



RESOLUTION NO. 26972

WHEREAS, on recommendation of Management, there was presented for approval, Third Amendment to Contract DA-5190 with Nossaman LLP to extend the term through May 3, 2021, covering Landside Access Modernization Program-related legal services, for Los Angeles World Airports, involving property acquisition and contractual support during contract implementation; and

LAX
Van Nuys
City of Los Angeles

WHEREAS, the contract expires on May 3, 2020. The property acquisition work involves assisting Los Angeles World Airports (LAWA) and the City Attorney with property acquisitions, pre-condemnation work, securing resolutions of necessity and initiating litigation and timely prejudgment possession of parcels; and

Eric Garcetti
Mayor
Board of Airport
Commissioners

WHEREAS, legal support during contract implementation involves advising LAWA on assessing availability payment deductions and non-compliance point deductions for failure to meet certain contraction requirements, assessing claims, and advising on potential change orders for both of the major Landside Access Modernization Program projects – the Automated People Mover project and the Consolidated Rent-A-Car Facility – at Los Angeles International Airport (LAX); and

Sean O. Burton
President
Valeria C. Velasco
Vice President

Gabriel L. Eshaghian
Beatrice C. Hsu
Nicholas P. Roxborough
Dr. Cynthia A. Telles
Karim Webb

WHEREAS, there is insufficient in-house City Attorney staff with the specialized expertise. Also, hiring additional in-house City Attorney staff for the work is impractical as it would not meet the immediate need for counsel with specialized expertise and experience on the matter. The City Attorney's Office will continue to provide legal services as well as closely manage the Nossaman LLP's services; and

Justin Erbacci
Interim Chief Executive Officer

WHEREAS, funds for the Third Amendment are available in the Fiscal Year 2019-2020 LAWA Operating Budget in LAX Cost Center 1110004 – Legal Services Division, Commitment Item 520 - Contractual Services, or they may be provided through other Board appropriations. Funding for subsequent periods will be requested as part of the annual budget process

WHEREAS, this item, as a continuing administrative, maintenance and personnel-related activity, is administratively exempt from California Environmental Quality Act (CEQA) requirements pursuant to Article II, Section 2.f of the Los Angeles City CEQA Guidelines; and

WHEREAS, Nossaman LLP will comply with the provisions of City Charter Section 609(e) and related ordinances; and

WHEREAS, Nossaman LLP will comply with the provisions of the Living Wage and Child Support Obligations Ordinances; and

WHEREAS, Nossaman LLP will comply with the provisions of the Affirmative Action Program; and

WHEREAS, Nossaman LLP has been assigned Business Tax Registration Certificate 0000113159-001-0; and

WHEREAS, Nossaman LLP has approved insurance documents, in the terms and amounts required, on file with LAWA; and



WHEREAS, pursuant to Charter Section 1022, it has been determined that the work specified in the contract can be performed more feasibly or economically by an Independent Contractor than by City employees; and

WHEREAS, Nossaman LLP has submitted the Contractor Responsibility Program Questionnaire and Pledge of Compliance, and will comply with the provisions of the program; and

WHEREAS, Nossaman LLP must be determined by the Office of Contract Compliance to be in full compliance with the provisions of the Equal Benefits Ordinance prior to execution of the Third Amendment; and

WHEREAS, Nossaman LLP will comply with the provisions of the First Source Hiring Program for all non-trade LAX jobs; and

WHEREAS, Nossaman LLP has submitted the Bidder Certification CEC Form 50 and Bidder Contributions CEC Form 55 and will comply with its provisions; and

WHEREAS, actions taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of Los Angeles City Charter Section 373;

NOW, THEREFORE, BE IT RESOLVED that the Board of Airport Commissioners adopted the Staff Report; determined that this action is administratively exempt from CEQA pursuant to Article II, Section 2.f of the Los Angeles City CEQA Guidelines; found that, pursuant to Charter Section 371(e)(2), competitive bidding for the professional services would not be practicable or advantageous; further found that, pursuant to Charter Section 371(e)(10), competitive bidding for the work would be undesirable, impractical or impossible; further found that, pursuant to Charter Section 1022, the work can be performed more economically or feasibly by an independent contractor than by City employees; approved the Third Amendment to Contract DA-5190 with Nossaman LLP to extend the term through May 3, 2021, covering Landside Access Modernization Program-related legal services, for Los Angeles World Airports, involving property acquisition and contractual support during contract implementation; and authorized the Interim Chief Executive Officer to execute said Third Amendment to Contract DA-5190 with Nossaman LLP after approval as to form by the City Attorney and approval by the Los Angeles City Council.

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I hereby certify that this Resolution No. 26972 is true and correct, as adopted by the Board of Airport Commissioners at its Regular Meeting held on Thursday, March 5, 2020.



Grace Miguel – Secretary
BOARD OF AIRPORT COMMISSIONERS