGENDA REPORT

TO: JOHN FLORES
INTERIM CITY ADMINISTRATOR

FROM: AUDREE V. JONES TAYLOR

SUBJECT: Gift in Place for Verdese Carter

DATE: June 10, 2015

City Administrator

Date

Approval

6-11-2015

COUNCIL DISTRICT: #7

RECOMMENDATION

Staff recommends that the City Council adopt:

A 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); 2) Authorizing The City Administrator To Execute A Construction Contract With Dryco Construction 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.

OUTCOME

Adoption of the proposed resolution by the City Council will authorize the City Administrator to accept a gift of in-kind services from the Golden State Warriors and the Good Tidings Foundation and execute a one dollar (\$1.00) construction contract with Dryco Construction for the Verdese Carter Park basketball court renovation project and waive advertising and bidding requirements.

In order to receive this donation, the City must facilitate the project completion by the funders required deadline of June 19, 2015 to coincide with the Golden State Warriors competition in the 2015 National Basketball Association (NBA) Finals.

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REASON FOR URGENCY

The Golden State Warriors and Good Tidings Foundation have made a commitment to resurface the basketball courts at Verdese Carter Park. The funders have a quick timeline. This project was brought to the attention of Oakland Parks and Recreation (OPR) on May 28th with a proposed start date of June 1, 2015 and anticipated completion date of June 19, 2015. Understanding that there are complications in adhering to this expectation, it is OPR's desire to complete the project prior to the funder's deadline of June 19, 2015.

BACKGROUND/LEGISLATIVE HISTORY

The City of Oakland has renovated 25 basketball courts with the Golden State Warriors and Good Tidings Foundation. In partnership with the Good Tidings Foundation, each year, the Warriors identify community projects to complete as a demonstration of community investment and dedication to youth and healthy lifestyles. The current project continues the legacy of community service the Good Tidings Foundation and the Golden State Warriors share with the City of Oakland staff and its communities.

ANALYSIS

The current state of the Verdese Carter basketball courts exhibit serious wear, tear, and deferred maintenance. The acceptance of this gift will allow the Golden State Warriors in partnership with the Good Tidings Foundation and Dryco Construction to add value to the community and to the park. The work will consist of installing temporary fencing around the job site, demolishing and removing existing basketball posts and backboards, performing 300 square feet of crack repairs, install four new NBA hoop systems in concrete footings, apply 18,000 square feet of duro-flex seal coat and crack filler to courts and surrounding walkways, apply 11,000 square feet of acrylic basketball court surfacing, hand paint 'Warriors' logos at both center court surfacing, affix aluminum sign "Verdese Carter Courts" approx. 4'x2' to the fence facing the court, and paint benches and tables surrounding the courts. When completed over 200 participants in the Oakland Police Department Police Activities League (PAL) program and throughout the community will benefit from this project.

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.

Staff recommends waiving the advertising and bidding requirements because the funder has a deadline of June 19th 2015 for project completion. Further, in light of the City's budgetary constraints and the growing need for quality recreational opportunities, staff wishes to leverage

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public and private resources wherever feasible to improve city parks and neighborhoods. The Verdese Carter Park basketball courts were chosen by the donor due to their heavy use and high value to the local community. The renovation project does not create unbudgeted costs for the city.

PUBLIC OUTREACH/INTEREST

In cooperation with the Golden State Warriors and Good Tidings Foundation, Oakland Police Department Police Athletic League (PAL) have been in conversation with the local community, youth, local schools, and organizations to identify the basketball courts at Verdese Carter Park as a suitable improvement to increase healthy recreational opportunities in the local community.

COORDINATION

This project has been coordinated with the following departments:

- Oakland Parks and Recreation
- Oakland Public Works Agency
- Oakland Police Department
- Contract Administration
- Oakland City Attorney's Office

COST SUMMARY/IMPLICATIONS

This report has no negative impact to the City. The Golden State Warriors Foundation has agreed to fund the entire project in the amount of twenty three thousand dollars (\$23,000) with no cost to the City of Oakland. The City will execute a \$1 gift in place contract with Dryco Construction to perform the work. Through the gift in place contract, the Good Tidings Foundation will assume all responsibility and City regulations in regards to compensation to Dryco Construction for the work performed to complete the Verdese Carter Park basketball court renovation project.

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SUSTAINABLE OPPORTUNITIES

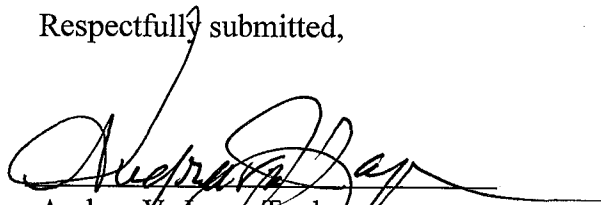
Economic: This project will add community and personal value to one of the City's most vulnerable communities. As analyzed and recorded in the 2001 Journal of Leisure Research Vol. 33, citing a 10%-20% increase in property values within a two to three block radius of well-maintained parks and open spaces.

Environmental: This project requires the contractor to recycle and re-use construction materials to the extent practical and comply with City standards.

Social Equity: The project will improve the healthy, outdoor recreational opportunities and quality of recreation at Verdese Carter Park for the local community.

For questions regarding this report, please contact Mark Hall, (510)238-2389, MHall@oaklandnet.com

Respectfully submitted,



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

Prepared by: Mark Hall
Special Assistant to the Director on CIP projects

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OAKLAND CITY COUNCIL

RESOLUTION No. _____ 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, _____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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