

RESOLUTION NO. RES-16-0108

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AUTHORIZING THE CITY  
MANAGER TO EXECUTE A CONTRACT AND ANY  
AMENDMENTS THERETO WITH BRÜEL & KJAER EMS  
INC. WITHOUT ADVERTISING FOR BIDS FOR THE  
MAINTENANCE, UPGRADE AND SUPPORT OF THE LONG  
BEACH AIRPORT NOISE AND OPERATIONS  
MONITORING SYSTEM (ANOMS) IN AN AMOUNT NOT TO  
EXCEED \$873,356

WHEREAS, the Long Beach Airport utilizes the Airport Noise and Operations  
Monitoring System ("ANOMS") to enforce the City's noise compatibility ordinance; and

WHEREAS, the City's noise ordinance (LBMC Chapter 16.43) is recognized  
as one of the strictest in the country and the administration of the ordinance requires  
specialized, unique and custom data processing and reporting programs; and

WHEREAS, a competitive bid process was conducted in 1991 for an  
ANOMS, which resulted in an award to Lochard Corporation, predecessor in interest to  
Bruel & Kjaer EMS Inc.; and

WHEREAS, the installation of the ANOMS system enabled airport staff to  
ensure flight data accuracy and completeness for monitoring and compiling the annual  
noise analysis budget, Los Angeles County Quarterly reporting, complaint entry  
investigations, community reports, tenant and user fly-quiet procedures and reports for  
noise violation enforcement; and

WHEREAS, due to the unique nature and enforcement requirements of  
LBMC 16.43, the ANOMS installation includes customized data collection and processing  
algorithms specific to the Long Beach Airport; and

1 WHEREAS, the associated hardware/software combination was designed by  
2 Bruel & Kjaer EMS Inc. and is used solely with Bruel & Kjaer EMS Inc. solutions; and

3 WHEREAS, Bruel & Kjaer EMS Inc. is the only company capable of providing  
4 technical support and services needed for maintaining, upgrading and supporting the  
5 ANOMS system; and

6 WHEREAS, no useful purpose would be served by advertising for bids and  
7 to do so would constitute an idle and useless act and an unnecessary expenditure of public  
8 funds because Bruel & Kjaer EMS Inc. is the only corporation, firm or individual that could  
9 or would bid for the maintenance, upgrade and support of the Airport Noise and Operations  
10 Monitoring System;

11 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
12 follows:

13 Section 1. The City Manager is hereby authorized to enter a contract,  
14 without advertising for bids, with Bruel & Kjaer EMS Inc. for the maintenance, upgrade and  
15 support of the Airport Noise and Operations Monitoring System (ANOMS) for a period of  
16 one (1) year with the option to extend for two (2) additional one-year periods in an amount  
17 not to exceed Eight Hundred Seventy-Three Thousand Three Hundred Fifty-Six Dollars  
18 (\$873,356). If the sole source status of Bruel & Kjaer EMS Inc. changes, City shall publicly  
19 bid instead of extending the contract.

20 Section 2. This resolution shall take effect immediately upon its adoption  
21 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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1 I hereby certify that the foregoing resolution was adopted by the City Council  
2 of the City of Long Beach at its meeting of November 1, 2016  
3 by the following vote:

4  
5 Ayes: Councilmembers: Pearce, Price, Supernaw,  
6 Mungo, Andrews, Austin.

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9 Noes: Councilmembers: None.

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11 Absent: Councilmembers: Gonzalez, Uranga, Richardson.

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15 Marion de la L. Harvin  
16 City Clerk  
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