



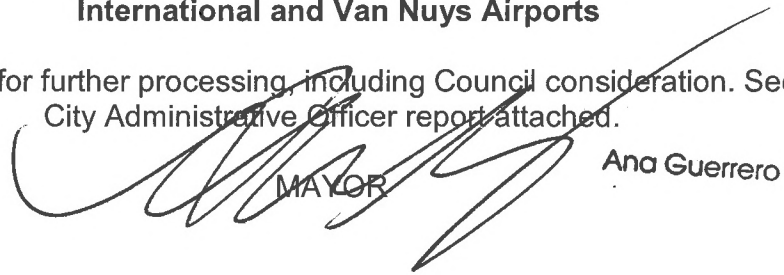
0150-09595-0002

**TRANSMITTAL**

TO Justin Erbacci, Interim Chief Executive Officer Department of Airports	DATE <b>MAY 28 2020</b>	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT 6, 11	

**Request to Approve a Second Amendment to Contract with EMS Brüel & Kjaer, Inc. to Extend the Time of Performance and Add \$825,335 in Additional Contract Authority to Continue Maintenance and Support of An Aircraft Noise and Operations Monitoring System at the Los Angeles International and Van Nuys Airports**

Transmitted for further processing, including Council consideration. See the City Administrative Officer report attached.

  
MAYOR Ana Guerrero

REPORT FROM

## OFFICE OF THE CITY ADMINISTRATIVE OFFICER

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Date: May 19, 2020

CAO File No. 0150-09595-0002

Council File No.

Council District: 6, 11

To: The Mayor

From: Richard H. Llewellyn, Jr., City Administrative Officer

Reference: Communication from the Los Angeles World Airports dated May 6, 2020; referred by the Mayor for report on May 6, 2020

Subject: **REQUEST TO APPROVE A SECOND AMENDMENT TO CONTRACT WITH EMS BRÜEL & KJAER, INC. TO EXTEND THE TERM AND ADD \$825,335 IN ADDITIONAL CONTRACT AUTHORITY TO CONTINUE MAINTENANCE AND SUPPORT OF AN AIRCRAFT NOISE AND OPERATIONS MONITORING SYSTEM AT LOS ANGELES INTERNATIONAL AND VAN NUYS AIRPORTS**

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### RECOMMENDATIONS

That the Mayor:

1. Approve the Second Amendment to Contract DA-4628 between the Los Angeles World Airports and EMS Brüel & Kjaer, Inc. (contractor) to extend the term of performance for one year, with one six-month renewal option (for a total of 18 months), to December 31, 2021, and increase the contracting authority by \$825,335 to continue monitoring and support services for the Airport Noise and Operations Monitoring System at the Los Angeles International and Van Nuys Airports, subject to the contractor's compliance with the following Standard Provisions for City Contracts: the Living Wage Ordinance, Affirmative Action Program, Child Support Obligations Ordinance, the City's insurance requirements, Contractor Responsibility Program, Equal Benefits Ordinance, First Source Hiring Program for all non-trade LAX Airport jobs, Bidder Contributions CEC (City Ethics Commission) Form 55 provisions, the Iran Contracting Act, and City Attorney approval as to form;
2. Authorize the Chief Executive Officer of the Los Angeles World Airports to execute the proposed Second Amendment; and,
3. Return the proposed Amendment to the Department for further processing, including Council consideration.

### SUMMARY

Formerly known as Lochard Corporation, EMS Brüel & Kjaer, Inc. is a Melbourne, Australia-based company specializing in sound and vibration measurement and analysis, flight tracking, airport

emissions tracking, and air quality monitoring that was selected by the Los Angeles World Airports (LAWA, Department) in 2005, using a competitive process, to develop and implement an Aircraft Noise and Operations Monitoring System (ANOMS) for the Los Angeles International Airport (LAX), Van Nuys Airport (VNY), and the former LA/Ontario International Airport (LA/ONT). The system was certified by the State of California in 2010.

In 2011, EMS Brüel & Kjaer, Inc. was also selected by LAWA, by way of an exemption to the standard competitive bidding process as provided for in Charter Section 371 (e) (7) (in that the system requires specialized skills, knowledge, software, and hardware that are proprietary and available only through the contractor) to provide maintenance and support for the ANOMS for the three airports (LA/ONT was then sold in 2016). The ANOMS has 39 permanent monitors at LAX and seven permanent monitors at VNY that are used by LAWA staff to record and measure aircraft noise levels, monitor and enforce noise abatement programs, produce noise reports and contour maps, and investigate and respond to citizens' noise comments. The current nine-year agreement expires on June 30, 2020.

In order to continue the monitoring and operation of, and make improvements to, the existing system, as well as provide for integration with other new noise tracking and analysis software programs being designed while LAWA develops a procurement process for a new system, the Chief Executive Officer of the Los Angeles World Airports requests approval to execute the Second Amendment to Contract DA-4628 with EMS Brüel & Kjaer, Inc. The Amendment will extend the term for one year, with one six-month renewal option (for a total of 18 months), to December 31, 2021, and increase the contract authority by \$825,335 for that 18-month period.

The Department has advised the Board of Airport Commissioners (Board) that, if a new system is selected, it will likely require the continuation of the contractor's services beyond the proposed 18-month term extension in order to transition the new system into operation without compromising the existing noise monitoring and data collection functions. As such, LAWA staff will return to the Board for approval of a new contract, any required extension of the current EMS Brüel & Kjaer, Inc. contract, and funding.

The following services will continue to be provided by EMS Brüel & Kjaer, Inc. during the contract extension period:

- Diagnose, repair, and replace all ANOMS hardware and software components
- Provide replacement parts for all noise monitors
- Maintain the Internet-based WebTrak Internet Flight Tracking Systems
- Maintain Viewpoint Noise Comment Management Systems
- Maintain multiple wireless communication service accounts for noise monitors and other equipment
- Provide technical support
- Perform annual calibrations on all permanently-installed noise monitors
- Provide software patches, updates, and system upgrades
- Provide flight data files for the noise modeling systems
- Provide flight track data
- Provide system hosting services

In order to develop quarterly noise contour maps and other reports required by federal, state, and local laws, the Brüel & Kjaer ANOMS obtains data from a complementary system (PASSUR Passive Surveillance Radar system) which then combines that information with data from the Federal Aviation Administration's regional radar systems. This combination of systems replaced a noise monitoring system that was developed in-house by LAWA, in 1976, to validate the location of airport noise impact boundaries and collect aircraft noise and operations data.

The noise data obtained from ANOMS is also used to analyze the impact on land use for environmental reviews that are included in airport construction studies and studies for community forums such as the LAX/Community Noise Roundtable and the VNY Citizens Advisory Council.

The Board approved the Second Amendment at its meeting of May 7, 2020. The City Attorney must also approve the Amendment as to form.

### **FISCAL IMPACT STATEMENT**

Approval of the Second Amendment to Contract DA-4628 with EMS Brüel & Kjaer, Inc. to extend the agreement by up to 18 months and increase the funding authority by \$825,335 to continue monitoring and support services for the Airport Noise and Operations Monitoring System at the Los Angeles International and Van Nuys Airports will have no impact on the General Fund or the Department's Capital Budget. Funding is being requested in the 2020-21 Los Angeles World Airports Operating Budget in two Cost Centers specific to Noise Management. Subsequent years' funding will be requested as part of the annual budget process. This project complies with the Department's adopted Financial Policies.

*RHL:WDC:10200111*