

# OAKLAND CITY COUNCIL

RESOLUTION No. 76278 C. M. S.



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RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ELS ARCHITECTURE AND URBAN DESIGN IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY SIX THOUSAND NINE HUNDRED **NINETY SEVEN DOLLARS (\$236,997)**, THAT INCLUDES A TEN PERCENT (10%) CONTINGENCY FOR PHASE ONE ARCHITECTURAL **AND CONSTRUCTION SERVICES (PRE-PROGRAMMING/PLANNING AND CONCEPT DESIGN)**, AND AN AGREEMENT WITH THE SPORTS MANAGEMENT GROUP IN AN AMOUNT NOT TO EXCEED EIGHTY **NINE** THOUSAND SIX HUNDRED FIFTY DOLLARS (**\$89,650**), THAT INCLUDES A TEN PERCENT (10%) CONTINGENCY FOR A FEASIBILITY STUDY, BOTH FOR THE DESIGN OF THE EAST OAKLAND SPORTS COMPLEX

WHEREAS, the City of Oakland has adequate funding designated from the 1997 Measure I bond program for professional design and construction administration services related to design and construction of the East Oakland Sports Complex project; and

WHEREAS, on November 5, 1996 the voters of the City of Oakland affirmed support for design and development of an East Oakland Sports Complex and authorized Measure I which authorized the issuance general obligation bond funds for the purpose of financing the repair, construction, and improvement of certain libraries, museums and other cultural and recreation facilities throughout the City of Oakland including the East Oakland Sports Complex; and

WHEREAS, ELS Architecture and Urban Design (“ELS”) was chosen through the City’s Request for Proposal process as the top-rated and most qualified **firm** to provide comprehensive professional services associated with design and construction of the East Oakland Sports Complex; and

WHEREAS, ELS Architecture and Urban Design has provided a comprehensive fee proposal to provide complete plans, specifications, permit assistance, cost estimates, construction administration, and fund raising assistance associated with the design and construction of the East Oakland Sports Complex; and

WHEREAS, The Sports Management Group (“TSMG”), an Oakland based consulting **firm** specializing in conducting feasibility studies for municipal recreation facilities was selected as a part of the competitive process; and

WHEREAS, the City wishes to enter into the first two stages (Pre-Design/Programming and Concept Design) of a Phase One design contract with ELS Architecture and Urban Design to provide pre-design programming and concept design, components; and

WHEREAS, the City wishes to include language in the Phase One design contract to allow the consultant identified to work with ELS Architecture and Urban Design in the area of project programming and feasibility (The Sports Management Group) report directly to the City and provide information back to ELS to alleviate any direct influence by ELS; and

WHEREAS, the Staff will return to Council at a future date to amend the agreement with ELS Architecture and Urban Design to provide professional services associated with remaining Phase One and Phase Two design elements for the East Oakland Sports Complex including schematic design, design development, development of construction documents, and assistance with bidding, award and construction administration.

WHEREAS, the City Council finds that this contract is for services of a professional nature; and

WHEREAS, the City Council finds that the services under the contract will be temporary; now, therefore, be it

RESOLVED: That the City Manager is required to return to City Council at the conclusion of each stage of design beginning with Pre-Design and Programming followed by Concept Design, Schematic Design, and Design Development for funding approval and increases to and execution of further agreements prior to proceeding with the next stage of design; and, be it

FURTHER RESOLVED: That the City Manager is hereby authorized to enter into an agreement with ELS Architecture and Urban Design to provide professional services associated with the first two stages (Pre-Design/Programming and Concept Design) of Phase One design of the East Oakland Sports Complex in an amount for basic services not-to-exceed Two Hundred Thirty Six Thousand Nine Hundred Ninety Seven Dollars (\$236,997), which includes ten percent (10%) contingency; and, be it

FURTHER RESOLVED: That the City Manager is hereby authorized to enter into an agreement with The Sports Management Group for a feasibility study of the East Oakland Sports Complex project in an amount not to exceed Eighty Nine Thousand Six Hundred Fifty Dollars (\$89,650), which includes ten percent (10%) contingency; and, be it

FURTHER RESOLVED: That the City Manager is hereby authorized to approve any subsequent amendments to or extensions of said agreement except those involving compensation or the allocation of additional funds provided that such amendments or extensions shall be filed with the City Clerk's Office; and, be it

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

263734

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 13 2001, 20

**PASSED BY THE FOLLOWING VOTE:**

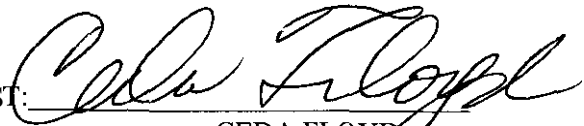
AYES-BRUNNER, CHANG, DISTRICT 6 (VACANT), NADEL, REID, WAN, ~~SPEES~~ AND  
PRESIDENT DE LA FUENTE -6

NOES- None

ABSENT- Spees (Excused) -1

ABSTENTION- None

ATTEST:



CEDA FLOYD

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