



Legislation Details (With Text)

File #: 21-1047 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 9/3/2021 **In control:** Business, Arts, Workforce, Climate & Aviation Services Committee

On agenda: 9/27/2021 **Final action:** 9/27/2021

Title: A resolution approving a proposed Agreement, between the City and County of Denver and HNTB Corporation, concerning the preparation of the National Environmental Policy Act (NEPA) documentation related to the 7th runway project at Denver International Airport. Approves a contract with HNTB Corporation for \$15,000,000 and for four years to prepare the environmental information necessary for the FAA to comply with NEPA and other environmental laws, regulations, and orders applicable to the 7th runway project at Denver International Airport (202057147). The last regularly scheduled Council meeting within the 30-day review period is on 10-18-21. The Committee approved filing this item at its meeting on 9-15-21.

Sponsors:

Indexes: John Mahoney

Code sections:

Attachments: 1. RR21 1047 DIA HNTB, 2. 7th Runway Executive Summary, 3. BIZ Committee Presentation - 7th Runway Due Diligence Phase 9.15.2021 (FINAL), 4. 21-1047 Filed Resolution_HNTB Corporation, 5. 21-1047 Contract_HNTB, 6. 21-1047 Filed Resolution_HNTB Corporation, 7. 21-1047 - signed

Date	Ver.	Action By	Action	Result
9/27/2021	1	Council President	signed	
9/27/2021	1	City Council	adopted	Pass
9/15/2021	1	Business, Arts, Workforce, Climate & Aviation Services Committee	approved for filing	Pass

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 9-3-21

Requesting Agency: Denver International Airport
Division:

Subject Matter Expert Name:

Name: Carolina Flores
Email: Carolina.Flores@flydenver.com

Item Title & Description:

(Do not delete the following instructions)

*These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any*

time delete the red "title" or "body" markers from this template.

A resolution approving a proposed Agreement, between the City and County of Denver and HNTB Corporation, concerning the preparation of the National Environmental Policy Act (NEPA) documentation related to the 7th runway project at Denver International Airport.

Approves a contract with HNTB Corporation for \$15,000,000 and for four years to prepare the environmental information necessary for the FAA to comply with NEPA and other environmental laws, regulations, and orders applicable to the 7th runway project at Denver International Airport (202057147). The last regularly scheduled Council meeting within the 30-day review period is on 10-18-21. The Committee approved filing this item at its meeting on 9-15-21.

Affected Council District(s) or citywide? Council District 11

Contract Control Number: 202057147

Vendor/Contractor Name (including any "DBA"): HNTB Corporation

Type and Scope of services to be performed:

Denver International Airport (DEN) is anticipating the planning, design and construction of a 7th Runway in the next five to ten years. A new runway will trigger Federal Aviation Administration (FAA) action, including Airport Layout Plan (ALP) approval and financial participation. FAA will be responsible for complying with the procedures and policies of the National Environmental Policy Act (NEPA) and other environmental laws, regulations, and orders applicable to federal actions.

In accordance with FAA Order 5050.4A, DEN, as the airport sponsor, is responsible for requesting the actions that trigger the need for a federal environmental review, considering known environmental factors in early master planning efforts, providing environmental information to FAA, and entering into a Memorandum of Understanding (MOU) to memorialize agreements between the FAA and DEN. The scope of work for this contract is to prepare the environmental information necessary for FAA to comply with NEPA and other environmental laws, regulations, and orders applicable to the 7th and potential 8th runway project(s). This includes, but is not limited to, information to support a NEPA environmental assessment (EA) or environmental impact statement (EIS). ALP approval of a new runway at an existing airport is a FAA action that normally requires an EIS. However, FAA has determined in limited circumstances that an environmental assessment (EA) was the appropriate level of environmental review for a new runway at an existing airport. In addition, the Council on Environmental Quality (CEQ) recently issued Executive Order 13807 Initial List of Actions on September 14, 2020, that materially changes how NEPA reviews are conducted and increases the uncertainty regarding the level of review required. FAA will determine the level of NEPA review required depending on the identification and evaluation of environmental impacts and assessing whether available mitigation efforts reduce these impacts below significant impact thresholds. This review could be further informed and revised during the project as environmental information is generated, and if applicable laws, regulations, and orders are revised. In any case, DEN must hire a contractor to develop the necessary environmental information. In either case, EA or EIS, the FAA has decided to utilize "third-party contracting" where the NEPA document will be prepared by a contractor selected by the FAA and under contract to and paid for by DEN. This CES approval is intended to allow DEN to work with the FAA to procure a contract through Denver's City Council

process that will cover the full potential cost of the environmental review.

As used in this project, the "Pre-Environmental Review" refers to that part of the National Environmental Policy Act ("NEPA") and environmental review process that includes the identification of the project purpose and need, the pre-scoping and scoping process, the analysis of the affected environment, and the analysis of environmental consequences and possible mitigation. The Environmental Review component includes the formal NEPA documentation, including the preparation of a draft and final Environmental Assessment and, if necessary, an Environmental Impact Statement.

Location (if applicable):

WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts):

15% DBE

Are WBE/MBE/DBE goals met (if applicable)?

Is the contract new/a renewal/extension or amendment?

Was this contractor selected by competitive process or sole source?

Competitive process

For New contracts

Term of initial contract: 4 years

Options for Renewal:

How many renewals (i.e. up to 2 renewals)?

Term of any renewals (i.e. 1 year each):

Cost of initial contract term: \$15,000,000.00

Cost of any renewals:

Total contract value council is approving if all renewals exercised:

For Amendments/Renewals Extensions:

Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)?

If length changing

What was the length of the term of the original contract?

What is the length of the extension/renewal?

What is the revised total term of the contract?

If cost changing

What was the original value of the entire contract prior to this proposed change?

What is the value of the proposed change?

What is the new/revised total value including change?

If terms changing

Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)