



RESOLUTION NO. 26043

WHEREAS, on recommendation of Management, there was presented for approval, Fourth Amendment to Contract DA-4859 with Morrison & Foerster LLP to extend the contract term by two (2) years for total term of five (5) years, covering legal services for Los Angeles World Airports in connection with the City's pending litigation involving John Russo Industries and the Runway 25L litigation; and

**LAX**  
**LA/Ontario**  
**Van Nuys**  
**City of Los Angeles**

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Mayor

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Commissioners**

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Deborah Flint  
Chief Executive Officer

WHEREAS, the three (3) year Contract expires on August 31, 2016. At the time Board of Airport Commissioners (BOAC) approved the Third Amendment in March 2016, the JRI trial was scheduled to begin on April 5, 2016. Because of the Judge's full trial calendar, the trial date was continued until September 7, 2016, and is scheduled to last three (3) weeks. With this new trial date, if the contract is not extended, the contract will expire one (1) week before the trial is scheduled to start. Additionally, a trial date is not set for the LAX Runway 25L litigation; and

WHEREAS, all other substantive terms and conditions of the Contract will remain the same; and

WHEREAS, funds for the Fourth Amendment are currently available in Fiscal Year 2016-2017 Los Angeles World Airports Operating Budget on 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 and personnel-related activity, is exempt from the requirements of the California Environmental Quality Act (CEQA) 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, this item is not subject to the provisions of the Small Business Enterprise Program; 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 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 the Los Angeles World Airports; and

WHEREAS, Morrison & Foerster LLP has submitted the Contractor Responsibility Program Pledge of Compliance, and will comply with the provisions of the Contractor Responsibility Ordinance; 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 Fourth Amendment; and

WHEREAS, Morrison & Foerster LLP will comply with the provisions of the First Source Hiring Program for all non-trade LAX jobs; and

WHEREAS, Morrison & Foerster LLP has submitted the Bidder Certification City Ethics Commission (CEC) Form 50 and Bidder Contributions CEC Form 55 and comply with its provisions; and

WHEREAS, the Fourth Amendment will become final pursuant to the provisions of Los Angeles City Charter Sections 245 and 373;

NOW, THEREFORE, BE IT RESOLVED that the Board of Airport Commissioners determined that this action is exempt from the California Environmental Quality Act requirements; adopted the Staff Report; found that pursuant to Charter Section 371(e)(2), competitive bidding for the professional services would not be practicable or advantageous; further found that pursuant to Charter Section 371(e)(10), competitive bidding for the work would be undesirable, impractical or impossible; further found that pursuant to Charter Section 1022, the work can be performed more economically or feasibly by an independent contractor than by City employees; approved the Fourth Amendment to Contract DA-4859 with Morrison & Foerster LLP; and authorized the Chief Executive Officer to execute said Fourth Amendment upon approval as to form by the City Attorney and upon approval by the Los Angeles City Council.

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I hereby certify that this Resolution No. 26043 is true and correct, as adopted by the Board of Airport Commissioners at its Regular Meeting held on Thursday, August 4, 2016.



Sandra J. Miller – Secretary  
BOARD OF AIRPORT COMMISSIONERS