



REPORT TO THE CITY COUNCIL

AGENDA ITEM NO.	1 A
COUNCIL MEETING	11/3/11
APPROVED BY	
DEPARTMENT DIRECTOR	<i>Russell C. Widmar</i>
CITY MANAGER	

November 3, 2011

FROM: RUSSELL C. WIDMAR, AAE
Director of Aviation

SUBJECT: AMENDMENT NO. 1 TO THE PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH DALE RUTHERFORD, AIA, FOR ADDITIONAL DESIGN, CONSTRUCTION MONITORING AND PROJECT ADMINISTRATION SERVICES REQUIRED FOR THE REBID AND ACOUSTIC TREATMENT OF 149 HOMES IN PHASE 14, BID GROUP 22 OF THE FRESNO YOSEMITE INTERNATIONAL AIRPORT SOUND MITIGATION ACOUSTICAL REMEDY TREATMENT PROGRAM IN AN AMOUNT NOT TO EXCEED \$46,950

RECOMMENDATION

It is recommended that the City Council authorize the Director of Aviation to execute Amendment No. 1 to the agreement between the City and Dale Rutherford, AIA (Rutherford) in an amount not to exceed \$46,950 for additional design, construction monitoring and project administration services required for the rebid and acoustic treatment of 149 homes (Project) under the Fresno Yosemite International Airport (FYI) Sound Mitigation Acoustical Remedy Treatment (SMART) Program, Phase 14, Bid Group 22.

EXECUTIVE SUMMARY

On October 1, 2009, Council approved an agreement with Rutherford in the amount of \$775,000 to provide professional consulting services for design, construction monitoring and project administration for the acoustic treatment of 250 homes in the SMART Program. Amendment No. 1 will increase the total compensation under the Agreement to a not to exceed amount of \$821,950. The additional scope of work will compensate Rutherford for, (i) revising the Project plans and specifications to conform to Hearing Officer recommendations, (ii) providing additional tasks necessary to rebid the Project, and, (iii) providing additional Project monitoring activities during construction.

BACKGROUND

The design and acoustic treatment of the homes were split into two bid groups in order to accommodate timing the receipt of Federal Aviation Administration (FAA) grant funding. The acoustic treatment of 101 homes under Phase 13, Bid Group 22 was designed, bid and awarded in 2010 and construction was completed in January 2011. Design of Phase 14 Bid Group 22 for acoustic treatment of 149 homes was completed in early 2011 and bids for construction were opened on March 24, 2011. Staff determined the low bidder to be the apparent lowest responsive and responsible bidder. However, following a bid appeal by the second low bidder, the Hearing Officer recommended that the City reject all bids, modify the plans and specifications and rebid the Project. On July 28, 2011, Council approved the recommendation to reject all bids.

Amendment No. 1 is necessary to support the rebidding effort and provide required monitoring of certain construction activities related to the handling of potential hazardous material. The FAA concurs with this recommendation.

The FYI SMART program is part of a FAA approved Part 150 Noise Compatibility Program (NCP) that provides funding to reduce interior noise levels in homes located within a designated noise impacted area around FYI. To date, the SMART Program has successfully improved the interior quality of life at 1012 homes in the vicinity of FYI through the installation of acoustic windows and doors, noise-reducing baffles, and insulation at no cost to the homeowner.

FISCAL IMPACT

Funding for this Project is provided by FAA Airport Improvement Program grant funds (95%), Measure C Regional Transportation Program funds (5%), and is included in the FY 2012 Adopted Budget. There is no impact to the General Fund from this action.