

**RESOLUTION NO. 14-25**

**CITY OF MILLBRAE, COUNTY OF SAN MATEO  
STATE OF CALIFORNIA**

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**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILLBRAE  
AWARDING A CONTRACT TO MAGICAL PLAYSYSTEMS, INC. FOR  
PLAYGROUND EQUIPMENT IN A NOT-TO-EXCEED AMOUNT OF \$184,026**

**WHEREAS**, in 2012, Staff determined that playground equipment at Green Hills Park, Bill Mitchell Lions Park, and Meadows Park had fallen short of applicable safety standards posing risks to the health and safety of equipment users and for this reason, removed the equipment from these three parks; and

**WHEREAS**, installing new playground equipment in these three parks has been a priority of the City since the equipment was removed and in the 2013-14 Budget, City Council allocated \$250,000 for new playgrounds to be installed at Green Hills Park, Bill Mitchell Lions Park, and Meadows Park; and

**WHEREAS**, Staff analyzed existing playground equipment at Central Park, which was manufactured and installed by Miracle Playsystems, Inc., and determined that the equipment was greatly used by the community and met or exceeded criteria for Recreation Division's early childhood and camp programs; and

**WHEREAS**, Staff responsible for equipment maintenance have determined Miracle Playsystems playground equipment to be durable, of high quality, and requiring minimal staff time for proper maintenance; and

**WHEREAS**, the City may waive competitive bidding requirements if the City Council determines that compliance with such procedures is not in the City's best interest pursuant to Millbrae Municipal Code Section 2.20.100.H (2); and

**WHEREAS**, Staff concludes that it is in the best interest of the City to waive the competitive bidding requirements and contract with Miracle Playsystems for the Green Hills Park, Bill Mitchell Lions Park, and Meadows Park playground equipment for the following reasons: 1) prior experience with this vendor resulting in high satisfaction from use of current playground equipment and customer service provided by Miracle Playsystems; 2) reducing Staff time allocated for equipment maintenance, because all recreation equipment will have similar parts, maintenance procedures, and vendor support parameters; 3) potentially reduced vendor support and costs to the City because the vendor has the ability to service all similar playground equipment, rather than relying on multiple vendors at multiple City sites; and 4) the potential for increased safety and reduced equipment downtime due to Staff's knowledge and familiarity with proven equipment; and

**WHEREAS**, Staff recommends, and the Parks and Recreation Commission concurs, that the City Council and award a contract to Miracle Playsystems, Inc. for the purchase and installation of playground equipment at Green Hills Park, Bill Mitchell Lions Park, and Meadows Park in a total amount of \$184,026, without engaging in a competitive bid process.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Millbrae hereby waives the competitive bid requirements, pursuant to Section 2.20.100.H (2) of the Millbrae Municipal Code, for the purchase and installation of playground equipment at Green Hills Park, Bill Mitchell Lions Park, and Meadows Park based upon the reasons recited above; and

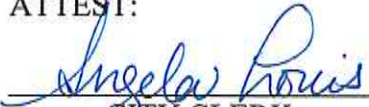
**BE IT FURTHER RESOLVED** that the City Council awards a contract to Miracle Playsystems, Inc. for the purchase and installation of playground equipment at Green Hills Park, Bill Mitchell Lions Park, and Meadows Park at a total cost not to exceed \$250,000, inclusive of all taxes and all other costs and expenses, with the source of funds for this procurement being the Capital Improvement Fund; and

**BE IT FURTHER RESOLVED** that the City Manager or designee is hereby authorized to execute a contract with Miracle Playsystems, Inc. in a form acceptable to the City Attorney.

**REGULARLY PASSED** and adopted this 13th day of May, 2014.


  
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MAYOR

ATTEST:

  
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CITY CLERK

I do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae this 13<sup>th</sup> day of May 2014, by the following vote:

AYES:	COUNCILMEMBERS:	Lee, Gottschalk, Colapietro, and Holober
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
EXCUSED:	COUNCILMEMBERS:	Oliva

  
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CITY CLERK