


  
 City Attorney

OFFICE OF THE CITY CLERK

2007 APR 25 PM 3:22 **OAKLAND CITY COUNCIL****RESOLUTION No. 80567 C.M.S.**

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE SEVEN HUNDRED FORTY THOUSAND DOLLARS (\$740,000.00) FROM THE FRIENDS OF OAKLAND PARKS AND RECREATION (FOPR) AND ANY ADDITIONAL FUNDS RAISED BY FOPR FOR AND DONATED TO THE PROJECT, TO WAIVE THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS PROCESS AND TO AMEND THE PHASE I RAIMONDI PARK PROJECT AGREEMENT WITH FOPR TO INCLUDE CONSTRUCTION MANAGEMENT SERVICES AND INCREASE THE CONTRACT AMOUNT BY TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) FOR A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED FIVE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$525,000.00)**

**WHEREAS**, Raimondi Park is an existing park identified for renovation and rehabilitation under the City's Capital Improvement Plan for FY 2003-2005 budget, 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**, Friends of Oakland Parks and Recreation ("FOPR"), a local non-profit organization, has solicited and received grants and pledges for the Project and is continuing to solicit additional funds for the Project; and

**WHEREAS**, FOPR wishes to design and construct Phase I of the concept plan developed for the Project with the community and City and the City entered into an agreement with FOPR dated January 26, 2007 in the amount of \$275,000.00 for said development and design services for Phase I of the Project; and

**WHEREAS**, the City now wishes to amend the agreement with FOR in order to for them to perform construction management and other services needed for the Project, and to increase the agreement amount by Two Hundred Fifty thousand dollars (\$250,000.00) to pay for said services; and

**WHEREAS**, FOPR conducted a competitive request for proposal/qualifications process and selected an Oakland construction management firm (The Alley Group) to provide project and construction management and other services needed; and

**WHEREAS**, the City of Oakland received funding totaling \$2,900,000.00 for this project from: 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 (C274280, Fund5200); and

**WHEREAS**, FOPR will provide \$740,000.00 from private donations and grants and there is a combined total project budget from City and FOPR of \$3,640,000.00; and

**WHEREAS**, FOPR is required to hire properly licensed consultants capable of fulfilling the City's programs requirements for LBE/SBLE, prevailing wage, equal benefits and insurance; and

**WHEREAS**, the development of the Project will benefit the City and the Oakland community at Large; and

**WHEREAS**, services obtained under contracts approved 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, or her designee, to accept and appropriate \$740,000.00 in funds as well as any additional funds raised and donated by FOPR to the Phase I Raimondi Park project without return to Council; and be it

**FURTHER RESOLVED**: That pursuant to Oakland municipal Code section 2.04.051.B and findings contained in the City Administrator's report accompanying this Resolution, the City Council finds and determines that it is in the best interest of the City to waive the competitive request for proposal/qualification process for FOPR for construction management services for Phase I of the Raimondi Park Project in light of the competitive selection process FOPR used to select the firm they will hire to provide the services; and be it

**FURTHER RESOLVED**: That the City Council authorizes the City Administrator, or her designee to increase the contract with FOPR, dated January 26, 2007 for Phase I Raimondi Park Project development, and design services by an amount of Two Hundred Fifty Thousand dollars (\$250,000.00) for additional services including construction management services for the Project, for a total contract amount not-to-exceed Five Hundred Twenty-Five Thousand Dollars (\$525,000.00); 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 payment 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 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 payment 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 contract amendment 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

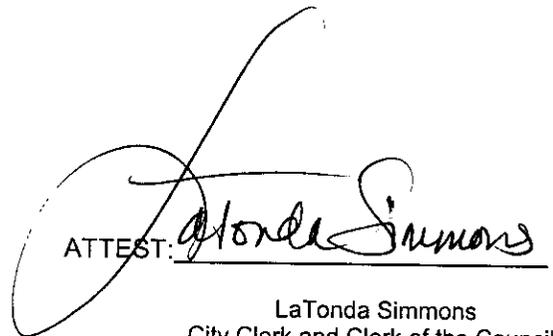
**PASSED BY THE FOLLOWING VOTE:**

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