

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION (1) APPROVING AND AUTHORIZING THE PROJECT BUDGET OF \$2,190,000 FOR DESIGN OF PAVEMENT REHABILITATION AT OAKLAND INTERNATIONAL AIRPORT AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH ORION ENGINEERS AND ASSOCIATES FOR ENGINEERING DESIGN SERVICES FOR THE TOTAL AMOUNT NOT TO EXCEED \$1,200,000 FOR PAVEMENT REHABILITATION AT OAKLAND INTERNATIONAL AIRPORT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.2 dated October 25, 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 approve and authorize project budget for design of the following Oakland International Airport pavement rehabilitation projects identified in the Port's 5-year Capital Improvement Program ending fiscal year 2023: Taxiway Romeo (East), Taxiway Bravo (Between Taxiways Tango and Whiskey), Taxiway Victor, Runway 10R/28L, and Airport Drive/Bessie Coleman Drive (collectively referred to herein as the "OAK Pavement Projects") in an amount not to exceed \$2,190,000;

B. The proposed agreement with Orion Engineers and Associates ("Orion") for the OAK Pavement Projects constitutes 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 Orion;

SECTION 2. The Board hereby approves the following:

A. Authorizing project budget for design of the **OAK Pavement Projects** in an amount not to exceed \$2,190,000.

B. Award of a contract for design of the **OAK Pavement Projects** to **Orion** in an amount not to exceed \$1,200,000.

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

A. Award and execute a contract with Orion for design of the **OAK Pavement Projects** in an amount not to exceed \$1,200,000.

SECTION 4. The proposed actions to approve design project budget and enter into a design agreement were reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA"), and the Port CEQA Guidelines. Because it can be seen with certainty that there is no possibility that taking the proposed actions may have a significant effect on the environment, these actions are not considered a "project" under CEQA and is not subject to CEQA under the General Rule Exclusion.

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).