

<https://apps.trb.org/cmsfeed/TRBNetProjectDisplay.asp?ProjectID=5970>

ACRP 11-01/Topic 18-02 [RFP]

Role of Legal Counsel During an Airport Emergency

Posted Date: 6/22/2026

#### Project Data

Funds: \$85,000

Contract Time: 15 months

Authorization to Begin Work: 9/3/2026 -- estimated

Staff Responsibility: Jordan Christensen

Email: jchristensen@nas.edu

RFP Close Date: 8/3/2026

Fiscal Year: 2026

#### BACKGROUND

All airports face risks from emergencies, whether man-made, mechanical, or natural. While 14 CFR Part 139 airports are required to establish an Airport Emergency Plan (AEP) to address at least nine types of emergencies, some airports also create emergency plans to manage and plan for their response. The role of an airport's legal counsel in the AEP should be examined at various airports, with consideration given to the steps legal counsel can take during the preparedness, response, and recovery phases of major emergencies to support effective emergency response and mitigate liability and risk to the airport.

#### OBJECTIVES

The objectives of this research include the following:

Explain the legal requirements for an AEP under 14 CFR Part 139, identify other statutes and regulations that create responsibilities for emergency response outside of 14 CFR Part 139, and identify other emergency plans that airports implement.

Evaluate tools that an airport's legal counsel can utilize, both in terms of emergency planning and conducting typical airport business, to help manage potential risks during an emergency.

Discuss the roles of legal counsel and the resources they can utilize during and immediately following the initial emergency response and examine the benefits of and drawbacks to these approaches.

Explore, through two or three case studies, whether and how legal counsel supports an airport in responding to and recovering from an emergency.

#### RESEARCH IMPLEMENTATION

This research will be conducted in two phases and five tasks. The subaward will be issued as a fixed-price agreement. At the conclusion of Phase I, the ACRP will determine whether to proceed with Phase II. The tasks will be as follows.

#### PHASE I

Task 1a. Participate in a kickoff call with the panel to discuss the scope of work.

Task 1b. Conduct background research and gather relevant material. After completing the initial review of the source materials, submit a detailed report outline. The outline should clearly describe the planned content and include estimated page lengths for each section and subsection. Submit the outline to the ACRP for review and approval. Participate in a conference call with the ACRP panel 3 weeks after submitting the outline to discuss the detailed report outline and obtain direction before proceeding with report development.

#### PHASE II

Task 2. Following ACRP approval of the detailed outline, conduct additional research and case and statutory/regulatory analyses. Collect and analyze additional primary data to support the research findings and recommendations.

Task 3. Prepare and submit an initial draft report consistent with the approved outline and any modifications approved by the ACRP. Participate in a conference call with the ACRP panel 3 weeks after submitting the initial draft report to review it, discuss panel comments, and obtain guidance for preparing the draft final report.

Task 4. Revise the initial draft report in response to the ACRP review and panel comments. Submit a draft final report that includes both a marked-up version showing all revisions and a clean version of the draft final report.

Task 5. The ACRP will provide written review comments on the draft final report. Prepare responses to each comment that address and identify the corresponding revision made. Revise the draft final report as appropriate and submit the final report along with the responses to comments.

FUNDING: \$85,000

25% paid upon submission and approval of the Task 1 outline.

50% paid upon submission and approval of the Task 3 draft report.

25% paid upon submission and approval of the Task 5 final report.

#### SPECIAL NOTES

A. To be selected, proposers must include a multidisciplinary team of attorneys and other airport professionals (active or retired), including airport staff and/or consultants with relevant experience.

B. Proposers will be evaluated by individuals collectively knowledgeable in this problem area. Evaluations are based upon the proposers': (1) knowledge, experience, and accomplishments in the subject area (demonstrated by the project team's qualifications, resumes, and diversity of perspectives); (2) understanding of the concept of the problem (demonstrated by the research plan and statement of resources); (3) understanding of the work (demonstrated by the team's proposed approach to conducting the research and preparing the report); (4) schedule for completing the work; and (5) if applicable, prior relevant publications.

C. Proposals should include a task-by-task breakdown of labor hours for each staff member, as shown in Figure 4 of the standard CRP budget template; Figures 5, 6, and 7 are not needed for the Legal Studies program. Proposers must also provide evidence that the labor rates on the budget are commercially reasonable or have been accepted on a contract with a federal or state government agency. Please note that selected proposers are considered subawardees to the National Academy of Sciences, the parent organization of TRB. TRB Cooperative Research Program subawards must comply with 2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. These requirements include a provision that proposers without a federally Negotiated Indirect Costs Rate Agreement (NICRA) or audited indirect rates shall be subject to a maximum allowable indirect rate of 15% of Modified Total Direct Costs (de minimis rate). Modified Total Direct Costs include all salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$50,000 of each lower-tier subaward. Modified Total Direct Costs exclude equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs, and the portion of each lower-tier subaward in excess of \$50,000.

< < IMPORTANT > >

I. The brochure Information and Instructions for Preparing Proposals for the Transportation Research Board's Cooperative Research Programs includes extensive guidance on the preparation of acceptable proposals for submission to CRP. Revisions to these instructions are highlighted in yellow within that document.

II. Proposals will be rejected if any of the proposed research team members work for organizations represented on the project panel. The panel roster for this project can be found at <https://www.mytrb.org/OnlineDirectory/Committee/Details/3227>. Proposers may

not contact panel members directly; this roster is provided solely for the purpose of avoiding potential conflicts of interest.

III. The text of the final deliverable is expected to be publication ready when it is submitted. It is strongly recommended that the research team include the expertise of a technical editor as early in the project timeline as possible. See Appendix F of the Procedural Manual for Subawardees Conducting Research in the Transportation Research Board's Cooperative Research Program for technical editing standards expected in final deliverables.

IV. The National Academies have an ethical and legal obligation to provide proper attribution whenever material from other sources is included in its reports, online postings, and other publications and products. TRB will review all Cooperative Research Programs draft final deliverables using the software iThenticate for potential plagiarism. If plagiarized text appears in the draft final deliverable, the research team will be required to make revisions and the opportunity to submit future proposals may be affected.

Proposals must be uploaded via this link:

<https://www.dropbox.com/request/578weiz2hvhzr6raueca>

Proposals are due not later than 5:00 p.m. Eastern Time on 8/3/2026.

This is a firm deadline, and extensions are not granted. In order to be considered for award, the agency's proposal must be in our offices not later than the deadline shown, or the proposal will be rejected.

#### General Notes

1. Regarding non-discrimination practices and policies, proposers are required to comply with applicable federal and state laws and regulations (including without limitation, federal civil rights laws, regulations, and requirements) and follow applicable federal guidance, except as the Federal Government determines otherwise in writing. Without limitation of the foregoing, proposers agree to prohibit discrimination as prescribed by Title VII of the Civil Rights Act of 1964.

2. The essential features required in a proposal for research are detailed in the current brochure entitled "Information and Instructions for Preparing Proposals". Proposals must be prepared according to this document, and attention is directed specifically to Section IV for mandatory requirements. Proposals that do not conform with these requirements will be rejected.

3. The total funds available are made known in the project statement, and line items of the budget are examined to determine the reasonableness of the allocation of funds to the various tasks. If the proposed total cost exceeds the funds available, the proposal is rejected.

4. All proposals become the property of the Transportation Research Board. Final disposition will be made according to the policies thereof, including the right to reject all proposals.

5. Potential proposers should understand that follow-on activities for this project may be carried out through either a contract amendment modifying the scope of work with additional time and funds, or through a new contract (via sole source, full, or restrictive competition).

To create a link to this page, use this URL:

<http://apps.trb.org/cmsfeed/TRBNetProjectDisplay.asp?ProjectID=5970>