



 City Attorney

OFFICE OF THE CITY CLERK

2007 APR 25 THU 3:23 **OAKLAND CITY COUNCIL****RESOLUTION No. 80568 C.M.S.**

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION MANAGER AT-RISK CONTRACT TO MCGUIRE AND HESTER IN AN AMOUNT NOT-TO-EXCEED FIVE MILLION DOLLARS (\$5,000,000.00) FOR THE PHASE I RAIMONDI PARK PROJECT

WHEREAS, Raimondi Park is an existing park identified for renovation and rehabilitation under the City's Capital Improvement Plan for FY 2003-2005 budget and is located at 1800 Wood Street; and

WHEREAS, the Raimondi Park renovation project ("Project") involves design and renovation of the multipurpose ball field, the baseball diamond, community elements and infrastructure improvements as funding allows (Phase I); and

WHEREAS, the City wishes to complete design and construct Phase I of the concept plan developed for the park with the community and City; and

WHEREAS, the City of Oakland has received funding totaling \$2,900,000.00 for this project as follows: 1) \$2,500,000.00 from the State of California Murray-Hayden Grant (C245520, Fund 2134); 2) \$200,000.00 from Measure K General Obligation Bond Series 2000D (C245510, Fund 5014); 3) \$100,000.00 from California Integrated Waste Management Recycled Tire Grant (C245540, Fund 2992); and 4) \$100,000.00 from ADA Funds (274280, Fund5200); and

WHEREAS, Friends of Oakland Parks and Recreation (FOPR), a local non-profit organization, will provide \$740,000.00 from private donations and grants and will continue to procure funds for the project; and

WHEREAS, FOPR and the City have solicited and received Proposals from contractors to provide Construction Manager at Risk services for the development, design and construction of Phase I Raimondi Park project; and

WHEREAS, FOPR and the City decided to use the Construction Manager at Risk project delivery method because the method provides contractor input during design, expertise in construction and results in a complete construction price; and

WHEREAS, FOPR and the City selected the construction firm of McGuire and Hester in a competitive request for proposal/qualifications process to serve as the Construction Manager at Risk which will require them to assist in preparation of construction plans and specifications, bid the work, hire the necessary licensed constructors, construct the Phase I Raimondi Park project and insure and bond the work; and

WHEREAS, the development and construction of the Project would benefit the City and the Oakland community at large; and

WHEREAS, contracts awarded hereunder are professional, scientific or technical and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator to negotiate and award a Construction Manager at Risk contract to McGuire and Hester for the construction of the Phase I Raimondi Park project in an amount not to exceed Five Million Dollars (\$5,000,000.00) and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the contractor shall be required to meet all City of Oakland contracting policies and programs including, but not limited to, local and small local business enterprise, equal benefits and local and apprenticeship hiring; and be it

FURTHER RESOLVED: That the contractor shall be required to insure the work and provide faithful performance and payment bonds for one hundred percent (100%) of the contract amount prior to execution of the contract; and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator, as agent of the City, to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, contracts, amendments and payments requests, in compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned Project; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk.

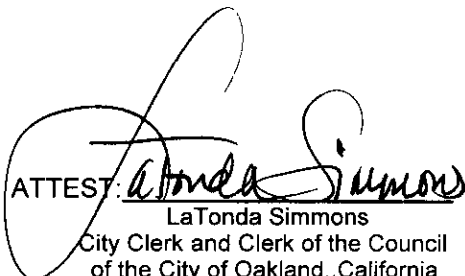
IN COUNCIL, OAKLAND, CALIFORNIA, MAY 15 2007, 2007

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE, - 8

NOES- 0
ABSENT- 0

ABSTENTION- 0

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