



Austin Transit Partnership Board of Directors Resolution

Meeting Date: 1/24/2024

ATP-2024-001

Resolution authorizing the negotiation and execution of NEPA Review Support (139j) Consultant contract

Subject: Approval of a resolution authorizing the Executive Director, or their designee, to negotiate and execute a contract with Pinyon Environmental, Inc. for National Environmental Policy Act (NEPA) Review Support 139(j) Consultant services for a term of two years, with one 12-month extension option, in an amount not to exceed \$900,000; and authorizing the negotiation and execution of a Memorandum of Agreement with the Federal Transit Administration to receive such Consultant support.

Fiscal Impact: Funding for this contract is available in the FY2023-24 Capital Budget.

Executive Summary: To advance Austin Light Rail in a timely manner, it is important for ATP to be able to provide the Federal Transit Administration (FTA) with additional resources to expedite its environmental review, compliance, and documentation activities associated with NEPA requirements. Under 23 U.S.C. § 139(j), ATP is permitted to solicit and pay for such resources on behalf of the FTA, pursuant to a Memorandum of Agreement with the FTA. The selected Consultant will assist FTA staff with the review and approval of documents related to regulatory requirements including, but not limited to, the National Historic Preservation Act, Section 4(f) of the Department of Transportation Act, and any other regulatory requirements under NEPA.

Procurement Summary: On October 30, 2023, the Procurement Department issued a request for proposals for National Environmental Policy Act (NEPA) Review Support 139(j) Consultant services. An RFP process was utilized because factors other than cost were needed for selection of award. The RFP was advertised in the Austin American Statesman and published on ATP's website, and 45 potential proposers were sent invitations to participate through ATP's e-procurement system. Two (2) proposals were received and evaluated by a team of ATP subject matter experts based on the following criteria: (i) experience in scope area, (ii) understanding and project approach, and (iii) fee schedule. The proposer recommended for contract award is Pinyon Environmental, Inc., having received the highest score, technical and cost factors considered.

Disadvantaged Business Enterprise Program Summary: No federal funding will be used in these contracts. The disadvantaged business enterprise program applies to federally funded contracts only.



RESOLUTION OF THE AUSTIN TRANSIT PARTNERSHIP

BOARD OF DIRECTORS

STATE OF TEXAS
COUNTY OF TRAVIS

Resolution ID: ATP-2024-001

Resolution authorizing the negotiation and execution of NEPA Review Support (139j) Consultant contract

WHEREAS, to advance Austin Light Rail in a timely manner, it is important for ATP to be able to provide the Federal Transit Administration (FTA) with additional resources to expedite environmental review, compliance, and documentation activities associated with NEPA requirements; and

WHEREAS, under 23 U.S.C. § 139(j), ATP is permitted to solicit and pay for these services on behalf of the FTA, by entering into a Memorandum of Agreement with the FTA; and

WHEREAS, the selected Consultant will assist FTA staff with the review and approval of documents related to regulatory requirements including, but not limited to, the National Historic Preservation Act, Section 4(f) of the Department of Transportation Act, and any other regulatory requirements under NEPA.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of ATP that the Executive Director, or their designee, is hereby authorized to negotiate and execute a contract with Pinyon Environmental, Inc. for NEPA Review Support 139(j) Consultant services for a term of two years, with one 12-month extension option, in an amount not to exceed \$900,000; and authorizes the negotiation and execution of a Memorandum of Agreement with the Federal Transit Administration to receive such Consultant support.

DocuSigned by:
Brandon Carr
CDE2044BECCEFA78
Brandon Carr
Secretary of the Board

1/26/2024
Date