

OAKLAND CITY CONCIL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No: 7 8583 C.M.S.

2004 MAY 13 PM 4:14

W. Jones

RESOLUTION ACCEPTING, AND EXPRESSING APPRECIATION FOR, PRIVATE DONATIONS OF \$6,000 FROM STEVEN AND WENDY JONES, THROUGH THE FRIENDS OF OAKLAND PARKS AND RECREATION, FOR A DRINKING FOUNTAIN AND \$2,000 FROM GALLAGHER & BURK, INC. FOR THE JOAQUIN MILLER CASCADE LANDSCAPING PROJECT (C197230); AND AUTHORIZING THE CITY MANAGER TO APPROPRIATE SAID DONATIONS OF \$8,000 TO PROJECT NO. C197230 AND INCREASE THE CONSTRUCTION CONTRACT WITH BAY CONSTRUCTION FROM \$91,000 TO \$99,000 FOR THE ADDITION OF A DRINKING FOUNTAIN, LANDSCAPING, AND PARK ACCESSORIES

WHEREAS, a construction contract for the Joaquin Miller Park Cascade Landscaping, Project No. C197230, with Bay Construction was executed and issued on March 17, 2003; and

WHEREAS, the City desires to complete the work before the next Cascade event reservation season begins in summer 2004; and

WHEREAS, the project is designated in the Capital Improvement Plan and funding exists in Fund 5500 (Municipal Capital Improvement), Project No. C197230, and in Fund 5500 (Council Discretionary Fund, District 4); and

WHEREAS, the firm of Gallagher & Burk, Inc. offers to donate \$2000 for the construction of the project and the City desires to accept the donation for the project; and

WHEREAS, the individuals, Wendy and Steven Jones, offer to donate \$6000 for the construction of a new drinking fountain and the City desires to accept the donation for the project; and

WHEREAS, it is in the best interests of the City to increase the scope and amount of the existing contract with Bay Construction to include the additional drinking fountain, landscaping and park accessories; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the additional work; and

WHEREAS, 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 services under this contract will be temporary and 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 hereby accepts private donations of \$2,000 from Gallagher & Burk, Inc. and \$6,000 from Wendy and Steven Jones, through the Friends of Oakland Parks and Recreation, for the addition of a drinking fountain, landscape and park accessories to the Joaquin Miller Cascade Landscaping Project (C197230); and, be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Manager or his designee to appropriate said donated funds to the Joaquin Miller Cascade Landscaping Project (C197230) and to increase the contact with Bay Construction for said project by \$8,000 to a total amount not to exceed \$99,000 for the addition of a drinking fountain, landscaping and park accessories to the project scope; and, be it

FURTHER RESOLVED: That the City Manager, or his designated representative, is hereby authorized to approve and execute any subsequent agreement, amendments, modifications, or extension of agreements, up to the amount of the construction contract under this Resolution, and that such amendments 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; and be it

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 1 2004, 2004


PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT OF THE COUNCIL DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST. 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California