



RESOLUTION NO. 27079

WHEREAS, on recommendation of Management, there was presented for approval, Seventh Amendment to Contract DA-4859 with Morrison & Foerster LLP to extend the term through August 31, 2021, covering legal services to assist Los Angeles World Airports and the City Attorney with litigation and appeals involving John Russo Industrial Sheetmetal, Inc.; and

LAX
Van Nuys
City of Los Angeles

WHEREAS, the litigation the Morrison & Foerster LLP is handling is related to the purchase of four Aircraft Rescue & Fire Fighting vehicles (special airport firefighting trucks). Los Angeles World Airports (LAWA) terminated the contract for said purchase because the first two (2) vehicles did not comply with the relevant Federal Aviation Administration specifications. Both sides filed lawsuits and after a six (6)-week jury trial and multiple appeals, one issue regarding attorneys fees has been remanded to the trial court. The hearing on attorneys fees was originally scheduled for this summer, but has been continued several times due to COVID-19. The hearing is on calendar in November. Morrison & Foerster LLP's contract extension to August 31, 2021 should be enough time to handle the final motions and any potential appeals; and

Eric Garcetti
Mayor
Board of Airport
Commissioners
Sean O. Burton
President

WHEREAS, Morrison & Foerster LLP is a well-known, highly regarded law firm with exceptional litigation proficiency in these particular types of actions, and has been handling said litigation in San Mateo County since the beginning. The firm brings a significant level of litigation expertise necessary to successfully prosecute the final resolution of the matter; and

Valeria C. Velasco
Vice President
Gabriel L. Eshaghian
Beatrice C. Hsu
Nicholas P. Roxborough
Dr. Cynthia A. Telles
Karim Webb

WHEREAS, funds for the Amendment are currently available in the Fiscal Year 2020-2021 Los Angeles World Airports (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

Justin Erbacci
Chief Executive Officer

WHEREAS, this item, as a continuing administrative, maintenance and personnel-related 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, Morrison & Foerster LLP will be required to comply with the provisions of City Charter Section 609(e) and related ordinances; and

WHEREAS, Morrison & Foerster LLP is required by contract to comply with the provisions of the Living Wage Ordinance; and

WHEREAS, Morrison & Foerster LLP is required by contract to comply with the provisions of the Affirmative Action Program; and

WHEREAS, Morrison & Foerster LLP has been assigned a Business Tax Registration Certificate 0000006537-0001-6; and

WHEREAS, Morrison & Foerster LLP is required by contract to comply with the provisions of the Child Support Obligations Ordinance; and

WHEREAS, Morrison & Foerster LLP has approved insurance documents, in the terms and amounts required, on file with LAWA; 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, Morrison & Foerster LLP has submitted the Contractor Responsibility Program Questionnaire and Pledge of Compliance, and will comply with the provisions of the program; and

WHEREAS, Morrison & Foerster LLP must be determined by the 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, Morrison & Foerster LLP will comply with the provisions of the First Source Hiring Program for all non-trade Los Angeles International Airport jobs; and

WHEREAS, Morrison & Foerster LLP has submitted the Bidder Contributions CEC Form 55, and will comply with its provisions; and

WHEREAS, Morrison & Foerster LLP will be required to comply with the provisions of the Iran Contracting Act of 2010 Affidavit; 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 Seventh Amendment to Contract DA-4859 with Morrison & Foerster LLP to extend the term through August 31, 2021, covering legal services to assist Los Angeles World Airports and the City Attorney with litigation and appeals involving John Russo Industrial Sheetmetal, Inc.; and authorized the Chief Executive Officer to execute said Seventh Amendment to Contract DA-4859 with Morrison & Foerster LLP after approval as to form by the City Attorney and approval by the Los Angeles City Council.

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I hereby certify that this Resolution No. 27079 is true and correct, as adopted by the Board of Airport Commissioners at its Special Meeting held on Thursday, July 30, 2020.



Grace Miguel – Secretary
BOARD OF AIRPORT COMMISSIONERS