

0220-05356-0006

TRANSMITTAL

TO The City Council	DATE 09/28/2023	COUNCIL FILE NOS. 16-0358; 18-0600-S116; 18-0600-S135
FROM The Mayor		COUNCIL DISTRICT ALL

Seventh Amendment to Contract No. C-129255 between the City of Los Angeles and the Los Angeles County Metropolitan Transportation Authority to Provide Law Enforcement Services for the Transit System's Infrastructure, Bus, and Rail Lines

Transmitted for your consideration. See the City Administrative Officer report attached.



MAYOR
(Chris Thompson for)

MWS:LMP:04240017

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: August 30, 2023

CAO File No. 0220-05356-0006
Council File Nos. 16-0358;
18-0600-S116;
18-0600-S135
Council District: All

To: The Mayor and Council

From: Matthew W. Szabo, City Administrative Officer 

Reference: Transmittal from the Board of Police Commissioners dated August 18, 2023 (Seventh Amendment)

Subject: **SEVENTH AMENDMENT TO CONTRACT NO. C-129255 BETWEEN THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY AND THE LOS ANGELES POLICE DEPARTMENT**

RECOMMENDATIONS

That the Council, subject to the approval of the Mayor:

1. Authorize the Chief of Police, or designee, to execute the Seventh Amendment to Contract No. C-129255 with the Los Angeles County Metropolitan Transportation Authority (LACMTA) that extends the term by six months to cover the period from January 1, 2023, through June 30, 2023, and increases the contract budget by \$28.5 million from \$483,485,497 to \$511,991,742.36; and,
2. Authorize the Los Angeles Police Department to prepare Controller instructions for any technical adjustments, as necessary, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

SUMMARY

At its meeting on August 15, 2023, the Board of Police Commissioners (Board) approved a proposed Seventh Amendment to Contract No. C-129255 between the Los Angeles Police Department (Department) and the Los Angeles County Metropolitan Transportation Authority (LACMTA). The proposed Seventh Amendment will extend the term of the contract by six months from January 1, 2023, through June 30, 2023, and increase the contract budget by \$28.5 million from \$483,485,497 to \$511,991,742.36. All other terms and conditions of the existing contract remain unchanged, and are continued in full force and effect as originally executed.

Background

On May 3, 2017, the Council authorized the Department to execute a five-year contract with the LACMTA to provide law enforcement services for the transit system's infrastructure, bus, and rail lines (C.F. 16-0358). The term of the agreement began on July 1, 2017, and expired on June 30, 2022, with a maximum allowable compensation of \$369,330,499.

On June 29, 2018, the Council approved the First Amendment to Contract No. C-129255 that modified Section GC-14-A Termination for Convenience clause from six months to 12 months, which states that either party may terminate the agreement without cause by written notice sent at least 12 months before the termination (C.F. 18-0600-S116). This amendment also included budgetary adjustments and service enhancements to address understaffing and expanded hours, added a full-time K-9 Bomb Unit, and modified the dedicated Homeless Outreach and Proactive Engagement team from an overtime basis to 11 full-time officers.

On September 29, 2021, the Council approved the Second Amendment with the LACMTA to increase the maximum allowable compensation by \$21,526,518 from \$369,330,499 to \$390,857,017.

On June 15, 2022, the Council approved the Third Amendment to increase the maximum allowable compensation by \$38,628,480 from \$390,857,017 to \$429,485,497 and the Fourth Amendment that incorporates language requiring employees to comply with an enforced COVID-19 vaccine mandate.

On November 8, 2022, the Board approved the Fifth and Sixth Amendments. The Fifth Amendment replaces Exhibit A – Statement of Work in its entirety with a revised version dated January 1, 2022. The revised version includes significant changes to specific responsibilities, including a plan to ensure effective law enforcement presence and body-worn camera deployment, as well as management and administrative duties of personnel. The Sixth Amendment extends the contract term by six months through December 31, 2022, and increases the budget by \$54 million from \$429,485,497 to \$483,485,497. Additionally, the Sixth Amendment incorporates a nondisparagement clause as required by LACMTA. This clause prohibits Department staff from publicly disparaging, denigrating, or negatively characterizing the LACMTA.

In accordance with Los Angeles Administrative Code Section 10.5(b)2, Council approval of the proposed amendments is required because Council approved the original agreement and subsequent amendments.

FISCAL IMPACT STATEMENT

Approval of the recommendations stated in this report will authorize the Los Angeles Police Department (Department) to execute the Seventh Amendment to Contract No. C-129255 with the Los Angeles County Metropolitan Transportation Authority (LACMTA) to extend the term by six months through June 30, 2023, and increase the contract budget by \$28.5 million from \$483,485,497 to \$511,991,742.36. All other terms remain the same. Reimbursement for services

provided will be deposited into Revenue Source Code 4603, Service to LACMTA. There is no additional impact to the General Fund.

FINANCIAL POLICIES STATEMENT

The recommendations stated in this report are in compliance with the City's Financial Policies in that the City will be reimbursed for services provided, based on the full cost of operations.

MWS:LMP:04240017

Attachment

LOS ANGELES POLICE COMMISSION

BOARD OF
POLICE COMMISSIONERS

DR. ERROLL G. SOUTHERS
PRESIDENT

RASHA GERGES SHIELDS
VICE PRESIDENT

WILLIAM J. BRIGGS, II
MARIA LOU CALANCHE
STEVE SOBOROFF

MARIA SILVA
COMMISSION EXECUTIVE ASSISTANT II



KAREN BASS
MAYOR

RICHARD M. TEFANK
EXECUTIVE DIRECTOR

MARK P. SMITH
INSPECTOR GENERAL

EXECUTIVE OFFICE
POLICE ADMINISTRATION BUILDING
100 WEST FIRST STREET, SUITE 134
LOS ANGELES, CA 90012-4112

(213) 236-1400 PHONE
(213) 236-1410 FAX
(213) 236-1440 TDD

August 18, 2023

BPC #23-152

The Honorable Karen Bass
Mayor, City of Los Angeles
City Hall, Room 303
Los Angeles, CA 90012

Attention: Heleen Ramirez

Dear Honorable Mayor:

RE: REQUEST TO APPROVE CONTRACT NO. C-129255 BETWEEN THE CITY OF LOS ANGELES AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY.

At the regular meeting of the Board of Police Commissioners held Tuesday, August 15, 2023, the Board APPROVED the Department's report relative to the above matter.

Respectfully,

BOARD OF POLICE COMMISSIONERS

REBECCA MUNOZ
Commission Executive Assistant

Attachment

c: Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

Richard M. Tefank
RICHARD M. TEFANK
EXECUTIVE DIRECTOR
8/1/23
DATE

July 27, 2023
8.1.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: REQUEST FOR APPROVAL OF THE SEVENTH AMENDMENT TO CONTRACT NO. C-129255 BETWEEN THE CITY OF LOS ANGELES AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE the attached Seventh Amendment to City Contract No. C-129255 [Los Angeles County Metropolitan Transportation Authority (LACMTA), Contract No. PS5862100LAPD24750, Modification No. 7] between the City of Los Angeles acting by and through the Los Angeles Police Department (LAPD) and the LACMTA.
2. That the Board TRANSMIT the Seventh Amendment to the Mayor's Office for review and approval.
3. That the Board AUTHORIZE the Chief of Police to execute the Seventh Amendment upon Mayoral approval.

DISCUSSION

On February 23, 2017, the LACMTA selected the LAPD under a competitive bid process to provide law enforcement services to the LACMTA infrastructure, bus and rail lines, and ridership within the City of Los Angeles. The LAPD and the LACMTA entered into a five-year contract, which became effective on March 1, 2017 and expired on June 30, 2022.

This Seventh Amendment extends the term of the contract and period of performance by six months to cover the period from January 1, 2023, through June 30, 2023, and revise the total period of performance to read March 23, 2017, through June 30, 2023. The contract price of \$483,485,497 shall be increased by \$28,506,245.36 for a revised not-to-exceed total contract price of \$511,991,742.36. Deputy City Attorney Samuel Petty of the Office of the City Attorney has approved this Seventh Amendment as to form.

The Honorable Board of Police Commissioners

Page 2

8.1.2

Should you have any questions concerning this request, please contact Commander Natalie Cortez, Commanding Officer, Transit Services Group, at (213) 922-3614.

Respectfully,



MICHEL R. MOORE
Chief of Police

Attachments

**BOARD OF
POLICE COMMISSIONERS**
Approved August 15, 2023
Secretary Rebecca Munoz

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACT NO. PS5862100LAPD24750, MODIFICATION NO. 7**

FOR: TRANSIT LAW ENFORCEMENT SERVICES

This Contract Modification No. 7 to Contract No. PS5862100LAPD24750 effective December 30, 2022, by and between the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, hereinafter referred to as "METRO", and the City of Los Angeles, a municipal corporation acting by and through its Police Department (LAPD), hereinafter referred to as the "CONTRACTOR."

WHEREAS, Contractor and Metro entered into Contract No. PS5862100LAPD24750, effective March 1, 2017, subsequently modified by Modification No. 1, effective July 1, 2018, Modification No. 2 effective August 16, 2021, Modification No. 3 effective January 1, 2022, Modification No. 4 effective July 1, 2022, Modification No. 5 effective January 1, 2022, and Modification No. 6 effective June 30, 2022, hereinafter referred to as the "Existing Contract" and;

WHEREAS, Contractor and METRO desire to amend the Existing Contract as provided herein;

Now, therefore, it is mutually agreed, by and between the parties, as follows:

1. ARTICLE IV.A – CONTRACT PRICE

The not-to-exceed Contract Price of \$483,485,497 shall be increased by \$28,506,245.36 for a revised not-to-exceed total Contract Price of \$511,991,742.36.

2. ARTICLE V: CONTRACT TERM AND PERIOD OF PERFORMANCE

Extend the term of the Contract by six (6) months to cover the period January 1, 2023, through June 30, 2023, and change the total Period of Performance to read, March 1, 2017, through June 30, 2023.

All other terms and conditions of Contract No. PS5862100LAPD24750 shall remain unchanged.

Except as expressly modified hereby, the Existing Contract, as modified remains in full force and effect as originally executed.

IN WITNESS WHEREOF, the parties have caused this Modification No. 7 to the Existing Contract to be executed by their respective officers duly authorized on the date first written above.

CITY OF LOS ANGELES
c/o Los Angeles Police Department
100 W. 1st Street
Los Angeles, CA 90012

**LOS ANGELES COUNTY
METROPOLITAN
TRANSPORTATION AUTHORITY**

SIGNATURE OF AUTHORIZED OFFICIAL

STEPHANIE N. WIGGINS
CHIEF EXECUTIVE OFFICER

BY: MICHEL R. MOORE _____
(PRINT OR TYPE NAME)

Chief of Police _____
(TITLE)

BY: _____

(DATE)

Date: _____

APPROVED AS TO FORM:
HYDEE FELDSTEIN SOTO
City Attorney

ATTEST:
Holly L. Wolcott
City Clerk

By: _____
SAMUEL PETTY
Deputy City Attorney

By: _____
Deputy City Clerk

Date: _____

Date: _____

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACT NO. PS5862100LAPD24750, MODIFICATION NO. 7**

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CITY OF LOS ANGELES
c/o Los Angeles Police Department
100 W. 1st Street
Los Angeles, CA 90012

**LOS ANGELES COUNTY
METROPOLITAN
TRANSPORTATION AUTHORITY**

SIGNATURE OF AUTHORIZED OFFICIAL

STEPHANIE N. WIGGINS
CHIEF EXECUTIVE OFFICER

BY: MICHEL R. MOORE _____
(PRINT OR TYPE NAME)

BY: _____

Chief of Police _____
(TITLE)

(DATE)

Date: _____

APPROVED AS TO FORM:
HYDEE FELDSTEIN SOTO
City Attorney

ATTEST:
Holly L. Wolcott
City Clerk

By: _____
SAMUEL PETTY
Deputy City Attorney

By: _____
Deputy City Clerk

Date: _____

Date: _____