

REPORT PART 150 SCOPE OF WORK

**ATTACHMENT A**  
**SERVICES TO BE PROVIDED BY THE AGENT**  
**TxDOT CSJ No.: 0118ADDSN**

Agent shall do the following in a timely manner so as not to delay the services of the Consultant:

1. Provide sufficient criteria and information as to the Agent's requirements or the Project, including but not limited to, planning objectives, capacity and performance requirements, and budget constraints: identify standards which the Agent will require to be used for the Project.
2. Make available plans, specifications, maps field notes, previous reports, statistics, and other data in the Agent's possession relative to the existing facilities and to the Project.
3. Furnish the Consultant appropriate data in the Agent's or Sponsor's possession including, but not limited to, soils and foundation investigations, boundary and other surveys, environmental assessments or environmental impact statements, planning or Consulting reports, previous and existing airport layout plans, and other data relative to the Project.
4. In a timely manner, examine all studies, reports, sketches, drawing, specifications, proposals, and other documents presented by the Consultant.
5. Designate in writing a person to act as the Sponsor's and Agent's representative with respect to the services to be reached under this Agreement. Such person shall have complete authority to transmit instructions, receive information, interpret and define the sponsor's and Agent's policies and decisions with respect to materials, equipment, elements, and systems pertinent to the Consultant's services, and such other authority as granted to the representative by the Sponsor.
6. Give prompt written notice to the Consultant whenever the Agent observes or otherwise becomes aware of any development that affects the scope or timing of the Consultant's services, or any defect in the work of the Consultant.
7. Direct the Consultant to provide necessary Additional Services as stipulated in Section 4 of this Agreement or other services as required.

**ATTACHMENT B**  
**BASIC SERVICES TO BE PROVIDED BY THE CONSULTANT**  
**TxDOT CSJ No.: 0118ADDSN**

The Addison Airport F.A.R. Part 150 Noise Compatibility Study (NCS) Scope of Services has been prepared to provide a detailed element and task description of the study efforts. The objective of the Airport Noise Compatibility Study is to provide the City of Addison (Sponsor), community, and public officials with proper guidance for future noise abatement and compatible development in the airport vicinity. The NCS will be prepared under the guidelines of F.A.R. Part 150 "Airport Noise Compatibility Planning." Coordination between the City, State of Texas, Federal Aviation Administration, and the consultant team will be essential to bringing together all facts and data relevant to the project and to developing a mutual agreement regarding noise abatement, noise mitigation, and land use planning.

**ELEMENT 1 - INITIATION**

Task 1.1 - Refine Work Scope and Budget

*Description:* Detailed descriptions of basic work tasks required for completion of the NCS will be developed and refined. Each task will be evaluated with respect to the Addison Airport situation and refined as necessary. New tasks will also be developed as necessary. Specific responsibilities for each refined/new task as well as an estimate the number of person-days and fees necessary to accomplish the work efforts will be defined and a detailed project schedule will be developed. In addition, expenses specific to Addison Airport (travel cost, hotel, and subsistence) will also be estimated.

*Responsibilities:*

- Consultant:** Develop a refined scope of work, budget and schedule from which contract terms will be based.
- Sponsor:** Review and negotiate refined scope of work, budget and schedule requirements to ensure proper attention is paid to critical areas.
- Product:** A detailed work scope and task-by-task itemization of the project person-days, costs and project time schedule.

Task 1.2 - Establish Planning Advisory Committee

*Description:* Provide input on the membership of the planning advisory committee (PAC). This non-voting group will be limited to a membership of 20 to 30 people. Much of the local coordination will be handled through PAC which is formed specifically to provide advice and

feedback on the NCS. The PAC must include representative from all affected groups, including local residents, airport users, and local officials.

*Responsibilities:*

**Consultant:** Provide input on membership selection, invitation letters, and maintain PAC membership list for NCS support documentation.

**Sponsor:** Provide input on membership selection.

**Product:** Development of a planning advisory committee list.

Task 1.3 - Prepare Workbooks

*Description:* Notebooks will be provided to the PAC for use during the study. A standard three-ring notebook will be used with a format designed to allow working papers to be inserted as the study progresses.

*Responsibilities:*

**Consultant:** Design and print workbooks for the committee.

**Sponsor:** Review and comment prior to distribution.

**Product:** Workbooks in sufficient number to meet study requirements. Fifty (50) copies are budgeted.

Task 1.4 - Prepare Technical Information Papers

*Description:* Provide fifty (50) copies of detailed Technical Information Papers (TIPS). These papers have been organized and written by the consultant to provide basic technical information about noise and related issues. The TIP's will be printed and distributed to all PAC members for their use in better understanding detailed technical elements of evaluating noise impacts and planning methods of mitigating those impacts.

*Responsibilities:*

**Consultant:** Coffman Associates will print and distribute Technical Information Papers.

**Sponsor:** None.

**Product:** Fifty (50) copies of Technical Information Papers

### Task 1.5. - Prepare Study Initiation Brochures

*Description:* Provide One Thousand (1,000) Study Initiation Brochures for general distribution to the public and interested parties. The brochure will be designed in color and will provide an overview of the important elements in Part 150 planning, goals and objectives of the study, and answer the ten most often asked questions about the process of conducting Part 150 studies.

#### *Responsibilities:*

Consultant: Design and prepare study initiation brochures.

Sponsor: Review and approve for distribution.

Product: Up to One Thousand (1,000) Study Initiation Brochures.

## **ELEMENT 2 - INVENTORY OF EXISTING CONDITIONS**

### Task 2.1 - Secure Baseline Data and Documents

*Description:* Information on existing and future land use planning documents, zoning ordinances, subdivision regulations, building codes, and capital improvement programs will be secured for each government entity in the airport area through an examination of local documents and publications, interviews with local planning agencies and other appropriate personnel, and on-site inspection. In addition to obtaining land use planning information, socioeconomic data and forecasts will be assembled through consultations with local governments and planning agencies. Particular emphasis will be on data shedding light on the existing distribution and density of population in the study area and potential trends in population distribution and density. Population and housing data and forecasts will be collected for the smallest geographical area for which they are available.

Interviews will be conducted with airport officials and FAA personnel to develop a complete description of air traffic control and airspace in the airport and metropolitan areas. Particular emphasis will be given to the relationship of air traffic control procedures to potential noise abatement alternatives to be developed in the study.

In addition to obtaining information essential for preparation of a F.A.R. Part 150 Study, these interviews with land use planning agencies, transportation planning agencies, and public works agencies for all government entities are important to gain an understanding of the local issues from their perspective as well as start the local coordination effort.

*Responsibilities:*

- Consultant:** Coffman Associates obtained all relevant existing documents, perform on-site inspection of facilities, conduct interviews with local officials.
- Sponsor:** Assist Consultants with collection of data, including coordinating any necessary interviews with tenants. Assist Consultant with identification of relevant land use control documents.
- Product:** Data on airport facilities, operations, airspace and air traffic control, population and economy for input to later tasks.

**Task 2.2 - Base Mapping**

*Description:* Based on locally available GIS digital maps, prepare a digital map of the study area. If local GIS digital map does not exist, USGS digital maps will be used. The mapping is anticipated to be done with AutoCAD, Autodesk Map, or Mapinfo software. Local maps and aerial photographs will be used as necessary to ensure the map is up-to-date. Base maps will show the street and railroad network, major power lines, the major facilities on the airport, the airport property line, major streams and ponds, and political boundaries. This base mapping will provide the basis for detailed maps developed throughout the planning process. It will also be the basis for a simple geographic information system that will include geographic data developed during the study. The maps will be prepared for use in the report, for formal submission under F.A.R. Part 150, and for public presentations.

*Responsibilities:*

- Consultant:** Coffman Associates will prepare a digitized base map.
- Sponsor:** Provide Consultant with the existing airport layout plan and property map. Review consultant-developed maps.
- Product:** Base maps to be used throughout the study.

**Task 2.3 - Study Area Boundary**

*Description:* Using the base map from previous task, the boundaries of the area selected for detailed analysis will be established. The study area will generally follow the boundaries of locally established census tracts or traffic analysis zones, physiographic features, or political boundaries, will encompass an area somewhat larger than the anticipated 55 DNL contour.

*Responsibilities:*

- Consultant:** Coffman Associates will establish a study area boundary.

**Sponsor:** Review the study area boundary.

**Product:** An established area within which all further analyses will be conducted.

#### Task 2.4 - Aerial Photography

*Description:* Obtain current photogrammetric quality aerial photography of the study area for the purposes of identifying existing land uses within the study area. This includes the flight and delivery of contact prints and digitized aerial photos. Digitized aerial photos will be provided on compact disc to the Sponsor.

#### *Responsibilities:*

**Consultant:** Coffman Associates will contract with an aerial photography company to shoot the photographs, produce prints at a size and scale acceptable for photo interpretation, and digitize the photos.

**Sponsor:** Review and comment.

**Product:** A set of 9" by 9" aerial photographs of the study area and a set of digitized photos on compact disc.

#### Task 2.5 - Existing Land Use

*Description:* Review existing GIS land use maps (if available), aerial photography, general plans, existing easements, home sound insulation program, and other documentation of existing land use in the study area. A windshield survey will be conducted as needed to verify land uses that can not be determined with the aerial photography. Data will be obtained for the entire study area.

#### *Responsibilities:*

**Consultant:** Coffman will conduct work under this task.

**Sponsor:** Furnish Consultant with land use maps and data, as available. Review Consultant's land use map.

**Product:** Existing land use map and non-compatible land use data for input to later tasks.

#### Task 2.6 - Future Land Use Controls and Plans

*Description:* Review existing zoning ordinances, subdivision regulations, building codes, land use and transportation plans, area capital improvement programs, and other documentation of

land use management in the study area. Tables and exhibits of the zoning, future land plan designation, and improvement project information will be prepared.

*Responsibilities:*

Consultant: Coffman Associates will review reports and documents from area planning agencies.

Sponsor: Review.

Product: Tables and exhibits for analysis in later tasks.

Task 2.7 - Land Use Development Trends

*Description:* Based on the data collected in Tasks 2.1 and 2.6 and interviews with local planning officials, assess the residential land use growth trends in the study area. Checks will be made of the historical market conditions, current development activities, existing infrastructure, natural constraints and prevailing regulations to understand potential short-term and ultimate uses of land within the study area.

*Responsibilities:*

Consultant: Coffman Associates is responsible for this task.

Sponsor: Review.

Product: An understanding of land use growth trends and requirements in the study area.

Task 2.8 - Working Paper No. 1, Inventory

*Description:* Assemble information and mapping from work efforts in Element 2, and organize these findings into a working paper describing existing conditions in the airport area and present a preliminary assessment of issues to be addressed in the Noise Compatibility Study. This working paper will represent a draft version of Chapter One of the updated Noise Exposure Maps document.

*Responsibilities:*

Consultant: Coffman Associates is responsible for completing the narrative and graphics for the working paper and distribution to the PAC and Sponsor. This working paper will be sent one week prior to the PAC meeting via U.S. priority mail.



Sponsor: Review and comment.

Product: A working paper covering the items outlined in the inventory element. Fifty (50) copies will be printed for distribution to the PAC and Sponsor.

### **ELEMENT 3 - AVIATION FORECASTS**

#### **Task 3.1 - Develop Aviation Demand Forecasts**

*Description:* Forecast aviation demand over a twenty-year period horizon (short-term period of five years and long-term period of twenty years), utilizing data collected in Element 2. This analysis will use the most recent aviation forecasts as a starting point. Forecast indicators such as economic growth, changes in industrial activity; demographic trends (population, employment, household income, and geographic distribution), and historical trends in number of operations will be used to update the existing forecasts. This analysis will provide general aviation, air taxi, air cargo, and military itinerant and local activity, annual instrument approaches, transient versus based aircraft usage ratios, and runway end utilization patterns.

#### *Responsibilities:*

Consultant: Coffman Associates will be responsible for analyses in this task.

Sponsor: Provide historical operations and other data reports as needed. Review of Consultant analysis.

Product: A detailed aircraft operation forecast for the short-term period of five years and long-term period of twenty years.

#### **Task 3.2 - Refine Operational Fleet Mix Forecasts**

*Description:* Utilizing the recently prepared in Task 3.1 for Addison Airport, prepare a more detailed forecast of the aircraft fleet mix and day/night split of activity. The general aviation fleet mix forecasts will take into account local and national trends in aircraft mix. The forecast for military aircraft is flat and a change in mix is not anticipated. Current activity schedules and activity logs (if available) will be used in formulating the day/night activity split. The fleet mix forecasts and day/night split of activity will be of sufficient detail to serve as input into the Integrated Noise Model for forecasts of future aircraft noise exposure.

#### *Responsibilities:*

Consultant: Coffman Associates will be responsible for analyses in this task.

**Sponsor:** Provide schedules, operation logs, landing reports, (if available) and based aircraft lists as needed. Review of Consultant analysis.

**Product:** A detailed aircraft fleet mix forecast broken down by daytime and nighttime operations.

### Task 3.3 - Working Paper No. 2, Aviation Forecasts

*Description:* Develop a working paper summarizing the results of all tasks in this element. This paper will contain aviation operations and fleet mix for the baseline existing (2001) condition. It will also include aviation operations and fleet mix for 2006 and 2020 forecast conditions. This working paper will represent a draft version of Chapter Two of the Noise Exposure Maps document.

#### *Responsibilities:*

**Consultant:** Coffman Associates will prepare the working paper and all related graphics and distribute to PAC members and the Sponsor. This working paper will be sent one week prior to the PAC meeting via U.S. priority mail.

**Sponsor/FAA:** Review and concur with aviation forecasts.

**Product:** A working paper covering Element 3. Up to fifty (50) copies will be printed for distribution to the PAC and the Sponsor.

## **ELEMENT 4 - AVIATION NOISE ANALYSIS**

### Task 4.1 - Aircraft Noise Measurements

*Description:* A noise measurement program will be designed specifically for Addison Airport. The effort will be designed to meet the requirements stated in Federal Aviation Regulations Part 150, Appendix A, Section A150.5. Measurements will be taken over a 5-day period at no more than 6 sites. Noise levels at each site will be recorded over durations ranging from 24 hours to as many as 4 consecutive days. The locations will be chosen through coordination with Airport staff and other local interested parties.

The measurement data will be used to compare measured DNL noise levels with modeled data developed with the Integrated Noise Model. Specifically, an INM grid point analysis will be developed for each measurement site. The measured data will be compared with the INM-predicted data. Sound exposure level (SEL) data for single events will be compared with modeled values provided by the INM for up to four of the most common aircraft using the airport. Data on background community noise levels also will be derived from the field noise measurements.

***Responsibilities:***

- Consultant:** Coffman Associates will coordinate with Sponsor's staff and interested parties in requesting noise measurement locations, conduct noise monitoring, and analysis.
- Sponsor:** Provide input on noise measurement locations to Consultant and review analysis.
- Product:** An analysis of noise measurement data and a comparison with INM-predicted values.

**Task 4.2 - Radar Flight Tracking and Aircraft Departure Profile Analysis**

**Description:** In order to develop accurate, reliable, and valid noise contours, the Integrated Noise Model requires the input of reasonable arrival and departure flight tracks for the airport. There are two methods for obtaining flight track data. The first method involves downloading the flight track data directly from the airport's air traffic control tower radar flight tracking system in digital form. If the tower's radar system is not properly equipped, a technician will be placed in the radar control facility to collect arrival and departure track coordinates and representative altitudes and speeds on the radar system. Flight track data will be broken down by aircraft type and mapped on the study area base map. Generalized flight tracks for various classes of aircraft will be developed for noise modeling based on an analysis of the raw flight track data. An aircraft profile analysis will also be prepared using the flight track data.

Departure profile data from the INM will also be compared to actual aircraft profile information developed from the radar flight track data obtained from earlier in this Task. Up to Four aircraft types will be compared based on data available from the radar flight tracking analysis. This will be used to evaluate aircraft departure profile parameters in the Integrated Noise Model.

***Responsibilities:***

- Consultant:** Coffman Associates will map and analyze and prepare the flight track and departure profile analysis.
- Sponsor:** Review the Consultant's analysis.
- Product:** Plots of up to 5 days of aircraft flight tracks and aircraft departure profile analysis for evaluating the aircraft departure parameters in the computerized noise model.

#### Task 4.3 - Existing Aircraft Noise Exposure

*Description:* Using data from previous work tasks, aircraft noise exposure will be calculated using Version 6.0b of the FAA's Integrated Noise Model (INM). Noise levels, at five-DNL increments, will range from 55 DNL to 75 DNL. The noise contour map will represent average annual conditions for a 12-month period ending with the month for which the most recent data are available when the forecasting analysis is started. This will be taken as an estimate of 2001 noise conditions. Additional noise analysis will be done as needed to provide more refined guidance in the identification of planning issues.

#### *Responsibilities:*

**Consultant:** Coffman Associates is responsible for this task.

**Sponsor:** Review.

**Product:** An INM analysis describing noise contours at 55, 60, 65, 70, and 75 DNL levels. A map of aircraft noise exposure contours for 55, 60, 65, 70, and 75 DNL levels. This map provides the basis for the 2001 Noise Exposure Map which the Sponsor may submit to the FAA under F.A.R. Part 150.

#### Task 4.4 - Future Baseline Aircraft Noise Exposure

*Description:* Based on the refined forecasts developed in previous tasks, an INM contour analysis will be prepared, assuming no new noise abatement actions, for the five-year forecast condition (2006) and a longer term forecast condition (2020).

#### *Responsibilities:*

**Consultant:** Coffman Associates is responsible for this task.

**Sponsor:** Review.

**Product:** Two forecast noise analyses showing DNL 55, 60, 65, 70, and 75 noise contours for 2006 and 2020 forecast conditions. The 2006 map will be the basis for the five-year Noise Exposure Map which the Sponsor may submit to the FAA under F.A.R. Part 150.

#### Task 4.5 - Working Paper No. 3, Aircraft Noise Exposure

*Description:* Develop a working paper summarizing the results of all tasks in this element. This paper will contain noise contour maps for the baseline existing (2001) condition. It will also

include baseline noise exposure for 2006 and 2020 forecast conditions. This working paper will represent a draft version of Chapter Three of the updated Noise Exposure Maps document.

*Responsibilities:*

**Consultant:** Coffman Associates will prepare the working paper and all related graphics and distribute to PAC members and the Sponsor. This working paper will be sent one week prior to the PAC meeting via U.S. priority mail.

**Sponsor:** Review the working paper.

**Product:** A working paper covering Element 4. Up to fifty (50) copies will be printed for distribution to the PAC and the Sponsor.

## **ELEMENT 5 - NOISE IMPACTS**

### **Task 5.1 - Land Use Impact Guidelines**

*Description:* Land use impact guidelines for use in evaluating noise impacts will be selected. The Consultant will present options to the Sponsor and FAA with the understanding that the FAA's Land Use Compatibility Guidelines as presented in F.A.R. Part 150 will be given significant weight. Potential variations on the FAA guidelines may be considered based on official guidelines developed through authoritative studies or by official government agencies.

*Responsibilities:*

**Consultant:** Coffman Associates will be responsible for presenting potential and recommended land use impact criteria.

**Sponsor/FAA:** Review and approval of guidelines.

**Product:** Land use impact guidelines for use in noise impact analysis.

### **Task 5.2 - Growth Risk Analysis**

*Description:* Using the results of previous tasks completed in Element 2, areas with the greatest potential for non-compatible development as well as land use control inconsistencies will be identified. Growth risk areas will be categorized by type of residential land use. In addition, the potential development of non-compatible institutional uses will be identified.

*Responsibilities:*

**Consultant:** Coffman Associates will be responsible for this task.

**Sponsor:** Review.

**Product:** A growth risk analysis including mapping residential growth areas and potential non-compatible institutional uses in the study area.

#### **Task 5.3 - Land Use and Population Impacts**

*Description:* Existing and future aircraft noise contours will be compared with existing non-compatible land use and potential future non-compatible land use. Maps for the current and forecast conditions will show the location of non-compatible land uses with respect to aircraft noise contours. Tabulations of non-compatible land uses by five-DNL increments will be produced from previously digitized land use and growth risk data.

The population exposed to noise, by five-DNL increments, will be estimated for the baseline and future year noise contours. Impacts for the forecast years will include estimates of potential future population based on the growth risk analysis. The level-weighted population (LWP) model will be used to define a single-number impact level. Population counts within each five-DNL contour range will be factored by average response levels developed from the "Schultz Curve" correlating cumulative noise levels with the proportions of people expected to be highly annoyed by aircraft noise. The resulting single-number rating for each baseline noise condition will be used in comparisons with noise contours produced in subsequent analyses of potential noise abatement measures.

#### *Responsibilities:*

**Consultant:** Coffman Associates will be responsible for this task.

**Sponsor:** Review.

**Product:** A map of non-compatible land uses and aircraft noise contours for the baseline 2001 condition and the 2006 and 2020 baseline forecast conditions. A summary of the non-compatible land uses and population exposed to aircraft noise by five-DNL increments from 55 to 75 DNL.

#### **Task 5.4 - Working Paper No. 4, Noise Impacts**

*Description:* Develop a working paper summarizing the results of all tasks in this element. This paper will contain noise contour maps and an analysis of noise impacts for the baseline existing condition and the 2006 and 2020 forecast conditions. This working paper will represent a draft version of Chapter Four of the updated Noise Exposure Maps document.

#### *Responsibilities:*

**Consultant:** Coffman Associates will prepare the working paper and all related graphics and distribute to PAC members and the Sponsor. This working paper will be sent one week prior to the PAC meeting via U.S. priority mail.

**Sponsor:** Review the working paper.

**Product:** A working paper covering the items outlined in this element. Up to fifty (50) copies will be printed for distribution to the PAC and the Sponsor.

## **ELEMENT 6 - NOISE EXPOSURE MAP DOCUMENTATION**

### **Task 6.1 - Draft Noise Exposure Map Document**

*Description:* Prepare draft Noise Exposure Map document for FAA review. This document will include following:

- revisions of working papers 1 through 4 previously distributed for review by the Sponsor and the Planning Advisory Committee;
- preparation of FAA's Noise Exposure Maps Checklist.

#### *Responsibilities:*

**Consultant:** Primary responsibility for task.

**Sponsor:** Review.

**Product:** Draft copies of documentation in support of the updated Noise Exposure Maps (NEM) suitable for FAA review. Five (5) copies will be provided.

### **Task 6.2 - Final Noise Exposure Map Documentation**

*Description:* Prepare final documentation in support of the updated Noise Exposure Maps (NEM) prepared under Elements 2 through 5. All documentation required by F.A.R. Part 150, including the following, will be provided:

- revisions of working papers 1 through 4 previously distributed for review by the Sponsor, FAA, and the Planning Advisory Committees;
- a description of the consultations with airport users, planning agencies, and the public necessary to produce the Noise Exposure Maps and copies of all written comments received on the study;

- preparation of FAA's Noise Exposure Maps Checklist.
- printing of a final document.

*Responsibilities:*

Consultant: Primary responsibility for task.

Sponsor: Review.

Product: Final copies of documentation in support of the updated Noise Exposure Maps (NEM) suitable for submission by the Sponsor to the FAA. Sixty (60) copies will be provided. Final copies of a supplemental volume documenting the public involvement process, including all written comments received on the NEM (15 copies).

**ELEMENT 7 - NOISE ABATEMENT ALTERNATIVES**

Task 7.1 - Noise Abatement Issues

*Description:* The Consultant will identify noise abatement issues at the airport based on the analysis undertaken in previous elements, on consultations with the airport staff and Planning Advisory Committee, and based on comments raised at public workshops.

*Responsibilities:*

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Identification of noise issues for consideration in the noise abatement alternatives analysis.

Task 7.2 - Aviation Technical Conference

*Description:* A working session will be held among the airport management, aviation officials, airport users, and Consultant to discuss technical aspects of potential noise abatement strategies for consideration for future application at the airport. It is expected that those attending the meeting will be the aviation specialists serving on the PAC. Additional aviation interests will be invited as necessary. The purpose is to review the Consultant's preliminary screening of noise abatement techniques and to provide a forum for presenting other noise abatement ideas.



*Responsibilities:*

- Consultant:** Prepare a list of potential participants, subject to Sponsor approval, issue invitations, conduct the meeting, and prepare summary minutes of meeting.
- Sponsor:** Coordinate with Consultant in setting up meeting.
- Product:** A joint understanding among all participants of the potential for noise abatement and the scope of the forthcoming noise abatement analysis. Summary minutes.

Task 7.3 - Noise Abatement Analysis Criteria

*Description:* Based on input received through the coordination process and the Consultant's independent analysis, criteria will be developed to evaluate potential noise abatement alternatives. Criteria are expected to include noise impact reduction, airspace impacts, impacts on capacity, safety, cost, user/operator acceptability, feasibility of implementation, and legality.

*Responsibilities:*

- Consultant:** Coffman Associates will be responsible for this task.
- Sponsor:** Review.
- Product:** Criteria for judging the acceptability, cost, and effectiveness of potential noise abatement procedures.

Task 7.4 - Screening of Noise Abatement Alternatives

*Description:* Various aircraft noise abatement techniques that could be applied to the airport will be identified and screened. This will include each measure identified in F.A.R. Part 150. Additional measures drawn from use at other airports and based on input from the PAC, one-on-one coordination with aviation related agencies and users, the Aviation Technical Conference, and other local interest groups will also be identified and screened.

*Responsibilities:*

- Consultant:** Coffman Associates will be responsible for this task.
- Sponsor:** Review.
- Product:** A list and description of aircraft noise abatement alternatives that potentially can be effective in reducing aircraft noise exposure. Documentation of those alternatives that cannot be effective will also be developed.

#### Task 7.5 - Potential Noise Abatement Alternatives and Scenarios

*Description:* Based on the screening results of the previous task, noise abatement procedures will be identified for potential application in the future. Detailed descriptions of the potential procedures will be developed. Opportunities for the combined use of several procedures will be identified.

#### *Responsibilities:*

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Descriptions of potential operational scenarios that may be expected to reduce noise impacts in the study area.

#### Task 7.6 - Noise Exposure of Abatement Alternatives/Scenarios

*Description:* The noise abatement scenarios identified in the previous task will be modeled using the most current version of the INM to produce DNL contours. Most alternatives and scenarios are expected to be based on five-year forecast conditions, although scenarios based on current year or 2020 conditions will be developed as the Consultant deems necessary. Maps of each run will be prepared showing contours ranging from 55 to 75 DNL. Supplemental noise analysis, such as grid point analysis, will be produced as the Consultant/Sponsor deems necessary.

#### *Responsibilities:*

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Noise contour maps for each of a series of operational alternatives/ scenarios.

#### Task 7.7 - Land Use and Population Impacts of Alternatives

*Description:* Estimates of the number of noise-sensitive land uses and resident population exposed to aircraft noise, by five-DNL increments from 55 to 75 DNL, will be developed for each scenario modeled in the previous task, using the Consultant's computerized impact analysis system. To facilitate comparisons among the alternatives, noise level-weighted population counts will be developed for each alternative and scenario. The population within each five-DNL contour range will be factored by average response levels developed from the "Schultz Curve" correlating cumulative noise levels with the proportions of people expected to be highly annoyed by aircraft noise.

*Responsibilities:*

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Estimates of population exposed to noise for each alternative.

Task 7.8 - Working Paper No. 5, Noise Abatement Alternatives

*Description:* A working paper will be prepared summarizing the work done under this element. This will involve developing narrative and graphical presentation of the analyses and evaluations, explanation of results, potential costs, and a final list of noise abatement alternatives deserving serious consideration for implementation. This working paper will represent a draft version of Chapter Five of the updated Noise Compatibility Program document.

*Responsibilities:*

Consultant: Coffman Associates will prepare the working paper and all related graphics and distribute to PAC members and the Sponsor. This working paper will be sent one week prior to the PAC meeting via U.S. priority mail.

Sponsor: Review the working paper.

Product: A working paper covering the items outlined in this element. Up to fifty (50) copies will be printed for distribution to the PAC and the Sponsor.

**ELEMENT 8 - LAND USE ALTERNATIVES**

Task 8.1 - Land Use Management Issues

*Description:* The Consultant will identify land use management issues in the study area based on discussions with the airport staff and Planning Advisory Committee, and based on comments raised at public information workshops. An effort will be made to consider all key land use issues in the airport vicinity, including those related to general community development as well as to noise compatibility.

*Responsibilities:*

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

**Product:** Identification of land use issues for inclusion in subsequent tasks.

### Task 8.2 - Land Use Management Technical Conference

**Description:** Representatives from regional and local planning agencies will be invited to a Land Use Management Technical Conference. Potential land use management alternatives will be discussed to determine their potential suitability in the study area and their feasibility for implementation. Alternatives deserving further consideration and more detailed evaluation will be identified.

#### *Responsibilities:*

**Consultant:** Lead working session with participating groups. Prepare summary minutes of the meeting.

**Sponsor:** Attend meeting.

**Product:** A joint understanding among all participants of the potential land use management measures deserving more detailed analysis and consideration.  
Summary minutes.

### Task 8.3 - Screening of Land Use Management Techniques

**Description:** This task involves the identification and screening of various land use management techniques that could be applied in the airport vicinity. Each measure specifically designated in F.A.R. Part 150 will be screened. Additional measures drawn from use at other airports and based on input from the PAC and the Land Use Technical Conference will also be identified and screened. These techniques may include, but not necessarily be limited to, changes in existing zoning districts, creation of new zoning classifications, modification of other development regulations and building codes, property and easement acquisition, sound insulation, and other mitigation measures. Criteria will be developed to evaluate potential alternatives based on the potential for impact reduction, cost, political acceptability, feasibility of implementation, and legality.

#### *Responsibilities:*

**Consultant:** Coffman Associates will be responsible for this task.

**Sponsor:** Review.

**Product:** A list and documentation of land use management alternatives that may be effective in promoting land use compatibility. Documentation of those alternatives that are unlikely to be effective.

#### Task 8.4 - Preliminary Evaluation of Land Use Management Techniques

*Description:* The land use management techniques identified in the preceding task will be evaluated using the criteria set forth in that task and based on consultations with local land use planning officials.

*Responsibilities:*

**Consultant:** Coffman Associates will be responsible for this task.

**Sponsor:** Review.

**Product:** A list and documentation of land use management techniques that can be effective in promoting land use compatibility around the airport.

#### Task 8.5 - Identification of Preferred Land Use Alternatives

*Description:* Based on the Consultant's own evaluations and input from local land use agencies provided through the Land Use Technical Conference and one-on-one meetings, a list of land use management techniques deserving further consideration will be defined. These will be defined in relationship to the refined noise abatement alternatives from Element 7.

*Responsibilities:*

**Consultant:** Coffman Associates will be responsible for this task.

**Sponsor:** Review.

**Product:** Identification of land use management alternatives deserving further consideration.

#### Task 8.6 - Working Paper No. 6, Land Use Alternatives

*Description:* A working paper summarizing the work done under this element will be prepared. This will include narrative and graphic presentation of the analyses and evaluations conducted, explanation of results, potential costs, and a list of measures deserving further consideration. This working paper will represent a draft version of Chapter Six of the updated Noise Compatibility Program document.

*Responsibilities:*

**Consultant:** Coffman Associates will prepare the working paper and all related graphics and distribute to PAC members and the Sponsor. This working paper will be sent one week prior to the PAC meeting via U.S. priority mail.

**Sponsor:** Review the working paper.

**Product:** A working paper covering the items outlined in this element. Up to fifty (50) copies will be printed for distribution to the PAC and the Sponsor.

**ELEMENT 9 - NOISE COMPATIBILITY PROGRAM**

Task 9.1 - Refinement of Noise and Land Use Alternatives

*Description:* Based on the results of local review of Working Papers 5 and 6, potential noise abatement and land use management alternatives will be refined as necessary. This may involve the preparation of additional noise abatement scenarios or the review of additional land use alternatives. This information will be included in Working Paper 7, a technical appendix, or in an addendum to Working Papers 5 or 6, as appropriate.

*Responsibilities:*

**Consultant:** Coffman Associates will be responsible for this task.

**Sponsor:** Review.

**Product:** A refined analysis of noise abatement and land use alternatives.

Task 9.2 - Recommended Noise Abatement Element

*Description:* Based on the results of previous elements and tasks, and subsequent review by the PAC and the general public, recommended noise abatement procedures will be developed. This will involve the organization of the procedures into final scenarios for the current year and 2006 and 2020 forecasts. This information will be coded for input to the Integrated Noise Model (INM).

*Responsibilities:*

**Consultant:** Coffman Associates will be responsible for this task.

**Sponsor:** Review.

Product: A complete description of recommended noise abatement procedures.

#### Task 9.3 - Abated Noise Contours

*Description:* Using the recommended noise abatement procedures from the previous task, the forecasts of aviation activity, and the existing operational procedures for the airport, develop abated noise exposure contours. The noise contours will be developed in five-DNL increments for current conditions and 2006 and 2020 forecast conditions. The contours will be developed using the INM.

#### *Responsibilities:*

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Noise exposure contour maps incorporating the final scenario procedures, in five-DNL increments, beginning with the 55 DNL level, for the current year and 2006 and 2020 forecasts.

#### Task 9.4 - Identification of Residual Impacts

*Description:* Based upon the recommended noise abatement procedures, the number of noise-sensitive land uses and resident population exposed to noise will be estimated. These are impacts that will remain in spite of all reasonable efforts to abate noise. Population impacts will be measured by the level-weighted population (LWP) methodology and absolute values.

#### *Responsibilities:*

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Existing and potential land use and population impacts that remain after implementation of recommended noise abatement procedures.

#### Task 9.5 - Recommended Land Use Management Element

*Description:* Based on the results of previous elements and tasks, and the input received from the PAC and the general public, final land use management recommendations will be formulated. They will be coordinated with local land use planning and regulatory agencies to ensure that they are realistic. Recommendations will identify ways to prevent, where possible, the development of new non-compatible land uses within growth risk areas impacted by noise under the final plan.

All options will be studied and recommendations will be made to mitigate any residual noise impacts that cannot be eliminated by noise abatement or by planning and regulation.

*Responsibilities:*

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Final land use management and noise impact mitigation recommendations.

Task 9.6 - Recommended Program Management Element

*Description:* Actions needed to administer, monitor, and update the Noise Compatibility Plan will be identified. These will be based on the Consultant's experience and input from the Sponsor and the local coordination process. This will be sufficient to meet F.A.R. Part 150 requirements for Noise Compatibility Programs.

*Responsibilities:*

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: A continuing program for review and update of the Noise Compatibility Program.

Task 9.7 - Implementation Schedule, Strategies, and Documents

*Description:* Based on input from the Sponsor and the local coordination process, and the Consultant's experience and in-house library of documents and materials, implementation strategies, schedules, and documents (sample avigation easements, subdivision amendments, building code amendments, etc.) will be developed for each of the recommended measures as needed and appropriate.

*Responsibilities:*

Consultant: Coffman Associates will be responsible for this task.

Sponsor: Review.

Product: Recommended implementation strategies, a schedule, and documents to assist implementation.



Task 9.8 - Working Paper No. 7, Noise Compatibility Program

*Description:* Develop a working paper describing the work prepared under this element. It will include the Consultant's recommendations relating to noise abatement, land use management, and program management. It will also include recommendations for scheduling and implementing the recommendations. This working paper represents the draft version of Chapter Seven of the updated Noise Compatibility Program document.

*Responsibilities:*

**Consultant:** Prepare narrative and related graphics for the working paper, and distribute to PAC members.

**Sponsor:** Review working paper.

**Product:** A working paper covering the items in Element 8. Fifty (50) copies will be printed for distribution to the PAC and Sponsor.

Task 9.9 - Revised Noise Compatibility Program

*Description:* Chapter Seven, Noise Compatibility Program will be revised based upon comments from the Planning Advisory Committee, Public Information Workshop, and other comments pertinent to the Part 150 process and resubmitted to the Planning Advisory Committee.

*Responsibilities:*

**Consultant:** Prepare revised narrative and related graphics for the Noise Compatibility Program working paper as necessary, and distribute to PAC members.

**Sponsor:** Review revised Noise Compatibility Program.

**Product:** A revised Noise Compatibility Program covering the items in Element 9. Fifty (50) copies will be printed for distribution to the PAC and Sponsor.

**ELEMENT 10 - PUBLIC COORDINATION AND COMMUNICATION**

Task 10.1 - Planning Advisory Committee (PAC) Meetings

*Description:* The Consultant and Sponsor will meet with the PAC to review working papers, to discuss study findings, and to identify issues deserving further study. Comments received during these meetings will be considered and evaluated and where appropriate additional analysis will be conducted in order to respond to those comments in the revised working papers. Graphic

displays and handout materials will be prepared as needed to facilitate the meetings. Four (4) PAC meetings have been budgeted.

At various points in the study, representatives of different interest groups serving on the PAC may be called together to meet as ad hoc "subcommittees". (These groups may include, for example, citizen and neighborhood representatives, airport users, or local land use planners.) These meetings will be convened when in-depth discussion of issues particularly relevant to those interest groups is needed. These meetings will be held during the trips for the PAC meetings. It is anticipated that meetings with the citizens and neighborhood subcommittee will be held during each PAC meeting trip.

*Responsibilities:*

- Consultant: Distribute meeting notices to PAC. Provide presentations and necessary graphics at the meetings. Prepare summary minutes.
- Sponsor: Arrange for meeting room. Coordinate jointly with Consultant.
- Product: Four (4) PAC Meetings with summary minutes.

Task 10.2 - Local Coordination Meetings

*Description:* Meet with and give presentations to the Sponsor or other local groups as directed by the Sponsor. Meetings are expected to involve status reports on the study and presentations of final recommendations. Two (2) local coordination meetings trips have been budgeted during the study. It has been assumed that these meetings would be held on trips other than the planned PAC meetings, Technical Conferences, and public hearing.

*Responsibilities:*

- Consultant: Provide presentations and necessary graphics at the meetings. Prepare summary minutes as appropriate.
- Sponsor: Coordinate jointly with Consultant.
- Product: Two (2) local coordination meeting trips.

Task 10.3 - Public Information Workshops

*Description:* The working papers prepared for the Noise Compatibility Study will be presented to the general public at public information workshops. The workshops will be held after the PAC meetings (on the same days). Four workshops have been budgeted.

Notification of the workshops will be accomplished using press releases, newspaper advertising, and direct mailings to interested citizens, neighborhood associations, and other groups in the area that may have an interest in the Noise Compatibility Study.

*Responsibilities:*

**Consultant:** Prepare press releases for Sponsor. Prepare mock-ups of newspaper advertisements. Prepare direct mail meeting announcements as directed. Provide facilitation, technical presentations, and related graphics for the meetings. Prepare summary minutes of meetings.

**Sponsor:** Provide names for mailing list. Review, approve, and send press releases to local media. Approve mock-ups of meeting advertisements. Arrange and pay for placement of ads in local newspapers. Arrange and pay for meeting room. Mail flyers announcing meetings to people on mailing list.

**Product:** News releases, meeting advertisements, display boards and charts, direct mail flyers, four (4) sets of public information workshops, summary minutes.

Task 10.4 - Public Hearing

*Description:* One public hearing will be held on the recommended Noise Compatibility Plan to solicit comments from the public. Comments received at the hearing will be included in the final NCP documentation. The format of the hearing will be designed to encourage maximum two-way communication while discouraging a confrontational situation. The format can be selected from a variety of options incorporating the formal hearing with an informal workshop. The budget is based on a one-day hearing held with a public information workshop. (This hearing/workshop is in addition to the workshops provided for in Task 10.3.)

*Responsibilities:*

**Consultant:** Provide mock-ups of a legal notice and display advertisement. Mail notices of public hearing to people on Planning Advisory Committees.

**Sponsor:** Arrange and pay for meeting room. Arrange for hearing officer to moderate hearing. Approve meeting notices and advertisements. Arrange and pay for publication of legal notice twice before the public hearing in a newspaper of general circulation in the area. Arrange and pay for a two-time publication of the display ad. Mail notices of public hearing to those on the public information workshop mailing list. Arrange and pay for preparation of the public hearing transcript.

**Product:** Public hearing, transcript of hearing.

### Task 10.5 - Responses to Public Hearing Comments

*Description:* Responses will be prepared to all comments raised at the public hearing and submitted in writing during the official comment period on the Noise Compatibility Study.

#### *Responsibilities:*

**Consultant:** Prepare responses to comments. Submit them to Sponsor for review. Distribute responses to commentors, as deemed appropriate by Sponsor.

**Sponsor:** Review and approve responses to comments.

**Product:** Responses to comments received at the public hearing will be included in Noise Compatibility Program support documentation.

### Task 10.6 - Summary Brochure

*Description:* Prepare narrative and graphics for a brochure summarizing the updated Noise Compatibility Program. The brochure will summarize the study process, the scope of noise issues, and the recommendations of the Noise Compatibility Program. It will include a summary of past noise abatement efforts at the airport and will explain how noise has changed through the years. The brochure will be printed in full color and will not exceed eight to twelve pages. It will be designed for widespread distribution to the public.

#### *Responsibilities:*

**Consultant:** Design, write, and print a summary report.

**Sponsor:** Review and distribute.

**Product:** One thousand (1,000) copies of summary report.

### Task 10.7 - Prepare Pilot Guide

*Description:* A photo-based pilot guide suitable for insertion into a Jeppesen flight manual will be prepared. It will describe key information about the airport and will describe noise abatement procedures and noise-sensitive areas near the airport.

#### *Responsibilities:*

**Consultant:** Design, draft, and print pilot guide.

Sponsor: Review and approve mock-up of pilot guide.

Product: Consultant shall prepare one thousand (1,000) copies of a pilot guide.

## **ELEMENT 11 - NOISE COMPATIBILITY PROGRAM DOCUMENT**

### **Task 11.1 - Draft Noise Compatibility Program Document**

*Description:* Prepare draft Noise Compatibility Program document for FAA review. This document will include following:

- revisions of working papers 5 through 7 previously distributed for review by the Sponsor and the Planning Advisory Committee;
- preparation of FAA's Noise Exposure Maps Checklist.

#### *Responsibilities:*

Consultant: Primary responsibility for task.

Sponsor: Review.

Product: Draft copies of documentation in support of the updated Noise Compatibility Program (NCP) suitable for FAA review. Five (5) copies will be provided.

### **Task 11.2 - Final Noise Compatibility Program Document**

*Description:* A document will be prepared and printed which includes the final working papers prepared under Elements 7 through 9 (noise and land use alternatives and the noise compatibility plan) and other information required to meet submission requirements for a Noise Compatibility Program (NCP) according to F.A.R. Part 150. The work will include:

- revisions of working papers 5 through 7 previously distributed for review by the Sponsor, FAA, and the Planning Advisory Committees;
- a description of the consultations with airport users, planning agencies, and the public necessary to produce the updated Noise Compatibility Program and copies of all written comments received on the study;
- preparation of FAA's Noise Compatibility Program Checklist;
- printing of a final document;

*Responsibilities:*

**Consultant:** Make all revisions necessary, and prepare and print updated Noise Compatibility Program Document for distribution by the Sponsor to FAA reviewers and for public record.

**Sponsor:** Review.

**Product:** Final copies of the updated Noise Compatibility Program document, suitable for submission by the Sponsor to the FAA. Sixty (60) copies will be provided. Final copies of a supplemental volume documenting the public involvement process, including all written comments received on the NCP (15 copies).

**EXHIBIT C**  
**PROJECT SCHEDULE**  
 For  
**ADDISON AIRPORT**  
**F.A.R. PART 150**  
**NOISE COMPATIBILITY STUDY UPDATE**

Element	MONTHS													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Initiation		◆■												
Inventory														
Aviation Forecasts														
Aviation Noise														
Noise Impacts					◆■									
Draft NEM						●								
Final NEM														
Noise Abate. Alts.														
Land Use Alts.														
Draft NCP														
Final NCP														□

Legend	
◆	Planning Advisory Committee Meeting (4)
■	Public Information Workshop (4)
●	Aviation & Land Use Technical Conferences (1 each)
□	Public Hearing and Information Workshop (1)

**ATTACHMENT D**  
**ADDITIONAL SERVICES TO BE PROVIDED BY THE CONSULTANT**  
**TxDOT CSJ No.: 0118ADDSN**

If authorized by supplemental Agreement by Agent, Consultant shall furnish or obtain from others additional services of the types listed hereinafter. These services are not included as part of the Basic Services to be Provided by the Consultant. Compensation for additional services will be in addition to compensation for services performed under Section 1 - Scope of Services.

1. Boundary, land, and right-of-way surveys, establishment of monuments; and, related office computations and drafting.
2. Preparation of property or easement descriptions and related drawings.
3. Assistance to the Agent and Sponsor as an expert witness in any litigation with third parties arising from the development or construction of the project.
4. Appearance before regulatory agencies.
5. Preparation of Environmental Impact Assessment Reports and assistance to the Agent in preparing for and attending public hearings.
6. Preparation of site selection studies
7. Additional copies of reports, plans, specifications, and documents above the number specified to be furnished under the Basic Services.
8. Travel and subsistence for the Consultant and Consultant's staff beyond that normally required under the Basic Services, when authorized by the Agent.
9. Preparation of operating instructions and manuals for facilities and training of personnel in the operation of the facilities.
10. Preparation of feasibility or rate-making studies.
11. Any other services required for the project, authorized in writing by the Agent, and not otherwise provided for in this Agreement.



**ATTACHMENT E**  
**LUMP SUM FEE DISTRIBUTION TO THE CONSULTANT**  
**TxDOT CSJ No. 0118ADDSN**

Subject to the limitations of Section 5, and other provisions of this Agreement, the lump sum fee for Basic Services as provided under Section 5 - Payments to the Consultant shall be distributed on the basis of the following percentages of the total lump sum fee for the phases of the Project.

1. Initiation	<u>03.350</u> percent
2. Inventory of Existing Conditions	<u>13.725</u> percent
3. Aviation Forecasts	<u>03.566</u> percent
4. Aviation Noise Analysis	<u>11.172</u> percent
5. Noise Impacts	<u>04.678</u> percent
6. Noise Exposure Map Document	<u>04.494</u> percent
7. Noise Abatement Alternatives	<u>10.066</u> percent
8. Land Use Alternatives	<u>07.678</u> percent
9. Noise Compatibility Program	<u>10.203</u> percent
10. Public Coordination & Communication	<u>26.575</u> percent
11. Noise Compatibility Program Document	<u>04.494</u> percent
<u>Totals</u>	<u>100.000</u> percent

**ATTACHMENT F  
SPECIAL PROVISION  
CONTRACTOR CONTRACTUAL REQUIREMENTS  
TITLE VI ASSURANCES  
TxDOT CSJ No.: 0118ADDSN**

During the performance of this contract, the contractor, for himself, its assignees and successors in interest (hereinafter referred to as the "contractor" agrees as follows:

1. Compliance with Regulations. The contractor shall comply with the regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination. The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontractors, Including Procurement of Materials and Equipment. In all solicitations either by competitive bidding or negotiation made by contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4. Information and Reports. The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and its facilities, as may be determined by the Agent or the Federal Aviation Administration (FAA) to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the sponsor or the FAA, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance. In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Agent shall impose such contract sanctions as it or the FAA may determine to be appropriate, including, but not limited to:

(a) withholding of payments to the contractor under the contract until the contractor

complies, and/or

(b) cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions. The contractor shall include the provisions of paragraphs 1 through 5 in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Agent or the FAA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Agent to enter into such litigation to protect the interests of the Agent and Sponsor and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

**ATTACHMENT G**  
**DISADVANTAGED BUSINESS ENTERPRISE (DBE) ASSURANCES**  
**TxDOT CSJ No.: 0118ADDSN**

1. Policy. It is the policy of the United States Department of Transportation (DOT) that Disadvantaged Business Enterprises (DBE), as defined in 49 CFR Part 26, Subpart A, be given the opportunity to compete fairly for contracts and subcontracts financed in whole or in part with Federal funds under this agreement. Consequently, the DBE requirements of 49 CFR Part 26 apply to this agreement.

2. DBE Obligations. The contractor will offer DBEs, as defined in 49 CFR Part 26, Subpart A, the opportunity to compete fairly for contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, all contractors will make a good faith effort in accordance with 49 CFR Part 26 to meet the contract DBE goal. Contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of DOT-assisted contracts. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT assisted contracts. The requirements of this provision shall be physically included in any subcontract.

3. Project DBE Participation Goal and Good Faith Effort. The bidder/proposer shall make good faith efforts, as defined in Appendix A of 49 CFR Part 26, Regulations of the Office of the Secretary of Transportation, to subcontract 0% percent of the dollar value of the prime contract to DBEs. A bidder for this solicitation that qualifies as a DBE, may receive credit toward the DBE goal for work performed by his/her own forces and work subcontracted to DBEs. The DBE bidder must report any subcontracts to non-DBEs. The apparent successful competitor will be required to submit information concerning the DBE(s) that will participate in the contract. Eligible DBEs are firms certified as such by the Department in accordance with 49 CFR Part 26. The information will include: (1) the name and address of each DBE; (2) a description of the work to be performed by each named firm; and (3) the dollar value of the work of the contract. If the bidder fails to achieve the contract goal stated herein, it will be required to provide documentation demonstrating that it made good faith efforts in attempting to do so. A bid that fails to meet these requirements will be considered nonresponsive. If the Director of Aviation determines that the apparent successful competitor has failed to meet the good faith effort requirements, they will be given an opportunity for reconsideration by the Director of the Construction Division.

4. Counting DBE Participation Toward Meeting the Goals. The Texas Department of Transportation through the Division of Aviation, hereinafter called the "Agent," will count DBE participation toward the goals in accordance with the guidelines outlined below.

a. Once a firm is determined to be an eligible DBE under 49 CFR Part 26, the total amount paid to the DBE for work performed with his/her own forces is counted toward the DBE goal. When a DBE subcontracts part of the work of its contract to another firm, the value of the

subcontracted work may be counted toward DBE goals only if the subcontractor is itself a DBE. Work that a DBE subcontracts to a non-DBE firm does not count toward DBE goals. An eligible DBE is defined for this program as one that is currently certified by the Texas Department of Transportation.

b. The Agent and its contractors will count toward the DBE goals a portion of the total dollar value of a contract with a certified DBE joint venture equal to the distinct, clearly defined portion of the work of the contract performed by the DBE.

c. Only expenditures to the DBE that performs a commercially useful function in the work of a contract will be counted toward the DBE goals. A DBE is considered to perform a commercially useful function when it is responsible for execution of the work of the contract and carrying out its responsibilities by actually performing, managing, and supervising the work involved. To determine whether a DBE is performing a commercially useful function, the Agent and its contractors will evaluate the amount of work subcontracted, industry practices, and other relevant factors. When a DBE is presumed not to be performing a commercially useful function, the DBE may present evidence to rebut this presumption.

d. Consistent with normal industry practices, a DBE may enter into subcontracts. If a DBE contractor subcontracts a significantly greater portion of the work of the contract than would be expected on the basis of normal industry practices, the DBE shall be presumed not to be performing a commercially useful function. The DBE may present evidence to the Agent to rebut this presumption.

e. The Agent and its contractors will count toward the DBE goals 60 percent of expenditures for materials and supplies required under a contract and obtained from a DBE regular dealer, and 100 percent of such expenditures obtained from a DBE manufacturer.

f. For purposes of this DBE program, a manufacturer is a firm that operates or maintains a factory or establishment that produces on the premises the materials, supplies, articles or equipment required under the contract and of the general character described by the specifications. Brokers, packagers, manufacturers' representatives or persons who arrange or expedite transactions shall not be regarded as manufacturers.

g. For purposes of this DBE program, a regular dealer is a firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the contract are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a regular dealer, the firm must be an established regular business that engages in, as its principal business, and in its own name, the purchase and sale of the products in question. A regular dealer in such bulk items as steel, cement, gravel, stone and petroleum products need not keep such products in stock, if it owns or operates distribution equipment for the product. Brokers, packagers, manufacturers' representatives or other persons who arrange or expedite

transactions shall not be regarded as regular dealers. Any supplementing of regular dealers own distribution equipment shall be by a long-term lease agreement and not on an adhoc or contract-by-contract basis.

h. The Agent and its contractors may count toward the DBE goals the following expenditures to DBE firms that are not manufacturers or regular dealers provided that the fee or commission is determined by the Agent to be reasonable and not excessive as compared with fees customarily allowed for similar services:

(1) The fees or commissions charged by a DBE for providing a bona fide service, such as professional, technical, consultant or managerial services, and assistance in the procurement of materials or supplies required for performance of the contract, provided that the fee or commission is determined by the Agent to be reasonable and not excessive as compared with fees customarily allowed for similar services.

(2) The fees charged for delivery of material and supplies required on a job site (but not the cost of the materials and supplies themselves) when the hauler, trucker, or delivery service is not also the manufacturer or a regular dealer in the materials and supplies.

(3) The fees or commission charged for providing any bonds or insurance specifically required for the performance of the contract.

5. Conditional Award. If the successful bidder for a federal-aid contract is determined to be acceptable, the Agent will conditionally award the contract. The condition of the award is that within 14 days after the date of the award, the bidder must furnish to the Agent names and addresses of the DBE subcontractors that are intended to be used, a description of the work each subcontractor is to perform, the dollar value of each proposed subcontract, and a tentative agreement for each DBE firm submitted, signed by an officer of the contractor and an officer of the proposed DBE firm. A contractor who does not meet the contract goal, in whole or in part, must submit within the 14 days, documentation showing the steps taken to obtain DBE participation ("Good Faith Effort").

Such documentation is to be submitted directly to the Agent's Grant Administrator. The Agent's Grant Administrator will evaluate the contractor's documented efforts and will determine whether or not they constitute compliance with the contract DBE requirements and are acceptable. Should the bidder to whom the contract is conditionally awarded refuse, neglect or fail to meet the goals or furnish acceptable documentation, the bid bond filed with the bid may become the property of the State, not as a penalty, but as liquidated damages to the Agent.

6. Conditional Acceptance of Proposal. If the successful proposer for a federal-aid professional services contract is determined to be acceptable, the Agent will conditionally accept the proposal. The condition of the acceptance is that prior to the execution of a professional

services contract, the proposer must furnish to the Agent names and addresses of the DBE subcontractors that are intended to be used, a description of the work each subcontractor is to perform, the dollar value of each proposed subcontract, and a tentative agreement for each DBE firm submitted, signed by an officer of the contractor and an officer of the proposed DBE firm. A professional service provider who does not meet the contract goal, in whole or in part, must submit prior to execution of the contract, documentation showing the good faith efforts made to meet the DBE goal.

Such documentation is to be submitted directly to the Aviation Division. TxDOT's Aviation Division will evaluate the professional service provider's documented efforts and will determine whether or not they constitute compliance with the contract DBE requirements and are acceptable. If the Director of the Aviation Division determines that the professional service provider has failed to meet the good faith effort requirements, the professional service provider will be given an opportunity for reconsideration by the Director of the Construction Division. Should the professional service provider whose proposal has been conditionally accepted refused, neglect or fail to make a good faith effort to meet the goals or furnish acceptable documentation, the Agent may then conditionally accept the proposal of the second selected proposer.

7. Required Reporting of DBE Participation. The contractor shall submit on a monthly basis reports of DBE participation to meet the goal and for race-neutral DBE participation, and submit a final report on the completion of the project. Only actual payments made to DBEs are to be reported. Reports for race-neutral DBE participation on contracts with no DBE goal are required.

8. Sanctions for Noncompliance. In the event of the contractor's noncompliance with the DBE requirements of this contract, the Agent may impose one or more of the following contract sanctions :

- a. cancellation, termination or suspension of the contract, in whole or in part, and/or
- b. withholding of payments to the contractor under the contract until the contractor complies, and/or
- c. other remedies as FAA or the Agent deems appropriate.

**ATTACHMENT H  
CHILD SUPPORT STATEMENT  
FOR NEGOTIATED CONTRACTS AND GRANTS  
TxDOT CSJ No.: 0118ADDSN**

Under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this Agreement, bid, or application is eligible to receive the specified grant, loan, or payment and acknowledges that this Agreement may be terminated and payment may be withheld if this certification is inaccurate.

List below the name and social security number of the individual or sole proprietor and each partner, shareholder, or owner with an ownership interest of at least 25% of the business entity submitting the bid or application.

Jeanette V. Coffman 512-42-8418

---

Section 231.006, Family Code, specifies that a child support obligor who is more than 30 days delinquent in paying child support and a business entity in which the obligor is a sole proprietor, partner, shareholder, or owner with an ownership interest of at least 25 percent is not eligible to receive payments from state funds under a Agreement to provide property, materials, or services; or receive a state-funded grant or loan.

A child support obligor or business entity ineligible to receive payments described above remains ineligible until all arrearage have been paid or the obligor is in compliance with a written repayment Agreement or court order as to any existing delinquency.

Except as provided by Section 231.302(d), Family Code, a social security number is confidential and may be disclosed only for the purposes of responding to a request for information from an agency operating under the provisions of Parts A and D of Title IV of the federal Social Security Act (42 USC Section 601-617 and 651-669).

GSD, 10-95