

## BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION AUTHORIZING ADDITIONAL PROJECT BUDGET,  
APPROVING A SUPPLEMENTAL AGREEMENT TO INCREASE  
MAXIMUM COMPENSATION AND AMEND SCOPE OF WORK OF  
THE AGREEMENT WITH WOOD ROGERS, INC. FOR TWO-  
DIMENSIONAL FLOODPLAIN MODELING OF OAKLAND  
AIRPORT, AND APPLYING FOR AND ACCEPTING GRANT  
FUNDING FROM THE CALIFORNIA OFFICE OF EMERGENCY  
SERVICES FOR THE AIRPORT PERIMETER DIKE PROJECT.

**WHEREAS**, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.5 dated June 8, 2017 ("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 September 30, 2015, the Executive Director entered into a Professional Services Agreement with Wood Rodgers, Inc. ("Wood Rodgers") to assist with the modeling and appeal of the Preliminary FIRMs, at a maximum compensation not to exceed \$149,920 (the "Agreement"), which was supplemented as approved by the Board at the May 26, 2016 Board meeting; 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. The Agreement with Wood Rodgers, as supplemented, will constitute an agreement for obtaining professional, technical and specialized services that are temporary in nature and that it is in the best interest of the Port to continue to secure such services from Wood Rodgers.

B. It is in the best interest of the Port to authorize and approve an increase in the Airport Perimeter Dike Project ("APD Project") budget of \$776,000 for a total project budget of \$2,886,090.

C. It is in the best interest of the Port to approve the submittal of grant applications to the California Office of Emergency Services ("CALOES") in an amount up to \$3,000,000 for all eligible work associated with the construction of the APD Project.

D. The proposed project to rehabilitate Runway 12-30 was reviewed in accordance with the requirements of CEQA. Projects that restore or rehabilitate deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety are exempt from the provisions of CEQA pursuant to CEQA Guidelines Sections 15301, Existing Facilities. The Port has determined that the proposed project meets this exemption and will not have a significant effect on the environment.

**SECTION 2.** The Board hereby:

A. Approves an increase in the APD Project budget of \$776,000 for a total project budget of \$2,886,090.

B. Approves the submission of applications and acceptance of grants from the CALOES in an amount up to \$3,000,000 for all eligible work associated with the construction of the APD Project.

C. Authorizes the Executive Director to submit and accept CALOES grants on behalf of said Board, and to execute and submit all documents which may be necessary or convenient to complete said applications when said Grant Offers are released, up to the amount of \$3,000,000. The Secretary is hereby authorized and directed to attest to the execution of such grant agreements, if deemed necessary.

D. Approves a Supplemental Agreement with Wood Rodgers to assist with the preparation of two-dimensional floodplain modeling to increase maximum compensation by \$85,000 to a total maximum compensation not to exceed \$264,920, and as further described in the Agenda Report.

C. Authorizes the Executive Director or his designee to execute such Supplemental Agreement, and any related documents or agreements, to effectuate the approval, provided that such documents or agreements 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 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.

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