



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT

Item No.
10

Meeting Date: **FEBRUARY 10, 2011**

Subject:

Correct Resolution Nos. 2010-0125, 2010-0126, 2010-0127 to indicate the Authorizations Granted to the President/CEO were for Task and Work Authorizations

Recommendation:

The Terminal Development Program Committee recommends that the Board:

Adopt Resolution No. 2011-0018, correcting Resolution No. 2010-0125 to indicate that the Board authorized the release of funds for the President/CEO to execute additional Work and Task Authorizations in an amount not-to-exceed seventy-nine million, fifteen thousand, thirty-eight dollars (\$79,015,038).

Adopt Resolution No. 2011-0022, correcting Resolution No. 2010-0126 to indicate that the Board authorized the release of funds for the President/CEO to execute additional Work and Task Authorizations in an amount not-to-exceed one hundred thirty-five million, twenty thousand, five hundred eighty-seven dollars (\$135,020,587).

Adopt Resolution No. 2011-0023, correcting Resolution No. 2010-0127 to indicate that the Board authorized the release of funds for the President/CEO to execute additional Work and Task Authorizations in an amount not-to-exceed one hundred twelve million, two hundred twenty-seven thousand, three hundred three dollars (\$112,227,303).

Background/Justification:

On November 4, 2010, the Board adopted Resolution No. 2010-0125 authorizing the President/CEO to execute Work Authorizations to fund work under Contract 1. Adopted Resolution No. 2010-0125 inadvertently omitted the fact that the amount authorized may be used for both Work and Task Authorizations. Therefore, the adopted Resolution must be revised to indicate that the amount authorized may be used for both Work and Task Authorizations.

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On November 4, 2010, the Board adopted Resolution No. 2010-0126 authorizing the President/CEO to execute Work Authorizations to fund work under Contract 2. Adopted Resolution No. 2010-0126 inadvertently omitted the fact that the amount authorized may be used for both Work and Task Authorizations. Therefore, the adopted Resolution must be revised to indicate that the amount authorized may be used for both Work and Task Authorizations.

On November 4, 2010, the Board adopted Resolution No. 2010-0127 authorizing the President/CEO to execute Task Authorizations to fund Program Management and Related Services/Projects and Contingencies. Adopted Resolution No. 2010-0127 inadvertently omitted the fact that the amount authorized may be used for both Task and Work Authorizations. Therefore, the adopted Resolution must be revised to indicate that the amount authorized may be used for both Task and Work Authorizations.

Fiscal Impact:

No applicable.

Environmental Review:

- A. CEQA: This Board action is a "project" subject to the California Environmental Quality Act ("CEQA"), Pub. Res. Code Section 21065. The Terminal Development Program was evaluated for compliance with CEQA as part of the Final Environmental Impact Report ("FEIR") for the Airport Master Plan. The FEIR was prepared in accordance with CEQA and was certified by the Board on May 1, 2008. A Finding of No Significant Impact ("FONSI") under Section 101(a) of the National Environmental Policy Act ("NEPA") was issued by the Federal Aviation Administration on April 20, 2009.
- B. California Coastal Act Review: The Terminal Development Program is a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106. Coastal Development Permit ("CDP") #6-08-066 for the Remain-Over-Night ("RON") Apron component of the airside Terminal Development Program ("TDP") was issued by the California Coastal Commission at its March 11, 2009, hearing. CDP #6-09-015 for the Terminal and Landside components of the Terminal Development Program was issued by the California Coastal Commission at its August 14, 2009, meeting.

Equal Opportunity Program:

The Authority's small business program promotes the utilization of small, local, disadvantaged, and other business enterprises, on all contracts, to provide equal opportunities for qualified firms. By providing education programs, making resources available, and communicating through effective outreach, the Authority strives for diversity in all contracting opportunities.

The Authority has a Disadvantaged Business Enterprise ("DBE") Plan as required by the Department of Transportation, 49 CFR Part 26. The DBE Plan calls for the Authority to submit an annual overall goal for DBE participation on all federally funded projects.

TDP Contract 1 includes federal funds and would normally be included in the overall DBE goal. However, the Federal Aviation Administration allows for a project-specific goal to be established that will remain in effect for the life of the project. DBE participation on this project would be applied to the overall goal as being achieved through race-neutral means.

Prepared by:

BRYAN ENARSON
VICE PRESIDENT, DEVELOPMENT

RESOLUTION NO. 2011-0018

A RESOLUTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY CORRECTING RESOLUTION NO. 2010-0125 TO INDICATE THAT THE BOARD AUTHORIZED THE RELEASE OF FUNDS FOR THE PRESIDENT/CEO TO EXECUTE ADDITIONAL WORK AND TASK AUTHORIZATIONS IN AN AMOUNT NOT-TO-EXCEED SEVENTY-NINE MILLION, FIFTEEN THOUSAND, THIRTY-EIGHT DOLLARS (\$79,015,038)

WHEREAS, the San Diego County Regional Airport Authority ("Authority") has identified several near-term improvement needs for San Diego International Airport, including additional terminal space, south-side aircraft Remain-Over-Night parking positions, roadway access improvements, and ground transportation facilities to meet the forecast demand of increased passenger traffic; and

WHEREAS, at its April 2, 2009 and July 9, 2009 meetings, the San Diego County Regional Airport Authority Board ("Board") approved and authorized the President/CEO to execute Task Authorizations for construction phase management services of the Terminal Development Program ("TDP") work covered by Contract 1 – Turner/PCL/FCI JV for Terminal 2 West Building and Airside Expansion, in the total not-to-exceed amount of sixty-six million, two hundred thousand dollars (\$66,200,000); and

WHEREAS, at its July 9, 2009, July 1, 2010 and September 2, 2010 meetings, the Board approved and authorized the President/CEO to execute Work Authorizations for construction of the TDP work covered by Contract 1 – Turner/PCL/FCI JV for Terminal 2 West Building and Airside Expansion, in the total not-to-exceed amount of two hundred eighty-six million, two hundred fifty thousand dollars (\$286,250,000); and

WHEREAS, on June 3, 2010, the Board approved the TDP Final Budget and Schedule; and

WHEREAS, based on the estimates prepared by the Design-Build Contractor and validated by the TDP management team, including independent outside cost consultants, the total cost of additional Work and Task Authorizations requested is not-to-exceed seventy-nine million, fifteen thousand, thirty-eight dollars (\$79,015,038); and

WHEREAS, the Board is being requested to release funding and approve and grant authority to the President/CEO to execute additional Work and Task Authorizations against Contract 1 in the not-to-exceed amount of seventy-nine million, fifteen thousand, thirty-eight dollars (\$79,015,038); and

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WHEREAS, the total funding for Contract 1 Task and Work Authorizations will be increased to four hundred thirty-one million, four hundred sixty-five thousand, thirty-eight dollars (\$431,465,038); and

WHEREAS, Authority Staff has prepared a financing plan, for the funding of the TDP, and has determined there are funds available for this action; and

WHEREAS, the TDP budget will utilize various sources of funding including, but not limited to federal entitlement and discretionary grants, Passenger Facility Charges (PFCs), commercial paper, and general airport revenue bonds (GARBs); and

WHEREAS, at its November 4, 2010 meeting, the San Diego County Regional Airport Authority Board authorized the release of funding and authorized the President/CEO to execute additional Work Authorizations in an amount not-to-exceed seventy-nine million, fifteen thousand, thirty-eight dollars (\$79,015,038) for a Board authorized total of four hundred thirty-one million, four hundred sixty-five thousand, thirty-eight dollars (\$431,465,038) under Contract 1 (Terminal 2 West Building and Airside Expansion at San Diego International Airport); and

NOW, THEREFORE, BE IT RESOLVED that the Board corrects Resolution No. 2010-0125 to indicate that the Board authorized the release of funds for the President/CEO to execute additional Work and Task Authorizations in an amount not-to-exceed seventy-nine million, fifteen thousand, thirty-eight dollars (\$79,015,038).

BE IT FURTHER RESOLVED that upon approval this Resolution rescinds and supersedes Resolution No. 2010-0125, previously approved by the Board on November 4, 2010; and

BE IT FURTHER RESOLVED that the Board finds that this action is a project that has a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended, and 14 Cal. Code Regs. §15378. The San Diego International Airport Master Plan, including the Terminal Development Program, is a project subject to CEQA and a Final EIR has been prepared in accordance with CEQA and certified by the Board serving as the lead agency at its meeting held May 1, 2008. A Finding of No Significant Impact (FONSI) under §101(a) of the National Environmental Policy Act (NEPA) of 1969 was issued by the Federal Aviation Administration on April 20, 2009; and

BE IT FURTHER RESOLVED that the Board of the San Diego County Regional Airport Authority finds that this Board action is a "project" as defined by the California Environmental Quality Act ("CEQA"), Pub. Res. Code Section 21065 that was the subject of a Final Environmental Impact Report certified on May 1, 2008; and

BE IT FURTHER RESOLVED that Coastal Development Permit (CDP #6-08-66) for the Remain-Over-Night (RON) apron component of the Terminal Development Program airside improvements was approved by the California Coastal Commission at its March 11, 2009, hearing; and that Coastal Development Permit (CDP #6-09-015) for the Terminal and Landside components of the Terminal Development Program was issued by the California Coastal Commission at its August 14, 2009, in accordance with the California Coastal Act.

PASSED, ADOPTED AND APPROVED by the Board of the San Diego County Regional Airport Authority at a special meeting this 10th day of February, 2011 by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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RESOLUTION NO. 2011-0022

A RESOLUTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY CORRECTING RESOLUTION NO. 2010-0126 TO INDICATE THAT THE BOARD AUTHORIZED THE RELEASE OF FUNDS FOR THE PRESIDENT/CEO TO EXECUTE ADDITIONAL WORK AND TASK AUTHORIZATIONS IN AN AMOUNT NOT-TO-EXCEED ONE HUNDRED THIRTY-FIVE MILLION, TWENTY THOUSAND, FIVE HUNDRED EIGHTY-SEVEN DOLLARS (\$135,020,587)

WHEREAS, the San Diego County Regional Airport Authority ("Authority") has identified several near-term improvement needs for San Diego International Airport, including additional terminal space, south-side aircraft Remain-Over-Night parking positions, roadway access improvements, and ground transportation facilities to meet the forecast demand of increased passenger traffic; and

WHEREAS, at its April 2, 2009, July 9, 2009, March 4, 2010 and July 1, 2010 meetings, the San Diego County Regional Airport Authority Board ("Board") approved and authorized the President/CEO to execute Task Authorizations for construction phase management services of the Terminal Development Program ("TDP") work covered by Contract 2 – Kiewit/Sundt JV for Terminal 2 Elevated Departure Curb/Transit Plaza and Landside Modifications, in the total not-to-exceed amount of sixty-six million, one hundred twenty thousand dollars (\$66,120,000); and

WHEREAS, at its July 9, 2009, March 4, 2010, July 1, 2010 and September 2, 2010 meetings, the Board approved and authorized the President/CEO to execute Work Authorizations for construction of the TDP work covered by Contract 2 – Kiewit/Sundt JV for Terminal 2 Elevated Departure Curb/Transit Plaza and Landside Modifications, in the total not-to-exceed amount of fifty million, three hundred eighty thousand dollars (\$50,380,000); and

WHEREAS, on June 3, 2010, the Board approved the TDP Final Budget and Schedule; and

WHEREAS, based on the estimates prepared by the Design-Build Contractor and validated by the TDP management team, including independent outside cost consultants, the total cost of additional Work and Task Authorizations requested is not-to-exceed one hundred thirty-five million, twenty thousand, five hundred eighty-seven dollars (\$135,020,587); and

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WHEREAS, the Board is being requested to release funding and approve and grant authority to the President/CEO to execute additional Work and Task Authorizations against Contract 2 in the not-to-exceed amount of one hundred thirty-five million, twenty thousand, five hundred eighty-seven dollars (\$135,020,587); and

WHEREAS, the total funding for Contract 2 Task and Work Authorizations will be increased to two hundred fifty-one million, five hundred twenty thousand, five hundred eighty-seven dollars (\$251,520,587); and

WHEREAS, Authority Staff has prepared a financing plan, for the funding of the TDP, and has determined there are funds available for this action; and

WHEREAS, the TDP budget will utilize various sources of funding including, but not limited to federal entitlement and discretionary grants, Passenger Facility Charges (PFCs), commercial paper, and general airport revenue bonds (GARBs); and

WHEREAS, at its November 4, 2010 meeting, the San Diego County Regional Airport Authority Board authorized the release of funding and authorized the President/CEO to execute additional Work Authorizations in an amount not-to-exceed one hundred thirty-five million, twenty thousand, five hundred eighty-seven dollars (\$135,020,587) for a Board authorized total of two hundred fifty-one million, five hundred twenty thousand, five hundred eighty-seven dollars (\$251,520,587) under Contract 2 (Terminal 2 Elevated Departure Curb/Transit Plaza and Landside Modifications at San Diego International Airport); and

NOW, THEREFORE, BE IT RESOLVED that the Board corrects Resolution No. 2010-0126 to indicate that the Board authorized the release of funds for the President/CEO to execute additional Work and Task Authorizations in an amount not-to-exceed one hundred thirty-five million, twenty thousand, five hundred eighty-seven dollars (\$135,020,587).

BE IT FURTHER RESOLVED that upon approval this Resolution rescinds and supersedes Resolution No. 2010-0126, previously approved by the Board on November 4, 2010; and

BE IT FURTHER RESOLVED that the Board finds that this action is a project that has a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended, and 14 Cal. Code Regs. §15378. The San Diego International Airport Master Plan, including the Terminal Development Program, is a project subject to CEQA and a Final EIR has been prepared in accordance with CEQA and certified by the Board serving as the lead agency at its meeting held May 1, 2008. A Finding of No Significant Impact (FONSI) under §101(a) of the National Environmental Policy Act (NEPA) of 1969 was issued by the Federal Aviation Administration on April 20, 2009; and

BE IT FURTHER RESOLVED that the Board of the San Diego County Regional Airport Authority finds that this Board action is a "project" as defined by the California Environmental Quality Act ("CEQA"), Pub. Res. Code Section 21065 that was the subject of a Final Environmental Impact Report certified on May 1, 2008; and

BE IT FURTHER RESOLVED that Coastal Development Permit (CDP #6-08-66) for the Remain-Over-Night (RON) apron component of the Terminal Development Program airside improvements was approved by the California Coastal Commission at its March 11, 2009, hearing; and that Coastal Development Permit (CDP #6-09-015) for the Terminal and Landside components of the Terminal Development Program was issued by the California Coastal Commission at its August 14, 2009, in accordance with the California Coastal Act.

PASSED, ADOPTED AND APPROVED by the Board of the San Diego County Regional Airport Authority at a special meeting this 10th day of February, 2011 by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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RESOLUTION NO. 2011-0023

A RESOLUTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY CORRECTING RESOLUTION NO. 2010-0127 TO INDICATE THAT THE BOARD AUTHORIZED THE RELEASE OF FUNDS FOR THE PRESIDENT/CEO TO EXECUTE ADDITIONAL WORK AND TASK AUTHORIZATIONS IN AN AMOUNT NOT-TO-EXCEED ONE HUNDRED TWELVE MILLION, TWO HUNDRED TWENTY-SEVEN THOUSAND, THREE HUNDRED THREE DOLLARS (\$112,227,303)

WHEREAS, the San Diego County Regional Airport Authority ("Authority") has identified several near-term improvement needs for San Diego International Airport, including additional terminal space, south-side aircraft Remain-Over-Night parking positions, roadway access improvements, and ground transportation facilities to meet the forecast demand of increased passenger traffic; and

WHEREAS, on June 3, 2010, the San Diego County Regional Airport Authority Board ("Board") authorized final approval of one hundred eighty-one million, six hundred twenty-seven thousand, forty-three dollars (\$181,627,043) for Program Management and Related Services/Projects and Contingencies within the amount not-to-exceed eight hundred sixty-four million, six hundred twelve thousand, six hundred sixty-eight dollars (\$864,612,668); and

WHEREAS, the Program Management and Related Services/Projects are Authority costs for work commencing January 2006 related to programming, design, and construction management including construction of enabling projects related to the execution of the Green Build design and construction program, such as the 12kV Conversion, existing Terminal 2 West tenant relocations, and the taxi and shuttle staging area relocation; and; and

WHEREAS, at its July 1, 2010 meeting, the Board approved funding in the not-to-exceed amount of twelve million, nine hundred fifty-five thousand, three hundred forty-two dollars (\$12,955,342) for a total not-to-exceed amount of sixty-nine million, three hundred ninety-nine thousand, seven hundred forty dollars (\$69,399,740) for the Terminal Development Program Management Related Services/Projects; and

WHEREAS, the Board is being requested to release funding and approve and grant authority to the President/CEO to execute additional Task and Work Authorizations against Program Management and Related Services/Projects and Contingencies in the not-to-exceed amount of one hundred twelve million, two hundred twenty-seven thousand, three hundred three dollars (\$112,227,303); and

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WHEREAS, the total funding for Program Management and Related Services/Projects and Contingencies will be increased to one hundred eighty-one million, six hundred twenty-seven thousand, forty-three dollars (\$181,627,043); and

WHEREAS, Authority Staff has prepared a financing plan, for the funding of the TDP, and has determined there are funds available for this action; and

WHEREAS, the Terminal Development Program budget will utilize various sources of funding including, but not limited to federal entitlement and discretionary grants, Passenger Facility Charges (PFCs), commercial paper, and general airport revenue bonds (GARBs); and

WHEREAS, on November 4, 2010 the Board authorized the release of funding and authorized the President/CEO to execute additional Task Authorizations in an amount not-to-exceed one hundred twelve million, two hundred twenty-seven thousand, three hundred three dollars (\$112,227,303) for a Board authorized total of one hundred eighty-one million, six hundred twenty-seven thousand, forty-three dollars (\$181,627,043) for Program Management and Related Services/Projects and Contingencies associated with the execution of the work related to this Board Action; and

NOW, THEREFORE, BE IT RESOLVED that the Board corrects Resolution No. 2010-0127 to indicate that the Board authorized the release of funds for the President/CEO to execute additional Work and Task Authorizations in an amount not-to-exceed one hundred twelve million, two hundred twenty-seven thousand, three hundred three dollars (\$112,227,303).

BE IT FURTHER RESOLVED that upon approval this Resolution rescinds and supersedes Resolution No. 2010-0127, previously approved by the Board on November 4, 2010; and

BE IT FURTHER RESOLVED that the Board finds that this action is a project that has a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended, and 14 Cal. Code Regs. §15378. The San Diego International Airport Master Plan, including the Terminal Development Program, is a project subject to CEQA and a Final EIR has been prepared in accordance with CEQA and certified by the Board serving as the lead agency at its meeting held May 1, 2008. A Finding of No Significant Impact (FONSI) under §101(a) of the National Environmental Policy Act (NEPA) of 1969 was issued by the Federal Aviation Administration on April 20, 2009; and

BE IT FURTHER RESOLVED that the Board of the San Diego County Regional Airport Authority finds that this Board action is a "project" as defined by the California Environmental Quality Act ("CEQA"), Pub. Res. Code Section

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21065 that was the subject of a Final Environmental Impact Report certified on May 1, 2008; and

BE IT FURTHER RESOLVED that Coastal Development Permit (CDP #6-08-66) for the Remain-Over-Night (RON) apron component of the Terminal Development Program airside improvements was approved by the California Coastal Commission at its March 11, 2009, hearing; and that Coastal Development Permit (CDP #6-09-015) for the Terminal and Landside components of the Terminal Development Program was issued by the California Coastal Commission at its August 14, 2009, in accordance with the California Coastal Act.

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ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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