

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION APPROVING AMENDMENT EXTENDING THE TERM OF THE AGREEMENT WITH CYPRESS PRIVATE SECURITY LP UP TO SIX ADDITIONAL MONTHS FOR PORT SECURITY OPERATIONS CENTER STAFFING SERVICES IN THE MARITIME AREA.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.1 dated February 8, 2018 ("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 March 25, 2015, the Board authorized execution of an agreement with **Cypress Private Security, LP ("Cypress")** for the Port of Oakland Security Operations Center, previously referred to as the Port Security Management Systems Project, with a current expiration date of April 22, 2018 and a maximum contract expenditure limit of \$1,500,000; and and

WHEREAS, it is desirable at this time to extend the contract for six additional months to maintain continuity for of services at the Port Security Operations Center, as set forth in the Agenda Report; 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 the agreement with **Cypress**, 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 **Cypress**.

SECTION 2. The Board hereby:

A. Approves a Supplemental Agreement with **Cypress** for the Port of Oakland Security Operations Center, previously referred to as

the Port Security Management Systems Project, to extend the agreement for six (6) months with a term to expire no later than October 21, 2018 with no increase in the maximum contract expenditure limit, and as further described in the Agenda Report.

B. Authorizes the Executive Director to execute such supplemental agreement, subject to approval as to form and legality by the Port Attorney.

SECTION 3. The proposed action was reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and the Port CEQA Guidelines. The general rule in Section 15061(b)(3) of the CEQA Guidelines states that CEQA applies only to activities that have a potential of causing a significant effect on the environment. It can be seen with certainty that there is no possibility that taking the recommended action will result in a physical change to the environment, and therefore no further environmental review is required.

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 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.