

**BOARD OF PORT COMMISSIONERS  
CITY OF OAKLAND**

**RESOLUTION APPROVING AND AUTHORIZING  
PROJECT DESIGN BUDGET OF \$2,005,000 AND  
AUTHORIZING THE EXECUTIVE DIRECTOR TO  
EXECUTE A PROFESSIONAL SERVICES AGREEMENT  
WITH WEST YOST ASSOCIATES FOR A FIVE YEAR  
TERM AND AN INITIAL CONTRACT AMOUNT NOT TO  
EXCEED \$1,225,000 FOR SANITARY SEWER  
PROJECTS AT OAKLAND INTERNATIONAL AIRPORT.**

**WHEREAS**, the Board has reviewed and evaluated the Agenda Report Item No. 6.1 dated October 11, 2018 ("Agenda Report") and related agenda materials, has received the expert testimony of 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 hereby finds and determines that:

A. It is in the best interest of the Port to approve and authorize project budget for design services of \$2,005,000 for **Lift Stations AP06P and AP08P, and Earhart Road and Airport Drive Sanitary Sewer Pipeline Rehabilitation Projects at Oakland International Airport ("Airport Sanitary Sewer Project")**.

B. The proposed agreement with West Yost Associates ("West Yost") for design services related to the **Airport Sanitary Sewer Project** 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 secure such services from West Yost.

**SECTION 2.** The Board hereby:

A. Approves and authorizes project budget for design services of \$2,005,000 for the **Airport Sanitary Sewer Project**.

B. Approves a professional services agreement with West Yost for the **Airport Sanitary Sewer Project**, for a total maximum contract amount not to exceed \$1,225,000 and subject to additional material terms and conditions as further described in the Agenda Report.

C. Authorizes the Executive Director to execute a professional services agreement with West Yost for the **Airport Sanitary Sewer Project** ("Agreement") for a maximum contract amount not to exceed \$1,225,000.

D. Authorizes the Executive Director to (i) execute such Agreement, subject to approval as to form and legality by the Port Attorney, and (ii) make such additions, modifications, or corrections as necessary to implement the Agreement and amendments or to correct errors, subject to the limitations set forth herein and provided that any such addition, modification or correction does not materially differ from the terms and conditions set forth herein and in the Agenda Report.

**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.