



COUNCIL AGENDA: 6/17/08
ITEM: 2.3

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: William F. Sherry, A.A.E.

SUBJECT: See Below

DATE: 5/27/08

Approved

Date 5/30/08

COUNCIL DISTRICT: City-Wide

**SUBJECT: APPROVAL OF CONSULTANT AGREEMENT WITH JACOBS
CONSULTANCY INC. FOR AIRPORT AIRSPACE AND AIRFIELD
ANALYSIS SERVICES**

RECOMMENDATION

Approval of a Consultant Agreement with Jacobs Consultancy Inc. for airspace and airfield analysis services at the Norman Y. Mineta San Jose International Airport (Airport) in an amount not to exceed \$200,000 and for the term of July 1, 2008 to June 30, 2011.

OUTCOME

Approval of the proposed agreement will provide continuity for ongoing and as-needed specialized airspace and airfield analysis expertise for Airport operation and development.

BACKGROUND

The City has historically procured technical consultant services for various facility and regulatory compliance studies related to the operation and development of the Airport. Most notably, the ongoing Airport Obstruction Study, initiated in January 2006 to assess the compatibility of aircraft operations and high-rise building development in the Airport vicinity, primarily in downtown San Jose, has required very specialized technical consultant services. These specialized services are required for analyzing Federal Aviation Administration (FAA) and airline criteria for airspace protection, and integrating those criteria with a parcel-specific land use database. The study is currently awaiting completion pending the outcome of the Validation/Alternatives study being conducted by the San Jose Silicon Valley Chamber of Commerce and San Jose Downtown Association (partially funded by the Airport and Redevelopment Agency). However, the need for ongoing and as-needed technical assistance on airspace and airfield facility issues, including implementing and updating the findings and recommendations of the Airport Obstruction Study, will continue.

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The specialized technical work for the Airport Obstruction Study has been provided by subconsultants under the current Consultant Agreement with David J. Powers & Associates, Inc. for Airport environmental services. This Agreement is due to expire on June 30, 2008. Consistent with San Jose Municipal Code Section 4.12.210, which requires the City to engage in a competitive procurement on all professional services contracts with a payment amount exceeding \$10,000, the Administration committed to conduct a new consultant selection process both for Airport environmental analyses and airspace/airfield analyses to ensure that the needed services would continue to be provided by the most qualified firm available. A separate new Consultant Agreement for Airport environmental analysis services was approved by Council on April 29, 2008.

Typical ongoing or as-needed airspace and airfield services include: (a) calculating building height limits under FAA imaginary surface and obstruction clearance criteria, plus (where applicable) airline One Engine Out (OEI) criteria for specific sites in the Airport vicinity; (b) providing technical assistance on utilizing and updating the City's airspace/land use Geographic Information System (GIS) database being completed under the ongoing Airport Obstruction Study, including expanding the data for areas outside downtown San Jose; (c) providing guidance and technical assistance on airfield facility and capacity issues; (d) preparing or updating Airport Layout Plan technical drawings required by the FAA; (e) researching regulatory or policy issues related to local airspace or airfield operation; and (f) coordinating with the FAA, airlines, and other Airport or community stakeholders on airspace and airfield issues..

ANALYSIS

The procurement of a new agreement for Airport airspace and airfield consultant services has been conducted in accordance with the City's Qualifications Based Consultant Selection Policy. A Request for Qualifications (RFQ) was issued on January 30, 2008. A notice of RFQ availability was advertised nationwide in the on-line publications of the Airport Consultants Council (ACC) and the Airports Council International – North America (ACI-NA), and the RFQ was placed on the Airport's public website bulletin board where it remained until the closing date of March 12, 2008.

As few aviation planning and engineering firms possess all the technical qualifications required by the City, particularly regarding airline OEI analyses and airspace/land use database integration, only one Statement of Qualifications (SOQ) was received. However, the SOQ was from a team led by the firm of Jacobs Consultancy Inc. that offers both the broad and specialized services required.

Jacobs Consultancy Inc. and one of its proposed subconsultants, Ricondo & Associates, are the technical consultants that have been working on the ongoing Airport Obstruction Study for the City. Another proposed subconsultant, Planning Technology Inc., is the prime technical consultant that has been working for the San Jose Silicon Valley Chamber and Downtown Association on their Airport Obstruction Validation/Alternatives Study. A third proposed subconsultant, Jacobs Carter Burgess, currently provides on-call airfield and GIS services to the Airport. Management of the project would be provided by Jacobs Consultancy's Bay Area office and all key personnel have specific experience working on Airport projects.

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Staff has proceeded with preparation of a Consultant Agreement with Jacobs Consultancy Inc. Approval and execution of the proposed Consultant Agreement will allow for a seamless continuation of the ongoing and as-needed airspace and airfield analysis services that are critical to Airport operation and development.

POLICY ALTERNATIVES

Alternative: Amend one of the City's existing consultant agreements for Airport-specific analytical services rather than proceeding with a new agreement.

Pros: Potentially allows continuation of all the technical services as provided under a new agreement.

Cons: Negates the benefits of conducting a competitive process to ensure the best available firm, or team of firms, is providing the needed services.

Reason for not recommending: Amending an existing agreement to augment the scope of work, extend the term, and increase compensation would be inconsistent with City policy to conduct competitive processes for consultant services.

PUBLIC OUTREACH

- Criteria 1:** Requires Council action on the use of public funds equal to \$1million or greater. **(Required: Website Posting)**
- Criteria 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)**
- Criteria 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)**

The above criteria do not apply to the proposed agreement.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office and the City Manager's Budget Office.

FISCAL/POLICY ALIGNMENT

The consultant services covered under this Agreement support the ongoing operation and development of the Airport, consistent with the goals and policies of the City General Plan and Airport Master Plan. This project is also consistent with the Guiding Principles for Budget and Financial Management (Document: Mayor's 2006-2007 Revised June Budget Message, p. 9) to "Preserve our options for the future as much as possible".

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COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION: \$200,000
2. COST ELEMENTS OF AGREEMENT:
Professional Services \$200,000
TOTAL AGREEMENT AMOUNT: \$200,000
3. SOURCE OF FUNDING: 527 – Airport Renewal and Replacement Fund
4. FISCAL IMPACT: The amended agreement will have no adverse impact on the General Fund operating budget.

BUDGET REFERENCE*

Fund #	Appn. #	Appn. Name	Total Appn. 2008-2009	Amt. for Contract	2008-2009 Adopted Budget Page	Last Budget Action (Date, Ord. No.)
527	4007	Advanced Planning	\$671,000	\$200,000	V-787	N/A
		Total	\$671,000	\$200,000		

* The 2008-2009 Capital Budget and the implementing appropriation ordinance are anticipated to be approved by Council on June 24, 2008.

CEQA

Resolution Nos. 67380 and 71451, PP 08-072.


for WILLIAM F. SHERRY, A.A.E.
Director of Aviation
Airport Department

Please direct questions to William Sherry, Director of Aviation, 501-7669.