



BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE ON-CALL ENGINEERING DESIGN SERVICES AGREEMENTS WITH TRANSYSTEMS CORPORATION, AECOM TECHNICAL SERVICES, INC., MOTT MACDONALD, LLC, AND WSP USA, INC. TO EXTEND THE AGREEMENTS THROUGH DECEMBER 31, 2019.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 2.3 dated June 13, 2019 ("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, the Board authorized the award of contracts for **On-Call Engineering Design Services at the Port of Oakland**, ("**On-Call Engineering Design Services**"), with contracts thereafter executed with Transystems Corporation ("Transystems"), AECOM Technical Services, Inc. ("AECOM"), Mott MacDonald, LLC ("Mott"), and WSP USA, Inc. ("WSP") for a current maximum combined contract expenditure limit of \$12,000,000 and a current expiration date of June 30, 2019; and

WHEREAS, it is desirable at this time to extend the term of the agreements for **On-Call Engineering Design Services** to maintain continuity with ongoing projects, and as set forth in the Agenda Report;

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. Based upon the information contained in the Agenda Report and testimony received, the Board hereby finds and determines that the agreements for **On-Call Engineering Design Services**, as supplemented, will constitute agreements 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 through the Transystem, AECOM, Mott and WSP agreements.

SECTION 2. The Board hereby approves extension of the contract term for the **On-Call Engineering Design Services** for a total term not to exceed December 31, 2019.

SECTION 3. The Board hereby authorizes the Executive Director to execute amendments of the **On-Call Engineering Design Services** contract(s) with Transystems, AECOM, Mott and WSP to extend the contract term for a total term not to exceed December 31, 2019.

SECTION 4. In accordance with the requirements of the California Environmental Quality Act ("CEQA") and the Port CEQA Guidelines, it can be seen that there is no possibility that taking the recommended actions will result in a physical change to the environment, and therefore no further environmental review is required. 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.

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).

DRAFT