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Farran Hussein
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CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90953 C.M.S.

RESOLUTION Authorizing The City Administrator To:

- 1. Accept And Appropriate Community Champions Playground Grant Funding In An Amount Not-To-Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00) For The Purchase Of Playground Equipment For San Antonio Park From GameTime, A Playground Equipment Supplier;**
- 2. Commit Matching Funds In An Amount Not-To-Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00);**
- 3. Enter Into A New Cooperative Purchasing Agreement With GameTime For The Acquisition Of Play Structures For San Antonio Park And Additional City Parks In A Not-To-Exceed Amount Of Two Million Dollars \$2,000,000.00 From November 28, 2025 To June 30, 2026.; and**
- 4. Make Appropriate California Environmental Quality Act Findings (CEQA)**

WHEREAS, the San Antonio Park Playground Improvement Project (Project) was determined to be a high priority park project with a score of 103 per the Fiscal Year 2023-2025 Capital Improvement Program (CIP) Budget adopted by Council per Resolution 89981 C.M.S.; and

WHEREAS, San Antonio Park (Park) is located within a City-owned parcel at 1701 E. 19th Street in District 2; and

WHEREAS, the Project seeks to improve safety and accessibility for a new universally designed playground for an underserved and disadvantaged neighborhood with a population that is 54% low income and 88% people of color; and

WHEREAS, GameTime is a leading playground equipment supplier with a long history of designing innovative play spaces that promote healthy childhood development, community well-being and is sponsoring the annual Community Champions Playground Grant (Grant); and

WHEREAS, the Grant utilizes a purchase-then-reimbursement structure and the City is seeking play equipment valued at three hundred fifty thousand dollars (\$350,000.00); and

WHEREAS, the City has matching funds available, contingent upon carryforward of funds from Fiscal Year 2024-25 to Fiscal Year 2025-26, to meet the requirements of the Grant identified

encumbered under the following funding code: Measure KK: Infrastructure Series 2022C-1 (Tax Exempt) Fund (5335), Engineer Design: Project Management Organization (92270), Head Start CIP – San Antonio Project (1004863), and Project Delivery Program (IN06); and

WHEREAS, the Grant requires the equipment is purchased by November 28th, 2025; and

WHEREAS, Oakland Municipal Code (OMC) §2.04.080 provides that “Where advantageous for the City, the City Administrator may purchase supplies or services as defined in OMC §2.04.010, through legal contracts of other governmental jurisdictions or public agencies that were awarded pursuant to an appropriate competitive process (i.e. advertised and bid for products and non-professional services; advertised and awarded through an RFP/Q process for professional services) without further contracting, solicitation, or formal bidding. Cooperative agreements are subject to City of Oakland purchasing and other applicable policies and requirements set forth in the City’s standard contracts and insurance requirements”; and

WHEREAS, the use of cooperative agreements allows the City to ensure services are uninterrupted, provides the City with access to commodities and services at lower prices, which results in significant cost savings for the City, and use of another jurisdictions competitive procurement process in lieu of relying on a City-initiated advertising and bidding process significantly shortens the contract cycle process because the competitive solicitation process has been completed by another governmental jurisdiction or public agency saving staff time and resources; and

WHEREAS, the existing legal contract between the County of Mecklenburg in North Carolina and GameTime presents an opportunity for the City to piggyback and purchase playground and outdoor fitness equipment, site accessories, surfacing, and related services. This cooperative purchasing agreement, which was competitively bid on January 25th 2017 with the current expiration date of June 30, 2026, complies with OMC 2.04.080 and includes all necessary terms, pricing schedules, and insurance provisions. Utilizing this contract will allow the City to secure the lowest available pricing for GameTime play structures and related products

WHEREAS, over the next three years, City staff will seek Council approval for future GameTime grant opportunities to obtain funds for City wide park improvements; and

WHEREAS, staff seeks City council approval pursuant to OMC §2.04.030 to enter into a cooperative agreement with GameTime from November 28, 2025 to June 30, 2026 in an amount not-to-exceed two million dollars (\$2,000,000.00) as an efficient mechanism to purchase play equipment for the Project and other City parks as need and funding arise; and

WHEREAS, the City will not proceed with equipment purchase until fully executed grant award and reimbursement agreement are in place; and

WHEREAS, the Project is exempt from CEQA pursuant to the following CEQA Guidelines Sections: Section 15162 and 15163 (no further environmental review required); Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment); Section 15061(b)(3) (no significant effect on the environment); Section 15183 (projects consistent with a community plan, general plan, or zoning), Section 15301 (existing facilities), Section 15302 (replacement or reconstruction), and Section 15309 (inspections), each of which provides a

separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance; and now, therefore, be it

RESOLVED: That the City Administrator, or designee, is hereby authorized to accept and appropriate Grant funds from GameTime for playground equipment to be installed at the Park in an amount not-to-exceed \$350,000.00; and be it

FURTHER RESOLVED: That the Grant utilizes a purchase-then-reimbursement structure and is seeking play equipment valued at three hundred fifty thousand dollars (\$350,000.00); and be it

FURTHER RESOLVED: That the City shall utilize matching funds available, contingent upon carryforward of funds from Fiscal Year 2024-25 to Fiscal Year 2025-26, to meet the requirements of the Grant identified encumbered under the following funding code: Measure KK: Infrastructure Series 2022C-1 (Tax Exempt) Fund (5335), Engineer Design: Project Management Organization (92270), Head Start CIP – San Antonio Project (1004863), and Project Delivery Program (IN06); and be it

FURTHER RESOLVED: That pursuant to OMC §2.04.080 the City Council authorizes the City Administrator to enter into a contract by the cooperative purchase agreement process with GameTime from November 28, 2025 to June 30, 2026 in an amount not-to-exceed two million dollars (\$2,000,000.00) as an efficient mechanism to purchase play equipment for the Project and other City parks as need and funding arise; and be it

FURTHER RESOLVED: There is no minimum commitment to this contract, funds will not be committed unless funding is identified, and the contractor will have the right to accept or reject any proposed contract extension; and be it

FURTHER RESOLVED: The Project is exempt from CEQA pursuant to the following CEQA Guidelines Sections: Section 15162 and 15163 (no further environmental review required); Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment); Section 15061(b)(3) (no significant effect on the environment); Section 15183 (projects consistent with a community plan, general plan, or zoning), Section 15301 (existing facilities), Section 15302 (replacement or reconstruction), and Section 15309 (inspections), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance; and be it

FURTHER RESOLVED: That the City Administrator or their designee is authorized to complete all required negotiations, execute the agreements, and take any other action consistent with this Resolution and its basic purpose ; and be it

FURTHER RESOLVED: That a copy of the agreement will be on file in the City Clerk's Office and has been reviewed and approved for form and legality by the Office of the City Attorney.

NOV 04 2025

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
~~PRESIDENT JENKINS~~ -7

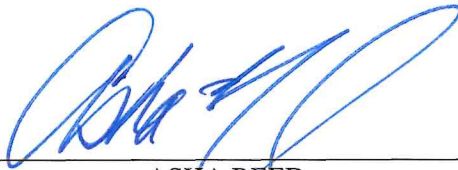
NOES - 0

ABSENT - 0

ABSTENTION - 0

1 Excused: Jenkins

ATTEST: _____


ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California