



Legislation Details (With Text)

File #: 20-873 **Version:** 1 **Name:**

Type: Consent Calendar **Status:** Agenda Ready

File created: 9/10/2020 **In control:** City Council and Authorities Concurrent

On agenda: 10/13/2020 **Final action:**

Title: Action on Amendment No. 3 to the Agreement for the Performance of Services with Wilson, Ihrig & Associates for Noise Monitoring Services at Levi's Stadium [Council Pillar: Ensure Compliance with Measure J and Manage Levi's Stadium]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Amendment No. 3 to Agreement with Wilson, Ihrig, 2. Amendment No. 2 to Agreement with Wilson, Ihrig, 3. Amendment No. 1 to Agreement with Wilson, Ihrig, 4. Original Agreement with Wilson, Ihrig & Associates

Date	Ver.	Action By	Action	Result
10/13/2020	1	City Council and Authorities Concurrent	Approved	Pass

REPORT TO COUNCIL

SUBJECT

Action on Amendment No. 3 to the Agreement for the Performance of Services with Wilson, Ihrig & Associates for Noise Monitoring Services at Levi's Stadium [Council Pillar: Ensure Compliance with Measure J and Manage Levi's Stadium]

BACKGROUND

On August 30, 2016, in response to complaints from residents about noise emanating from the San Francisco 49er's football practices, the City Council directed staff to establish a noise monitoring system for Levi's Stadium and training facility.

Following Council direction, the City solicited bids from acoustic engineers and after receiving three proposals, entered into an agreement on February 7, 2017 with Wilson, Ihrig & Associates to provide noise monitoring services at Levi's Stadium. Since that time the consultant has implemented a noise monitoring program that includes four noise monitoring stations as well as a comprehensive website (https://seti-media.com/infopopulation/levis_stadium/) that provides reporting information from the monitors as well as a portal for residents to issue noise complaints. The contract covers the ongoing cost to rent noise monitoring equipment from the consultant and maintenance of the website.

In August 2018, Council approved Amendment No. 2 to this agreement which added \$150,000 to the Agreement and extended the contract term through the August 31, 2020.

DISCUSSION

The agreement with Wilson, Ihrig & Associates has run its term but still has funds available to continue services through September 2021. Due to staffing constraints and current workload of staff,

this amendment did not get processed in time to be extended prior to the expiration date. Amending the existing agreement to extend the term will allow the funding to be utilized to continue the noise monitoring program to allow ongoing use of the existing monitors to verify compliance with City permits and provide continuity for data collection to support policy making over the long-term. Most of the contract cost occurred at the beginning of the contract for installation of the equipment and creation of the monitoring website. The primary ongoing cost is the equipment rental fees.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or as a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

Amendment No. 3 does not change the not-to-exceed valuation of \$249,840. Funds for this agreement are available in the Stadium Authority budget.

COORDINATION

This report has been coordinated with the Finance Department, City Attorney’s Office, and City Manager’s Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>>.

RECOMMENDATION

Authorize the City Manager to execute Amendment No. 3 to the Agreement with Wilson, Ihrig & Associates to reflect a revised termination date of September 30, 2021, subject to annual appropriations, to continue conducting noise monitoring of Levi’s Stadium and the 49ers practice facility for total cost not to exceed \$249,840 over the life of the agreement.

Reviewed by: Andrew Crabtree, Director, Community Development Department

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Amendment No. 3 to the Agreement with Wilson, Ihrig & Associates
2. Amendment No. 2 to the Agreement with Wilson, Ihrig & Associates
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