

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO (1) APPROVE ADDITIONAL PROJECT BUDGET NOT TO EXCEED \$70,000 FOR ENGINEERING DESIGN SERVICES RELATING TO THE AIRPORT PERIMETER DIKE PROJECT, (2) EXECUTION OF SUPPLEMENTAL AGREEMENTS WITH AECOM (FORMERLY URS CORPORATION AMERICAS), FOR ENGINEERING DESIGN SERVICES AND ENVIRONMENTAL CONSULTING SERVICES FOR THE AIRPORT PERIMETER DIKE PROJECT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item No. 2.1, dated June 25, 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 August 21, 2007, the Board authorized a budget of \$2,229,378 for engineering design and environmental consulting services related to Airport Perimeter Dike Project; and

WHEREAS, on August 21, 2007, the Board authorized the Executive Director to enter into a professional services agreement with URS Corporation Americas for a vulnerability assessment and engineering design for the Airport Perimeter Dike Project, for a maximum compensation not to exceed \$772,956.22 (Guaranteed Maximum Price), plus \$4,500 (Guaranteed Maximum Reimbursable Expenses Cost, resulting in Contract Number 07212; and

WHEREAS, on December 8, 2009, the Board authorized the Executive Director to enter into a professional services agreement with URS Corporation Americas for environmental review relating to the Airport Perimeter Dike Project, for a maximum compensation not to exceed \$480,000, resulting in Contract Number 09173; and

WHEREAS, on May 9, 2013, the Board authorized the Executive Director to execute a supplemental agreement with URS Corporation Americas for Contract Number 07212 in the amount of \$188,872 and authorized the Executive Director to execute a supplemental agreement for Contract Number 09173 for \$210,000; and

WHEREAS, AECOM acquired URS, including entities URS Corporation and URS Corporation Americas in October of 2014, with URS Corporation retaining its corporate name and registration; 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. Authorizes additional budget of up to \$70,000 for engineering design services for the Airport Perimeter Dike Project, subject to additional material terms and conditions as further described in the Agenda Report.

B. Authorizes the Executive Director to execute a supplemental agreement with URS Corporation Americas on Contract 07212 for engineering design services to (1) assign the agreement to URS Corporation, and AECOM company, and (2) to increase compensation at an additional amount not to exceed \$70,000.

C. Authorizes the Executive Director to execute a supplemental agreement with URS Corporation Americas on Contract 09173 for engineering design services to 1) assign the agreement to URS Corporation, and AECOM company, and (2) to extend the term of the agreement to June 30, 2018 with no additional compensation.

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.