

## BOARD OF PORT COMMISSIONERS CITY OF OAKLAND

RESOLUTION APPROVING AND AUTHORIZING THE PROJECT BUDGET OF \$1,336,000 FOR DESIGN OF PAVEMENT REHABILITATION AT OAKLAND INTERNATIONAL AIRPORT AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A SECOND SUPPLEMENTAL AGREEMENT WITH ORION ENGINEERS AND ASSOCIATES FOR ENGINEERING DESIGN SERVICES FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$1,424,000 FOR CONSULTANT SERVICES ON THE AIRPORT DRIVE/BESSIE COMLEMAN DRIVE, TAXIWAY BRAVO, TAXIWAY VICTOR, AND TAXIWAY ROMEO (EASTERN) PAVEMENT REHABILITATION PROJECTS AT OAKLAND INTERNATIONAL AIRPORT.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated the Agenda Report Item 6.1 dated November 21, 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, pursuant to Board Resolution 18-113 dated October 25, 2018, the Port entered into a professional services agreement with RHWR Partners, PLLC doing business as Orion Engineers and Associates LLC ("Orion") for a five (5) year program of engineering design services for pavement rehabilitation services at Oakland International Airport; 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: Airport Drive/Bessie Coleman Drive; Taxiway Bravo (between Taxiway Whiskey and North Field Bridge); Taxiway Victor; Taxiway Romeo (Eastern); and general Aviation pavement program planning services (collectively referred to herein as the "OAK Pavement Projects") in an amount not to exceed \$1,336,000 including a \$200,000 contingency; and

B. The proposed supplemental agreement with **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 continue to secure such services from **Orion**.

**SECTION 2.** The Board hereby:

A. Authorizes project budget for design of the **OAK Pavement Projects** in an amount not to exceed \$1,336,000.

B. Authorizes the Executive Director of the Port ("Executive Director") to execute a second supplemental agreement with **Orion** for design of the **OAK Pavement Projects** in an additional amount not to exceed \$1,424,000, including a \$100,000 contingency for a total maximum compensation not to exceed \$3,381,000.

**SECTION 3.** The proposed actions to approve design project budget and execute a supplemental agreement were reviewed in accordance with the requirements of the California Environmental Quality Act ("CEQA") and CEQA Guidelines. Rehabilitating the pavement is categorically exempt from CEQA pursuant to the CEQA Guidelines Section 15301 Existing Facilities which exempts from CEQA the repair, maintenance, and minor alteration of existing structures and facilities that involve negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

**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. 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).