

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION (1) APPROVING AND AUTHORIZING DESIGN BUDGET OF \$490,000 FOR THE AIRPORT 12 EJECTOR STATION AND AIRPORT 15 EJECTOR STATION REHABILITATION PROJECT; (2) APPROVING AND AUTHORIZING PROJECT BUDGET FOR THE DESIGN AND CONSTRUCTION OF TERMINAL 1 RESTROOM SEWER LINE REPAIR IMPROVEMENTS; AND (3) DELEGATING AUTHORITY TO THE DIRECTOR OF ENGINEERING TO APPROVE THE PROJECT MANUAL AND PLANS FOR THE TERMINAL 1 RESTROOM SEWER LINE REPAIR IMPROVEMENTS AT OAKLAND INTERNATIONAL AIRPORT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.1 dated April 26, 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, 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 authorize the Airport Ejector Station and Airport 15 Ejector 15 Station Rehabilitation Project at Oakland International Airport ("Ejector Station Project").

B. It is in the best interest of the Port to authorize the Design and Construction of Capital Improvements for the Terminal 1 Restroom Sewer Line Repair Project at Oakland International Airport ("Restroom Sewer Repair Project").

C. It is in the best interest of the Port to approve and authorize design project budget in the amount of \$490,000 for the Ejector Station Project.

D. It is in the best interest of the Port to approve and authorize design and construction project budget in the amount of \$433,000 for the **Restroom Sewer Repair Project**.

E. The development and use provided for in the project manual and the subsequent use of the development approved by this resolution are in conformity with the General Plan of the City of Oakland.

SECTION 2. The Board hereby approves the following:

A. The design project budget in the amount of \$490,000 for the **Ejector Station Project**.

B. The design and construction project budget in the amount of \$433,000 for the **Restroom Sewer Repair Project**.

C. Delegation of authority to the Director of Engineering to approve the Plans and Project Manual for **Restroom Sewer Repair Project**.

SECTION 3. The Board further finds that:

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

B. 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 as prescribed by applicable laws and regulations and the contract specifications.

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

SECTION 5. The Board hereby finds and determines that:

A. The proposed actions to approve the plans and project manual and approve budget was reviewed in accordance with the California Environmental Quality Act ("CEQA") and CEQA Guidelines.

B. CEQA Guidelines Section 15061(b)(3) states that CEQA applies only to activities that have a potential for causing a significant effect on the environment. The proposed actions will not result in a physical change to the environment, and therefore is exempt from CEQA and no further environmental review is required.

SECTION 6. 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).

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