

RESOLUTION NO. 27410

WHEREAS, on recommendation of Management, there was presented for approval, request for Los Angeles City Council to consider and approve an ordinance allowing the Board of Airport Commissioners to authorize the Chief Executive Officer to utilize Alternate Delivery Methods and the Competitive Sealed Proposal Selection Process for the Airfield and Terminal Modernization Project and related projects at Los Angeles International Airport; and

LAX

Van Nuys

City of Los Angeles

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Mayor

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Commissioners**

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Justin Erbacci
Chief Executive Officer

WHEREAS, the capital improvements that are currently underway at Los Angeles International Airport (LAX) will provide improved access to the airport via an Automated People Mover and new parking and rental car facilities. The Airfield and Terminal Modernization Project (ATMP) will continue the modernization at LAX by providing airfield, roadway, and terminal improvements that will improve passenger experience and prepare Los Angeles World Airports (LAWA) to handle future passenger growth; and

WHEREAS, as the 2028 Olympic and Paralympic Games approach, LAWA will need to move quickly to implement the ATMP in order to accommodate the expected growth and to improve passenger circulation in and around LAX before the Games. In order to meet its timelines, LAWA would like to utilize alternate delivery methods and the Competitive Sealed Proposal Selection (CSPS) process; and

WHEREAS, traditional construction contracts with the City of Los Angeles are awarded under a design-bid-build delivery method and, based on City Charter requirements, are let to the "lowest responsive and responsible bidder." However, those approaches do not allow for time savings, collaboration, innovations, consideration of experience, past performance, or other pertinent qualifications; and

WHEREAS, City Charter Section 371 (b) authorizes use of alternate delivery methods and the CSPS process, provided that an ordinance approving their use is first approved by the City Council. The CSPS process is used to procure projects through a process which, in addition to cost, takes qualifications, experience, and other technical factors into consideration. To select contractors that possess the expertise to successfully complete the ATMP, and related projects, staff will need to consider experience, design and construction approach, resources, safety, and other relevant qualifications; and

WHEREAS, in recent years, LAWA increasingly, and very successfully, utilized varying alternate delivery methods to construct capital improvements throughout the LAWA campus. Recent projects, and their delivery method, include, but are not limited to, the Intermodal Transportation Facility West (Design-Build), Airport Police Facility (Design-Build), and the Consolidated Rent-A-Car Facility (Public Private Partnership). In order to maximize flexibility in the delivery of the ATMP, LAWA would like the ability to consider the following alternate delivery methods for the construction of the multiple aspects of the ATMP:

- Construction Manager at Risk (CMAR)
Under CMAR, LAWA would select a construction manager during the design development process to provide pre-construction services as a member of the program development team. The selected CMAR collaborates with the designer early in the process to align on aspects of the process. The CMAR then executes construction of the project as the general contractor, and is considered "at risk" to deliver the project at an agreed maximum guaranteed price.
- Design-Build (DB)
Under DB, LAWA would select a single entity to complete the design and construction of a project. The Design-Builder is selected based on qualifications, which dictate performance



requirements and criteria for the finished project. Under DB, the responsibility and associated risks related to the design of the project shifts from LAWA to the Design-Builder.

- Public Private Partnership (P3) or Design Build Finance Operate Maintain (DBFOM)

A P3 is a further evolution of the DB model that involves an agreement between a public owner and a private entity partner for the design, build, possible finance, and possible long-term management of portions of the project over a specified term; and

WHEREAS, providing said delivery methods as options will allow LAWA to be more creative in the planning phase. They will also allow LAWA more flexibility in the delivery of projects. For those reasons, LAWA proposes an ordinance allowing the Chief Executive Officer to use alternate delivery methods and CSPA processes to solicit contracts for the ATMP and related projects; and

WHEREAS, any activity (approval of bids, execution of contracts, allocation of funds, etc.) for which the underlying project has previously been evaluated for environmental significance and processed according to the requirements of the California Environmental Quality Act (CEQA) is exempt from further review pursuant to Article II, Section 2.i. of the Los Angeles City CEQA Guidelines. The ATMP Environmental Impact Report was certified by the Board of Airport Commissioners on October 7, 2021 (Resolution 27351); 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 371;

NOW, THEREFORE, BE IT RESOLVED that the Board of Airport Commissioners adopted the Staff Report; determined that this action is exempt from CEQA pursuant to Article II, Section 2.i. of the Los Angeles City CEQA Guidelines; further adopt this Resolution requesting the Los Angeles City Council to consider and approve an ordinance allowing the Board of Airport Commissioners to authorize the Chief Executive Officer to utilize Alternate Delivery Methods and the Competitive Sealed Proposal Selection Process for the Airfield and Terminal Modernization Project and related projects at Los Angeles International Airport; and found that use of Alternate Delivery Methods, paired with a Competitive Sealed Proposal Selection process, should be authorized based on operational need, schedule, and technical aspects of the Airfield and Terminal Modernization Project at Los Angeles International Airport, and that awarding to the lowest responsive and responsible bidder, without any involvement from the contractor during the design stage, would be neither practicable nor advantageous.

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I hereby certify that this Resolution No. 27410 is true and correct, as adopted by the Board of Airport Commissioners at its Regular Meeting held on Thursday, December 16, 2021.



Grace Miguel – Secretary
BOARD OF AIRPORT COMMISSIONERS