

msr

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION AUTHORIZING THE DIRECTOR OF ENGINEERING TO APPROVE THE PROJECT MANUAL AND PLANS FOR FURNISHING LABOR, MATERIALS AND EQUIPMENT FOR PAVING, GRADING AND ASSOCIATED GENERAL CONTRACTOR SERVICES FOR PORT OF OAKLAND FACILITIES FOR THE PERIOD COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020, 2021 OR 2022; CALLING FOR BIDS THEREFOR; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD UP TO FOUR (4) CONTRACTS TO THE LOWEST RESPONSIBLE RESPONSIVE BIDDERS IN THE TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$8,000,000 FOR THE THREE YEAR PERIOD.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.5 dated July 11, 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, 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 accomplish the project for **Furnishing Labor, Materials and Equipment for Paving, Grading, and Associated General Contractor Services for Port of Oakland Facilities for the Period Commencing January 1, 2020 and Ending December 31, 2020, 2021 or 2022, Oakland, California ("On Call Paving and Grading Work")** without standard bidding procedures through the award of multiple contracts.

B. If no acceptable bids are received, it is in the best interest of the Port to waive standard bidding and authorize the Executive Director to negotiate up to four (4) contracts in the open market for the **On-Call Paving and Grading Work**.

C. 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.

D. Pursuant to Port Purchasing Ordinance, it is in the best interest of the Port to delegate to the Executive Director the authority to finally resolve all bid protests in connection with this project.

SECTION 2. The Board hereby approves the following:

A. Delegation of authority to the Director of Engineering to approve the Plans and Project Manual for the **On-Call Paving and Grading Work**.

B. Advertising for bids for the **On-Call Paving and Grading** project.

C. Award of up to four (4) contracts for the **On-Call Paving and Grading Work project**, based upon the receipt of formal bids from qualified contractors, in a total aggregate amount not to exceed \$8,000,000 for the three (3) year period.

D. Rejection of all other bids received for the **On-Call Paving and Grading Work project** and direction that securities accompanying said bids shall be returned to the respective bidders.

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

A. Finally resolve bid protests in connection with this project pursuant to the Port Purchasing Ordinance.

B. Award up to four (4) contracts to the lowest responsible responsive bidders, based upon the receipt formal sealed bids, for the **On Call Paving and Grading Work project**, in a total aggregate amount not to exceed \$8,000,000 for the three (3) year period.

C. If no acceptable bids are received, the Executive Director is authorized to reject all bids, and negotiate and execute up to four (4) contracts for the **On Call Paving and Grading Work project** with one of the bidders or in the open market based on the receipt of informal proposals, in a total aggregate amount not to exceed \$8,000,000 for the three (3) year period.

SECTION 4. The Board further finds that:

A. The Director of Engineering or his designee is authorized to approve the project manual and plans for the **On Call Paving and Grading Work project** in advance of construction, pursuant to Government Code Section 830.6.

B. The Secretary of the Board is hereby authorized to advertise for four consecutive days in the official newspaper of the City of Oakland for sealed bids for the project, not less than ten calendar days prior to the date set for receiving said bids.

C. 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.

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

SECTION 5. 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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review is needed.

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).

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION AUTHORIZING THE DIRECTOR OF ENGINEERING TO APPROVE THE PROJECT MANUAL AND PLANS FOR FURNISHING LABOR AND EQUIPMENT FOR RECONDITIONING, MAINTAINING, AND REPAIRING PORT OF OAKLAND RAILROAD TRACKS AND CRANE RAILS FOR THE PERIOD COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020, 2021 OR 2022; CALLING FOR BIDS THEREFOR; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD A CONTRACT TO THE LOWEST RESPONSIBLE RESPONSIVE BIDDER IN THE TOTAL AMOUNT NOT TO EXCEED \$270,000 FOR THE THREE YEAR PERIOD.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.5 dated July 11, 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, 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 project for **Furnishing Labor, Equipment, and Materials for Reconditioning, Maintaining, and Repairing Port of Oakland Railroad Tracks and Crane Rails for the Period Commencing January 1, 2017 and Ending December 31, 2020, 2021, or 2022 ("On-Call Track and Crane Rails")**.

B. 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.

C. Pursuant to the Port's Purchasing Ordinance, it is in the best interest of the Port to delegate to the Executive Director the authority to finally resolve all bid protests in connection with this project.

SECTION 2. The Board hereby approves the following:

A. Delegation of authority to the Director of Engineering to approve the Plans and Project Manual for the **On-Call Track and Crane Rails** project.

B. Advertising for bids for the **On-Call Track and Crane Rails** project.

C. Award a contract for the **On-Call Track and Crane Rails** project to the lowest responsible, responsive bidder, based upon the receipt of formal sealed bids, in a total amount not to exceed \$270,000 for the three (3) year period.

D. Rejection of all other bids received for the **On-Call Track and Crane Rails** project and direction that securities accompanying said bids shall be returned to the respective bidders.

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

A. Finally resolve bid protests in connection with this project pursuant to Port's Purchasing Ordinance.

B. Award a contract to the lowest responsible, responsive bidder, for the **On-Call Track and Crane Rails** project, in a total amount not to exceed \$270,000 for the three (3) year period.

C. If no acceptable bids are received, the Executive Director is authorized to reject all bids, and negotiate and execute a contract for **On-Call Track and Crane Rails** in the open market based on the receipt of informal proposals, in a total amount not to exceed \$270,000 for the three (3) year period.

SECTION 4. The Board further finds that:

A. The Director of Engineering or his designee is authorized to approve the project manual and plans for the **On-Call Track and Crane Rails** project in advance of construction, pursuant to Government Code Section 830.6.

B. The Secretary of the Board is hereby authorized to advertise for four consecutive days in the official newspaper of the City of Oakland for sealed bids for the project, not less than ten calendar days prior to the date set for receiving said bids.

C. 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.

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

SECTION 5. 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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review and clearance is needed.

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).

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION AUTHORIZING THE DIRECTOR OF ENGINEERING TO APPROVE THE PROJECT MANUAL AND PLANS FOR FURNISHING LABOR AND EQUIPMENT FOR INSPECTING AND CLEANING PORT OF OAKLAND SANITARY SEWERS AND STORM DRAINS FOR THE PERIOD COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020, 2021 OR 2022; CALLING FOR BIDS THEREFOR; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD UP TO TWO (2) CONTRACTS TO THE LOWEST RESPONSIBLE RESPONSIVE BIDDERS IN THE TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$750,000 FOR THE THREE YEAR PERIOD.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.5 dated July 11, 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, 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 project for **Furnishing Labor, Equipment, and Materials for Inspecting and Cleaning Port of Oakland Sanitary Sewers and Storm Drains for the Period Commencing January 1, 2020 and Ending December 31, 2020, 2021, or 2022 ("On-Call Sanitary Sewer")**.

B. 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.

C. Pursuant to the Port's Purchasing Ordinance, it is in the best interest of the Port to delegate to the Executive Director the authority to finally resolve all bid protests in connection with this project.

SECTION 2. The Board hereby approves the following:

A. Delegation of authority to the Director of Engineering to approve the Plans and Project Manual for the **On-Call Sanitary Sewer** project.

B. Advertising for bids for the **On-Call Sanitary Sewer** project.

C. Award up to two (2) contracts for the **On-Call Sanitary Sewer** project to the lowest responsible, responsive bidders, based upon the receipt of formal sealed bids, in a total aggregate amount not to exceed \$750,000 for the three (3) year period.

D. Rejection of all other bids received for the **On-Call Sanitary Sewer** project and direction that securities accompanying said bids shall be returned to the respective bidders.

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

A. Finally resolve bid protests in connection with this project pursuant to Port's Purchasing Ordinance.

B. Award up to two (2) contracts to the lowest responsible, responsive bidders, for the **On-Call Sanitary Sewer** project, in a total aggregate amount not to exceed \$750,000 for the three (3) year period.

C. If no acceptable bids are received, the Executive Director is authorized to reject all bids, and negotiate and execute up to two (2) contracts for **On-Call Sanitary Sewer** based on the receipt of informal proposals, in a total aggregate amount not to exceed \$750,000 for the three (3) year period.

SECTION 4. The Board further finds that:

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

B. The Secretary of the Board is hereby authorized to advertise for four consecutive days in the official newspaper of the City of Oakland for sealed bids for the project, not less than ten calendar days prior to the date set for receiving said bids.

C. 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.

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

SECTION 5. 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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review and clearance is needed.

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).

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION AUTHORIZING THE DIRECTOR OF ENGINEERING TO APPROVE THE PROJECT MANUAL AND PLANS FOR FURNISHING LABOR AND EQUIPMENT FOR SECURITY FENCING FOR THE PERIOD COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020, 2021 OR 2022; CALLING FOR BIDS THEREFOR; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD A CONTRACT TO THE LOWEST RESPONSIBLE RESPONSIVE BIDDER IN THE TOTAL AMOUNT NOT TO EXCEED \$300,000 FOR THE THREE YEAR PERIOD.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.5 dated July 11, 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, 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 project for **Furnishing Labor, Equipment, and Materials for Security Fencing for Port of Oakland Facilities for the Period Commencing January 1, 2020 and Ending December 31, 2020, 2021, or 2022 ("On-Call Security Fencing")**.

B. 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.

C. Pursuant to the Port's Purchasing Ordinance, it is in the best interest of the Port to delegate to the Executive Director the authority to finally resolve all bid protests in connection with this project.

SECTION 2. The Board hereby approves the following:

A. Delegation of authority to the Director of Engineering to approve the Plans and Project Manual for the **On-Call Security Fencing** project.

B. Advertising for bids for the **On-Call Security Fencing** project.

C. Award a contract for the **On-Call Security Fencing** project to the lowest responsible, responsive bidder, based upon the receipt of formal sealed bids, in a total amount not to exceed \$300,000 for the three (3) year period.

D. Rejection of all other bids received for the **On-Call Security Fencing** project and direction that securities accompanying said bids shall be returned to the respective bidders.

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

A. Finally resolve bid protests in connection with this project pursuant to Port's Purchasing Ordinance.

B. Award a contract to the lowest responsible, responsive bidders, for the **On-Call Security Fencing** project, in a total amount not to exceed \$300,000 for the three (3) year period.

C. If no acceptable bids are received, the Executive Director is authorized to reject all bids, and negotiate and execute a contract for **On-Call Security Fencing** based on the receipt of informal proposals, in a total amount not to exceed \$300,000 for the three (3) year period.

SECTION 4. The Board further finds that:

A. The Director of Engineering or his designee is authorized to approve the project manual and plans for the **On-Call Security Fencing** project in advance of construction, pursuant to Government Code Section 830.6.

B. The Secretary of the Board is hereby authorized to advertise for four consecutive days in the official newspaper of the City of Oakland for sealed bids for the project, not less than ten calendar days prior to the date set for receiving said bids.

C. 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.

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

SECTION 5. 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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review and clearance is needed. It is anticipated that such activities may be exempt from CEQA pursuant to Guidelines Sections 15060(c)(2), 15061(b)(3), 15301, 15302, 15303, 15304, 15306, 15309, 15311 or 15330.

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).

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION AUTHORIZING THE DIRECTOR OF ENGINEERING TO APPROVE THE PROJECT MANUAL AND PLANS FOR FURNISHING LABOR AND EQUIPMENT FOR MAINTENANCE AND LANDSCAPING AT MIDDLE HARBOR SHORELINE PARK FOR THE PERIOD COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020, 2021 OR 2022; CALLING FOR BIDS THEREFOR; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD A CONTRACT TO THE LOWEST RESPONSIBLE RESPONSIVE BIDDER IN THE TOTAL AMOUNT NOT TO EXCEED \$420,000 FOR THE THREE YEAR PERIOD.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.5 dated July 11, 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, 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 project for **Furnishing Labor, Equipment, and Materials for Maintenance and Landscaping at Middle Harbor Shoreline Park for the Period Commencing January 1, 2020 and Ending December 31, 2020, 2021, or 2022 ("As-Needed Park Maintenance")**.

B. 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.

C. Pursuant to the Port's Purchasing Ordinance, it is in the best interest of the Port to delegate to the Executive Director the authority to finally resolve all bid protests in connection with this project.

SECTION 2. The Board hereby approves the following:

A. Delegation of authority to the Director of Engineering to approve the Plans and Project Manual for the **As-Needed Park Maintenance** project.

B. Advertising for bids for the **As-Needed Park Maintenance** project.

C. Award a contract for the **As-Needed Park Maintenance** project to the lowest responsible, responsive bidder, based upon the receipt of formal sealed bids, in a total amount not to exceed \$420,000 for the three (3) year period.

D. Rejection of all other bids received for the **As-Needed Park Maintenance** project and direction that securities accompanying said bids shall be returned to the respective bidders.

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

A. Finally resolve bid protests in connection with this project pursuant to Port's Purchasing Ordinance.

B. Award a contract to the lowest responsible, responsive bidder, for the **As-Needed Park Maintenance** project, in a total amount not to exceed \$420,000 for the three (3) year period.

C. If no acceptable bids are received, the Executive Director is authorized to reject all bids, and negotiate and execute up to three (3) contracts for **As-Needed Park Maintenance** based on the receipt of informal proposals, in a total amount not to exceed \$420,000 for the three (3) year period.

SECTION 4. The Board further finds that:

A. The Director of Engineering or his designee is authorized to approve the project manual and plans for the **As-Needed Park Maintenance** project in advance of construction, pursuant to Government Code Section 830.6.

B. The Secretary of the Board is hereby authorized to advertise for four consecutive days in the official newspaper of the City of Oakland for sealed bids for the project, not less than ten calendar days prior to the date set for receiving said bids.

C. 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.

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

SECTION 5. 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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review and clearance is needed.

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).

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

HVAC RESOLUTION AUTHORIZING THE DIRECTOR OF ENGINEERING TO APPROVE THE PROJECT MANUAL AND PLANS FOR FURNISHING LABOR AND EQUIPMENT FOR ON-CALL HVAC EQUIPMENT, RECONDITIONING, MAINTAINING, AND REPAIRING PORT OF OAKLAND HVAC SYSTEMS FOR THE PERIOD COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020, 2021 OR 2022; CALLING FOR BIDS THEREFOR; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD A CONTRACT TO THE LOWEST RESPONSIBLE RESPONSIVE BIDDER IN THE TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$400,000 FOR THE THREE YEAR PERIOD.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.5 dated July 11, 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, 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 project for **Furnishing Labor, Equipment, and Materials for On-Call HVAC Equipment, Reconditioning, Maintaining and Repairing Port of Oakland HVAC Systems for the Period Commencing January 1, 2020 and Ending December 31, 2020, 2021, or 2022 ("On-Call HVAC")**.

B. 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.

C. Pursuant to the Port's Purchasing Ordinance, it is in the best interest of the Port to delegate to the Executive Director the authority to finally resolve all bid protests in connection with this project.

SECTION 2. The Board hereby approves the following:

A. Delegation of authority to the Director of Engineering to approve the Plans and Project Manual for the **On-Call HVAC** project.

B. Advertising for bids for the **On-Call HVAC** project.

C. Award a contract for the **On-Call HVAC** project to the lowest responsible, responsive bidder, based upon the receipt of formal sealed bids, in a total amount not to exceed \$400,000 for the three (3) year period.

D. Rejection of all other bids received for the **On-Call On-Call HVAC** project and direction that securities accompanying said bids shall be returned to the respective bidders.

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

A. Finally resolve bid protests in connection with this project pursuant to Port's Purchasing Ordinance.

B. Award a contract to the lowest responsible, responsive bidders, for the **On-Call HVAC** project, in a total aggregate amount not to exceed \$400,000 for the three (3) year period.

C. If no acceptable bids are received, the Executive Director is authorized to reject all bids, and negotiate and execute a contract for **On-Call HVAC** based on the receipt of informal proposals, in a total amount not to exceed \$400,000 for the three (3) year period.

SECTION 4. The Board further finds that:

A. The Director of Engineering or his designee is authorized to approve the project manual and plans for the **On-Call HVAC** project in advance of construction, pursuant to Government Code Section 830.6.

B. The Secretary of the Board is hereby authorized to advertise for four consecutive days in the official newspaper of the City of Oakland for sealed bids for the project, not less than ten calendar days prior to the date set for receiving said bids.

C. 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.

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

SECTION 5. 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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review and clearance is needed. It is anticipated that such activities may be exempt from CEQA pursuant to Guidelines Sections 15060(c)(2), 15061(b)(3), 15301, 15302, 15303, 15304, 15306, 15309, 15311 or 15330.

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).

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION AUTHORIZING THE DIRECTOR OF ENGINEERING TO APPROVE THE PROJECT MANUAL AND PLANS FOR FURNISHING LABOR AND EQUIPMENT FOR REMOVAL OF VEGETATION AT OAKLAND INTERNATIONAL AIRPORT FOR THE PERIOD COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020, 2021 OR 2022; CALLING FOR BIDS THEREFOR; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD A CONTRACT TO THE LOWEST RESPONSIBLE RESPONSIVE BIDDER IN THE TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$1,500,000 FOR THE THREE YEAR PERIOD.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.5 dated July 11, 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, 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 project for **Furnishing Labor, Equipment, and Materials for Removal of Vegetation at Oakland International Airport for the Period Commencing January 1, 2020 and Ending December 31, 2020, 2021, or 2022 ("On-Call Vegetation Removal")**.

B. 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.

C. Pursuant to the Port's Purchasing Ordinance, it is in the best interest of the Port to delegate to the Executive Director the authority to finally resolve all bid protests in connection with this project.

SECTION 2. The Board hereby approves the following:

A. Delegation of authority to the Director of Engineering to approve the Plans and Project Manual for the **On-Call Vegetation Removal** project.

B. Advertising for bids for the **On-Call Vegetation Removal** project.

C. Award a contract for the **On-Call Vegetation Removal** project to the lowest responsible, responsive bidder, based upon the receipt of formal sealed bids, in a total amount not to exceed \$1,500,000 for the three (3) year period.

D. Rejection of all other bids received for the **On-Call Vegetation Removal** project and direction that securities accompanying said bids shall be returned to the respective bidders.

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

A. Finally resolve bid protests in connection with this project pursuant to Port's Purchasing Ordinance.

B. Award a contract to the lowest responsible, responsive bidder, for the **On-Call Vegetation Removal** project, in a total aggregate amount not to exceed \$1,500,000 for the three (3) year period.

C. If no acceptable bids are received, the Executive Director is authorized to reject all bids, and negotiate and execute a contract for **On-Call Vegetation Removal** based on the receipt of informal proposals, in a total aggregate amount not to exceed \$1,500,000 for the three (3) year period.

SECTION 4. The Board further finds that:

A. The Director of Engineering or his designee is authorized to approve the project manual and plans for the **On-Call Vegetation Removal** project in advance of construction, pursuant to Government Code Section 830.6.

B. The Secretary of the Board is hereby authorized to advertise for four consecutive days in the official newspaper of the City of Oakland for sealed bids for the project, not less than ten calendar days prior to the date set for receiving said bids.

C. 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.

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

SECTION 5. 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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review and clearance is needed.

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).

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ONE OR MORE CONSULTANTS TO PROVIDE FOR ON-CALL CRANE RELATED STRUCTURAL INSPECTION AND MATERIAL TESTING SERVICES FOR PORT OF OAKLAND OWNED CONTAINER CRANES, AT A COMBINED MAXIMUM COST OF \$1,200,000 FOR A CONTRACT PERIOD NOT TO EXCEED THREE (3) YEARS.

WHEREAS, the Board has reviewed and evaluated the Agenda Report Item No. 6.5 dated July 11, 2019 ("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 an agreement with one or more consultants for **On-Call Crane Related Structural Inspection and Material Testing for Port of Oakland Container Cranes ("On-Call Crane Inspection Services")** 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 one or more consultants.

SECTION 2. The Board hereby:

A. Approves an Agreement with one or more consultants to provide **On-Call Crane Inspection Services**, based on the standard RFQ/RFP process in accordance with Port Ordinance 4321 for a combined maximum compensation of \$1,200,000 for a maximum contract period not to exceed three (3) years and subject to additional material terms and conditions as further described in the Agenda Report.

B. Authorizes the Executive Director to (i) execute such Agreement(s), 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(s) 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. 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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review is needed.

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.

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ONE OR MORE CONSULTANTS TO PROVIDE FOR ON-CALL CRANE RELATED ENGINEERING SERVICES INCLUDING URGENT AND EMERGENCY WORK FOR PORT OF OAKLAND CONTAINER CRANES, AT A COMBINED MAXIMUM COST OF \$625,000 FOR A CONTRACT PERIOD NOT TO EXCEED FIVE YEARS.

WHEREAS, the Board has reviewed and evaluated the Agenda Report Item No. 6.5 dated July 11, 2019 ("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 an agreement with one or more consultants for **On-Call Crane Related Engineering Services Including Urgent and Emergency Work for Port of Oakland Container Cranes** ("On-Call Crane Engineering Services") 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 one or more consultants.

SECTION 2. The Board hereby:

A. Approves an Agreement with one or more consultants to provide **On-Call Crane Engineering Services**, based on the standard RFQ/RFP process in accordance with Port Ordinance 4321 for a combined maximum compensation of \$625,000 for a maximum contract term not to exceed five (5) years and subject to additional material terms and conditions as further described in the Agenda Report.

B. Authorizes the Executive Director to (i) execute such Agreement(s), 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(s) 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. 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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review is needed.

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.

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ONE OR MORE CONSULTANTS TO PROVIDE FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) PROGRAMMING AND DEVELOPMENT SERVICES, AT A COMBINED MAXIMUM COST OF \$1,200,000 FOR A CONTRACT PERIOD NOT TO EXCEED FIVE YEARS.

WHEREAS, the Board has reviewed and evaluated the Agenda Report Item No. 6.5 dated July 11, 2019 ("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 an agreement with one or more consultants for **On-Call Geographic Information System (GIS) Programming and Development Services (On-Call GIS Services"**) 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 one or more consultants.

SECTION 2. The Board hereby:

A. Approves an Agreement with one or more consultants to provide **On-Call GIS Services**, based on the standard RFQ/RFP process in accordance with Port Ordinance 4321 for a combined maximum compensation of \$1,200,000 for an initial contract period not to exceed three (3) years, with up to two (2) one-year extensions for a maximum contract term not to exceed five (5) years and subject to additional material terms and conditions as further described in the Agenda Report.

B. Authorizes the Executive Director to (i) execute such Agreement(s), 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(s) 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. 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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review is needed.

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.

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH AECOM TECHNICAL SERVICES INC., C&S COMPANIES, AND ROMBOLL US CORPORATION TO PROVIDE FOR ON CALL AIR QUALITY CONSULTING SERVICES, AT A COMBINED MAXIMUM COST OF \$1,200,000 FOR A CONTRACT PERIOD NOT TO EXCEED FIVE YEARS.

WHEREAS, the Board has reviewed and evaluated the Agenda Report Item No. 6.5 dated July 11, 2019 ("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 an agreement with AECOM Technical Services, Inc. ("AECOM"), C&S Companies ("C&S"), and Ramboll US Corporation ("Ramboll") for **On Call Air Quality Consulting Services** 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 AECOM, C&S, and Ramboll.

SECTION 2. The Board hereby:

A. Approves an Agreement with AECOM, C&S, and Ramboll to provide **On Call Air Quality Consulting Services**, based on the standard RFQ/RFP process in accordance with Port Ordinance 4321 for a combined maximum compensation of \$1,200,000 for a maximum contract term not to exceed five (5) years and subject to additional material terms and conditions as further described in the Agenda Report.

B. Authorizes the Executive Director to (i) execute such Agreement(s), 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(s) 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. 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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review is needed.

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.

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ONE OR MORE CONSULTANTS TO PROVIDE FOR ON-CALL WATER AND WASTEWATER ENGINEERING SERVICES, AT A COMBINED MAXIMUM COST OF \$1,500,000 FOR A CONTRACT PERIOD NOT TO EXCEED THREE (3) YEARS.

WHEREAS, the Board has reviewed and evaluated the Agenda Report Item No. 6.5 dated July 11, 2019 ("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 an agreement with one or more consultants for **On-Call Water and Wastewater Engineering Services** 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 one or more consultants.

SECTION 2. The Board hereby:

A. Approves an Agreement with one or more consultants to provide **On-Call Water and Wastewater Services**, based on the standard RFQ/RFP process in accordance with Port Ordinance 4321 for a combined maximum compensation of \$1,500,000 for a maximum contract term not to exceed three (3) years and subject to additional material terms and conditions as further described in the Agenda Report.

B. Authorizes the Executive Director to (i) execute such Agreement(s), 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(s) 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. 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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review is needed.

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.

BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXTEND THE ON-CALL WATER AND WASTE WATER ENGINEERING SERVICES AGREEMENTS WITH MOTT MACDONALD, LLC, WRECO AND SCHAAF & WHEELER CONSULTING CIVIL ENGINEERS FOR ONE (1) YEAR.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.5 dated July 11, 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 Water and Waste Water Engineering Services at the Port of Oakland, ("On-Call Water and Waste Water Services")**, with contracts thereafter executed with Mott MacDonald, LLC ("Mott"), WRECO, and Schaaf & Wheeler Consulting Civil Engineers ("S&W") for a current maximum combined contract expenditure limit of \$2,900,000 and current expiration dates ranging from September 26, 2019 to October 10, 2019; and

WHEREAS, it is desirable at this time to extend the agreements for **On-Call Water and Waste Water 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 Water and Waste Water 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 Mott, WRECO and S&W agreements.

SECTION 2. The Board hereby approves the following:

A. Extend the **On-Call Water and Waste Water Services** project for one (1) year, with contract dates expiring no later than October 10, 2020.

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

A. Execute an amendment(s) of the **On-Call Engineering Design Services** contract(s) with Mott, WRECO and S&W to extend the agreements for one (1) year.

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. When specific activities that will be performed under this contract are identified, staff will determine at that time whether additional CEQA review is needed.

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).