



Los Angeles World Airports

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Item Number
here

REPORT TO THE BOARD OF AIRPORT COMMISSIONERS

Robert Falcon

Robert Falcon (Feb 25, 2022 08:18 PST)

Reviewed by: Robert J. Falcon, Deputy Executive Director

Brian C. Ostler

Brian Ostler (Feb 25, 2022 10:01 PST)

Brian C. Ostler, City Attorney

Justin Erbacci

Justin Erbacci (Feb 25, 2022 10:06 PST)

Justin Erbacci, Chief Executive Officer

Meeting Date

3/3/2022

Needs Council Approval: ☒ Y

<u>Reviewed for / by</u>	<u>Date</u>	<u>Approval Status</u>	<u>By</u>
Finance	2/22/2022	<input checked="" type="checkbox"/> Y <input type="checkbox"/> NA	JS
CEQA	2/22/2022	<input checked="" type="checkbox"/> Y	VW
Procurement	2/23/2022	<input checked="" type="checkbox"/> Y <input type="checkbox"/> Cond	BG
Guest Experience	2/23/2022	<input checked="" type="checkbox"/> Y	TB
Strategic Planning	2/22/2022	<input checked="" type="checkbox"/> Y	KC
City Attorney	2/23/2022	<input checked="" type="checkbox"/> Y	JL

SUBJECT

Request to approve the First Amendment to Contract No. DA-5173 with RS&H California, Inc., for a three-year time extension, to continue professional engineering design and construction administration services at Los Angeles International Airport.

RECOMMENDATIONS

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE 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.
3. APPROVE the First Amendment to Contract No. DA-5173 with RS&H California, Inc., for a three-year time extension.
4. AUTHORIZE the Chief Executive Officer to execute the First Amendment to Contract No. DA-5173 with RS&H California, Inc., upon approval as to form by the City Attorney and approval by the Los Angeles City Council.

DISCUSSION

1. Purpose

Staff is requesting to amend Contract No. DA-5173 with RS&H California, Inc. (RS&H), for a three-year time extension, to complete design and construction administration services for the Taxiway D Extension, Enabling and Other Airfield Projects at Los Angeles International Airport (LAX). The Taxiway D Extension project is the first airfield improvement to be implemented as part of the recently-approved Airfield and Terminal Modernization Project (ATMP). The Federal Aviation Administration (FAA) is scheduled to provide an Airfield Improvement Program (AIP) grant for the design and construction of the Taxiway D Extension project this federal fiscal year.

2. Prior Related Actions/History of Board Actions

- **February 2, 2017 – Resolution No. 26125 (DA-5173)**

The Board of Airport Commissioners (Board) approved the award of a five-year contract to RS&H for professional engineering design and construction administration services for the "Taxiway C-14, Taxiway D Extension, Enabling and Other Airfield Projects" at LAX in the not-to-exceed amount of \$15,987,356.

3. Current Action/Rationale

RS&H is designer of record for the Taxiway D Extension from Taxiway P (formerly known as Taxiway C-14) to Taxiway AA Project. Los Angeles World Airport (LAWA) staff is requesting a three-year time extension of RS&H's contract to allow for continued professional engineering support during the bidding, construction, and closeout of the Taxiway D project.

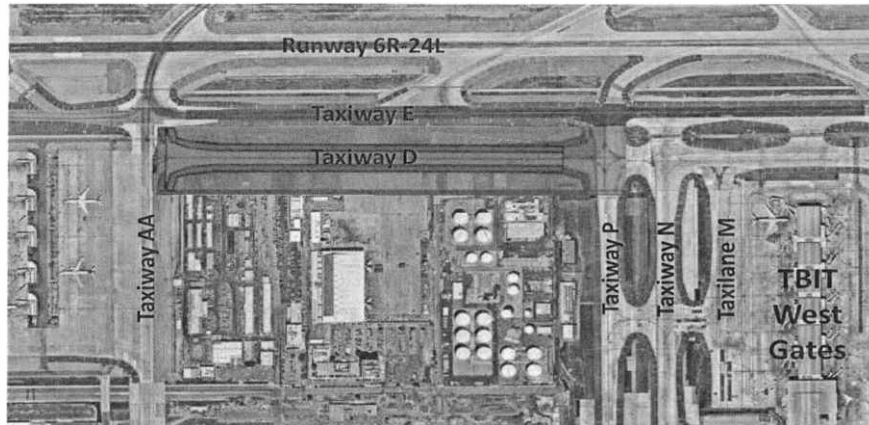
During this timeframe, RS&H has successfully completed professional engineering design and construction administrative support for the Taxiway P, Runway 25R Reconstruction, and Runway 25L Rehabilitation projects at LAX. All three of these projects were completed on time, within budget, and with minimal change orders.

RS&H is 95 percent complete with the design of the Taxiway D Extension project and is scheduled to complete the full engineering design and construction bid set in March. The RS&H contract is scheduled to expire on April 3, 2022. Extending the current contract duration will allow for completion of the project design and bidding schedule allowing LAWA to take advantage of the anticipated FAA AIP grant funding available this federal fiscal year. Furthermore, the RS&H current contract has been approved by the FAA, and the design cost associated with the Taxiway D project is anticipated to be eligible for reimbursement under this future FAA grant. There is adequate funding in the RS&H original contract allocation to complete remaining professional services, and no increase in contract value is required with this time extension.

- **Taxiway D Extension (Taxiway P to Taxiway AA)**

Taxiway D will be extend westerly from recently completed crossfield Taxiway P to crossfield Taxiway AA. This will provide full dual parallel taxiway capability for the north runway complex.

Taxiway D Extension



Staff recommends the extension of Contract No. DA-5173 since RS&H is the current engineer of record on this project and has successfully completed similar major airfield projects at LAX. Staff determined RS&H was best suited to provide the most timely and economical option for LAWA to obtain these professional services.

How This Action Advances a Specific Strategic Plan Goal and Objective

This action advances this strategic goal and objective: *Deliver Facilities & Guest Experiences that are Exceptional: Plan collaboratively to improve guest services while delivering capital improvements.* Staff requests the Board approve the First Amendment to Contract No. DA-5173 with RS&H to extend the contract term for three years to continue construction administration services for Taxiway D. Taxiway D will provide a dual parallel Taxiway for the north runway complex, improving the movement and access across the airfield.

4. Fiscal Impact

The contract with RS&H has available contract authority, and no additional increase in contract amount is required.

Los Angeles World Airports has applied for FAA AIP grant funding for the Taxiway D project, and the design cost associated with the project is anticipated to be reimbursed at a 75 percent rate.

5. Alternatives Considered

- ***Take No Action***

If no action is taken, failure to complete professional engineering design services will significantly delay the planned improvements at LAX, thus negatively impacting the airfield operations.

A delay in procuring a construction contract for the Taxiway D Extension project could jeopardize FAA AIP grant funding for this federal fiscal year and may delay implementation of other airfield improvement project recently approved under the ATMP.

- ***Procure a New Design Firm***

Procuring a new design firm to provide professional engineering design services for the Taxiway D Extension Project would delay the implementation of the project and increase costs due to the need for a new firm to assume design responsibility and liability. It would also jeopardize FAA AIP grant funding this fiscal year.

APPROPRIATIONS

No appropriation of funds is required for this action.

STANDARD PROVISIONS

1. This item, as a continuing administrative, maintenance and personnel-related activity, is exempt from California Environmental Quality Act (CEQA) requirements pursuant to Article II, Section 2.f. of the Los Angeles City CEQA Guidelines.
2. The proposed document(s) is/are subject to approval as to form by the City Attorney.
3. 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.
4. As this is a construction project, RS &H California, Inc. is required by contract to comply with the applicable provisions of the Living Wage Ordinance and the Labor Code of the State of California (Prevailing Wage).
5. Procurement Services has reviewed this action (File No. 7872) and set a 15% Disadvantaged Business Enterprise (DBE) goal for the project. RS &H California committed to 16% DBE participation and has achieved 19.45% to date.
6. RS &H California, Inc. is required by contract to comply with the provisions of the Affirmative Action Program.
7. RS &H California, Inc. has been assigned Business Tax Registration Certificate number 000252836- 0001 -8.
8. RS &H California, Inc. is required by contract to comply with the provisions of the Child Support Obligations Ordinance.
9. RS &H California, Inc. has approved insurance documents, in the terms and amounts required, on file with the Los Angeles World Airports.
10. As this is a construction project, the CAO has determined that this action is exempt from the provisions of Charter Section 1022 (Use of Independent Contractor).
11. RS &H California, Inc. has submitted the Contractor Responsibility Program Questionnaire and Pledge of Compliance and will comply with the provisions of the Contractor Responsibility Program.
12. RS &H California, Inc. has been determined by Public Works, Office of Contract Compliance to be in compliance with the provisions of the Equal Benefits Ordinance.
13. RS &H California, Inc. will be required to comply with the provisions of the First Source Hiring Program for all non -trade Airport jobs.
14. RS &H California, Inc. has submitted the Bidder Contributions CEC Form 55 and will comply with its provisions.
15. RS &H California, Inc. has submitted the MLO Bidder Contributions CEC Form 50 and will comply with its provisions.
16. RS &H California, Inc. will be required to comply with the provision of the Iran Contracting Act.

**FIRST AMENDMENT TO CONTRACT DA-5173
BETWEEN THE CITY OF LOS ANGELES AND RS&H CALIFORNIA, INC. FOR
ENGINEERING DESIGN SERVICES FOR TAXIWAY P (FORMERLY KNOWN AS
TAXIWAY C-14), TAXIWAY D EXTENSION, ENABLING AND OTHER AIRFIELD
PROJECTS AT LOS ANGELES INTERNATIONAL AIRPORT**

THIS FIRST AMENDMENT TO CONTRACT NUMBER DA-5173 ("Amendment") is made and entered into as of this ____ day of _____ 2022, by and between the **CITY OF LOS ANGELES** ("City"), a municipal corporation, acting by order of and through its Board of Airport Commissioners ("Board") of the Department of Airports (also known as Los Angeles World Airports or "LAWA"), and **RS&H CALIFORNIA, INC.** ("Consultant"). The City and Consultant are collectively referred to herein as the "Parties".

RECITALS

WHEREAS, City and Consultant entered into Los Angeles World Airports Contract Number DA-5173 (the "Contract") for Engineering Design Services for Taxiway C-14, Taxiway D Extension, Enabling and Other Airfield Projects at Los Angeles International Airport on February 2, 2017; and

WHEREAS, LAWA subsequently renamed Taxiway C-14 to Taxiway P; and

WHEREAS, the Parties desire to increase the term of the Contract from five (5) years to eight (8) years; and

NOW THEREFORE, in consideration of the premises, and of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto, the Parties do mutually agree that the Contract is HEREBY AMENDED AS FOLLOWS:

Amendment Section 1. Section 2.0 of the Contract shall be amended and restated in its entirety to read as follows:

Section 2.0 Term of Contract. The term of this Contract shall be for a period of eight (8) years commencing upon City's issuance of a Notice-to-Proceed subject, however, to earlier termination as hereinafter specified in Section 25.0, Abandonment of Program and Cancellation of Contract or Suspension of Services. LAWA may terminate this

Contract without cause and without liability for damages, upon giving the Consultant a thirty (30) day advance written notice or as otherwise provided herein.

Amendment Section 2. Except as specifically provided herein, this Amendment shall not, in any manner, alter, change, modify or affect any of the rights, privileges, duties or obligations of either of the parties hereto under or by reason of said Contract, as amended.

Execution. This Amendment and any other document necessary for the consummation of the transaction contemplated by this Amendment may be executed in counterparts, including counterparts that are manually executed and counterparts that are in the form of electronic records and are electronically executed. An electronic signature means a signature that is executed by symbol attached to or logically associate with a record and adopted by a party with the intent to sign such record, including facsimile or e-mail signatures. All executed counterparts shall constitute one Amendment, and each counterpart shall be deemed an original. The Parties hereby acknowledge and agree that electronic records and electronic signatures, as well as facsimile signatures, may be used in connection with the execution of this Amendment and electronic signatures, facsimile signatures or signatures transmitted by electronic mail in so-called PDF format shall be legal and binding and shall have the same full force and effect as if a paper original of this Amendment had been delivered that had been signed using a handwritten signature. All parties to this Amendment (i) agree that an electronic signature, whether digital or encrypted, of a party to this Amendment is intended to authenticate this writing and to have the same force and effect as a manual signature; (ii) intended to be bound by the signatures (whether original, faxed, or electronic) on any document sent or delivered by facsimile or electronic mail or other electronic means; (iii) are aware that the other party(ies) will rely on such signatures; and, (iv) hereby waive any defenses to the enforcement of the terms of this Amendment based on the foregoing forms of signature. If this Amendment has been executed by electronic signature, all parties executing this document are expressly consenting, under the United States Federal Electronic Signatures in Global and National Commerce Act of 2000 ("E-SIGN") and the California Uniform Electronic Transactions Act ("UETA") (California Civil Code §1633.1 et seq.), that a signature by fax, e-mail, or other electronic means shall constitute an Electronic Signature to an Electronic Record under both E-SIGN and UETA with respect to this specific transaction.

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IN WITNESS WHEREOF, City has caused this Amendment to be executed, by the Chief Executive Officer of LAWA, and Consultant has caused the same to be executed by its duly authorized officers and its corporate seal to be hereunto affixed, all as of the day and year first hereinabove written.

APPROVED AS TO FORM:
Michael N. Feuer, City Attorney

CITY OF LOS ANGELES

Date: _____

By: _____

Justin Erbacci
Chief Executive Officer
Los Angeles World Airports

By: _____
Deputy/Assistant City Attorney

By: _____

Tatiana Starostina
Chief Financial Officer
Los Angeles World Airports

ATTEST:

RS&H CALIFORNIA, INC.

By: *Holt Graves*
Signature (Secretary)

By: *Joseph P. Jackson*
Signature

Holt Graves
Print Name

Joseph P. Jackson
Print Name

[SEAL]

President
Print Title

