

**Notice of Public Meeting
of the
DES MOINES AIRPORT AUTHORITY
BOARD**

DATE: December 11, 2018
TIME: 9:00 a.m.
PLACE: Airport Board Room, 2nd Floor, Airport Terminal

Agenda

Call to Order and Roll Call

- 1. Consider Minutes for November 13, 2018, Meeting**
- 2. Pave Interior Service Road Construction Project (Director of Engineering)**
 - a. Reconsider award of contract for the Pave Interior Service Road Project to Flynn Company, Inc. in the amount of \$630,475.08.**
 - b. Reconsider Supplemental No. 1 to Task Order No. 51 with Foth Infrastructure & Environment, LLC for the Interior Service Road Pave project – Construction Phase Services in the amount of \$67,000.00**
- 3. Consider Conflict of Interest Waiver for Ahlers & Cooney, P.C.'s representation of the Authority regarding a Joint Public Improvement Agreement with the City of Des Moines (Executive Director)**
- 4. Consider Commercial Development Request for Proposals (Executive Director)**
- 5. Consider Task Order No. 2 with Kimley-Horn & Associates, Inc. for the Preliminary Design Cowles Drive project (Director of Engineering)**
- 6. Consider Contract with American Fence Company of Iowa for temporary fencing in the South Quadrant, Buildings 33, 34, & 35 (Director of Engineering)**
- 7. Consider Agreement with the United States Department of Agriculture Wildlife Services (Director of Operations)**
- 8. Consider Fifth Amendment to the Airline Operating and Use Agreement (Director of Finance)**
- 9. Consider Assignment of Car Rental Agreements (Director of Finance)**
- 10. Consider Management Staff (Executive Director and Directors) Salary Adjustments (Compensation Committee)**
- 11. Financial Report (Director of Finance)**
- 12. Briefing (Executive Director)**
- 13. Adjourn**

Agenda Notes:

Call to Order and Roll Call

- 1. Consider Minutes for November 13, 2018, Meeting**
- 2. Pave Interior Service Road Construction Project (Director of Engineering)**

At its August 14, 2018, meeting, the Board approved this project subject to an FAA grant award. Staff applied for a discretionary grant through the Supplemental Appropriation (FY 2018-2020) Program, but the grant was not awarded for FY 2018. The bid for this project was significantly below the Engineer's estimate since the contractor will already be on site for another project, but the expiration date of the bid is January 10, 2019. Completing the project as planned will decrease operational disruptions, and this project is part of the enabling project for the future Terminal. Staff has reapplied for a discretionary project grant in FY 2019, but we have not yet received notice if the grant will be awarded. If the grant is awarded, all contract amounts are eligible for the 90/10 split. If the grant is not awarded, staff recommends using PFCs to recover the expense.

- a. Reconsider award of contract for the Pave Interior Service Road Project to Flynn Company, Inc. in the amount of \$630,475.08**

The lowest responsive, responsible bidder was Flynn Company, Inc. in the amount of \$630,475.08.

Staff Recommendation: Approve the contract with Flynn Company, Inc. in the amount of \$630,475.08 for the improvement and authorize the Director of Engineering and Planning to accept and close out this project when completed in accordance with the contract documents.

- b. Reconsider Supplemental No. 1 to Task Order No. 51 with Foth Infrastructure & Environment, LLC for the Interior Service Road Pave project – Construction Phase Services in the amount of \$67,000.00**

During the Interior Service Road Pave project, the consultant will provide contract management, construction administration, construction testing, and construction observation for the project. The negotiated amount of the agreement is \$67,000.00.

Staff Recommendation: Approve the professional services agreement with Foth Infrastructure & Environment, LLC in the amount of \$67,000.00 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents.

3. Consider Conflict of Interest Waiver for Ahlers & Cooney, P.C.'s representation of the Authority regarding a Joint Public Improvement Agreement with the City of Des Moines (Executive Director)

Application for the IDOT Revitalize Iowa's Sound Economic Program (RISE) grant that may provide funding to assist with the construction of two entrance roads on the Airport must be submitted by the City of Des Moines on the Authority's behalf. Airport staff anticipates submitting two separate applications: one for Southwest 28th Street entering the south quadrant of the Airport and one for Cowles Drive entering the east quadrant of the Airport. A Joint Public Improvement Agreement detailing responsibilities of the Airport Authority and City is necessary prior to the City accepting the grants if awarded. Ahlers & Cooney represents the City of Des Moines in various matters including, but not limited to, certain economic development matters and as bond counsel and the Des Moines Airport Authority as general counsel. Ahlers & Cooney's representation of the Authority will include, but not be limited to, reviewing the Joint Public Improvement Agreement for compliance with FAA grant assurance obligations. The City will be represented by its assistant city attorneys and will not rely on Ahlers & Cooney, P.C. for any legal advice or representation regarding either the Joint Public Improvement Agreement or the Agreement for a Revitalize Iowa's Sound Economy Program grant. Based on Ahlers & Cooney's preliminary review of the Joint Public Improvement Agreement, they do not expect the interests of the Authority will be adverse to those of the City. However, since the City is one of Ahlers & Cooney's current clients, any work that Ahlers & Cooney performs for the Authority that would be adverse to the City would create a conflict of interest. Therefore, Ahlers & Cooney cannot represent the Authority in this matter unless the Authority Board and the Des Moines City Council agree to waive the conflict. Ahlers & Cooney submitted the attached request for a waiver of conflict of interest to the Authority and the City of Des Moines. The City Council approved the request and the Mayor executed it. Staff has reviewed the waiver and finds it acceptable.

Staff Recommendation: Approve the Conflict of Interest Waiver for Ahlers & Cooney, P.C.'s representation of the Authority regarding a Joint Public Improvement Agreement with the City of Des Moines.

4. Consider Commercial Development Request for Proposals (Executive Director)

As part of the Terminal Development Plan, programming and design will begin for enabling projects in the east quadrant of the Airport. Prior to starting design work, while options remain to adjust present planning, staff believes it is prudent to solicit ideas for commercial development to ensure the highest and best use of Airport property. Should a viable proposal come forth that requires property where current infrastructure is in use, time remains available to amend present plans.

Staff Recommendation: Approve the issuance of a Commercial Development Request for Proposals.

5. Consider Task Order No. 2 with Kimley-Horn & Associates, Inc. for the Preliminary Design Cowles Drive project (Director of Engineering)

As part of the Terminal Development Plan, Authority staff intends to implement the first phase of Cowles Reconstruction that generally includes the removal of the current terminal entrance from Fleur Drive, reconstruction of a combined entry/exit point at Cowles Drive/Highview Drive, conversion of Duck Pond road into a northbound one-way entry-road, a connection to a proposed entry plaza, and new alignment in front of the proposed terminal to a point where it connects to the north end of existing curbside in front of the existing terminal. The Consultant will provide project coordination, geotechnical exploration, advanced planning, survey, conceptual design, and funding research assistance.

Staff Recommendation: Approve Task Order No. 2 with Kimley-Horn & Associates, Inc. in the amount of \$497,800.00 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents.

6. Consider Contract with American Fence Company of Iowa for temporary fencing in the South Quadrant, Buildings 33, 34, & 35 (Director of Engineering)

This project will install temporary fencing around the vacated buildings in the South Quadrant scheduled to be demolished. The buildings include buildings number 33, 34, & 35. Installation of the fence prior to awarding contracts for demolition of these buildings will assist with security requirements and ultimately improve the bids. The Engineer's Estimate for installation of the fence is \$79,040.00. The project is included in the 2018 Budget. Quotes were received on December 4, 2018, and the lowest responsive, responsible quote for the project was American Fence Company of Iowa in the amount of \$64,176.68.

Staff Recommendation: Approve the contract with American Fence Company of Iowa in the amount of \$64,176.68 and authorize the Director of Engineering and Planning to accept and close out these projects when completed in accordance with the contract documents.

7. Consider Agreement with the United States Department of Agriculture Wildlife Services (Director of Operations)

This agreement will provide direct, year-round control services, utilizing a part-time wildlife biologist and one part-time wildlife technician. The biologist and technician are provided office space and equipment storage space on Airport property. Wildlife services will monitor wildlife use patterns on the airfield and apply an integrated wildlife damage management approach to reduce wildlife hazards to aviation. In addition, wildlife services will provide wildlife management training to airport operations personnel as required under title 14 Code of Federal Regulations Part 139. This is a 3-year agreement that either party may terminate with 120 days' written notice. The annual cost is \$62,000 and is included in the 2019 budget.

Staff Recommendation: Approve the Agreement with the United States Department of Agriculture Wildlife Services and authorize the Executive Director to sign the Agreement with the United States Department of Agriculture.

8. Consider the Fifth Amendment to the Airline Operating and Use Agreement (Director of Finance)

The Fifth Amendment to the Airline Operating and Use Agreement has been provided to all passenger and cargo airlines. The amendment extends the end date of the agreement to December 31, 2019. Agreements from Southwest and United Parcel Service have been returned to date.

Staff Recommendation: Approve the Fifth Amendment to the Airline Operating and Use Agreement and authorize the Board Chairperson to sign remaining amendments as returned by the airlines.

9. Consider Assignment of Car Rental Agreements (Director of Finance)

Authority staff has received a request for the assignment of the On-Airport Automobile Rental Concession and Lease Agreements (“Car Rental Concession”) for Avis, Budget, and Payless brands to Avis corporate entity. One agreement is for the Avis brand between the Authority and Ruan, Inc. The second agreement for the Budget and Payless brands is between the Authority and Ruan Car Sales, Inc. The terms of the agreements will not change with this assignment.

Staff Recommendation: Approve the assignment of the Avis Car Rental Agreement from Ruan, Inc to Avis Budget Car Rental, LLC. Approve the assignment of the Budget and Payless Car Rental Agreement from Ruan Car Sales, Inc to Avis Budget Car Rental, LLC.

10. Consider Management Staff (Directors) Salary Adjustment (Executive Director/ Compensation Committee)

The Compensation Committee met with the Executive Director to review the four Directors’ salaries and hear the Executive Director’s recommendations. In the review, Des Moines International Airport’s salaries and staffing levels were compared to similarly sized airports.

The Executive Director is recommending a three percent salary increase for the Director of Finance and the Director of Engineering, and a final step raise for the Director of Operations, all of which is included in the 2019 budget. Also included in the 2019 budget, and recommended by the Compensation Committee, is a three percent salary increase for the Executive Director.

Recommendation: Approve the Executive Director and Compensation Committee’s salary recommendations for the Director of Operations, Director of Finance, and Director

of Engineering, and the Compensation Committee's salary recommendation for the Executive Director.

11. Financial Report (Director of Finance)

12. Briefing (Executive Director)

13. Adjourn