


Celso Ortiz (Apr 30, 2025 15:09:19 PDT)

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

AMENDING RESOLUTION 89491 C.M.S. TO INCREASE THE PROFESSIONAL SERVICES AGREEMENT WITH SHAH KAWASAKI ARCHITECTS BY AN AMOUNT NOT-TO-EXCEED EIGHT HUNDRED FORTY-EIGHT THOUSAND SEVEN HUNDRED NINETY-SEVEN DOLLARS (\$848,797.00), BRINGING THE TOTAL CONTRACT AMOUNT FROM THREE MILLION TWENTY-EIGHT THOUSAND EIGHT HUNDRED FORTY-NINE DOLLARS (\$3,028,849.00) TO THREE MILLION EIGHT HUNDRED SEVENTY-SEVEN THOUSAND SIX HUNDRED FORTY-SIX DOLLARS (\$3,877,646.00); AND WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS REQUIREMENT; AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

WHEREAS, Lincoln Square Park is one of the City's original seven public squares designed in the 1860s, located at 250 10th Street in Oakland's Chinatown neighborhood within Council District 2, and the Lincoln Recreation Center occupies one corner of the 1.75-acre urban block park; and

WHEREAS, the existing Lincoln Recreation Center was constructed in the late 1970s as a 7,500 square-foot structure and is the only public recreation center and park in Chinatown and Downtown Oakland with park staff, public restrooms, and active programming on-site, hosting programs and classes year-round serving patrons from preschoolers to seniors including a thriving summer camp program; and

WHEREAS, the facility has received only minor capital improvements since its inception and, as the most-used recreation center in the City of Oakland, with the construction of multiple

high-rise residential buildings in Chinatown and Downtown Oakland, the center requires significant expansion to meet growing community demand for recreation and programming; and

WHEREAS, the Lincoln Recreation Center is the highest-scored parks project per the Capital Improvement Program (CIP) prioritization process adopted by City Council on October 16, 2018, under Resolution No. 87376 C.M.S., and was prioritized and adopted through the CIP Budget process for Fiscal Year 2019-2021; and

WHEREAS, the Project advances multiple City goals and aligns with the Oakland Strategic Plan (2025–2028), the Oakland 2045 General Plan Safety Element, the Local Hazard Mitigation Plan, and the 2030 Equitable Climate Action Plan by replacing a seismically deficient recreation center with a modern, all-electric recreation and resiliency facility targeting LEED Gold certification that improves community access to recreation, strengthens disaster resilience, and advances equitable infrastructure investment in Chinatown; and

WHEREAS, the Lincoln Recreation Center Expansion/Renovation Project (Project) will construct a new two-story, 22,221 square-foot Recreation and Resiliency Center building and park improvements, including demolition of the existing 7,500 square-foot recreation center, construction of a facility that will accommodate a commercial kitchen, multiple classrooms and multi-purpose rooms, a stage area for performances, gymnasium, second-floor outdoor garden, offices, elevator, and restrooms, and improvements to planting, pathways, and lighting throughout the park; and

WHEREAS, this Project advances Citywide priorities of holistic community safety, vibrant, sustainable infrastructure, and responsive, trustworthy government; and

WHEREAS, the Project has grants from the Statewide Park Program Grant – Proposition 68 (Prop 68) and California Department of Food and Agriculture (CDFA) – Community Resilience Centers Program with a funding expenditure and project completion deadline of June 2028, which requires construction to start by Summer 2026; and

WHEREAS, the second amendment to the professional services agreement with Shah Kawasaki Associates (SKA) is necessary to complete the project design to meet grant guidelines for resiliency center and provide construction support; and

WHEREAS, Section 2.04.051 B of the Oakland Municipal Code (OMC), authorizes the City Council to waive the competitive Request for Proposals/Request for Qualifications (RFP/RFQ) selection requirement of Section 2.04.051 A of the OMC upon a finding and determination that it is in the best interests of the City to do so; and

WHEREAS, the City Council finds and determines that the amendment and performance of this contract is in the public interest because it allows continuation of current design effort into the detailed design phase and it allows the project to meet the critical schedule for project implementation; and

WHEREAS, funding for the architectural services of the Project is allocated from Measure U Fund (5340), Project (1004857), Capital Projects Organization (92270), Architectural Services Account (54411), Project Delivery Program (IN06); and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary design and construction work, so that the performance of this contract is in the public interest because of the economy or better performance; and

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 service; and

WHEREAS, the City Council finds that the amendment to SKA's design contract is for services of a professional, scientific or technical nature; now, therefore, be it

RESOLVED: That the City Administrator is authorized to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That this proposed amendment to the professional services agreement with Shah Kawasaki Architects is exempt under the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and CEQA Guidelines Section 15378(b)(4) and (5), as they involve government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and it is also an organizational or administrative activity of government that will not result in direct or indirect physical changes to the environment. The amendment is also exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (No Significant Effect on the Environment) because the professional services amendment authorizes design and construction support services that will not, in themselves, result in direct or indirect physical changes to the environment. Each of the above exemptions provides a separate and independent basis for CEQA compliance; and be it

FURTHER RESOLVED: That pursuant to OMC Section 2.04.051(B), the City Council finds that it is in the best interests of the City to waive the competitive request for proposal/qualifications selection requirement of OMC Section 2.04.051(A) to amend the existing professional services contract with Shah Kawasaki Architects for the Lincoln Recreation Center Expansion/Renovation Project; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute an amendment to increase the agreement with Shah Kawasaki Architects by an amount not-to-exceed Eight Hundred Forty-Eight Thousand Seven Hundred Ninety-Seven Dollars (\$848,797.00), bringing the total contract amount from Three Million Twenty-Eight Thousand Eight Hundred Forty-Nine Dollars (\$3,028,849.00) to Three Million Eight Hundred Seventy-Seven Thousand Six Hundred Forty-Six Dollars (\$3,877,646.00); and be it

FURTHER RESOLVED: That Shah Kawasaki Architects shall comply with all City contracting and compliance program requirements that apply to this agreement, including the Local and Small Local Business Enterprise Program; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality prior to execution and place on file in the Office of the City Clerk; and be it

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

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

OCA DOCUMENT NUMBER / ATTORNEY INITIALS – Updated 1/6/2025