



RESOLUTION NO. 27444

WHEREAS, on recommendation of Management, there was presented for approval, Fifth Amendment to Contract DA-5190 with Nossaman LLP to extend the term through May 3, 2023, to continue providing Los Angeles World Airports with Landside Access Modernization Program-related legal services for property acquisitions; and

LAX

Van Nuys
City of Los Angeles

Eric Garcetti
Mayor

Board of Airport
Commissioners

Beatrice C. Hsu
President

Valeria C. Velasco
Vice President

Sean O. Burton
Gabriel L. Eshaghian
Nicholas P. Roxborough
Belinda M. Vega
Karim Webb

Justin Erbacci
Chief Executive Officer

WHEREAS, Nossaman LLP is handling two (2) eminent domain matters in litigation that are set for trial in May and June of 2022. Nossaman LLP is also assisting with ongoing pre-condemnation work, such as securing resolutions of necessity, initiating litigation, and obtaining timely prejudgment possession of parcels. The Fifth Amendment will allow Nossaman LLP to handle those matters until resolution; and

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 firm's services; and

WHEREAS, funds for the contract are currently available in the Fiscal Year 2021-2022 Los Angeles World Airports (LAWA) Operating Budget in Cost Center 1110004 – Legal Services Division, Commitment Item 520 – Contractual Services. Funding for subsequent years will be requested as part of the annual budget process; 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, Nossaman LLP will comply with the provisions of the Living Wage Ordinance; and

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

WHEREAS, Nossaman LLP has been assigned Business Tax Registration 000113159-001-0; and

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



WHEREAS, Nossaman LLP has been determined by the Department of Public Works, Office of Contract Compliance, to be in full compliance with the provisions of the Equal Benefits Ordinance; 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 the Bidder Certification CEC Form 50 and Bidder Contributions CEC Form 55, and will comply with their provisions; and

WHEREAS, Nossaman LLP will be required to comply with the provisions of the Iran Contracting Act; 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 the work can be performed more economically or feasibly by an independent contractor than by City employees; further 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 this work would be undesirable, impractical or impossible; approved the Fifth Amendment to Contract DA-5190 with Nossaman LLP to extend the term through May 3, 2023, to continue providing Los Angeles World Airports with Landside Access Modernization Program-related legal services for property acquisitions; and authorized the Chief Executive Officer to execute said Fifth 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. 27444 is true and correct, as adopted by the Board of Airport Commissioners at its Regular Meeting held on Thursday, March 3, 2022.



Grace Miguel – Secretary
BOARD OF AIRPORT COMMISSIONERS