



## RESOLUTION NO. 27505

WHEREAS, on recommendation of Management, there was presented for approval, Fourth Amendment to Concession Agreement LAA-8862 with Boingo Wireless, Inc. to extend the term by eighteen (18) months, covering management and operation of the Wi-Fi network in all terminals at Los Angeles International Airport; and

### **LAX**

#### **Van Nuys**

#### **City of Los Angeles**

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Mayor

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Chief Executive Officer

WHEREAS, Boingo Wireless, Inc. (Boingo), the sole and successful proposer to the Request for Proposals (RFP) for a non-exclusive Wi-Fi concession, was awarded the concession agreement (LAA-8862) in June 2015. The concession agreement expires on June 30, 2022. The concession agreement allowed Boingo to require guests to view a short advertisement to gain access to free Wi-Fi or pay a fee to access faster speed Wi-Fi. In return, Boingo would make payments to Los Angeles World Airports (LAWA). The original agreement included the following payment terms:

- Base Annual Fee – \$800,000, escalated annually by the current Department of Labor Consumer Price Index (CPI) or 2%, whichever is greater
- Additional Annual Contingent Fee – 50% of the annual gross revenue from advertising or membership fees exceeding \$1.4 million each year; and

WHEREAS, Boingo would also upgrade the Wi-Fi network at Los Angeles International Airport (LAX) with an expected capital investment of \$1.5 million over the term of the agreement; and

WHEREAS, on April 20, 2017, the concession agreement was amended to accommodate improvements to the Wi-Fi program, including faster connectivity and introduction of the Mobile Passport Program to reduce international arrival immigration queue times. In exchange for said improvements, Boingo's payments to LAWA were adjusted as follows:

- Base Annual Fee – \$416,000, escalated annually by the current CPI or 2%, whichever is greater
- Additional Annual Contingent Fee – No change (50% of gross revenue over \$1.4 million each year)
- Credit of \$65,000 to previous year's rent to pay for 12 additional access points to support the Mobile Passport Program; and

WHEREAS, LAWA's vision is to have ubiquitous Wi-Fi coverage across the entire airport campus, from Consolidated Rental Car facility to gate, ensuring a wireless user has a seamless guest experience within the LAX footprint. To achieve that vision, LAWA is planning to release an RFP for design, deployment, optimization, monitoring, maintenance and administration of a new LAWA-owned Wi-Fi system that will eventually cover all the airport facilities. This new Managed Services Partner will set up, operate and maintain the new LAWA Wi-Fi networks built as part of new construction, as well as operate and maintain existing Wi-Fi networks – integrating all into one campus-wide system. The new Wi-Fi system will support LAWA's vision of directly communicating with passengers and providing foundational connectivity for guest engagement and a digital marketplace; and

WHEREAS, the Fourth Amendment will allow LAWA to complete the RFP procurement process and ensure uninterrupted Wi-Fi service until a new agreement is awarded and executed, and a new system implemented. The current concession agreement with Boingo will be terminated upon the earlier of 18 months or award of a new agreement and transition of Wi-Fi service provision to the new Managed Services Partner; and



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

WHEREAS, Boingo will comply with the provisions of the Living Wage Ordinance, Affirmative Action Program, and Child Support Obligations Ordinance; and

WHEREAS, Boingo is assigned Business Tax Registration Certificate 0002274391-0001-4; and

WHEREAS, Boingo has approved insurance documents, in the terms and amounts required, on file with LAWA prior to contract execution; and

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

WHEREAS, Boingo must be determined by Public Works, Office of Contract Compliance, to be in full compliance with the Equal Benefits Ordinance provisions prior to contract amendment; and

WHEREAS, Boingo will be required to comply with the provisions of the First Source Hiring Program for all non-trade LAX jobs; and

WHEREAS, Boingo has submitted the 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 606;

NOW, THEREFORE, BE IT RESOLVED that the Board of Airport Commissioners adopted the Staff Report; determined that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2.f. of the Los Angeles City CEQA Guidelines; approved the Fourth Amendment to Concession Agreement LAA-8862 with Boingo Wireless, Inc. to extend the term by eighteen (18) months, covering management and operation of the Wi-Fi network in all terminals at Los Angeles International Airport; and authorized the Chief Executive Officer, or designee, to execute said Fourth Amendment to Concession Agreement LAA-8862 with Boingo Wireless, Inc. 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. 27505 is true and correct, as adopted by the Board of Airport Commissioners at its Regular Meeting held on Thursday, June 2, 2022.



Grace Miguel – Secretary  
BOARD OF AIRPORT COMMISSIONERS