

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

3/13/2025  
Item No. 6.5  
CLF/pcm

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**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD AND EXECUTE A CONTRACT WITH THE DUTRA GROUP FOR MAINTENANCE DREDGING AND FURNISHING PILE DRIVER CREW FOR REPAIRS TO DOCKS AND WATERFRONT FACILITIES FOR THE PORT OF OAKLAND IN AN AGGREGATE AMOUNT NOT TO EXCEED \$19,470,750 FOR THE PERIOD COMMENCING JULY 1, 2025, AND ENDING JUNE 30, 2026, 2027, OR 2028 ("DREDGING CONTRACT") AND FINDING 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 6.5 dated March 13, 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.** Based upon the information contained in the Agenda Report, and testimony received, the Board finds and determines that:

A. The proposed action was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and CEQA Guidelines. The Port has determined that the proposed project is categorically exempt from CEQA pursuant to Section 15301, Existing Facilities, which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Furthermore, the Port has determined that the proposed project is also categorically exempt from CEQA pursuant to Section 15304(g), which exempts maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal regulatory agencies.

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

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

B. Award and execute an agreement with The Dutra Group, for maintenance dredging and furnishing pile driver crew for repairs to docks and water facilities for the Port in an aggregate amount not to exceed \$19,470,750 for the period commencing July 1, 2025, and ending June 30, 2026, 2027, or 2028, subject to approval as to form and legality by the Port Attorney; and

C. Make such additions, modifications, or corrections as necessary for the increase to the Dredging 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 3.** 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 4.** 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(s) is duly executed on behalf of the Board as authorized by this resolution, is signed and 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(s).

**Section 5.** This resolution shall be effective immediately upon adoption by the Board.