

FILED
OFFICE OF THE CITY CLERK
OAKLAND

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City Attorney**OAKLAND CITY COUNCIL**RESOLUTION No. 85898 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 RAINBOW RECREATION CENTER BASKETBALL GYM RENOVATION PROJECT VALUED AT FIFTY-TWO THOUSAND DOLLARS (\$52,000); AND 2) AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE CONSTRUCTION CONTRACTS WITH MCWIL SPORT SURFACES, INC., DOHERTY RESTORATION, INC., AND STRAIGHTLINE ENTERPRISE, INC. DBA FIRST SERVICE FOR ONE DOLLAR (\$1.00) EACH TO PERFORM THE SERVICES AND AUTHORIZE THE WORK ON CITY PROPERTY; AND 3) WAIVE ADVERTISING AND BIDDING REQUIREMENTS FOR THE PROJECT; AND 4) NAMING THE BASKETBALL COURT INSIDE THE RAINBOW RECREATION CENTER GYM AFTER FORMER GOLDEN STATE WARRIOR JASON RICHARDSON

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 have partnered with the Oakland Parks and Recreation to renovate over 25 basketball courts in Oakland, and have recently approached the City of Oakland to renovate the Rainbow Recreation Basketball Gym at no cost to the City of Oakland with an anticipated project completion of December 2015; and

WHEREAS, staff seeks authority to accept the gift and execute a one dollar (\$1.00) construction contract with three separate contractors and the Good Tidings Foundation to complete the Rainbow Recreation Center Basketball Gym renovation project; and

WHEREAS, similar to the basketball courts at Arroyo Viejo Park, recently renovated and named the Chris Mullin basketball courts and the recently renovated San Antonio Park basketball courts now called the Sarunas Marciulionis courts, the Golden State Warriors have requested the honor to name the basketball court inside the Rainbow Recreation Center Gymnasium after former Golden State Warrior and Oakland community favorite, Jason Richardson; 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 December 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, the Rainbow Recreation Center was identified in the 2005 City of Oakland Capital Improvement Plan and the Oakland Open Space and Recreation (OSCAR) report as a needed and planned improvement and the Rainbow Recreation Center gym was selected from a competitive grant process to be renovated in partnership with the Golden State Warriors and the Good Tidings Foundation; and

WHEREAS, the Rainbow Recreation Center Basketball Gym 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 \$52,000 from the Golden State Warriors and the Good Tidings Foundation; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute a construction contract for one dollar (\$1.00) with the Good Tidings Foundation and McWil Sport Surfaces to sand and finish the existing 4,150 square foot gym floor, paint the yellow border, apply the blue stain three point area, and apply two seal coats and three finish coats; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute a construction contract with Straightline Enterprise, Inc. DBA First Service, and the Good Tidings Foundation in the amount of one dollar (\$1.00) to apply a "Warriors" center logo and two "Good Tidings" side logos, install two new 48" x 72" unbreakable glass backboards, new rims, backboard padding, end of court wall padding in royal blue, and install a new remote controlled scoreboard; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute a construction contract with the Good Tidings Foundation and Doherty Restoration, Inc. in the amount of one dollar (\$1.00) to paint the walls including the wood paneling, and sand and apply Polyurethane on the bleachers; 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 City 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 McWil Sports Surfaces, Inc., Doherty Restoration, Inc., and Straightline Enterprises, Inc. DBA First Service shall provide insurance and bonds as required by law and be subject to standard project oversight and city acceptance of the work as set forth in the specific construction contract to be executed; 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; and be it

FURTHER RESOLVED: That the City Council hereby approves the naming of the basketball courts inside the recreation center after former Golden State Warrior Jason Richardson; and be it

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

NOV 17 2015

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

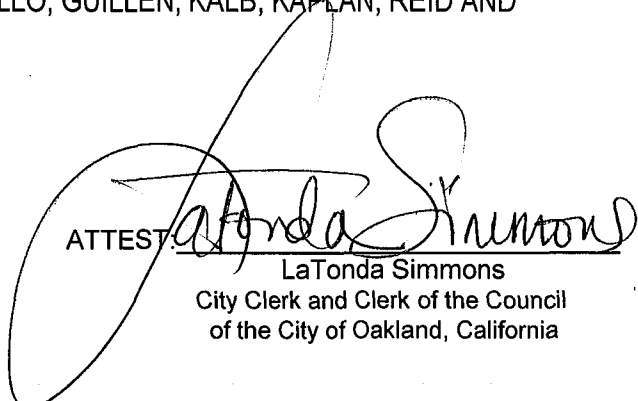
AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY. 8

NOES - Ø

ABSENT - Ø

ABSTENTION - Ø

ATTEST


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