

RESOLUTION NO. 27242

WHEREAS, on recommendation of Management, there was presented for approval, Fourth Amendment to Contract DA-5190 with Nossaman LLP to extend the term through May 3, 2022, covering Landside Access Modernization Program-related legal services for property acquisitions of Los Angeles World Airports; and

LAX

Van Nuys

City of Los Angeles

Eric Garcetti
Mayor

Board of Airport
Commissioners

Sean O. Burton
President

Valeria C. Velasco
Vice President

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

Justin Erbacci
Chief Executive Officer

WHEREAS, Nossaman LLP's acquisition work involves assisting Los Angeles World Airports (LAWA) and the City Attorney's Office with property acquisitions and ongoing pre-condemnation work, such as securing resolutions of necessity, initiating litigation, and obtaining timely prejudgment possession of parcels. In the next year, it is anticipated that LAWA will need legal assistance to acquire various temporary and permanent easements and other property interests necessary for construction of roadway improvements as part of the Landside Access Modernization Program. Further, Nossaman LLP is assisting with three (3) eminent domain cases in litigation. The firm will be assisting with pre-trial discovery, including expert witness depositions, aiding in settlement negotiations, and preparation for trial if necessary; and

WHEREAS, the contract with Nossaman LLP expires on May 3, 2021. 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. Therefore, it would be in the best interests of LAWA to enter into the Fourth Amendment to Contract DA-5190 with the firm. The City Attorney's Office will continue to provide legal services as well as closely manage the firm's services; and

WHEREAS, funds for the Amendment are currently available in the Fiscal Year 2020-2021 LAWA Operating Budget in 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; and

WHEREAS, this action, as a continuing administrative and personnel-related activity, is exempt from the requirements of the California Environmental Quality Act (CEQA) 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 Ordinance and the Affirmative Action Program; and

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

WHEREAS, Nossaman LLP will comply with the provisions of the Child Support Obligations Ordinance; and

WHEREAS, Nossaman LLP have 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 said 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 Amendment; and

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

WHEREAS, Nossaman LLP has submitted both the Bidder Contributions CEC Form 55 and the Municipal Lobbying Ordinance CEC Form 50, and will comply with their 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 exempt from the California Environmental Quality Act (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 Fourth Amendment to Contract DA-5190 with Nossaman LLP to extend the term through May 3, 2022, covering Landside Access Modernization Program-related legal services for property acquisitions of Los Angeles World Airports; and authorized the Chief Executive Officer to execute said Fourth 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. 27242 is true and correct, as adopted by the Board of Airport Commissioners at its Special Meeting held on Thursday, April 22, 2021.



Grace Miguel – Secretary
BOARD OF AIRPORT COMMISSIONERS