

**BOARD OF PORT COMMISSIONERS  
 CITY OF OAKLAND**

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO  
 EXTEND AN AGREEMENT WITH THE SAN FRANCISCO BAY AREA  
 RAPID TRANSIT DISTRICT (BART) TO PROVIDE BUS BRIDGE  
 TRANSIT SERVICE FOR A TERM UP TO DECEMBER 31, 2024.**

**WHEREAS**, the Board of Port Commissioners ("Board"), has reviewed and evaluated the Agenda Report Item 2.1, dated November 21, 2019 ("Agenda Report") and related materials, has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; now, therefore, be it

**RESOLVED**, that the Board hereby approves the terms and conditions of an extension of the agreement with the San Francisco Bay Area Rapid Transit District ("BART") to provide bus bridge transit service between mainline BART station(s) and Oakland International Airport upon request by BART or its contract operator Doppelmayr Cable Car, at the hourly rates set forth below, through a maximum term to December 31, 2024, subject to cancellation by either party with 30-day notice, as more fully described and set forth in the Agenda Report; and be it

**FURTHER RESOLVED**, that the hourly rates for the bus bridge transit service shall be as follows:

**BART Bus Bridge Rates<sup>1</sup>**

<u>Service Scenario</u>	Regular	Holiday
	Day <u>Hourly Rates</u>	<u>Hourly Rates</u>
<u>One-Bus Operation</u>		
Fee per First Hour	\$ 168	\$ 243
Fee per Add'l Hour	\$ 119	\$ 177
<u>Two-Bus Operation</u>		
Fee per First Hour	\$ 248	\$ 387
Fee per Add'l Hour	\$ 203	\$ 297

<sup>1</sup> Rates include actual costs for labor, overhead, maintenance and fuel. Rates shall be adjusted on January 1 of each year during the extension term. The rate adjustment shall be based on Consumer Price Index (CPI) as published by US Bureau of Labor Statistics for the San Francisco Bay Area for the previous 12-month period.

**FURTHER RESOLVED**, that the Board hereby authorizes the Executive Director to execute such extension agreement, subject to review and approval as to form and legality by the Port Attorney; and be it

**FURTHER RESOLVED**, that this resolution is not evidence of and does not create or constitute (a) a contract(s), 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 in accordance with the terms of this resolution. Unless and until a separate written agreement 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 the other contracting party, there shall be no valid or effective agreement; and be it

**FURTHER RESOLVED**, that in acting upon the matters contained herein, 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 materials and in testimony received.

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