

RESOLUTION NO. 27122

WHEREAS, on recommendation of Management, there was presented for approval, Third Amendment to Contract DA-5250 with Demetriou, Del Guercio, Springer & Francis LLP to extend the term through October 22, 2021, covering legal services to assist Los Angeles World Airports and the City Attorney with real estate legal services; and

WHEREAS, in November 2017, by Resolution 26367, the Board of Airport Commissioners approved a contract (DA-5250) with said firm for the services. The City Attorney's Office is in the process of issuing a Request for Proposals (RFP) for the services, including litigation. When the RFP process is completed, new contracts for outside counsel will be presented for Board approval. It has been standard practice to have two (2) law firms under contract to assist Los Angeles World Airports (LAWA) with real property matters in the event a conflict of interest arises with one of the firms; 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, Demetriou, Del Guercio, Springer & Francis LLP has been representing LAWA and the City of Los Angeles in numerous matters, including the Flying Food Group litigation, assistance with development of the Consolidated Rental Car Facility (ConRAC) contract with the various rental car companies, Manchester Square-related matters, leases for non-LAWA tenants at the LAWA-owned Skyview Office complex, assistance with leases with tenants at Van Nuys Airport, and ongoing advice. Additionally, the firm has been assisting with ongoing matters dealing with the ConRAC, assisting with drafting of the Smart Parking contract and Southwest Airlines sublease and the NASA deluge system matter in Palmdale. It has also assisted with the Los Angeles International Airport (LAX) Northside ground lease, Inglewood ITS Escrow Agreement, Common Use Lounge concession agreement and the LAX Sign District; and

WHEREAS, there is insufficient in-house City Attorney staff with this 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 Third 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. Funds for subsequent periods will be requested as part of the annual budget process; and

WHEREAS, this action, as a continuing administrative activity, is administratively exempt from California Environmental Quality Act (CEQA) requirements pursuant to Article II, Section 2.f. of the Los Angeles City CEQA Guidelines; and

WHEREAS, Demetriou, Del Guercio, Springer & Francis LLP is required to comply with the provisions of City Charter Section 609(e) and related ordinances; and

WHEREAS, Demetriou, Del Guercio, Springer & Francis, LLP is required by contract to comply with the provisions of the Living Wage and Child Support Obligations Ordinance; and

WHEREAS, Demetriou, Del Guercio, Springer & Francis, LLP is required by contract to comply with the provisions of the Affirmative Action Program; and



WHEREAS, Demetriou, Del Guercio, Springer & Francis, LLP has been assigned Business Tax Registration Certificate 0000030203-0001-8; and

WHEREAS, Demetriou, Del Guercio, Springer & Francis, LLP has approved insurance documents, in the terms and amounts required on file with LAWA prior to execution of Amendment; 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, Demetriou, Del Guercio, Springer & Francis, LLP has submitted the Contractor Responsibility Program Pledge of Compliance, and will comply with its provisions; and

WHEREAS, Demetriou, Del Guercio, Springer & Francis, LLP has been determined by Public Works, Office of Contract Compliance, to be in compliance with the provisions of the Equal Benefits Ordinance; and

WHEREAS, Demetriou, Del Guercio, Springer & Francis, LLP will comply with the provisions of the First Source Hiring Program for all non-trade LAX jobs; and

WHEREAS, Demetriou, Del Guercio, Springer & Francis, LLP has submitted the Bidder Certification CEC Form 50 and Bidder Contributions CEC Form 55, 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 administratively 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; approved the Third Amendment to Contract DA-5250 with Demetriou, Del Guercio, Springer & Francis LLP to extend the term through October 22, 2021, covering legal services to assist Los Angeles World Airports and the City Attorney with real estate legal services; and authorized the Chief Executive Officer to execute said Third Amendment to Contract DA-5250 with Demetriou, Del Guercio, Springer & Francis LLP after approval as to form by the City Attorney and approval by the Los Angeles City Council.

o0o

I hereby certify that this Resolution No. 27122 is true and correct, as adopted by the Board of Airport Commissioners at its Special Meeting held on Thursday, October 15, 2020.



Grace Miguel – Secretary
BOARD OF AIRPORT COMMISSIONERS