

RESOLUTION NO. 27857

WHEREAS, on recommendation of Management, there was presented for approval, Fifth Amendment to Concession Agreement LAA-8862 with Boingo Wireless, Inc. to extend the term through June 30, 2025, covering management and operation of the wireless network at Los Angeles International Airport; and

WHEREAS, the Concession Agreement with Boingo Wireless, Inc. (Boingo) was originally a seven-year agreement, first awarded in 2015. The Boingo agreement was amended twice during the COVID-19 pandemic to adjust revenue targets for the decrease in passenger traffic. That rent relief period ended June 30, 2021. For Fiscal Year (FY) 2023, which runs from July 1, 2022 through June 30, 2023, the Boingo concession agreement revenue to LAWA was the following:

- A Base Annual Fee of \$524,248.
- Revenue share of 50% of gross revenues over \$1,400,000, which equaled \$993,534; and

WHEREAS, the total revenue collected for both above-mentioned elements was \$1,517,782 for FY2023. Said total amount was an amendment approved by the Board of Airport Commissioners at the meeting – to correct the \$1,476,429 total referenced in the staff report; and

WHEREAS, the vision of Los Angeles World Airports (LAWA) is to have ubiquitous Wi-Fi coverage across the entire Los Angeles International Airport (LAX) campus, from the Consolidated Rent-A-Car Facility to the farthest terminal gate, that will benefit travelers at LAX and provide the foundational connectivity for guest engagement and a digital marketplace; and

WHEREAS, the current concession agreement with Boingo is limited in connectivity and does not provide access to the entire LAX campus. Despite a nearly \$3,000,000 total investment in the wireless network at LAX by Boingo to support LAX's transformation and LAWA's vision of excellence, independent studies have rated LAX as average to below average for connectivity across large- and medium-sized airports; and

WHEREAS, to achieve the vision of a seamless guest experience for Wi-Fi coverage, LAWA released a Request for Proposals (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. The new single wireless system will unify existing Wi-Fi networks and add innovative and complimentary wireless technologies (i.e., private wireless, etc.); and

WHEREAS, in June 2022, LAWA extended the Boingo agreement to December 2023 to allow time for staff to prepare and complete the new RFP for the wireless solutions and managed services contract (Wireless Solutions). The development of the new Wireless Solutions RFP progressed at a more tempered pace than anticipated due to adjustments in the scope of work that required wholesale changes. The approach of the procurement changed from being a prescriptive design/bid approach to being an outcome-based RFP with the objective for LAWA to provide seamless wireless connectivity for guest digital services and to support innovative technology that promotes operational efficiency for LAWA and its stakeholders; and

WHEREAS, those changes included adding in the capability for a new and important wireless system known as Citizen's Broadband Radio Service, which is anticipated to greatly enhance connectivity and efficiency for all stakeholders across the LAX campus, due to the greater coverage

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and reliability of the spectrum band. Adding such capabilities is a very important factor as traffic grows, as LAWA prepares for major events such as the 2028 Summer Olympics, and as LAWA becomes a smart airport that requires high-speed wireless network to support autonomous vehicles and innovations of the future; and

WHEREAS, the Fifth Amendment to the Boingo agreement will allow LAWA to complete the RFP evaluation and selection process and avoid interrupting Wi-Fi service until the new system is implemented. The Boingo agreement will be extended from December 30, 2023, for 18 months until June 30, 2025, or may terminate earlier, depending on the transition time needed for the new Wireless Solutions program to become operational; and

WHEREAS, the RFP process is anticipated to result in an award of a new Wireless Solutions contract by September 2024. Boingo will provide Wi-Fi services to LAX's public terminal areas until the transition is complete. Boingo provides Wi-Fi operations support, 24/7 network monitoring, call center support for passengers, network maintenance to restore service when needed, and wireless connectivity to stakeholders at no cost to LAWA; and

WHEREAS, the Fifth Amendment will provide additional annual revenue to LAWA of approximately \$2,054,410, which includes the Base Annual Fee over the 18-month term extension and the potential revenue share of 50% of gross revenues over \$1,400,000; 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 and the Affirmative Action Program; and

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

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

WHEREAS, Boingo must have approved insurance documents, in the terms and amounts required, on file with LAWA prior to execution of the Amendment; 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 provisions of the Equal Benefits Ordinance prior to execution of the 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 amended 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 Los Angeles Administrative Code Section 10.15 (a)(10) and Los Angeles City Charter Section 371 (e)(10), the services to be provided under the agreement involve performance of professional, expert, technical, and other special services such that use of competitive bidding would be impractical and undesirable; approved the Fifth Amendment to Concession Agreement LAA-8862 with Boingo Wireless, Inc. to extend the term through June 30, 2025, covering management and operation of the wireless network at Los Angeles International Airport; and authorized the Interim Chief Executive Officer, or designee, to execute said Fifth Amendment to Concession Agreement LAA-8862 with Boingo Wireless, Inc. after approval by the Los Angeles City Council and approval as to form by the City Attorney.

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I hereby certify that this Resolution No. 27857 is true and correct, as adopted by the Board of Airport Commissioners at its Regular Meeting held on Thursday, December 7, 2023.

A handwritten signature in blue ink, appearing to read "Grace Miguel".

Grace Miguel – Secretary  
BOARD OF AIRPORT COMMISSIONERS