

**RESOLUTION NO. .**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO  
STATE OF CALIFORNIA**

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**RESOLUTION AUTHORIZING: A) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE AGREEMENTS WITH MIRACLE PLAYSYSTEMS INC. AND CLIMBROCK LLC FOR THE PROCUREMENT AND INSTALLATION OF PLAYGROUND EQUIPMENT AND STRUCTURES AT THE MOSS BEACH PLAYGROUND, WITH RESPECTIVE NOT-TO-EXCEED AMOUNTS OF \$286,600.48 AND \$73,522.70, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$360,123.18, AND TERMS COMMENCING JUNE 4, 2019, AND EXPIRING DECEMBER 31, 2020; AND B) THE WAIVING OF THE COUNTY’S FORMAL REQUEST FOR PROPOSALS PROCESS TO SELECT MIRACLE PLAYSYSTEMS AND CLIMBROCK LLC AS SOLE SOURCE PROVIDERS; AND C) THE PARKS DIRECTOR, OR HER DESIGNEE, TO EXECUTE AMENDMENTS TO THE AGREEMENTS TO MODIFY THE COUNTY’S MAXIMUM FISCAL OBLIGATION BY NO MORE THAN \$25,000 (IN AGGREGATE PER AGREEMENT), AND/OR MODIFY THE AGREEMENTS’ TERMS AND/OR SERVICES, SO LONG AS THE MODIFIED TERM(S) AND/OR SERVICES IS/ARE WITHIN THE CURRENT OR REVISED FISCAL PROVISIONS**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, in December 2013, the County of San Mateo (“County”) accepted the Moss Beach Park into the San Mateo County Parks system, and became responsible for its on-going operation and maintenance; and

**WHEREAS**, the Moss Beach Playground was originally built in 2004 by a community-led non-profit and local residents without cement footings, anchors, or foundations, and using composite lumbers that are no longer commercially available; and

**WHEREAS**, the average lifespan of a commercial playground is approximately 15 years, and the Parks Department recommends completely replacing the existing playground as it has reached the end of its projected useful life; and

**WHEREAS**, through an online survey and informational signs placed at the park, 169 responses were received from the public, which helped inform the look, feel, and design of the proposed playground structures; and

**WHEREAS**, the proposed playground structures will add additional play features, improve accessibility, maintain the coastal theme of the Moss Beach Park, allow for continuous play, and improved sightlines throughout the park; and

**WHEREAS**, the Parks Department recommends that the Board approve the Department's waiver of the competitive solicitation process for these agreements under the County's sole-source exemption since Miracle Playsystems and Climbrock LLC are the only providers of playground equipment that both (1) meets the desired look and feel preferred by the community, and (2) provides critical maintenance, safety, and ADA accessibility features; and

**WHEREAS**, a summary of the selected firms, the services they will provide, and the not-to-exceed amount of each of their agreements is attached hereto and incorporated herein; and

**WHEREAS**, the term of each agreement shall commence on June 4, 2019, and terminate on December 31, 2020.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of this Board of Supervisors be and is hereby authorized and directed to execute said agreements for and on behalf of the County of San Mateo, and the Clerk of the Board shall attest to the President's signature thereto.

**IT IS HEREBY FURTHER DETERMINED AND ORDERED** the Parks Director, or her designee, is authorized to execute amendments to the agreements to modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate per agreement), and/or modify the agreements' terms and/or services, so long as the modified term(s) and/or services is/are within the current or revised fiscal provisions.

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Attachment

|                           |  |                     |
|---------------------------|--|---------------------|
| Miracle Playsystems, Inc. | Procure and install playground equipment | \$286,600.48        |
| Climbrock LLC             | Procure and install playground equipment | \$73,522.70         |
|                           | <b>TOTAL:</b>                            | <b>\$360,123.18</b> |