

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO (1) APPROVE PROJECT BUDGET IN THE AMOUNT OF \$3,000,000, (2) EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH AE3 PARTNERS, INC. FOR AN AMOUNT NOT TO EXCEED \$2,700,000, AND (3) EXECUTION OF A SUPPLEMENTAL AGREEMENT WITH HNTB FOR ENGINEERING DESIGN SERVICES FOR THE INTERNATIONAL ARRIVALS BUILDING PROJECT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item No. 6.3, dated June 11, 2015 ("Agenda Report") and related agenda materials, has received the expert testimony of Port staff, and has provided opportunities for and taken public comment; and

WHEREAS, that in acting upon this matter, the Board has exercised its independent judgment based on substantial evidence in the record and adopts and relies upon the facts, data, analysis, and findings set forth in the Agenda Report and in related agenda materials and in testimony received; and

WHEREAS, on May 6, 2008 the Board authorized the Executive Director to enter into a professional services agreement with HNTB, Inc. for as-needed engineering design services, for a maximum compensation not to exceed \$850,000, resulting in Contract Number 08102; and

WHEREAS, on January 29, 2015, the Board authorized initial project budget of \$1,000,000 and related approvals to proceed with schematic design of improvements for the International Arrivals Building at Oakland International Airport (IAB Project); and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Based upon the information contained in the Agenda Report and testimony received, the Board hereby:

A. Authorize project budget in a total amount of \$3,000,000 for design of the IAB Project, subject to additional material terms and conditions as further described in the Agenda Report.

B. Authorizes the Executive Director to execute a professional services agreement with AE3 Partners, Inc. for engineering design services on the IAB Project for a total amount not to exceed \$2,700,000, and as further described in the Agenda Report

C. If the Executive Director is unable to negotiate and execute a contract with AE3 Partners, Inc., authorizes the Executive Director to execute a professional services agreement with one of the short-listed proposers on the project (F.E. Jordan & Associates and Stevens and Associates, The KPA Group, or Powell and Partners Architects) for engineering design services on the IAB Project for a total amount not to exceed \$2,700,000, and as further described in the Agenda Report

D. Authorizes the Executive Director to execute a supplemental agreement with HNTB, Inc. for engineering design services to increase the maximum compensation by a total additional amount of \$250,000.

SECTION 2. This resolution is not evidence of and does not create or constitute (a) a contract, or the grant of any right, entitlement or property interest, or (b) any obligation or liability on the part of the Board or any officer or employee of the Board. Unless and until a separate written agreement is duly executed on behalf of the Board as authorized by this resolution, is signed as approved as to form and legality by the Port Attorney, and is delivered to other contracting party, there shall be no valid or effective agreement.

SECTION 3. This resolution shall be effective immediately upon adoption by the Board.