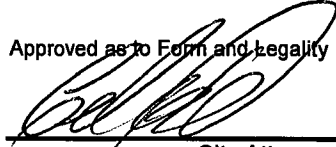


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2019 MAY -2 PM 3:40

Approved as to Form and Legality  
  
City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 87690 C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO AWARD AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES WITH LEDDY MAYTUM STACY ARCHITECTS (LMSA) FOR AN AMOUNT NOT-TO-EXCEED SEVEN HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$765,000.00) TO COMPLETE PROGRAMMING AND MASTER PLANNING THROUGH SCHEMATIC DESIGN SERVICES, WITH THE CITY OPTION TO COMPLETE REMAINING DESIGN SERVICE THROUGH CONSTRUCTION SUPPORT UTILIZING LMSA UPON THE IDENTIFICATION OF ADDITIONAL FUNDING AND FUTURE COUNCIL APPROVAL FOR THE NEW MOSSWOOD PARK COMMUNITY CENTER AND PARK MASTER PLAN PROJECT (NO 1003625).**

**WHEREAS**, Mosswood Park is an eleven-acre public park established in 1910, and operated by the Oakland Parks, Recreation and Youth Development Department; and

**WHEREAS**, Mosswood Park amenities include: a playground and tot lot, community garden, dog run, basketball courts, tennis courts, baseball field, a small outdoor amphitheater, a carriage storage shed, the historic J. Mora Moss House and a former 8,235 square feet Recreation Center; and

**WHEREAS**, the Mosswood Recreation Center suffered major damage from a fire in November 2016, requiring the City to tear down the structure and the community eagerly anticipates the replacement center; and

**WHEREAS**, insurance settlement funds will support the replacement of a new Mosswood Community Center design and construction under General Fund (1010); Capital Projects Organization (#92270); Consultant Contract Account (54411); Project (1003625); Program (IN06) and

**WHEREAS**, a Professional Services Request for Proposals was advertised on August 31, 2018, in accordance with Oakland Municipal Code (OMC) 2.04.051 and Administrative Instruction 150 and eleven (11) responses were received by Public Works Contract Services on October 16, 2018; and

**WHEREAS**, the Scope of Services advertised was for full design services from Master Planning through Construction Administration; and

**WHEREAS**, the City Administrator's Contract Compliance analysis was completed on November 16, 2018 to the Request for Proposals and revised on March 25, 2019; and

**WHEREAS**, the top four firms were invited to participate in a panel interview on December 4, 2018; and

**WHEREAS**, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the professional services contract approved hereunder is temporary in nature; and

**WHEREAS**, the City Council finds that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific, or technical nature and are temporary in nature; and

**WHEREAS**, the City intends to award and execute the contract with LMSA through Schematic Design services, with an option by the City to utilize LMSA for remaining services necessary to complete the project upon the identification of additional funding; and

**WHEREAS**, staff will return to Council to request authorization to exercise the City's option to amend and increase the same agreement for an amount to be negotiated, to perform remaining services necessary to complete the project contingent upon funds becoming available; and

**WHEREAS**, the City Council finds that this contract 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 Administrator is authorized to award and execute a professional services agreement for architectural and engineering design services with Leddy Maytum Stacy Architects (LMSA) for an amount not-to-exceed Seven Hundred Sixty-Five Thousand Dollars (\$765,000.00) for Programming and Master Planning through Schematic Design Services, with the City's option to complete remaining design service through construction support utilizing LMSA upon future Council approval for the new Mosswood Park Community Center and Park Master Plan Project (No. 1003625), in accordance with the Request for Proposals, firms' submittals and interviews; and be it

**FURTHER RESOLVED:** That the said agreement shall utilize funds from General Fund (1010); Capital Projects Organization (#92270); Consultant Contract Account (54411); Project (1003625); Program (IN06) ; and be it

**FURTHER RESOLVED:** That the contracted firm(s) shall comply with all City contracting and compliance program requirements that apply to this contract, including Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation and be verified by the Contracts and Compliance Department; and be it

**FURTHER RESOLVED:** That the City Administrator, is hereby authorized to approve any subsequent amendments, modifications, or extensions of said agreement, excepting those related to increasing the amount of the contract above the amounts authorized under this Resolution, and be it

**FURTHER RESOLVED:** That the contract and any subsequent amendments or extensions shall be reviewed and approved by the Office of the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

**MAY 21 2019**

PASSED BY THE FOLLOWING VOTE:


AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

  
\_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California