

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

6/26/2025
Item No.: 2.2
CT/pcm

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RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A FIRST SUPPLEMENTAL AGREEMENT WITH MONJARAS & WISMAYER GROUP INCORPORATED DBA RETURN TO WORK PARTNERS TO PROVIDE AS-NEEDED RETURN TO WORK SERVICES AND INTERACTIVE PROCESS CONSULTING; EXTEND THE CONTRACT TERM THROUGH DECEMBER 31, 2026; INCREASE MAXIMUM COMPENSATION TO A TOTAL AMOUNT NOT TO EXCEED \$400,000; AND, FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item No. 2.2, dated June 26, 2025 ("Agenda Report") and related agenda materials, has received the expert testimony of Port of Oakland ("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;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The Board finds that the proposed action is not subject to the California Environmental Quality Act ("CEQA") under the general rule exclusion under Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the proposed action will not have a significant effect on the environment and therefore is not a "project" under CEQA.

SECTION 2. The Board hereby:

A. Waives formal competitive procurement procedures and finds that it is in the best interests of the Port to extend the contract with **Monjaras & Wismeyer Group Incorporated dba Return to Work Partners** ("Return to Work Partners").

B. Approves the first supplemental agreement with Return to Work Partners to provide as-needed return to work services and interactive process consulting through December 31, 2026, increasing the

maximum compensation to a total amount not to exceed \$400,000 and subject to additional material terms and conditions as further described in the Agenda Report.

C. Authorizes the Executive Director to (i) execute such first supplemental agreement, subject to approval as to form and legality by the Port Attorney, and (ii) make such additions, modifications, or corrections as necessary to implement the agreement or to correct errors, subject to the limitations set forth herein and provided that any such addition, modification or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

SECTION 3. 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 Port. 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 4. This resolution shall be effective immediately upon adoption by the Board.