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**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-28

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO WAIVE FORMAL COMPETITIVE PROCUREMENT PROCEDURES AND EXECUTE A FIRST SUPPLEMENTAL AGREEMENT WITH AMADEUS AIRPORT IT AMERICAS, INC. TO PROVIDE MAINTENANCE AND SUPPORT WARRANTY FOR THE COMMON USE SYSTEM BY EXTENDING THE TERM FOR TWELVE MONTHS IN AN AMOUNT NOT TO EXCEED \$50,000 FOR THE EXTENDED TERM; 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 for Agenda Item No. 2.1, dated March 27, 2025, and related agenda materials ("Agenda Report"), 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that:

A. 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.

B. The proposed action is for obtaining professional or technical services that are temporary in nature, are in the public interest because of economy or better performance, and will not result in the loss of employment or salary by any person having permanent status in the competitive service.

Section 2. The Board hereby approves and authorizes the Executive Director to:

A. Waive formal competitive procurement procedures and execute a First Supplemental Agreement with **Amadeus Airport IT Americas, Inc.** to provide maintenance and support warranty for the Common Use System by extending the term for twelve (12) months in an amount not to exceed \$50,000 for the extended term, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. Enter into any agreements or make any additions, modifications, or corrections necessary to implement the proposed action or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report, and are approved 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. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. Unless and until a separate written contract 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 contract.

Section 4. This resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on March 27, 2025

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Lee, Leslie, Myres and President Colbruno – 6

Excused: Commissioner Martinez – 1

Noes: – 0



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-29

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A THIRD SUPPLEMENTAL AGREEMENT WITH AMADEUS AIRPORT IT AMERICAS, INC. TO PROVIDE MAINTENANCE AND SUPPORT WARRANTY FOR THE MULTI-USER FLIGHT INFORMATION DISPLAY AND AIRPORT OPERATIONS DATABASE BY EXTENDING THE TERM FOR THIRTY-EIGHT (38) MONTHS FOR AN AMOUNT NOT TO EXCEED \$235,000 FOR THE EXTENDED TERM; WAIVING FORMAL COMPETITIVE PROCUREMENT PROCEDURES; 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 for Agenda Item No. 2.2, dated March 27, 2025, and related agenda materials ("Agenda Report"), 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that:

A. 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.

B. The proposed action is for obtaining professional or technical services that are temporary in nature, are in the public interest because of economy or better performance, and will not result in the loss of employment or salary by any person having permanent status in the competitive service.

Section 2. The Board hereby approves and authorizes the Executive Director to:

A. Waive formal competitive procurement procedures and execute a Third Supplemental Agreement with **Amadeus Airport IT Americas, Inc.** to provide maintenance and support warranty for the Multi-User Flight Information Display (MUFIDS) and airport operations database (AODB) by extending the term for thirty-eight (38) months for an amount not to exceed \$235,000 for the extended term, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. Enter into any agreements or make any additions, modifications, or corrections necessary to implement the proposed action or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report, and are approved 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. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. Unless and until a separate written contract 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 contract.

Section 4. This resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on March 27, 2025

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Lee, Leslie, Myres and President Colbruno – 6

Excused: Commissioner Martinez – 1

Noes: – 0

HEP

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-30

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH NETXPERTS LLC TO REDESIGN AND IMPLEMENT THE PORT'S COMPUTER NETWORK INFRASTRUCTURE FOR AN AMOUNT NOT TO EXCEED \$1,659,000; APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A SEPARATE AGREEMENT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER TO PROCURE NETWORK EQUIPMENT FOR AN AMOUNT NOT TO EXCEED \$2,147,250; DESIGNATING EXISTING NETWORK EQUIPMENT REPLACED AS SURPLUS BECAUSE THEY ARE NO LONGER USED, OBSOLETE, OR WORN-OUT, AND APPROVE THE SALE, DONATION, OR DISPOSAL OF SUCH PROPERTY IN ACCORDANCE WITH PORT OF OAKLAND ADMINISTRATIVE CODE SECTION 5.12.160; 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 for Agenda Item No. 2.3, dated March 27, 2025, and related agenda materials ("Agenda Report"), 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that:

A. 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.

B. The proposed actions are for obtaining professional or technical services that are temporary in nature, are in the public interest because of economy or better performance, and will not result in the loss of employment or salary by any person having permanent status in the competitive service.

Section 2. The Board hereby:

A. Approves and authorizes the Executive Director to enter into an agreement with **NetXperts LLC** to redesign and implement the Port's computer network infrastructure for an amount not to exceed \$1,659,000, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney;

B. Approves and authorizes the Executive Director to enter into a separate agreement with the **lowest responsive and responsible bidder** to procure network equipment for an amount not to exceed \$2,147,250, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney;

C. Designates existing network equipment replaced as surplus because they are no longer used, obsolete, or worn-out, and approve the sale, donation, or disposal of such property in accordance with Port of Oakland Administrative Code (POAC) Section 5.12.160; and

D. Approves and Authorizes the Executive Director to enter into any agreements or make any additions, modifications, or corrections necessary to implement the proposed action or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report, and are approved 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. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. Unless and until a separate written contract 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 contract.

Section 4. This resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on March 27, 2025

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Lee, Leslie, Myres and President Colbruno – 6

Excused: Commissioner Martinez – 1

Noes: – 0



**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-31

**RESOLUTION APPROVING THE ADOPTION OF THE
PORT OF OAKLAND SEAPORT PLANNING
PRINCIPLES.**

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 5.2, dated March 27, 2025, and related agenda materials ("Agenda Report"), 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that approval of the Seaport Planning Principles was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and concluded that the adoption of the Seaport Planning Principles is not a "project" under CEQA. In the event that adoption of the Seaport Planning Principles was determined to be a project, it would nonetheless be exempt from CEQA requirements pursuant to the "common sense" exemption (CEQA Guidelines, § 15061, subd. (b)(3)).

Section 2. The Board hereby approves and adopts the Seaport Planning Principles for the Port of Oakland.

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

At the Regular Meeting held on March 27, 2025

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Lee, Leslie, Myres and President Colbruno – 6

Excused: Commissioner Martinez – 1

Noes: – 0

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

03/27/2025
Item No.: 6.1
CLF/pcm



RESOLUTION NO. 25-32

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO: (1) AWARD AND EXECUTE A CONTRACT WITH DESILVA GATES CONSTRUCTION, LLC FOR CONSTRUCTION OF THE RUNWAY 10R-28L PAVEMENT REHABILITATION PROJECT IN AN AMOUNT NOT TO EXCEED \$17,777,777 AND (2) EXECUTE CONTRACT CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED \$1,777,778; 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 for Agenda Item No. 6.1, dated March 27, 2025, and related agenda materials ("Agenda Report"), 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that:

A. The proposed action is categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15302 of the CEQA Guidelines because the proposed structure(s) will have substantially the same purpose and capacity as the existing structure(s) on the property.

B. The proposed action is for the performance of general services by contract that are in the public interest because of economy or better performance and will not result in the loss of employment or salary by any person having permanent status in the competitive service.

Section 2. The Board hereby approves the following concerning the Runway 10R-28L Pavement Rehabilitation Project ("Project"):

A. Award of a contract ("Contract") for the construction of the Project to DeSilva Gates Construction LLC ("Contractor"), the lowest responsible responsive bidder, in a total amount not to exceed \$17,777,777.

B. Authorization of a maximum of \$1,777,778 (10% of the Contract) in change order authority to be used only to the extent necessary and subject to the approval of the Executive Director ("Executive Director") of the Port.

Section 3. The Board hereby authorizes the Executive Director to:

A. Finally resolve bid protests pursuant to Chapter 5.12 of the Port of Oakland Administrative Code.

B. Execute the Contract in a total amount not to exceed \$17,777,777.

C. Execute change orders to the Contract, to the extent necessary, in an amount not to exceed \$1,777,778.

D. Make such additions, modifications, or corrections as necessary to issue the Contract 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 and is approved as to form and legality by the Port Attorney.

Section 4. The Board further finds that:

A. The Director of Engineering, the Chief Engineer, and the Principal Engineer are each authorized to approve the project manual and plans for each instance of work performed under the Contract in advance of construction, pursuant to Government Code Section 830.6.

B. A bond for the faithful performance of the work, and a bond to guarantee the payment of all claims for labor and materials furnished and for amounts due under the Unemployment Insurance Code, each in the amount of one hundred percent (100%) of the Contract price shall be provided by Contractor as prescribed by applicable laws and regulations and the Contract specifications.

C. The procedure prescribed by applicable laws, regulations, and the Contract specifications shall be taken for the execution of said contract.

Section 5. 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. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. Unless and until a separate written contract 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 the other contracting party, there shall be no valid or effective contract.

Section 6. This resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on March 27, 2025

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Lee, Leslie, Myres and President Colbruno – 6

Excused: Commissioner Martinez – 1

Noes: – 0

McA

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-33

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO INCLUDE THE GREASE INTERCEPTOR 6 REPLACEMENT PROJECT AS A NEW CAPITAL PROJECT IN THE FY25 CAPITAL BUDGET; AUTHORIZE A BUDGET OF \$775,570 FOR THE DESIGN AND CONSTRUCTION OF THE GREASE INTERCEPTOR 6 REPLACEMENT PROJECT; 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 for Agenda Item No. 6.2, dated March 27, 2025, and related agenda materials ("Agenda Report"), 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. Based upon the information contained in the Agenda Report, and testimony received, the Board finds and determines that the proposed action was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and CEQA Guidelines and finds the proposed action exempt under Section 15302 of CEQA because it consists solely of replacement and reconstruction of existing structures. No further environmental review is required.

Section 2. The Board hereby:

A. Approves and authorizes the Executive Director to include the Grease Interceptor 6 Replacement Project ("Project") as a new capital project in the FY25 Capital Budget.

B. Authorizes a budget of \$775,570 for the on-call design and construction of the Project.

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. This resolution approves and authorizes the execution of an agreement(s) in accordance with the terms of this resolution. 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 the other contracting party, there shall be no valid or effective agreement.

Section 4. This resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on March 27, 2025

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Lee, Leslie, Myres and President Colbruno – 6

Excused: Commissioner Martinez – 1

Noes: – 0

MP

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION NO. 25-34

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO WAIVE FORMAL COMPETITIVE PROCUREMENT PROCEDURES AND EXECUTE A SUPPLEMENTAL AGREEMENT TO THE EXISTING PURCHASE ORDER WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INC. TO EXTEND THE TERM FOR UP TO THREE YEARS TO PROVIDE THEIR GEOGRAPHIC INFORMATION SYSTEM ADVANTAGE PROGRAM SERVICES FOR AN 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 for Agenda Item No. 6.3, dated March 27, 2025, and related agenda materials ("Agenda Report"), 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 testimony received;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board finds and determines that:

A. The proposed action is exempt under the California Environmental Quality Act and more particularly the common sense exemption under CEQA Guidelines Section 15061(b)(3) because the proposed action does not involve an activity that may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

B. The proposed action is for obtaining professional, scientific, or technical services that are temporary in nature, and will not result in the loss of employment or salary by any person having permanent status in the competitive service.

Section 2. The Board hereby approves and authorizes the Executive Director of the Port to:

A. Waive formal competitive procurement procedures and execute a supplemental agreement to the Purchase Order with Environmental Systems Research Institute Inc. to extend the term for up to three years to provide their Geographic Information System Advantage Program Services for an amount not to exceed \$400,000, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

B. Make any additions, modifications, or corrections necessary to execute the requested agreement or to correct errors, subject to the limitations set forth herein, provided that any addition, modification, or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report and are approved 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. This resolution approves and authorizes the execution of a contract in accordance with the terms of this resolution. Unless and until a separate written contract 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 contract.

Section 4. This resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on March 27, 2025

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Lee, Leslie, Myres and President Colbruno – 6

Excused: Commissioner Martinez – 1

Noes: – 0

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

3/27/25
Item No.: 6.4
CLF/pcm



RESOLUTION NO. 25-35

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD CONTRACTS TO: TEICHERT CONSTRUCTION, O.C. JONES & SONS, REDGWICK CONSTRUCTION, AND MARINSHIP DEVELOPMENT INTEREST FOR ON-CALL PAVING, GRADING AND GENERAL CONTRACTING SERVICES IN THE AGGREGATE AMOUNT OF \$35,000,000 AND FOR THE PERIOD COMMENCING MAY 1, 2025, AND ENDING APRIL 30, 2026, 2027, OR 2028 AND RESOLVE BID PROTESTS IN ACCORDANCE WITH CHAPTER 5.12 OF THE PORT OF OAKLAND'S ADMINISTRATIVE CODE AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.4, dated March 27, 2025, and related agenda materials ("Agenda Report"), 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. Based upon the information contained in the Agenda Report, and testimony received, the Board finds and determines that the proposed action was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and CEQA Guidelines. The action was found to be exempt under CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility the action may have a significant impact on the environment.

Section 2. The Board hereby approves the award of contracts to: Teichert Construction, O.C. Jones & Sons, Redgwick Construction, and Marinship Development Interest for on-call paving, grading, and general contracting services in the aggregate amount of \$35,000,000, with all contracts commencing May 1, 2025, and ending April 30, 2026, 2027, or 2028, as further described in the Agenda Report (collectively, "On-Call Contracts").

Section 3. The Board hereby authorizes the Executive Director to:

A. Finally resolve bid protests pursuant to Chapter 5.12 of the Port of Oakland Administrative Code.

B. Execute on behalf of the Board the On-Call Contracts on the terms and conditions set forth herein and in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

C. Make such additions, modifications, or corrections as necessary to issue the Contract 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 and is approved as to form and legality by the Port Attorney.

Section 4. The Board further finds that:

A. The Director of Engineering, the Chief Engineer, and the Principal Engineer are each authorized to approve the project manual and plans for each instance of work performed under the On-Call Contracts in advance of construction, pursuant to Government Code Section 830.6.

B. A bond for the faithful performance of the work, and a bond to guarantee the payment of all claims for labor and materials furnished and for amounts due, each in the amount of one hundred percent (100%) of the contract price shall be provided as prescribed by applicable laws and regulations and the contract specifications.

Section 5. 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. This resolution approves and authorizes the execution of agreements in accordance with the terms of this resolution. Unless and until separate written agreements are duly executed on behalf of the Board as authorized by this resolution, signed as approved as to form and legality by the Port Attorney, and delivered to the other contracting party, there shall be no valid or effective agreements.

Section 6. This resolution shall be effective immediately upon adoption by the Board.

At the Regular Meeting held on March 27, 2025

Passed by the following vote:

Ayes: Commissioners Cluver, Dominguez Walton, Lee, Leslie, Myres and President Colbruno – 6

Excused: Commissioner Martinez – 1

Noes: – 0