



Item Number
10
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Report to the BOARD OF AIRPORT COMMISSIONERS

Hans Thilenius
Hans Thilenius (Jul 15, 2022 12:07 PDT)

Approver: Hans Thilenius, Deputy Executive Director
Terminal Development and Improvement Program

Brian C. Ostler
Brian C. Ostler, City Attorney *BGR*

Justin Erbacci
Justin Erbacci (Jul 15, 2022 13:19 PDT)

Reviewer: Justin Erbacci, Chief Executive Officer

Meeting Date

7/21/2022

Needs Council Approval: ☒ Y

Reviewed for/by	Date	Approval Status	By
Finance	6/9/2022	<input checked="" type="checkbox"/> Y <input type="checkbox"/> NA	JS
CEQA	6/8/2022	<input checked="" type="checkbox"/> Y	VW
Procurement	6/6/2022	<input checked="" type="checkbox"/> Y <input type="checkbox"/> Cond	QM
Guest Experience	6/3/2022	<input checked="" type="checkbox"/> Y	TB
Strategic Planning	6/7/2022	<input checked="" type="checkbox"/> Y	KC

SUBJECT

Request to approve a First Amendment to Contract DA-5383 with Woods Bagot Architects, P.C., to extend the contract terms through September 2, 2025, for Design Services for the Midfield Satellite Concourse South project at Los Angeles International Airport.

RECOMMENDATIONS

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2.i. of the Los Angeles City CEQA Guidelines.
3. FURTHER DETERMINE that this action does not require review under CEQA pursuant to Public Resources Code section 21166 and CEQA Guidelines sections 15162 and 15168 as it does not include any changes to the LAX Midfield Satellite Concourse (MSC) Program that would result in significant impacts not already disclosed in the Environmental Impact Report (EIR) prepared for the LAX MSC [SCH# 2013021020], which was certified by the Board of Airport Commissioners on July 21, 2014 (Resolution 25478), and certified and adopted by the Los Angeles City Council on August 20, 2014, and FIND that this action is, therefore, within the scope of the prior MSC EIR.
4. FIND that the work can be performed more economically or feasibly by an independent contractor than by City employees.

5. APPROVE the First Amendment to Contract DA-5383 with Woods Bagot Architects, P.C., that includes a three-year time extension.
6. AUTHORIZE the Chief Executive Officer, or designee, to execute the First Amendment to Contract DA-5383 with Woods Bagot Architects, P.C., upon its approval as to form by the City Attorney and approval by the Los Angeles City Council.

DISCUSSION

1. Purpose

Staff is requesting to amend Contract DA-5383 with Woods Bagot Architects, P.C. (Woods Bagot), for a three-year time extension, for the completion of the design and construction administration services for the Midfield Satellite Concourse (MSC) South project at Los Angeles International Airport (LAX). The proposed design contract extension will enable Los Angeles World Airports (LAWA) to complete the design, permitting, and construction-administration activities for the MSC South project.

2. Prior Related Actions/History of Board Actions

- **July 21, 2014 – Resolution No. 25478**

The Board of Airport Commissioners (Board) considered and adopted the Executive Director's Los Angeles International Airport Plan Compliance Report and the final Environmental Impact Report (EIR) for the MSC program, including the MSC North project, Adopt the Statement of Overriding Considerations, the California Environmental Quality Act (CEQA) Findings, and the Mitigation and Monitoring Reporting Program; approved the MSC program including the MSC North project; transmitted and recommended that the City Council concur with the actions of the Board; and affirmed the Adoption and Certification of the MSC FEIR and the Recommendation for the Los Angeles International Airport Plan Compliance Approval.

- **December 18, 2014 – Resolution No. 25595 (DA-4971)**

The Board approved the award of a Two-Phase Design-Build contract to Turner | PCL, A Joint Venture in the amount of \$961,270,169 and appropriated funds in the amount of \$174,889,794 for the MSC North project at LAX.

- **August 1, 2019 – Resolution No. 26829 (DA-5383)**

The Board approved the award of a three-year contract to Woods Bagot for design services for the MSC South Project at LAX in the not-to-exceed amount of \$12,000,000.

3. Background

In August of 2019, the Board awarded a three-year contract to Woods Bagot to provide Design Services for the MSC South project. Upon issuance of the Notice to Proceed to the design team, staff executed the first three task orders to take the project from conceptual design through schematic design:

- Task Order 001.000: Prefabrication Study
- Task Order 002.000: Alternatives Analysis & Conceptual Design
- Task Order 003.000: 30% Schematic Design Phase & Alternatives Analysis

In March of 2020, due to unforeseen circumstances brought forth by the COVID-19 pandemic, the MSC South project was put on hold. At the time, Woods Bagot already had completed the first two task orders and was in the process of fulfilling the third and final task order. Subsequently, in May of 2020, Woods Bagot successfully delivered the 30 percent Schematic Design package, thus fulfilling all work related to the task orders issued by LAWA prior to the pandemic.

In March of 2021, LAWA reactivated the MSC South project and instructed Woods Bagot to begin work on the next components of the project: Enabling Work, Apron Early Work, Value Engineering Analysis, and the design of Taxilane C-13 Relocation that is required to make space for the new MSC South Building footprint.

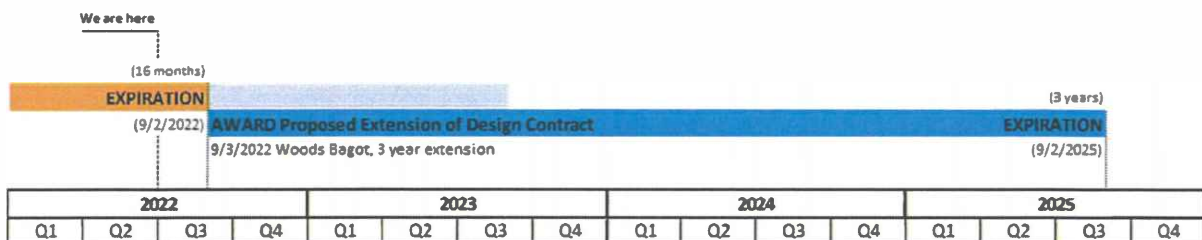
In May of 2022, LAWA instructed Woods Bagot to advance the building design from 30 percent Schematic Design to 90 percent Final Design Documents and initiate Construction Administration Services for enabling work, currently under construction.

Below is the summary of those Task Orders:

- Task Order 004.000: Enabling, Apron & Value Engineering Work Packages (Expired)
- Task Order 004.001: Enabling, Apron & Value Engineering Work Packages (Time Extension)
- Task Order 004.002: Taxilane C-13 Relocation Construction Services (Active)
- Task Order 005.000: Complete MSC South Concourse Design to Final Design (Active)

4. Current Action/Rationale

Because the design of the building was put on hold in May 2020, and not fully reactivated until May 2022 (a two-year delay), the original three-year contract duration set to expire on September 2, 2022, will not be sufficient to complete the balance of design and associated construction administration services. Therefore, staff is requesting to extend the contract term by an additional three years through September 2, 2025, to make up for the two year COVID-19 pandemic related delay, plus one additional year to support the projected duration of the project. This request is for a time extension only, and no additional funding is required. This new timeline also works in coordination with the projected construction schedule.



How This Action Advances a Specific Strategic Plan Goal and Objective

This action advances this strategic goal and objective: *Deliver Facilities & Guest Experiences that are Exceptional: Develop, maintain and operate first class facilities* In order for LAWA to advance the design of the MSC South and successfully deliver this project, the contract for design services needs to be extended.

5. Fiscal Impact

The Midfield Satellite Concourse South Project is set to be included in LAWA's 2022 Capital Improvement Plan (CIP).

6. Alternatives Considered

- ***Take No Action***
If no action is taken, failure to complete professional design services will significantly delay the planned improvements at LAX, thus negatively impacting airport operations.
- ***Procure a New Design Firm***
Procuring a new design firm to provide professional design services for the MSC South project would delay the implementation of the project and increase costs due to the need for a new firm to assume design responsibility and liability.

APPROPRIATIONS

No appropriation of funds is required for this action.

STANDARD PROVISIONS

1. Any activity (approval of bids, execution of contracts, allocation of funds, etc.) for which the underlying project has previously been evaluated for environmental significance and processed according to the requirements of the California Environmental Quality Act (CEQA) is exempt from further review pursuant to Article II, Section 2.i of the Los Angeles City CEQA Guidelines. This action is consistent with the Midfield Satellite Concourse Environmental Impact Report (EIR) certified by the Board of Airport Commissioners for this project on July 21, 2014 (Resolution No. 25478) and does not include any changes to the MSC Program that would require further review under CEQA pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15168.
2. The proposed document(s) is/are subject to approval as to form by the City Attorney.
3. 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.
4. Woods Bagot will comply with the provisions of the Living Wage Ordinance.
5. Procurement Services reviewed this action (File No. 8978) and established a goal of 20% Small Business Enterprise (SBE), 5% Local Business Enterprise (LBE), 3% Local Small Business Enterprise (LSBE), and 3% Disabled Veterans Business Enterprise (DVBE). Woods Bagot proposes 28% SBE; but not less than 26.9%, 47% LBE; but not less than 41%, 28% LSBE; but not less than 24.5%, and 3% DVBE participation. To-date Woods

Bagot has achieved 31.33% SBE, 43.63% LBE, 23.83% LSBE, and 3.29% DVBE levels of participation.

6. Woods Bagot will comply with the provisions of the Affirmative Action Program.
7. Woods Bagot has been assigned Business Tax Registration Certificate number 0003140239-0001-1.
8. Woods Bagot will comply with the provisions of the Child Support Obligations Ordinance.
9. Woods Bagot has approved insurance, in the terms and amounts required, on file with Los Angeles World Airports.
10. Pursuant to Charter Section 1022, staff determined the work specified on the proposed contract can be performed more feasibly or economically by an Independent Contractor than by City employees.
11. Woods Bagot has submitted the Contractor Responsibility Program Questionnaire and Pledge of Compliance and will comply with the provisions of the Contractor Responsibility Program.
12. Woods Bagot must be determined by Public Works, Office of Contract Compliance to be in full compliance with the provisions of the Equal Benefits Ordinance prior to contract amendment.
13. This action is not subject to the provisions of the First Source Hiring Program.
14. Woods Bagot has submitted the Bidder Contributions CEC Form 55 and will comply with its provisions.
15. Woods Bagot has submitted the Municipal Lobbying Ordinance CEC Form 50 and will comply with its provisions.
16. Woods Bagot will comply with the provisions of the Iran Contracting Ordinance.

**FIRST AMENDMENT TO CONTRACT BETWEEN THE
CITY OF LOS ANGELES AND WOODS BAGOT ARCHITECTS, P.C. FOR DESIGN
SERVICES FOR MIDFIELD SATELLITE CONCOURSE (MSC) SOUTH AT
LOS ANGELES INTERNATIONAL AIRPORT**

THIS FIRST AMENDMENT TO CONTRACT NO. DA-5383, is made and entered into this _____ day of _____, 2022, by and between the **CITY OF LOS ANGELES**, a municipal corporation, acting by order of and through its Board of Airport Commissioners (hereinafter referred to as "City"), and **WOODS BAGOT ARCHITECTS, P.C.**, (hereinafter also referred to as "Consultant"),

RECITALS

WHEREAS, City's Department of Airports known formally as Los Angeles World Airports ("LAWA") is responsible for the management and administration of this Contract, and

WHEREAS, the Board awarded Contract DA-5383 for Design Services for Midfield Satellite Concourse (MSC) South at Los Angeles International Airport, with a term of three (3) years; and

WHEREAS, the parties desire now to amend Contract DA-5383 to extend the term of the contract by three (3) years.

NOW THEREFORE, in consideration of the premises, and of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto, IT IS MUTUALLY AGREED that Contract DA-5383 be further amended as follows:

Section 2.0 of Contract DA-5383, is amended and restated in its entirety to read:

Section 2.0 Term of Contract.

The term of this Contract shall be for a period of six (6) years, commencing upon Consultant's receipt from LAWA of a Notice-to-Proceed subject, however, to earlier termination as hereinafter specified in Section 25.0, Abandonment of Program and Cancellation of Contract or Suspension of Services. LAWA may terminate this Contract without cause and without liability for damages, upon giving the Contractor a thirty (30) day advance written notice or as otherwise provided herein.

It is understood and agreed by and between the parties hereto that, except as specifically provided herein, this First Amendment shall not, in any manner, alter, change, modify or affect any of the rights, privileges, duties or obligations of either of the parties hereto under or by reason of said Contract DA-5383.

IN WITNESS WHEREOF, the parties hereto have made and executed this First Amendment on the day and year first above written.

APPROVED AS TO FORM:
Michael N. Feuer, City Attorney

CITY OF LOS ANGELES

Date: _____

By: _____

Executive Director
Department of Airports

By _____
Deputy City Attorney

By _____

Comptroller
Department of Airports

ATTEST:

WOODS BAGOT ARCHITECTS, P.C.

By _____
Secretary (Signature)

By  _____
Signature

Print Name

Rick Gunter
Print Name

[SEAL]

Principal, Studio Executive Chair
Print Title