



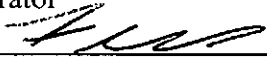
AGENDA REPORT

TO: FRED BLACKWELL
CITY ADMINISTRATOR

FROM: Arturo M. Sanchez

SUBJECT: Kaboom Projects at Burkhalter and
Concordia Parks

DATE: April 9, 2014

City Administrator
Approval 

Date: 4/10/14

COUNCIL DISTRICT: 6

RECOMMENDATION

Staff recommends that the City Council:

Adopt a Resolution Waiving Advertising and Bidding Requirements for the Purchase of Playground Equipment from Kaboom!, Inc. to be Used for the Tot Lot Improvements at Burkhalter and Concordia Parks in Oakland, and Accepting In-Kind Services from Kaboom!, Inc. to Construct These Improvements Valued Up To Eighty-Five Thousand (\$85,000.00) Dollars and Two Hundred Fifty Thousand (\$250,000.00) Dollars, Respectively

OUTCOME

Approving this resolution will waive advertising and bidding requirements for the purchase of the playground equipment from Kaboom!, Inc at Burkhalter and Concordia Park and authorize the City Administrator to accept in-kind services valued up to \$85,000 for Burkhalter and up to \$250,000 for Concordia Parks.

BACKGROUND/LEGISLATIVE HISTORY

Kaboom!, Inc., a national non-profit organization, whose mission is to create play spaces through participation of communities, solicits donations of funds, equipment and other materials from corporate sponsors to purchase and install play equipment in parks, wishes to partner with the City of Oakland to improve the Burkhalter and Concordia Parks in June and August 2014, respectively. Kaboom!, Inc. has expressed an interest to do projects at Burkhalter and Concordia Parks.

Oakland Municipal Code § 2.04.050.I, states that Council may waive advertising and bidding requirements upon a finding that it is in the city's best interests to do so.

Item: _____
City Council
April 22, 2014

Oakland's Public Works Department (OPW), Bureau of Facilities and Environment and Parks & Trees Division will provide demolition of the existing playground; Project Delivery Division will procure a contractor to perform additional site preparation through the use of an On-Call Contractor.

PUBLIC OUTREACH/INTEREST

Public outreach for the projects will be conducted through the Kaboom!, Inc. process which identifies community leaders and local non-profit partners.

COORDINATION

The project has been coordinated with the following departments:

- Office of City Attorney
- Budget Office
- Oakland Public Works Department (Parks, Trees, Facilities and ADA Divisions)
- Oakland Public Works Department ADA Program Division
- City of Oakland Planning & Building Department (Building Services)

COST SUMMARY/IMPLICATIONS

Kaboom!, Inc. will provide only the play equipment and installation at Burkhalter Park. The playground safety surface will be funded through the City. For Concordia Park, Kaboom!, Inc will provide and install the play equipment and the playground safety surface.

SOURCE OF FUNDING:

FUNDING SOURCE FOR BURKHALTER PLAY SURFACING	AMOUNT
Joint Powers Authority Financing Capital (5200); Capital Projects Organization (92270); Structures and Improvements Construction Account (57311); Project C274210	\$2,329*
Joint Powers Authority Financing Capital (5200); Capital Projects Organization (92270); Structures and Improvements Construction Account (57311); Project C274251	\$15,500*
Joint Powers Authority Financing Capital (5200); Capital Projects Organization (92270); Structures and Improvements Construction Account (57311); Project C274310	\$24,008*
Capital Reserves (5510); Capital Projects Organization (92270); Structures and Improvements Construction Account (57311); Project C274310	\$40,589
TOTAL FUNDS	\$82,426

*Pending approval by the Mayor's Commission on Persons with Disabilities, April 14, 2014

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Not applicable.

SUSTAINABLE OPPORTUNITIES

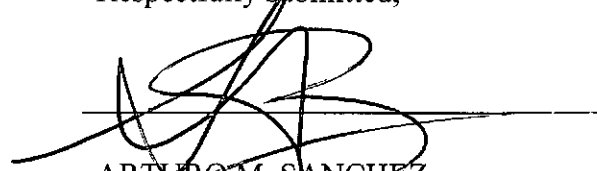
Economic: The project will improve the quality of recreation at Burkhalter and Concordia parks for Oakland residents, provide business tax, sales tax, and other revenues for the City by those who work on the project.

Environmental: The contractor is required to recycle and re-use construction materials to the extent practicable and comply with City standards.

Social Equity: The improvements will enhance public access to the park by creating accessible pathways and inclusive play equipment.

For questions regarding this report, please contact David Lau, Project Delivery Manager, 510-238-7131.

Respectfully submitted,



ARTURO M. SANCHEZ
Assistant City Administrator

2014 APR 10 PM 5:16

OAKLAND CITY COUNCIL

~~DRAFT~~ City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION WAIVING ADVERTISING AND BIDDING REQUIREMENTS FOR THE PURCHASE OF PLAYGROUND EQUIPMENT FROM KABOOM!, INC. TO BE USED FOR THE TOT LOT IMPROVEMENTS AT BURKHALTER AND CONCORDIA PARKS IN OAKLAND, AND ACCEPTING IN-KIND SERVICES FROM KABOOM!, INC. TO CONSTRUCT THESE IMPROVEMENTS VALUED UP TO EIGHTY-FIVE THOUSAND (\$85,000.00) DOLLARS AND TWO HUNDRED FIFTY THOUSAND (\$250,000.00) DOLLARS, RESPECTIVELY

WHEREAS, pursuant to Oakland Municipal Code § 2.04.050.I, the Council may waive advertising and bidding requirements upon a finding that it is in the city's best interests to do so; and

WHEREAS, Kaboom!, Inc., a national non-profit organization, whose mission is to create playspaces through participation of communities, solicits donations of funds, equipment and other materials from corporate sponsors to purchase and install play equipment in parks wishes to partner with the City of Oakland to improve the Burkhalter and Concordia Parks in June and August 2014, respectively; and

WHEREAS, in light of the City's budgetary constraints and the growing need for quality recreational opportunities, it is the Council's desire to leverage public and private resources whenever feasible to improve city parks and neighborhoods; and

WHEREAS, staff recommends that it is in the best interests of the City to waive advertising and bidding requirements for the materials Kaboom!, Inc. wishes to provide because Kaboom!, Inc. will provide them at a significantly reduced cost; and

WHEREAS, successful participation in a Kaboom project may require the City to hire a contractor to prepare and grade the play equipment area and finish the site with rubberized safety surfacing; and

WHEREAS, Kaboom's application process gives recipients only a few weeks lead time to prepare for the project, making participation by the City difficult if it adheres to the construction project advertising requirements in the Oakland Municipal Code (OMC); and

WHEREAS, the value for the in-kind services for Burkhalter Park is up to eighty-five thousand dollars (\$85,000.00) and for Concordia Park is up to not-to-exceed two hundred fifty thousand dollars (\$250,000.00); now, therefore be it

RESOLVED, That pursuant to Oakland Municipal Code § 2.04.050.I and based on the determinations of the City Administrator and staff in the accompanying agenda report and above, the Council finds that it is in the city's best interests to waive advertising and bidding requirements for the proposed purchase of materials from Kaboom!, Inc. and so waives the requirements; and be it

FURTHER RESOLVED, That the proposed improvements submitted by Kaboom!, Inc., shall be reviewed, adopted, and approved by the Assistant Director of Public Works Department, or his/her designee, and shall meet City of Oakland standards; and be it

FURTHER RESOLVED, That the City Administrator is authorized to enter into construction contracts as required for the safety surface installation or any associated scope for the tot lot improvements; and be it

FURTHER RESOLVED: That the contractors will be required to comply with all City contracting policies, such as Local/Small Local Business Enterprise, Equal Benefits, Prevailing Wage, etc.; and be it

FURTHER RESOLVED: That the contractors shall provide performance and payment bonds in the amounts required by law, and the contracts shall be approved for form and legality by the office of the City Attorney and placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the City Council accept and express appreciation to Kaboom!, Inc. for the donation of playground equipment and other materials and services for the Burkhalter Park and Concordia Park projects in Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

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