

BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND

RESOLUTION APPROVING AND AUTHORIZING CONSTRUCTION PROJECT BUDGET IN THE AMOUNT OF \$3,955,000; AUTHORIZING THE DIRECTOR OF ENGINEERING TO APPROVE THE PROJECT MANUAL AND PLANS; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD CONTRACTS TO THE LOWEST RESPONSIBLE RESPONSIVE BIDDER FOR THE CONSTRUCTION OF TWO ROOF REPLACEMENT PROJECTS AT SOUTH FIELD, OAKLAND INTERNATIONAL AIRPORT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.2 dated June 22, 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, 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 that:

A. It is in the best interest of the Port to approve and authorize construction project budget for the **Building M-130 Roof Rehabilitation Project ("M-130 Roof Project")** in an amount not to exceed \$2,475,000 and construction project budget for the **Building M-911 Aircraft Rescue and Fire Fighting Facility ("ARFF Roof Project")** in an amount not to exceed \$1,480,000, for a total construction project budget authorization of \$3,955,000.

B. It is in the best interest of the Port to authorize the **M-130 Roof Project** and the **ARFF Roof Project**.

C. The development and use provided for in the project manuals for **M-130 Roof Project** and the **ARFF Roof Project** and the subsequent use of the development approved by this resolution are in conformity with the General Plan of the City.

D. Pursuant to the Port Purchasing Ordinance, it is in the best interest of the Port to delegate to the Executive Director the authority to finally resolve all bid protests in connection with **M-130 Roof Project** and the **ARFF Roof Project**.

E. The proposed actions to approve construction project budget and award the **M-130 Roof Project** and the **ARFF Roof Project** 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 pursuant to CEQA Guidelines 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 use.

SECTION 2. The Board hereby approves the following:

A. Authorizing construction project budget for the **M-130 Roof Project** in an amount not to exceed \$2,475,000, for a total project of \$2,860,000.

B. Authorizing construction project budget for the **ARFF Roof Project** in an amount not to exceed \$1,480,000, for a total project of \$1,700,000.

C. Delegation of authority to the Director of Engineering to approve the Plans and Project Manual for **M-130 Roof Project**.

D. Delegation of authority to the Director of Engineering to approve the Plans and Project Manual for **ARFF Roof Project**.

E. Award of a contract for construction of the **M-130 Roof Project** to the lowest responsible responsive bidder, Best Contracting Services, Inc. in a total aggregate amount not to exceed \$1,828,600.

F. Award of a contract for construction of the **ARFF Roof Project** to the lowest responsible responsive bidder, Western Roofing Service in a total aggregate amount not to exceed \$996,550.

G. Rejection of all other bids received for the **M-130 Roof Project** and the **ARFF Roof Project** and direction that securities accompanying said bids shall be returned to the respective bidders.

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

A. Finally resolve bid protests in connection with the **M-130 Roof Project** and the **ARFF Roof Project** pursuant to the Port Purchasing Ordinance.

B. Award of a contract for construction of the **M-130 Roof Project** to the lowest responsible responsive bidder, Best Contracting Services, Inc. in a total aggregate amount not to exceed \$1,828,600.

C. Award of a contract for construction of the **ARFF Roof Project** to the lowest responsible responsive bidder, Western Roofing Service in a total aggregate amount not to exceed \$996,550.

SECTION 4. The Board further finds that:

A. The Director of Engineering or his designee is authorized to approve the project manual and plans for the **M-130 Roof Project** in advance of construction, pursuant to Government Code Section 830.6.

B. The Director of Engineering or his designee is authorized to approve the project manual and plans for the **ARFF Roof Project** in advance of construction, pursuant to Government Code Section 830.6.

C. 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 the Contractor for the **M-130 Roof Project** and the **ARFF Roof Project** as prescribed by applicable laws and regulations and the contract specifications.

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

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 Board. 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).