



AGENDA REPORT

PROPOSED ACTION: Resolution: Approve and Authorize the Executive Director to Increase the Total Contract Authority for On-Call Professional Engineering Design Services for Non-Federally Funded Contracts from \$5,000,000 to \$7,000,000
(Engineering)

Submitted By: Kristi McKenney, Chief Operating Officer; Danny Wan, Executive Director

<u>Parties Involved:</u> Moffatt & Nichol, Oakland, CA Mott MacDonald Group, Inc., Oakland, CA Michael Baker International, Oakland, CA WMH Corporation, San Jose, CA	<u>Amount:</u> \$2.0 million increase (contract authority only) \$7.0 million Total Combined Award
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EXECUTIVE SUMMARY:

The Port of Oakland (Port) has contracts with Moffatt & Nichol, Mott MacDonald Group Inc. (Mott MacDonald), Michael Baker International (Michael Baker), and WMH Corporation (WMH) for On-Call Professional Engineering Design Services for Non-Federally Funded Contracts that end July 31, 2026 for a combined total contract authority of \$5 million. The requested increase provides contract authority to design perimeter dike improvements at the Oakland international Airport (OAK or Airport) to position the project to be potentially receive increased federal grants funds by making it "shovel ready" sooner than if a full RFP and new contracting process were utilized. By increasing the total contract authority for this project other projects appropriate to use these on-call contracts will not be delayed. A time extension is not required at this time. Staff will be establishing new contracts for on-call design services to commence prior to the July 31, 2026 expiration date for these contracts.

BACKGROUND & ANALYSIS

The Board of Port Commissioners (Board), via Resolution 22-36 at the May 12, 2022 Board meeting, approved and authorized the Executive Director to award contracts for on-call engineering design services for non-federally funded projects to Moffatt & Nichol, Mott MacDonald, Michael Baker, and WMH in an aggregate amount not-to-exceed \$5 million over four (4) years. To date, approximately \$4.9 million of the maximum total aggregate award of \$5 million has been allocated/used.

Approximately \$2 million of the \$5 million contracting authority will be used to prepare Plans and Specifications for the Airport Perimeter Dike Seismic Improvements Project (APD). Staff utilized a consultant from the engineering design services contract since it was the quickest contracting vehicle to complete the Plans and Specifications and bid construction of the improvements in time to apply for available potential new grant funding. Staff

selected Moffatt and Nichol after soliciting proposals from the four on-call consultants and conducting interviews with the respondents.

OTHER FINDINGS AND PROVISIONS

ENVIRONMENTAL REVIEW

The proposed action was analyzed under the California Environmental Quality Act (CEQA) and was found to be:

- ☐ Categorically exempt under the following CEQA Guidelines Section:

Choose an item.

- ☒ Not a "Project" under CEQA, as defined in Public Resources Code § 21065.
- ☒ Other/Notes: Authorizing the Executive Director to increase the total combined maximum costs will not result in a physical change in the environment, and therefore these actions are not subject to CEQA. Future projects that would be supported by this professional services agreement would be subject to environmental review when they are proposed for implementation.

BUDGET

- ☒ Administrative (No Impact to Operating, Non-Operating, or Capital Budgets); OR

☐ Operating ☐ Non-Operating ☐ Capital

Analysis: All work performed under this contract will draw on budget amounts included in the current fiscal year approved operating or capital budgets or will be included in subsequent year budgets for Board approval including reprioritizing work if needed for urgent or emergency instances.

STAFFING

- ☒ No Anticipated Staffing Impact.
- ☐ Anticipated Change to Budgeted Headcount.
- Reason:
- ☐ Other Anticipated Staffing Impact (e.g., Temp Help).
- Reason:

MARITIME AND AVIATION PROJECT LABOR AGREEMENT (MAPLA):

Applies? No (Other) - see explanation below.

- ☒ Additional Notes: Proposed action does not fall within the scope of the Port of Oakland Maritime and Aviation Project Labor Agreement (MAPLA) and the provisions of MAPLA do not apply.

LIVING WAGE (City Charter § 728):

Applies?

No (No Covered Agreement) – proposed action is not an agreement, contract, lease, or request to provide financial assistance within the meaning of the Living Wage requirements.

- ☐ Additional Notes:

SUSTAINABLE OPPORTUNITIES:

GENERAL PLAN (City Charter § 727):

<p><u>Applies?</u> No.</p> <p><u>Reason:</u> There are no sustainable opportunities generally associated with amending an existing consultant contract.</p>	<p><u>Conformity Determination:</u></p> <p>No Project – conformity determination not required because proposed action does not change use of or make alterations to an existing facility, or create a new facility.</p>								
<p><u>STRATEGIC PLAN.</u> The proposed action would help the Port achieve the following goal(s) and objective(s) in the Port's Strategic Business Plan:</p> <table border="0"> <tr> <td><input type="checkbox"/> Grow Net Revenues</td> <td><input checked="" type="checkbox"/> Modernize and Maintain Infrastructure</td> </tr> <tr> <td><input checked="" type="checkbox"/> Improve Customer Service</td> <td><input type="checkbox"/> Pursue Employee Excellence</td> </tr> <tr> <td><input type="checkbox"/> Strengthen Safety and Security</td> <td><input type="checkbox"/> Serve Our Community</td> </tr> <tr> <td><input type="checkbox"/> Care for Our Environment</td> <td></td> </tr> </table>		<input type="checkbox"/> Grow Net Revenues	<input checked="" type="checkbox"/> Modernize and Maintain Infrastructure	<input checked="" type="checkbox"/> Improve Customer Service	<input type="checkbox"/> Pursue Employee Excellence	<input type="checkbox"/> Strengthen Safety and Security	<input type="checkbox"/> Serve Our Community	<input type="checkbox"/> Care for Our Environment	
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