

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

04/25/2024  
Item No.: 2.1  
ERR/pcm



**RESOLUTION NO. 24-21**

**RESOLUTION APPROVING AND AUTHORIZING THE  
EXECUTIVE DIRECTOR TO EXECUTE A  
SUPPLEMENTAL AGREEMENT TO THE PROFESSIONAL  
SERVICES AGREEMENT, DATED JUNE 16, 2020,  
WITH HNTB CORPORATION TO INCREASE THE  
MAXIMUM COMPENSATION BY \$211,800 TO A TOTAL  
AMOUNT NOT TO EXCEED \$1,481,800 TO SUPPORT  
THE AIRPORT GEOMETRY STUDY AND AIRPORT  
LAYOUT PLAN UPDATE.**

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 2.1, dated April 25, 2024, 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 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 as further defined in Section 21065 of the Public Resources Code.

B. The proposed action is for obtaining ongoing 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. Execute a supplemental agreement to the professional services agreement, dated June 16, 2020, with HNTB Corporation to increase the maximum compensation by \$211,800 to a total amount not to exceed \$1,481,800 to support the airport geometry study and airport layout plan update, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. Make any additions, modifications, or corrections necessary to execute the supplemental 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 the 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 April 25, 2024

Passed by the following vote:

Ayes: Commissioners: Colbruno, Dominguez Walton, Lee, Myres, and President Leslie – 5

Noes: 0

Excused: Commissioners Cluver and Martinez – 2



**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION NO. 24-22**

**RESOLUTION:** (1) AUTHORIZING THE RENEWAL OF THE PORT OF OAKLAND'S ("PORT") INSURANCE POLICIES TO BE PLACED AND PAID THROUGH PRIME INSURANCE BROKERS (WITH PARTICIPATION BY SMALL AND LOCAL BUSINESSES), INCLUDING COVERAGE FOR AIRPORT LIABILITY, AUTOMOBILE LIABILITY, AUTOMOBILE PHYSICAL DAMAGE (AIRPORT BUSES AND MARITIME ELECTRIC BUS), CAPA UMBRELLA, CRANE INSURANCE (ALL RISK INCLUDING EARTHQUAKE), CRANE BOILER AND MACHINERY, CRANE TERRORISM, EXCESS WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY, FOREIGN LIABILITY PACKAGE, PUBLIC OFFICIALS ERRORS AND OMISSIONS (INCLUDING EMPLOYMENT PRACTICES LIABILITY), EARTHQUAKE ON 530 WATER STREET (BUILDING AND CONTENTS), ELECTRONIC DATA PROCESSING EQUIPMENT FLOATER, FIDELITY (INCLUDING COVERAGE FOR IMPERSONATION FRAUD), FIDUCIARY LIABILITY, PROPERTY INSURANCE INCLUDING TERRORISM (EXCLUDING CRANES), BOILER AND MACHINERY (EXCLUDING CRANES), CYBER LIABILITY INSURANCE, AND MOBILE EQUIPMENT (FIRE TRUCKS/COBUS) PHYSICAL DAMAGE, AT AN AMOUNT NOT TO EXCEED \$8,850,000; AND (2) DELEGATING TO THE PORT'S RISK MANAGER THE AUTHORITY TO APPROVE REASONABLE SUBSTITUTIONS OF INSURERS AND TO EXECUTE ALL NECESSARY DOCUMENTS.

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated Agenda Report Item No. 2.2, dated April 25, 2024, ("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; now, therefore, be it

**RESOLVED**, that the Board finds that the proposed action is not subject to the California Environmental Quality Act ("CEQA") under Section 15378(b)(4) of the CEQA Guidelines because the "creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project" are not considered a "project" and, therefore, the proposed action is not subject to CEQA; and be it

**FURTHER RESOLVED**, 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, in related agenda materials, and in testimony received; and be it

**FURTHER RESOLVED**, that the Board hereby authorizes the renewal of the Port's insurance policies including participation in two group insurance programs as follows: 1) California Association of Port Authorities ("CAPA") for Umbrella Excess; and 2) Alliant Property Insurance Program ("APIP"); and be it

**FURTHER RESOLVED**, that said insurance policies shall be placed and paid through the following prime brokers (with participation by small and local businesses): 1) Alliant Insurance Services, Inc. in Seattle office (for CAPA Umbrella Excess); 2) Alliant Insurance Services, Inc. in San Francisco office (for APIP); and 3) Marsh Risk & Insurance Services in San Francisco office (for all other insurance policies); and be it

**FURTHER RESOLVED**, that said insurance shall include coverage for Airport Liability, Automobile Liability, Automobile Physical Damage (Airport Buses and Maritime Electric Bus), CAPA Umbrella, Crane Insurance (All Risk including Earthquake), Crane Boiler and Machinery, Crane Terrorism, Excess Workers' Compensation and Employers' Liability, Foreign Liability Package, Public Officials Errors and Omissions (including Employment Practices Liability), Earthquake on 530 Water Street (Building and Contents), Electronic Data Processing Equipment Floater, Fidelity (including coverage for Impersonation Fraud), Fiduciary Liability, Property Insurance including Terrorism (excluding Cranes), Boiler and Machinery (Excluding Cranes), Cyber Liability Insurance, and Mobile Equipment (Fire Trucks/COBUS) Physical Damage, in accordance with the Agenda Report, provided; however, that said insurances shall be subject to the Port Attorney's review as to form and legality; and be it

**FURTHER RESOLVED**, that said renewals to insurance policies in said Agenda Report shall not exceed the total amount of \$8,850,000; and be it

**FURTHER RESOLVED**, that the Board delegates to the Port's Risk Manager the authority to approve reasonable substitutions of insurers from those that are listed in Exhibit A to Agenda Report Item No. 2.2 dated April 25, 2024, and to execute all necessary documents; and be it

**FURTHER RESOLVED**, that the Board hereby finds and determines that said insurance program is in such amounts and against such risks as are, in the judgment of the Board, prudent and reasonable taking into account, but not being controlled by, the amounts and types of insurance or self-insured programs provided by similar ports; and be it

**FURTHER RESOLVED**, that this resolution shall become effective immediately upon adoption by the Board.

At the Regular Meeting held on April 25, 2024

Passed by the following vote:

Ayes: Commissioners: Colbruno, Dominguez Walton, Lee, Myres, and President Leslie – 5

Noes: 0

Excused: Commissioners Cluver and Martinez – 2

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

04/25/2024  
Item No.: 2.3  
ERR/pcm



**RESOLUTION NO. 24-23**

**RESOLUTION APPROVING AND AUTHORIZING THE  
EXECUTIVE DIRECTOR TO EXECUTE A  
SUPPLEMENTAL AGREEMENT TO THE PROFESSIONAL  
SERVICES AGREEMENT, DATED APRIL 20, 2020,  
WITH LIFTECH CONSULTANTS, INC. TO INCREASE  
THE MAXIMUM COMPENSATION BY \$350,000 TO A  
TOTAL AMOUNT NOT TO EXCEED \$975,000; AND  
FINDING THAT THE PROPOSED ACTION IS EXEMPT  
UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY  
ACT.**

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 2.3, dated April 25, 2024, 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 obtaining ongoing 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. Execute a supplemental agreement to the professional services agreement, dated April 20, 2020, with Liftech Consultants, Inc. to increase the maximum compensation by \$350,000 to a total amount not to exceed \$975,000, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. Make any additions, modifications, or corrections necessary to execute the supplemental 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 the 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 April 25, 2024

Passed by the following vote:

Ayes: Commissioners: Colbruno, Dominguez Walton, Lee, Myres, and President Leslie – 5

Noes: 0

Excused: Commissioners Cluver and Martinez – 2



**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION NO. 24-24**

**RESOLUTION APPROVING BUILDING PERMIT  
REQUESTED BY PARADIES LAGARDÈRE FOR WORK AT  
1 AIRPORT DRIVE, T2-R-G24, AND FINDING THAT  
THE PROPOSED ACTION IS EXEMPT UNDER THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.4 - the Summary Approval for Permit Application (Port Permit No. 5384) dated April 3, 2024, - and related agenda materials ("Agenda Sheet"), 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 Sheet and in testimony received;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**Section 1.** The Board hereby finds and determines that the Work (defined below) to be performed under this building permit is categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15301 of the CEQA Guidelines because the proposed action consists of activities that involve negligible or no expansion of an existing use.

**Section 2.** In reliance upon the representations and certifications set forth upon and submitted with an application by the Applicant (defined below) for a building permit to perform the Work at the Premises (defined below), and provided that the Applicant complies with all of the terms and conditions set forth in Applicant's agreement(s) with the Port and all other documents regulating use of the Premises, the Board hereby approves the building permit for the following Work:

A. Applicant: **Paradies Lagardère.**

B. Premises: 1 Airport Drive, T2-R-G24, Oakland, California.

C. Estimated Cost: \$740,000.00.

- D. Work: Improvements to Applicant's leased space to support the Shop the Town concession near Gate 24 in Terminal 2, including demolition of the existing space, new partition walls, finishes, and utilities. Applicant or its contractor will file a Construction Safety and Security Plan ("CSSP") with the Oakland International Airport for approval prior to construction.
- E. Sustainability: The Work will comply with the current Green Building and Energy Codes, as enforced by the City of Oakland, as well as construction debris recycling requirements. All materials removed from the site will be reused or recycled to the extent feasible.

**Section 3.** Neither this resolution nor the Board's approval of the Work: (i) is a waiver by the Board of any Port right or remedy with respect to Applicant under any agreement between the Port and the Applicant or with respect to any obligation of Applicant; or (ii) releases Applicant from any obligation with respect to the Work or with respect to any agreement between the Port and Applicant.

**Section 4.** This resolution is not evidence of and does not create or constitute: (i) a contract, or the grant of any right (other than to perform the Work subject to the provisions of this resolution), entitlement or property interest; or (ii) any obligation or liability on the part of the Board or any officer or employee of the Port.

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

At the Regular Meeting held on April 25, 2024

Passed by the following vote:

Ayes: Commissioners: Colbruno, Dominguez Walton, Lee, Myres, and President Leslie – 5

Noes: 0

Excused: Commissioners Cluver and Martinez – 2





**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION NO. 24-25**

**RESOLUTION APPROVING BUILDING PERMIT  
REQUESTED BY OAKLAND FUEL FACILITIES  
CORPORATION FOR WORK AT 1 AIRPORT DRIVE,  
GATE 25, OAKLAND, AND FINDING THAT THE  
PROPOSED ACTION IS EXEMPT UNDER THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.5 - the Summary Approval for Permit Application (Port Permit No. CF #1-2024) dated April 3, 2024, - and related agenda materials ("Agenda Sheet"), 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 Sheet and in testimony received;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**Section 1.** The Board hereby finds and determines that the Work (defined below) to be performed under this building permit is categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15301(d) of the CEQA Guidelines because the proposed action involves restoration of damaged mechanical equipment.

**Section 2.** In reliance upon the representations and certifications set forth upon and submitted with an application by the Applicant (defined below) for a building permit to perform the Work at the Premises (defined below), and provided that the Applicant complies with all of the terms and conditions set forth in Applicant's agreement(s) with the Port and all other documents regulating use of the Premises, the Board hereby approves the building permit for the following Work:

- A. Applicant: **Oakland Fuel Facilities Corporation.**
- B. Premises: 1 Airport Drive, Gate 25, Oakland, California.
- C. Estimated Cost: \$1,200,000.00.

- D. Work: Repairs to a valve and relating piping that allows flow control and partial shut-off capabilities in the hydrant fuel system used by Applicant to provide fuel for aircraft. Such equipment is located in an in-ground vault near Gate 25. Applicant or its contractor will file a Construction Safety and Security Plan ("CSSP") with the Oakland International Airport for approval prior to construction, which will include detailed operational procedures during construction.
- E. Sustainability: The Work will provide greater flexibility in the fuel system. All materials removed from the site will be reused or recycled to the extent feasible.

**Section 3.** Neither this resolution nor the Board's approval of the Work: (i) is a waiver by the Board of any Port right or remedy with respect to Applicant under any agreement between the Port and the Applicant or with respect to any obligation of Applicant; or (ii) releases Applicant from any obligation with respect to the Work or with respect to any agreement between the Port and Applicant.

**Section 4.** This resolution is not evidence of and does not create or constitute: (i) a contract, or the grant of any right (other than to perform the Work subject to the provisions of this resolution), entitlement or property interest; or (ii) any obligation or liability on the part of the Board or any officer or employee of the Port.

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

At the Regular Meeting held on April 25, 2024

Passed by the following vote:

Ayes: Commissioners: Colbruno, Dominguez Walton, Lee, Myres, and President Leslie – 5

Noes: 0

Excused: Commissioners Cluver and Martinez – 2



**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION NO. 24-26**

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO WAIVE FORMAL COMPETITIVE PROCUREMENT PROCEDURES AND EXECUTE AN AGREEMENT WITH TRS GROUP, INC. TO CLEAN AIRCRAFT RESCUE AND FIREFIGHTING TRUCKS AND EQUIPMENT AND TREATMENT OF PER- AND POLYFLUOROALKYL SUBSTANCES FOR A MAXIMUM COMPENSATION NOT TO EXCEED \$600,000; AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.1, dated April 25, 2024, 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 15301 of the CEQA Guidelines because the proposed action consists of activities that involve negligible or no expansion of an existing use.

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. Execute an agreement with TRS Group, Inc. to clean aircraft rescue and firefighting trucks and equipment and treatment of per- and polyfluoroalkyl substances for a maximum compensation not to exceed \$600,000, 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 April 25, 2024

Passed by the following vote:

Ayes: Commissioners: Colbruno, Dominguez Walton, Lee, Myres, and President Leslie – 5

Noes: 0

Excused: Commissioners Cluver and Martinez – 2

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

04/25/2024  
Item No.: 6.2  
ERR/pcm



**RESOLUTION NO. 24-27**

**RESOLUTION APPROVING AND AUTHORIZING THE  
EXECUTIVE DIRECTOR TO EXECUTE A  
SUPPLEMENTAL AGREEMENT TO THE PROFESSIONAL  
SERVICES AGREEMENT, DATED APRIL 1, 2022,  
WITH AECOM TECHNICAL SERVICES, INC. TO  
EXTEND THE TERM THROUGH DECEMBER 31, 2029,  
AND INCREASE THE MAXIMUM COMPENSATION BY  
\$1,000,000 TO A TOTAL AMOUNT NOT TO EXCEED  
\$1,500,000; AND FINDING THAT THE PROPOSED  
ACTION IS EXEMPT UNDER THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT.**

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.2, dated April 25, 2024, 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 15306 of the CEQA Guidelines because the proposed action is for basic data collection and information gathering that will not result in a serious or major disturbance to an environmental resource.

B. The proposed action is for obtaining ongoing 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. Execute a supplemental agreement to the professional services agreement, dated April 1, 2022, with AECOM Technical Services, Inc. to extend the term through December 31, 2029, and increase the maximum compensation by \$1,000,000 to a total amount not to exceed \$1,500,000, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney; and

B. Make any additions, modifications, or corrections necessary to execute the supplemental 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 the 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 April 25, 2024  
Passed by the following vote:

Ayes: Commissioners: Colbruno, Dominguez Walton, Lee, Myres, and President Leslie – 5  
Noes: 0  
Excused: Commissioners Cluver and Martinez – 2

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

04/25/2024  
Item No.: 6.3  
ERR/pcm



**RESOLUTION NO. 24-28**

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO: (1) ACCEPT AND EXECUTE ALL NECESSARY DOCUMENTS FOR THE CONTAINERIZED PORTS DATA INTEROPERABILITY GRANT FROM THE CALIFORNIA GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT IN THE AMOUNT OF \$3,000,000 AND (2) EXECUTE A SECOND SUPPLEMENTAL AGREEMENT TO THE PROFESSIONAL SERVICES AGREEMENT, DATED DECEMBER 12, 2023, WITH PARSONS TRANSPORTATION GROUP INC. TO INCLUDE WORK FUNDED BY THE CONTAINERIZED PORTS DATA INTEROPERABILITY GRANT AND INCREASE THE MAXIMUM COMPENSATION FROM \$10,322,600 TO \$13,147,600.

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.3, dated April 25, 2024, 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.** Based upon the information contained in the Agenda Report and in testimony received, the Board finds and determines that:

A. The proposed action is not subject to the California Environmental Quality Act 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 as further defined in Section 21065 of the Public Resources Code.

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 to:

A. Accept and execute all necessary documents for the Containerized Ports Data Interoperability Grant ("CPDI Grant") from the California Governor's Office of Business and Economic Development in the amount of \$3,000,000, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

B. Execute a second supplemental agreement to the professional services agreement, dated December 12, 2023, with Parsons Transportation Group Inc. to include work funded by the CPDI Grant and increase the maximum compensation from \$10,322,600 to \$13,147,600, as further described in the Agenda Report, subject to approval as to form and legality by the Port Attorney.

C. Make any additions, modifications, or corrections necessary to apply for and accept the CPDI Grant and to execute the requested supplemental 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 the 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 April 25, 2024

Passed by the following vote:

Ayes: Commissioners: Colbruno, Dominguez Walton, Lee, Myres, and President Leslie – 5

Noes: 0

Excused: Commissioners Cluver and Martinez – 2





**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION NO. 24-29**

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR SEA LEVEL RISE AND GROUNDWATER INTRUSION MODELLING, VULNERABILITY ASSESSMENT, AND ADAPTATION PLANNING FOR A TERM NOT TO EXCEED FIVE YEARS AND A MAXIMUM COMPENSATION NOT TO EXCEED \$2,299,000; AND FINDING THAT THE PROPOSED ACTION IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

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**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report for Agenda Item No. 6.5, dated April 25, 2024, 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 15306 of the CEQA Guidelines because the proposed action is for basic data collection and information gathering that will not result in a serious or major disturbance to an environmental resource.

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. Execute a professional services agreement with AECOM Technical Services, Inc. for sea level rise and groundwater intrusion modelling, vulnerability assessment, and adaptation planning for a term not to exceed five years and a maximum compensation not to exceed \$2,299,000, 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 April 25, 2024

Passed by the following vote:

Ayes: Commissioners: Colbruno, Dominguez Walton, Lee, Myres, and President Leslie – 5

Noes: 0

Excused: Commissioners Cluver and Martinez – 2