

RESOLUTION NO. 73184

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF AVIATION TO NEGOTIATE AND EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT WITH CARTER & BURGESS, INC. FOR CONSULTANT DESIGN SERVICES RELATED TO THE AIRLINE MAINTENANCE FACILITY PROJECT, ADDING DESIGN SERVICES FOR THE TERMINAL A IN-LINE BAGGAGE AND SCREENING FACILITY, INCREASING THE COMPENSATION BY \$629,500 FOR A TOTAL AGREEMENT AMOUNT NOT TO EXCEED \$1,379,500 AND EXTENDING THE TERM FROM DECEMBER 31, 2007 TO JUNE 30, 2009**

**WHEREAS**, to accommodate security baggage screening requirements that could not be accommodated within the existing terminal facilities, the Transportation Security Agency ("TSA") built three temporary baggage-screening areas ("pods") at the Norman Y. Mineta San Jose International Airport ("Airport"); and

**WHEREAS**, the pods are extremely labor intensive to operate, cost each of the airlines in excess of approximately one million dollars to operate annually, and can result in delays during peak periods; and

**WHEREAS**, the TSA contracted with the architectural design firm of Carter & Burgess, Inc. ("Carter & Burgess") to design an In-Line Baggage Screening Facility at Terminal A; and

**WHEREAS**, TSA retained Carter & Burgess to develop the project to a 30% design development level, but has been unsuccessful in identifying additional funding for the project; and

**WHEREAS**, in March 2006, the Federal Aviation Administration (“FAA”) agreed to fund the completion of the In-Line Baggage Facility design using Airport Improvement Program grant funds if all of the funding is expended by August 31, 2006; and

**WHEREAS**, on December 14, 2004 the City Council approved an agreement with Carter & Burgess for architectural consultant services related to the Airline Maintenance Facility project; and

**WHEREAS**, at the 30% development stage, the Airport determined that the Airline Maintenance Facility project is not economically feasible and suspended further work on the project; and

**WHEREAS**, utilization of this existing contract with a consultant familiar with the project, will allow the City to preserve eligibility for the FAA grant funds by meeting the timing conditions for the grant, as stipulated by the FAA;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The Director of Aviation is hereby authorized to negotiate and execute the first amendment to the agreement with Carter & Burgess, Inc. for consultant design services related to the Airline Maintenance Facility project, adding design services for the Terminal A In-Line Baggage Security Screening Facility, increasing the compensation by \$629,500 from \$750,000, for a total agreement amount not to exceed \$1,379,500, and extending the term of the agreement from December 31, 2007 to June 30, 2009.

ADOPTED this 23<sup>rd</sup> day of May, 2006, by the following vote:

AYES: CAMPOS, CHAVEZ, CHIRCO, CORTESE, LeZOTTE,  
NGUYEN, PYLE, WILLIAMS, YEAGER; GONZALES

NOES: NONE

ABSENT: REED

DISQUALIFIED: NONE

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RON GONZALES  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk