

**CITY OF OAKLAND
COUNCIL AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2003 SEP 11 PM 2:05

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: September 23, 2003

RE: A resolution authorizing the City Manager to amend a professional services contract with Spanish Speaking Unity Council for additional design and engineering services for the Union Point Park Project for a total contract amount not-to-exceed one hundred forty-nine thousand nine hundred twenty dollars (\$149,920).

SUMMARY

The Council is requested to approve a resolution authorizing the City Manager to amend a professional services contract to Spanish Speaking Unity Council (Unity Council) for additional design services for the Union Point Park Project for a total contract amount not-to-exceed one hundred forty-nine thousand nine hundred twenty dollars (\$149,920). Funding is available from the Murray Hayden Urban Parks and Youth Services Program from the State of California Department of Parks and Recreation.

FISCAL IMPACTS

In September 2000, the City approved a resolution (no. 75774 C.M.S.) and awarded a contract to Unity Council for the development of the design and specifications for the Union Point Park project. Unity Council had received grant funding from California State Coastal Conservancy (CSCC) to begin the design. CSCC's funding sets limits on the percentage of funds to be utilized for design purposes. Unity Council has utilized the funding under CSCC for the design. In order for the Unity Council to continue and complete the project design, an alternate funding source is required. In addition, CSCC is funding \$1,555,000 for construction/development of the Union Point Park. The funding must be expensed by end of June 2004. The bid documents for Phase 1 need to be completed to meet the construction expenditure deadline.

The City has grant funding of \$1,419,000 from the State of California Department of Parks and Recreation Murray Hayden Urban Parks and Youth Services Program for the Union Point Park project under project no. C196810 (Fund 2134). The funding can be utilized to continue the design.

Maintenance and operational costs for the new Union Point Park are not known at this time. Upon completion of the design and construction bid phase, staff will return to the Council for

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approval of the construction contract award along with a report on estimated operation and maintenance costs for the new park. Staff will work with the Budget Office to incorporate the additional maintenance and operational costs into future budget plans. The maintenance and operational costs are expected to increase to maintain a new open park space and facility.

BACKGROUND

Union Point Park is a City Capital Improvement Project. The City approved a resolution (No. 75774 C.M.S.) for Unity Council to develop the design and specifications for the Union Point Park project. The California State Coastal Conservancy (CSCC) granted \$1,555,000 to Unity Council for Union Point Park Development, specifically to complete the park master plan and development. The project also received \$1.4 million from Proposition 12, State Bond Measure, in "Per Capita" funding. Both the state fund and the CCSC funding will be used for the first phase of the development.

The park master plan has been completed and Unity Council is in design for the first phase of the development. The CSCC limits the percentage of funds to be utilized for design purposes. In order for the Unity Council to complete the first phase project design, an alternate funding source is required to continue.

PROJECT DESCRIPTION

The project is to be developed in two phases. The proposed first phase of the project includes site grading, remediation, and completion of new parking lots. The second phase will include the improvements set out in the master plan such as waterfront trails, play fields, children's playground, courtyard, restroom facility, multi-purpose play courts, etc.

KEY ISSUES AND IMPACTS

Unity Council's original project approach was to develop the master plan and prepare full construction document for the entire project in a single phase using funding granted to Unity Council. At the time of master plan development, full funding for the project was not available. Currently, funding for this project consists of various sources, some granted to the Unity Council and others to the City. Unity Council had used funding from CSCC to begin master plan development and design while City was obtaining funding for the project. The City had executed an agreement for the Unity Council to proceed with the design at cost to the City since Unity Council had CSCC funding. As the project design continued, CSCC is requiring that the project proceed to construction to avoid loss of remaining funding and to demonstrate that project funding is in place to complete the project. In order to avoid losing the construction funding from CSCC before design for the entire project is complete, the project needs to be

separated into two phases and allow construction to complete to meet CSCC funding deadline of June 2004. With the separation of the project into two phases, additional design services are required to prepare a separate design package. Since CSCC will not fund further design costs, City's funding will be required to complete the design package for this first phase.

Unity Council is in the process of completing phase 1 documents for construction, which consists of site grading, remediation, and completion of a new parking lot. Phase 1 development of the project will enable completion of site grading work prior to full development of the project and allow the Unity Council to maximize funding sources by using CSCC funds before their expiration date. The remaining development of the project will require additional design time that will risk losing CSCC funding if the project does not proceed in two phases.

The development of this project will meet the City Council budget priorities to provide a quality recreational facility for the public and citizens of Oakland. The project will provide a community gathering place and achieve open space and waterfront access to the public.

SUSTAINABLE OPPORTUNITIES

Economic: The project can provide additional employment opportunities during the construction of the facility. In addition, the completed park amenities can allow expansion of programs and potentially increase revenue for the Parks and Recreation Department.

Environmental: The project design will incorporate sustainability design to the extent possible.

Social Equity: The project will continue to provide new amenities to the community of City of Oakland as well as improve the quality of environment emphasizing the waterfront as an asset of the City.

DISABILITY AND SENIOR CITIZEN ACCESS

The developed park will comply with California Codes of Regulations, Title 24 and ADA Accessibility Guidelines. This includes physical features for disability access, disabled parking spaces, accessible walkways, restrooms, drinking fountains, accessible children's play areas, etc.

RECOMMENDATION(S) AND RATIONALE

It is recommended that the City Manager or her representative be authorized to amend a professional services contract with the Spanish Speaking Unity Council for the design and engineering services for the development of Union Point Park Project to provide design funds for

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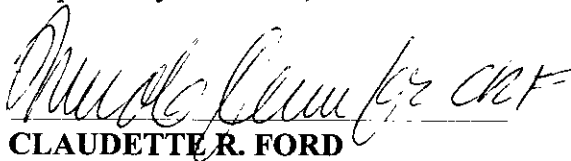
a total contract amount not-to-exceed one hundred forty-nine thousand nine-hundred twenty dollars (\$149,920).

The award of the contract will enable the Unity Council to complete the design for the first phase of the Union Point Park Project and proceed with construction to meet grant-funding deadline for expenditure.

ACTION REQUESTED OF THE CITY COUNCIL

City Council is requested to approve the resolution and authorize the City Manager to amend a professional services contract to the Spanish Speaking Unity Council for the design and engineering services for Union Point Park Project for a total contract amount not-to-exceed one hundred forty-nine thousand nine-hundred twenty dollars (\$149,920).

Respectfully submitted,



CLAUDETTE R. FORD
Director, Public Works Agency

Prepared by:
Lily Soo Hoo, Project Manager
Facilities Planning & Development
Public Works Agency

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:



OFFICE OF THE CITY MANAGER

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OAKLAND CITY COUNCIL

OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No: _____ C.M.S.

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Rae V. Oliver

A RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND A PROFESSIONAL SERVICES CONTRACT WITH THE SPANISH SPEAKING UNITY COUNCIL TO ADD DESIGN WORK FOR THE UNION POINT PARK PROJECT FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED ONE HUNDRED FORTY-NINE THOUSAND NINE HUNDRED TWENTY DOLLARS (\$149,920)

WHEREAS, The City of Oakland (City) leased a nine-acre property from the Port of Oakland located in Oakland known as Union Point Park site; and

WHEREAS, The City and the Spanish Speaking Unity Council desire to develop improvements to the nine-acre site in accordance with the adopted Master Plan for Union Point Park; and

WHEREAS, the City Council authorized the City Manager to execute a professional services agreement with the Spanish Speaking Unity Council in October 2000 to begin preliminary development work for the project to be funded by grants obtained by the Spanish Speaking Unity Council; and

WHEREAS, the California State Coastal Conservancy has made available to the Spanish Speaking Unity Council \$1.5 million dollars for the development and construction of the Union Point Park project; and

WHEREAS, \$1.419 million in State of California Department of Parks and Recreation Murray Hayden Urban Parks and Youth Services Program and \$1.040 million from Measure K, Series D is designated for the City of Oakland to fund Phase I and part of Phase II of the Park's development; and

WHEREAS, the implementation of the Union Point Park Master Plan project would benefit the City and the Oakland community at large; and

WHEREAS, the City wishes to amend the existing agreement with Spanish Speaking Unity Council to add design work for the project, for an amount not-to-exceed one hundred forty nine thousand nine hundred twenty dollars, to be funded by grants obtained by the City; and

WHEREAS, the City Council finds and determines that the services provided under this contract are professional and temporary in nature; and

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WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now therefore, be it

RESOLVED: That the City Manager, or his designee, is hereby authorized to amend the professional services agreement with Spanish Speaking Unity Council to provide design services for development of the Union Point Park for a total contract amount not to exceed one hundred forty nine thousand nine hundred twenty dollars (\$149,920); and, be it

FURTHER RESOLVED: That the City Manager, or his designated representative, 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 all documents shall be reviewed and approved by City Attorney for form and legality prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT OF THE COUNCIL DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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

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