



**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION NO. 19-10**

**RESOLUTION APPROVING CONSENT TO  
ASSIGNMENT OF CONTRACT AND RIGHTS FROM  
GOLDEN GATE PETROLEUM TO DIESEL DIRECT  
WEST INCORPORATED.**

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item No. 2.1 dated February 28, 2019 ("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;

**WHEREAS**, in March of 2016, the Port entered into a contract with Golden Gate Petroleum to deliver diesel fuel to the Port facilities ("Fuel Delivery Contract");

**WHEREAS**, in December of 2018, Golden Gate Petroleum sold the delivery portion of their business to Diesel Direct Incorporated ("Diesel Direct"), and Diesel Direct has assumed the contract for diesel delivery to the Port; 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

**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. Consents to the assignment of the Fuel Delivery Contract from Golden Gate Petroleum to Diesel Direct;
- B. Authorizes the Executive Director to execute the appropriate documentation for the transaction, subject to approval as to form and legality by the Port Attorney.

**SECTION 2.** The proposed action was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and the Port CEQA Guidelines. The proposed action is categorically exempt from the renewals, extensions or amendments to agreements where the licensed activity was previously licensed to the same or another person, and involving negligible or no expansion of use beyond that previously existing.

**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 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.

Adopted at a Regular Meeting held February 28, 2019 by the following vote:

Ayes: Commissioners, Cluver, Lee, Leslie, Martinez, Story and President Butner – 6

Excused: Commissioner Colbruno – 1

Noes: 0

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**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION NO. 19-11**

**RESOLUTION      APPROVING      BUILDING      PERMIT  
REQUESTED      BY      THE      UNITED      STATES  
TRANSPORTATION SECURITY ADMINISTRATION.**

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated Item No. 2.2 - the Summary Sheet for Permit Application (Port Permit No. 5223) dated February 11, 2019 - 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 related agenda materials and in testimony received;

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

**SECTION 1.** 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 certain 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:      **United      States      Transportation      Security  
Administration.**

B. Premises: 1 Airport Drive, Terminal 1, Oakland, California.

C. Estimated Cost: \$40,000.00.



- D. Work: Upgrades and improvements to the checked baggage screening equipment located in eight locations in the checked baggage areas behind the airline ticket counters within Terminal 1. The work includes upgrading older CT scanners to the current models (which work is not included in the estimated cost), installing new belts and screening equipment, and installing related electrical and data services.
- E. Sustainability: Applicant will follow current Green Building and Energy Codes as enforced by the City of Oakland, as well as the construction debris recycling requirements. The project is limited to equipment upgrades and no other sustainability measures are being considered outside the scope of this project.

**SECTION 2.** The Board hereby finds and determines that the work to be performed under this building permit is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") and the Port CEQA Guidelines under Section 15301, Class 1(a), which exempts projects involving interior alterations to existing facilities involving negligible or no expansion of an existing use.

**SECTION 3.** (a) Neither this resolution nor the Board's approval of said 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 said work or with respect to any agreement between the Port and Applicant; and (b) 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 4.** This resolution shall be effective immediately upon adoption by the Board.

Adopted at a Regular Meeting held February 28, 2019  
by the following vote:

Ayes: Commissioners, Cluver, Lee, Leslie, Martinez, Story and  
President Butner – 6

Excused: Commissioner Colbruno – 1

Noes: 0



**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION NO. 19-12**

**RESOLUTION (1) APPROVING PROJECT CONSTRUCTION BUDGET OF \$4,335,000 AND (2) AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT CHANGE ORDER WITH TURNER CONSTRUCTION COMPANY FOR CONSTRUCTION MANAGER AT RISK CONSTRUCTION SERVICES FOR A GUARANTEED MAXIMUM PRICE NOT TO EXCEED \$3,475,000 FOR THE MOVING WALKWAYS REMOVAL AND RESTORATION AT OAKLAND INTERNATIONAL AIRPORT.**

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.1 dated February 28, 2019 ("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**, on or about February 11, 2016, the Board authorized the Executive Director of the Port ("Executive Director") to enter into a contract with Turner Construction Company, Inc. ("Turner") for construction manager at risk services for upgrades to the International Arrivals Building at Oakland International Airport ("IAB CMR Contract"); 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 hereby finds and determines that:

- A. It is in the best interest of the Port to authorize and approve project construction budget in the amount of \$4,335,000 for the **Moving Walkway and Restoration Project at Oakland International Airport ("Moving Walkways Project")**.
- B. The proposed actions to approve project budget and authorize a contract change order for construction were reviewed in

accordance with the requirements of the California Environmental Quality Act ("CEQA"), and the Port CEQA Guidelines. The proposed actions are categorically exempt from CEQA Guidelines 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 topographic features, involving negligible or no expansion of use. The removal of the moving walkways and interior alterations to facilitate future uses within existing Terminal 1 and Terminal 2 areas involve a negligible expansion of use, will not have a significant effect on the environment, and therefore will not require further environmental review.

**SECTION 2.** The Board hereby:

- A. Approves the project construction budget in the amount of \$4,335,000 for the **Moving Walkways Project**.
- B. Authorizes the Executive Director to execute a contract change order with Turner for the IAB CMR Contract in an amount not to exceed \$3,475,000 for the **Moving Walkways 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 Board. 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.

Adopted at a Regular Meeting held February 28, 2019  
by the following vote:

Ayes: Commissioners Cluver, Lee, Leslie, Martinez, Story and  
President Butner – 6  
Excused: Commissioner Colbruno – 1  
Noes: 0



**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION NO. 19-13**

**RESOLUTION (1) APPROVING PROJECT DESIGN BUDGET OF \$560,000 AND (2) AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT CHANGE ORDER WITH TURNER CONSTRUCTION COMPANY FOR CONSTRUCTION MANAGER AT RISK PRE-CONSTRUCTION SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$250,000 FOR THE TERMINAL 2 BAGGAGE CLAIM SECURITY EXIT IMPROVEMENTS AT OAKLAND INTERNATIONAL AIRPORT.**

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.2 dated February 28, 2019 ("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**, on or about February 11, 2016, the Board authorized the Executive Director of the Port ("Executive Director") to enter into a contract with Turner Construction Company, Inc. ("Turner") for construction manager at risk services for upgrades to the International Arrivals Building at Oakland International Airport ("IAB CMR Contract"); 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 hereby finds and determines that:

- A. It is in the best interest of the Port to authorize and approve project budget for design and preconstruction services in the amount of \$560,000 for the **Terminal 2 Baggage Claim Security Exit Improvements Project ("Terminal Security Exit Project")**.
- B. The proposed actions to approve project budget and authorize a contract change order for construction were reviewed in accordance with the requirements of the California

Environmental Quality Act ("CEQA"), and the Port CEQA Guidelines. The proposed actions are categorically exempt from CEQA Guidelines 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 topographic features, involving negligible or no expansion of use. Only minor alterations to the premises and no changes to the use area are proposed as part of the security area redesign.

**SECTION 2.** The Board hereby:

- A. Approves the project budget for design and preconstruction services in the amount of \$560,000 for the **Terminal Security Exit Project**.
- B. Authorizes the Executive Director to execute a contract change order with Turner for the IAB CMR Contract in an amount not to exceed \$250,000 for the **Terminal Security Exit 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 Board. 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.

Adopted at a Regular Meeting held February 28, 2019  
by the following vote:

Ayes: Commissioners Cluver, Lee, Leslie, Martinez, Story and  
President Butner – 6  
Excused: Commissioner Colbruno – 1  
Noes: 0