



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: William F. Sherry, AAAE

SUBJECT: Master Consultant Agreement for
Acoustical Testing and Treatment

DATE: October 29, 2007

Approved

Date

11/2/07

COUNCIL DISTRICT: City-Wide
SNI AREA: N/A

RECOMMENDATION

Approval of a master agreement with Charles M. Salter Associates, Inc., for consultant services related to sound attenuation and treatment of dwelling units located within the Airport Noise Impact Area in an amount not to exceed \$2,370,000 for the period November 20, 2007 to December 31, 2010.

OUTCOME

The proposed master agreement will allow Charles M. Salter Associates, Inc. to:

- a) Perform acoustical testing and treatment of dwelling units identified as Category 3 in the Airport Master Plan, located within the Airport Noise Impact Area;
- b) Perform acoustical design and construction administration of dwelling units identified as Category 1B in the Airport Master Plan, located within the Airport Noise Impact Area that did not participate in the original offer to treat and have since elected to participate in a final "clean-up" group; and
- c) Perform acoustical design and construction administration of dwelling units located within the Reid Hillview Airport Noise Impact Area, subject to approval of an agreement with Santa Clara County to perform the acoustical treatment work.

BACKGROUND

On March 3, 1998, the City Council adopted the Airport Master Plan, which included a supplemental noise attenuation program as part of the Acoustical Treatment Program (ACT) for dwelling units between the 63.5 community noise equivalent level (CNEL) and the 60 CNEL. This area was identified as Category 3. Interior noise tests were to be conducted on a

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homeowner request basis. Dwelling units testing above 45 decibels (dB) were eligible for noise attenuation in accordance with established ACT Program criteria. To date, the ACT Program has tested over 900 dwelling units in Category 3 and treated 15 dwelling units.

In April 2001 the Airport reported to Council that the 65 CNEL contour had expanded to the Guadalupe/Washington area of San Jose thus requiring the Airport to update its Noise Exposure Map. This expanded area was identified as Category 1B. There were approximately 1300 dwelling units identified as eligible in this expanded area. To date the ACT Program has treated approximately 970 dwelling units in this area. The remaining 330 dwelling units, which elected not to participate or voluntarily withdrew from the Program, will make up the "clean-up" group. Additionally there are approximately 40 dwelling units in the original Category 1 primarily located in the City of Santa Clara that will also be included in the "clean-up" group.

In late 2006 the County of Santa Clara Roads and Airports Department contacted the ACT Program with a request that the ACT Program provide services to acoustically treat a small number of dwelling units locate within the Reid Hillview Noise Impact Area. If an agreement is approved with the County, the City would be reimbursed by the County for these services.

ANALYSIS

In June 2007 a Request for Qualifications (RFQ) was advertised for a consultant to perform acoustical and architectural consulting services for the ACT Program. The City's agreement with the previous acoustical consultant expired in December 2006 and the agreement with the current architectural consultant will expire in June 2008. Two qualified firms submitted a Statement of Qualifications (SOQ). Charles M. Salter & Associates, Inc and Landrum & Brown participated in the RFQ process. A panel, made up of three Airport Managers and a Financial Analyst, evaluated the SOQ submittals based on the information requested in the RFQ. There were eight comprehensive questions, including the point values, which were part of the RFQ given to each proposer.

The four primary criteria areas were; Overall Approach for Delivery of Services, Recent Experience, Resources and Specific Sub-Consultants to be used. The SOQ was reviewed by each panel member and graded according to the point values assigned. The SOQ had a possible total of 66 points. The interview portion of the evaluation had eight questions focusing on maintaining our "Good Neighbor" Policy, Deployment of Resources and Acoustical Treatment of Historical Properties. The interview questions had a possible total of 20 points. After the interview each panelist submitted their final evaluation; Charles M. Salter & Associates, Inc scored 96.4 and Landrum & Brown scored 91.4. Because of the federal funding restrictions, neither firm received local/small business preference. The Panel determined that Charles M. Salter Associates, Inc. was the best choice because of their knowledge of local acoustical issues, the ACT Program's unique approach and the varied neighborhood characteristics within the Noise Impact Area.

The proposed master agreement with Charles M. Salter Associates, Inc. will provide Consultant services that will be authorized by separate task order, as they are required. The general types of services that the Consultant will provide under the agreement include: necessary services to

continue testing through 2010, architectural design and construction administration and acoustical treatment services, and services for the County dwelling units. Any task order for the County dwelling units will be subject to approval of an agreement between the City and the County for such services which will also be considered by the City Council on the same agenda on November 20, 2007.

EVALUATION AND FOLLOW-UP

Performance measures for this agreement will be as follows;

- a) Testing will be on homeowner request basis. This measure will vary with the number of inquiries received and acoustical tests performed annually, during the term of the agreement; and
- b) The homeowners of approximately 370 dwelling units will receive a final offer to acoustically treat their property. The total number of responses received, as a result of the final offer letter will provide the measure for the "clean-up" group.

POLICY ALTERNATIVES

Not Applicable

PUBLIC OUTREACH/INTEREST

Under Criterion 2 below, a final offer letter was sent to approximately 370 properties, which included properties located in the city of Santa Clara. Additionally, the County and ACT Program will conduct joint Public Outreach for the owners of the properties located within the Reid Hillview Noise Impact Area.

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

These modes of notification should only supplement outreach efforts undertaken or are planned to be undertake. Additional outreach should be noted as a result of the determination that the item was of "Significant Public Interest".

COORDINATION

This memo has been coordinated the City Attorney's office and the City Manager's Budget Office.

FISCAL/POLICY ALIGNMENT

This project is consistent with the Council-approved Budget Strategy to continue to mitigate the noise impact from Airport operations in order to enhance the community livability.

COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

Project Delivery	
Construction (if applicable)	\$2,370,000
Contingency (if applicable)	
Total Project Costs	\$2,370,000

2. COST ELEMENTS OF AGREEMENT/CONTRACT:

This section shall reflect the cost or price elements as identified in the Compensation Schedule of the agreement/contract (below are sample elements).

Design and Construction Contract Administration – Noise	\$1,500,000
Attenuation Category IB Clean Up Group	
Noise Attenuation Testing – Category III	60,000
Design and Noise Treatment – Category III	705,000
Reid Hillview Noise Treatment Program	105,000
TOTAL AGREEMENT/CONTRACT AMOUNT	\$2,370,000

3. SOURCE OF FUNDING:

- Fund 527 – Airport Replacement and Renewal Fund
- Fund 529 – Passenger Facility Charges Fund

4. FISCAL IMPACT: This project does not have associated maintenance and operating cost and has no fiscal impact on future years.

BUDGET REFERENCE

The table below identifies the fund and appropriations proposed to fund the contract(s) recommended as part of this memo and remaining project costs, including project delivery, construction, and contingency costs.

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Fund #	Appn #	Appn. Name	RC #	Total Appn	Amt. for Contract	2007-2008 Adopted Budget (Page)	Last Budget Action (Date, Ord. No.)
Remaining Project Costs					2,370,000		
Current Funding Available							
529	4070	Noise Attenuation Treatment Category IB		7,619,000	1,500,000	V-966	
529	6859	Noise Attenuation Treatment Category II/III		588,000	524,000	V-967	
527	4136	Noise Attenuation Testing Category III		33,000	32,000	V-965	
527	New	Reid Hillview Noise Treatment Program		500,000	105,000		
Total Current Funding Available				8,740,000	2,161,000		
Funding in Future Years							
529	6859	Noise Attenuation Treatment Category II/III		201,000	181,000	V-967	
527	4136	Noise Attenuation Testing Category III		28,000	28,000	V-965	
Total Funding in Future Years				229,000	209,000		
Total Funding for Projects				8,969,000	2,370,000		

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CEQA

Resolutions No. 67380 and 71451, File No. PP07-225.



William F. Sherry, AAE
Director of Aviation

For questions please contact Bert Beattie, ACT Program Manager at 408-501-7778