RESOLUTION NO.   RES-19-0172

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AND ANY AMENDMENTS THERETO WITH BRÜEL & KJAER EMS INC. WITHOUT ADVERTISING FOR BIDS FOR THE MAINTENANCE, UPGRADE AND SUPPORT OF THE LONG BEACH AIRPORT NOISE AND OPERATIONS MONITORING SYSTEM (ANOMS) IN AN ANNUAL AMOUNT NOT TO EXCEED $297,851 FOR A PERIOD OF ONE YEAR WITH THE OPTION TO RENEW FOR FOUR ADDITIONAL ONE-YEAR PERIODS, PLUS A ONE-TIME EQUIPMENT UPGRADE IN THE AMOUNT OF $340,425

WHEREAS, the Long Beach Airport utilizes the Airport Noise and Operations Monitoring System ("ANOMS") to enforce the City's noise compatibility ordinance; and

WHEREAS, the City's noise ordinance (LBMC Chapter 16.43) is recognized as one of the strictest in the country and the administration of the ordinance requires specialized, unique and custom data processing and reporting programs; and

WHEREAS, a competitive bid process was conducted in 1991 for an ANOMS, which resulted in an award to Lochard Corporation, predecessor in interest to Bruel & Kjaer EMS Inc.; and

WHEREAS, the installation of the ANOMS system enabled airport staff to ensure flight data accuracy and completeness for monitoring and compiling the annual noise analysis budget, Los Angeles County Quarterly reporting, complaint entry investigations, community reports, tenant and user fly-quiet procedures and reports for noise violation enforcement; and

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1   WHEREAS, due to the unique nature and enforcement requirements of

2 LBMC 16.43, the ANOMS installation includes customized data collection and processing

3 algorithms specific to the Long Beach Airport; and

4   WHEREAS, the associated hardware/software combination was designed by

5 Bruel & Kjaer EMS Inc. and is used solely with Bruel & Kjaer EMS Inc. solutions; and

6   WHEREAS, Bruel & Kjaer EMS Inc. is the only company capable of providing

7 technical support and services needed for maintaining, upgrading and supporting the

8 ANOMS system; and

9   WHEREAS, no useful purpose would be served by advertising for bids and

10 to do so would constitute an idle and useless act and an unnecessary expenditure of public

11 funds because Bruel & Kjaer EMS Inc. is the only corporation, firm or individual that could

12 or would bid for the maintenance, upgrade and support of the Airport Noise and Operations

13 Monitoring System;

14   NOW, THEREFORE, the City Council of the City of Long Beach resolves as

15 follows:

16   Section 1.   The City Manager is hereby authorized to enter a contract,

17 without advertising for bids, with Bruel & Kjaer EMS Inc. for the maintenance, upgrade and

18 support of the Airport Noise and Operations Monitoring System (ANOMS) for a period of

19 one (1) year with the option to extend for two (2) additional one-year periods in an annual

20 amount not to exceed Two Hundred Forty-Seven Thousand Eight Hundred Fifty-One

21 Dollars ($247,851). Plus, authorize a one-time equipment upgrade in the amount of Three

22 Hundred Forty Thousand Four Hundred Twenty-Five Dollars ($340,425), an annual

23 contingency in the amount of Fifty Thousand Dollars ($50,000) for additional service, and

24 a 3.5 percent annual CPI increase.. If the sole source status of Bruel & Kjaer EMS Inc.

25 changes, City shall publicly bid instead of extending the contract.

26   Section 2.   This resolution shall take effect immediately upon its adoption

27 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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1   I hereby certify that the foregoing resolution was adopted by the City Council

2 of the City of Long Beach at its meeting of _____ November 12 _____ , 2019

3 by the following vote:

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5   Ayes: Councilmembers: Pearce, Price, Supernaw, Mungo,

6   Andrews, Uranga, Austin.

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9   Noes: Councilmembers: None.

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11   Absent: Councilmembers: Richardson.

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15   City Clerk

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