

**Public Works  
CITY OF AUSTIN**

**AGENDA** #27  
**DATE: 4/20/2006**

**RECOMMENDATION FOR  
COUNCIL ACTION**

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**Subject:** Authorize negotiation and execution of an amendment to the professional services agreement with THC, INC., Duluth, GA, for consultant services for the Austin-Bergstrom International Airport Noise Mitigation Program to authorize two one-year extension options, and to increase the total amount authorized to be expended under the agreement by an amount not to exceed \$2,850,000 for a total contract amount not to exceed \$8,100,000.

**Amount and Source of Funding:** Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Aviation Department using airport funds and available Federal Aviation Administration (FAA) Grant.

**Fiscal Note:** A fiscal note is attached.

**Requesting Department:**

**For More Information:**

**Prior Council Action:** 09/09/99 – Approval of Federal Aviation Regulations (FAR) Noise Study; 08/23/01 – Approval to negotiate and execute a professional services agreement with Cinnabar Services; 10/24/2002 – Approval to negotiate and execute a professional services agreement with THC, Inc.

**Boards and Commission Action:** Recommended by the Austin Airport Advisory Commission.

**MBE/WBE:** The recommended firm provided a 26.7% DBE subconsultant participation plan. To date, the DBE participation is 27%.

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In 1994, the City of Austin Department of Aviation completed a Federal Aviation Regulation (FAR) Part 150 Noise Study in preparation for the 1999 opening of the Austin-Bergstrom International Airport (ABIA). This study was designed to determine noise impacts associated with the new airport. In 1998 an update of the Noise Study was initiated in order to quantify the noise impacts associated with expanded passenger services and changes in aircraft fleet mix. As part of the Noise Study Update, Noise Exposure Maps (NEMs) were developed to depict noise exposure within the Airport vicinity.

In addition to the NEMs, an updated Noise Compatibility Program (NCP), also known as the Noise Mitigation Program, was developed that evaluated and recommended various operational noise abatement and land use mitigation measures to reduce noise impacts and ensure land use compatibility within the airport vicinity. THC, Inc. was chosen as the Noise Support Services Consultant to assist the City in performing the land use mitigation measures recommended as part of the NCP.

Staff requested THC, Inc. perform a field verification of all eligible properties in the program. As a result of the field verification, it was determined that there were additional properties and/or improvements that were not originally identified in the Part 150. This resulted in additional services to be provided in order to comply with the Part 150 and federal regulations. The original Part 150 understated the effort required to complete the program.

In addition, feasibility studies performed on properties slated for sound attenuation indicated that acquisition was a more favorable mitigation measure. The City requested the FAA allow for an amendment to the existing Part 150 in order to modify the mitigation measure for three apartment complexes and a church. The FAA approved the Part 150 amendment in February 2004. This amendment has resulted in additional activities which include the relocation of an estimated 300 occupied units.

The Request for Qualifications (RFQ) and Professional Services Agreement (PSA) with THC, Inc. allowed for the modification, increase or decrease, of the initial scope of work.

Significant changes to the original scope of work and modification of mitigation measures for various parcels in the Noise Mitigation Program necessitate the increase of THC, Inc.'s contract amount in order to complete the remaining work on sites impacted by noise exceeding 65 DNL + dB contour. This increase will complete all work activities within the FAA funded portion of the current Program. No future amendments to THC's PSA will be necessary.

The PSA with THC, Inc. was executed in February 2003 for an initial term of four (4) years through February 2007, with an option to renew for up to two additional terms of one year each. Due to the volume of work remaining to be performed, the Aviation Department has determined that it will be necessary to exercise the two one-year extension options in order to complete the program without unnecessary interruption or delay. This action would extend THC's services through February 2009. Note that this Agreement is not a fixed price contract. Payment is made only for work performed by the consultant. ABIA is in the process of updating the current Part 150 Study. Any new activities identified with the new noise study will necessitate a new solicitation.

## CIP BUDGET FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:  
WHERE ON AGENDA:  
DEPARTMENT:

20-Apr-06  
Resolution  
Aviation

Description: Authorize negotiation and execution of an amendment to the professional services agreement with THC, INC., Duluth, GA, for consultant services for the Austin-Bergstrom International Airport Noise Mitigation Program to authorize two one-year extension options, and to increase the total amount authorized to be expended under the agreement by an amount not to exceed \$2,850,000 for a total contract amount not to exceed \$8,100,000.

### FINANCIAL INFORMATION:

Project Name:	Noise Competibility Program
Project Authorization:	2005-06 Capital Budget
Funding Source:	Airport Capital Fund
	Discretionary grants
Fund/Agency/Orgn:	4910-817-3102

Current Appropriation	\$	3,875,000
Unencumbered Balance		3,875,000
Amount of this Action		<u>(2,850,000)</u>
Available Balance	\$	1,025,000

Finance: \_\_\_\_\_

*Barbara Hyde*

Date: \_\_\_\_\_

*4-3-06*

### AUTHORIZATION HISTORY

<u>AMOUNT</u>	<u>DATE</u>	<u>DESCRIPTION</u>
N/A	09/09/99 (Council)	Approval of FAA Noise Study
\$6,250,000	08/23/01 (Council)	Approval of service agreement with Cinnabar Service Co. (later terminated)
\$5,250,000	10/24/2002	Approval of new service agreement with Terrell, Hundley & Carroll, Inc. (now known as THC, Inc.)
\$5,250,000	Total Authorization	(\$4,250,000 with two optional extensions of one year each in the amount of \$500,000 per extension)

### CONTRACT HISTORY

<u>AMOUNT</u>	<u>DATE</u>	<u>DESCRIPTION</u>
\$1,246,586.81	02/18/2003	WA #1 Acquisition, relocation, engineering & auction services for Linda Vista
\$2,470,011.91	02/18/2003	WA #2 – 2E Acquisition, relocation, engineering & auction services for Towery Lane, the apartment complexes, and other properties not included in WA #1
\$ 94,902.70	03/25/2003	WA #3 – 3A Designing & installing sound attenuation improvements to the United Pentecostal Church
\$ 19,991.11	04/21/2004	WA #4 Engineering and appraisal analysis of the feasibility of either sound insulating or purchasing the United Pentecostal Church
\$ 6,812.58	04/23/2003	WA #5 Add appraisal services previously performed by workforce
\$ 10,185.00	06/13/2003	WA #6 Environmental services performed associated with the sound insulation of United Pentecostal Church
<u>-0-</u>	02/09/2005	WA #7 Professional services relating to property management and maintenance of Sunscape Apartments (fees paid through rental income)
\$3,848,490.11	TOTAL CONTRACT EXPENDITURE	

Participation goals stated in the original approved compliance plan for the agreement were 26.7% DBE. Participation for this amendment:

<b><u>NON DBE TOTAL – PRIME</u></b>	<b><u>\$1,789,635.00</u></b>	<b><u>62.8%</u></b>
THC, Inc., Duluth, GA	\$1,789,635.00	62.8%

<b><u>DBE TOTAL – SUBCONSULTANTS</u></b>	<b><u>\$958,230.00</u></b>	<b><u>33.6%</u></b>
(FR) Spitzer & Associates, Austin, TX (real estate services)	\$202,200.00	7.1%
(MH) Macias & Associates, Austin, TX (surveying)	\$148,610.00	5.2%
(FR) Atrium Real Estate Services, Austin, TX (real estate appraisal services)	\$112,310.00	3.9%
(FR) Hill Country Environmental, Inc., Austin, TX (environmental services)	\$106,810.00	3.8%
(FR) Baer Engineering & Environmental, Austin, TX (environmental services)	\$388,300.00	13.6%

<b><u>NON DBE TOTAL – SUBCONSULTANTS</u></b>	<b><u>\$102,135.00</u></b>	<b><u>3.6%</u></b>
J.L. Craft & Associates, Inc., Austin, TX (real estate appraisal services)	\$59,785.00	2.1%
The Aegis Group, Inc., Austin, TX (real estate appraisal services)	\$42,350.00	1.5%

Overall participation for the entire project, including this amendment:

**PRIME:**  
58.07% Non DBE.

**SUBCONSULTANTS:**  
18.20% DBE; and 13.73% Non DBE.

**TOTAL:**  
18.20% DBE; and 71.80% Non DBE.

**AUSTIN AIRPORT ADVISORY COMMISSION**  
**Record of Action**

**DATE:** April 11, 2006

**AGENDA ITEM: 5 g)** Approval of RCA – Authorize negotiation and execution of an amendment to the professional services agreement with THC, INC., Duluth, GA, for consultant services for the Austin-Bergstrom International Airport Noise Mitigation Program to authorize two one-year extension options, and to increase the total amount authorized to be expended under the agreement by a amount not to exceed \$2,850,000 for a total contract amount not to exceed \$8,100,000.

**MOTION BY:** Carolyn Lowe

**SECOND BY:** Richard Hatfield

**MOTION:** To approve

MEMBER'S NAME	FOR	AGAINST	ABSTAIN	ABSENT
Richard Hatfield	X			
Bradford Hughes				X
Carolyn Lowe	X			
Scott Madole	X			
Hannah Riddering	X			
Phil Williams	X			
<b>TOTALS:</b>	<b>For: 5</b>	<b>Against: 0</b>	<b>Abstain: 0</b>	<b>Absent: 1</b>

**RECORDED BY:** Richard Hatfield