



**AGENDA REPORT**

**PROPOSED ACTION: Resolution:** Approve and Authorize the Executive Director to Award and Execute Contracts with Nibbi Bros. Associates, Inc., SilMan Venture Corp DBA SilMan Industries, and Suffolk Construction Company, Inc. for On-Call Building Related Construction in the Aggregate Amount Not to Exceed of \$24,000,000 Commencing September 1, 2025 and Ending August 31, 2026, 2027, or 2028; and Finding that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Engineering)**

**Submitted By:** Emilia Sánchez, Director of Engineering; Kristi McKenney, Executive Director

**Parties Involved:**

Nibbi Bros. Associates, Inc.	Oakland, CA
SilMan Venture Corp DBA Silman Industries	San Leandro, CA
Suffolk Construction Company, Inc.	San Francisco, CA

**Amount:** \$24,000,000 – Total combined not to exceed amount of contracts (capital and operating expense)

**EXECUTIVE SUMMARY:** On-call contracts are an essential tool for performing certain Port of Oakland (Port) work. The Port has many capital improvement projects scheduled, and expense projects anticipated, for which the on-call contracts will be key to delivering on time. Port Staff recently solicited new bids for up to five on-call Building Related Construction (BRC) contractors. Port Staff seeks authorization for the Executive Director to award and execute BRC contracts in a total amount not to exceed of \$24,000,000 and for the period commencing September 1, 2025, and ending August 31, 2026, 2027, or 2028.

**BACKGROUND & ANALYSIS**

On-call contracts are essential tools in delivering the Port's projects and programs. Each project is separately authorized by a formal work authorization with multiple layers of approval in accordance with all Port policies and best practices. Port Staff anticipates a variety of projects over the next three years including construction of roof replacements and air handler unit upgrades. To best meet these demands over the next three years, Port Staff completed a formal procurement process for these services.

On April 28, 2025, the Port issued invitations to bid on on-call BRC contracts. On June 10, 2025, the Port received five formal bids for BRC contracts. The bids were subject to the Port's Non-Discrimination and Small Local Business Utilization Policy (NDSLBU). Table 1 summarizes the bids, indicates the bid discount percentages based on the NDSLBU, and identifies the number of businesses that are certified Local Impact Area (LIA), Local Business Area (LBA), Small Business Enterprise (SBE) and Very Small Business Enterprise (VSBE).

**Table 1**  
**BRC Bid Summary w/ NDSLBP Discount**

Bidder	Location	Labor Cost Markup	Discounted Labor Cost Markup	LBA	LIA	SBE	VSBE
Suffolk Construction Company, Inc.	San Francisco, CA	13%	13%				
Nibbi Bros. Associates, Inc.	Oakland, CA	15%	14.4%		1		
SilMan Venture Corporation DBA SilMan Industries	San Leandro, CA	39%	39%				
BBI Construction	Oakland, CA	77%	73.9%		1		
W. E. Lyons Construction Co.	Walnut Creek, CA	106%	106%				

Port Staff evaluated the bids based on criteria set forth in the solicitation and determined BBI Construction was not responsive due to the omission of a required document and that all other bids are responsive and responsible. Port Staff recommend the three lowest bidders for award and contracts.

### **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.
- ☒ "Common Sense" exemption under CEQA Guidelines Section 15061(b)(3).
- ☒ Other/Notes: The proposed Board Action is only for awarding on-call contracts to the selected firms. Each individual project requiring discretionary action by the Board will undergo CEQA review prior to initiation.

#### **BUDGET**

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

Analysis: No budget impact is anticipated as all work performed under these on-call contracts will draw on authorized capital, operating, and non-operating expense budgets 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? Yes (CIP) – proposed action entails covered work on Port’s Capital Improvement Program in Aviation or Maritime areas above the threshold cost.

☒ Additional Notes: Projects constructed under these contracts may be subject to MAPLA. Those that are not will be excluded.

**LIVING WAGE** (City Charter § 728):

Applies?

No (Public Works) – proposed action is a construction contract covered by state or federal prevailing wages that are higher than those under the Living Wage requirements.

☐ Additional Notes:

**SUSTAINABLE OPPORTUNITIES:**

Applies? No.

Reason: Sustainable opportunities on Projects are considered during the Planning and Design Phases and are part of those actions.

**GENERAL PLAN** (City Charter § 727):

Conformity Determination:

Not Required – conformity determination not required because proposed action does not change use of or make alterations to an existing facility, or create a new facility.

**STRATEGIC PLAN.** The proposed action would help the Port achieve the following goal(s) in the Port’s Strategic Plan:

☐ Capture Our Market and Grow the Economic Base

☒ Modernize and Upgrade Infrastructure

☐ Transition to Zero-Emissions and Build Climate Resilience

☐ Maximize Land Use Value and Revenues

☐ Workforce Training and Jobs Development

☐ Create Opportunities for Local Businesses and Community Economic Development