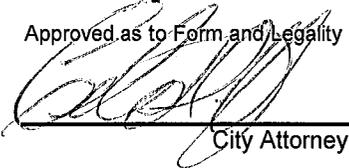


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City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 86296 C.M.S.

Introduced by Councilmember _____

ADOPT A RESOLUTION (1) WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATION PROCESS AND (2) AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH BYRENS KIM DESIGNWORKS FOR THE RAINBOW RECREATION CENTER EXPANSION AND RENOVATION PROJECT (NO. C470910) IN THE AMOUNT NOT TO EXCEED AN ADDITIONAL TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) FOR A TOTAL CONTRACT AMOUNT OF SEVEN HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$775,000.00)

WHEREAS, on July 21, 2015, the City Council approved Resolution No. 85726 C.M.S. awarding a professional architectural services contract to Byrens Kim Design Works in an amount not to exceed \$525,000.00; and

WHEREAS, Byrens Kim Design Works conducted additional meetings with community and staff to refine the design through Programming and Schematic Design phases; and

WHEREAS, the resulting project meets limited needs of the community, Oakland Parks & Recreation programs or provide increased benefit to the Public; and

WHEREAS, staff in consultation with Council representative, City Administrator and Interim Director of the Oakland Parks and Recreation determined that providing a fully functional facility is in the best interest of the City necessitating an increase to the consultant team's services to maximize improvements;; and

WHEREAS, Byrens Kim Design Works is a small local Oakland business and complies with all Local Business Enterprise/Small Local Business Enterprise requirements; and

WHEREAS, the expanded project triggers additional scope for accessibility, code and Stormwater management compliance as well as City's green building and sustainability ordinances requirements; and

WHEREAS, funding for the design services of the Rainbow Recreation Center Expansion and Renovation project within Amendment No. 1 is available from the State Parks Bond Prop 84 Fund (2134), Capital Project Management Organization (92270), Consultant Services Account (54411), Project (C470910); and

WHEREAS, the City Council finds that this contract is for services of a professional, scientific or technical nature; and

WHEREAS, the City Council finds that services under the contract will be temporary in nature 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 pursuant to Section 2.04.051 B of the Oakland Municipal Code, the City Council finds that it is in the best interests of the City to waive the competitive RFP/RFQ selection requirement of Section 2.04.051(A) of the Oakland Municipal Code in order to expedite the completion of the design and construction support services for the Rainbow Recreation Expansion and Renovation project and based on the reasons and circumstances set forth in the Report that accompanies this Resolution; and, be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to execute Amendment No. 1 to increase the agreement with Byrens Kim Design Works for professional architectural services in an amount not-to-exceed \$250,000.00, bringing the total contract amount to \$775,000.00; and, be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to approve any subsequent amendments to or extensions of said agreement with the exception of those related to an increase in the total dollar amount of the agreement; and, be it

FURTHER RESOLVED: That a copy of the agreement will be on file in the City Clerk's Office and will be reviewed and approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 1 9 2016

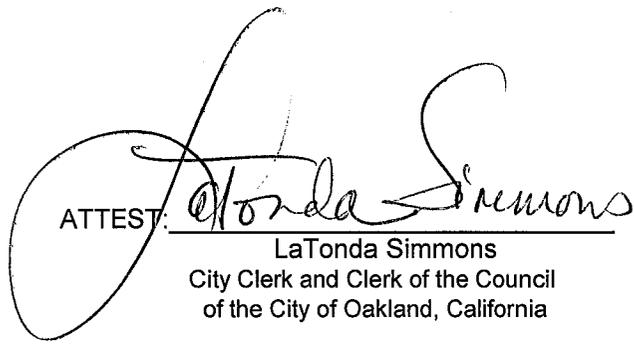
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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