



# FOUR SEPARATE FOOD & BEVERAGE CONCESSION OPPORTUNITIES AT OAKLAND INTERNATIONAL AIRPORT

## ADDENDUM #4

**August 23, 2018**

**Update and Reminder:** This Addendum #4 is to update Respondents on the evaluation process and anticipated timeline of the review and approval process and a reminder of certain conditions of entering into a Space/Use Permit (also known as a Concessionaire Agreement). Please note that this Addendum is a courtesy update and reminder, but it neither commits the Port to any timeline or procedures described below nor obligates the Port to proceed with the selection of concessionaires.

The Port appreciates the significant creativity, resource and time put into the responses we have received. The Port is in the process of reviewing responses and anticipates holding interviews at the end of August and beginning of September, and seeking Board approval in October. Please note that as early as **September 14, 2018**, the Port may be issuing its notice of intended award, subject to Board approval, ("Award") and selected Respondents must then meet a deadline (of approximately two weeks from the Award) to return the executed Space/Use Permit to the Port ("Award Deadline").

Respondents are reminded of the requirement outlined in "Attachment 4: Statement of Adherence to Labor Peace Rule, which Rule provides that "[p]rior to entering into a Concessionaire Agreement, a Concessionaire shall enter into a Labor Peace Agreement with any Labor Organization that has requested such a Labor Peace Agreement." Only in the circumstance where a Labor Organization refuses to negotiate a Labor Peace Agreement or is placing conditions that are arbitrary and capricious may a Concessionaire request a hearing to be excused from the requirement by a decision of the Hearing Officer.

If and when a Respondent is selected pursuant to an Award, the selected Respondent must return the executed Space/Use Permit before or by the Award Deadline *together with* a copy of the required fully executed Labor Peace Agreement or, if excused, a copy of the Hearing Officer decision excusing the Respondent. In the event a selected Respondent fails to deliver to the Port the executed Space/Use Permit, along with the evidence of compliance with the Labor Peace Rule, by the Award Deadline, the Port may, at its sole discretion, award the Space/Use Permit to the next highest ranked Respondent.