

LEGISLATIVE DIGEST

[Waiver of Municipal Code Requirements for Airport Agreement with the Federal Aviation Administration]

Ordinance exempting from requirements of the Administrative Code and the Environment Code the Reimbursable Agreement between the San Francisco International Airport and the Federal Aviation Administration for Services to Commission a Ground Based Augmentation System at the Airport; and affirming the Planning Department's determination under the California Environmental Quality Act

Existing Law

Various City and County of San Francisco ("City") ordinances require that agreements between the City and third parties, including government agencies, contain specific contract language. The Federal Aviation Administration ("FAA"), however, must follow its own federal procurement and contracting requirements and cannot incorporate the City's contract language into the Agreement.

Amendments to Current Law

The Ordinance would exempt the reimbursable agreement between the San Francisco International Airport (the "Airport") and the FAA (the "Agreement") for services to implement a Ground Based Augmentation System ("GBAS") from otherwise applicable sections of the Administrative Code and the Environment Code.

Background Information

The GBAS Project ("Project") would enhance arrival and landing operations at the Airport by allowing aircraft to fly satellite-based approaches. GBAS is a modern precision navigation system that monitors the Global Positioning System signal of arriving aircraft and could provide multiple landing approaches to all runways at the Airport. Among the potential benefits of the Project, GBAS-enabled flight procedures may provide community noise reduction, enable more efficient approaches, increase safety, and reduce delays during low-visibility weather conditions.

On June 16, 2020, by Resolution No. 20-0114, the Airport Commission determined to proceed with the Project and awarded Sole Source Contract No. 11299.44 to Honeywell International, Inc., to purchase the GBAS.

To implement the Project, the Airport requires the involvement of the FAA to certify, oversee, and implement the GBAS. The FAA would provide technical oversight, perform flight inspections, commission the GBAS, and train FAA technical operations personnel. The FAA

requires the Airport to execute a reimbursable agreement to pay for the FAA's services in a form required by the FAA.

Various City ordinances require that agreements between the City and third parties, including government agencies, contain specific contract language, such as Administrative Code requirements regarding contract assignment, contract modification, and audits of contractor records, and Environment Code requirements regarding food waste reduction. The FAA, however, must follow its own federal procurement and contracting requirements. The FAA lacks the authority to incorporate the City's contract language into the Agreement.

On December 1, 2020, through Resolution No. 20-0233, the Airport Commission authorized the Airport Director (1) to enter into the Agreement, in the amount of \$235,846 and with a duration of five years, subject to obtaining appropriate waivers of Administrative Code and Environment Code sections from the Board of Supervisors and (2) to seek such waivers.

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