

ADMINISTRATIVE EXEMPTION and INNOVATION, GRANTS, TECHNOLOGY, COMMERCE AND TRADE COMMITTEE REPORT relative to the fourth amendment to the contract with Morrison and Foerster LLP to extend the contract term by two years for total term of five years, covering legal services for Los Angeles World Airports (LAWA) in connection with the City's pending litigation involving John Russo Industries and the Runway 25L litigation.

Recommendations for Council action:

1. ADOPT the determination by the Board of Airport Commissioners (Board) that the proposed action is exempt under the California Environmental Quality Act (CEQA) as provided in Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.
2. APPROVE the fourth amendment to Contract No. DA-4859 with Morrison and Foerster LLP to extend the contract term by two years for a total term of five years.
3. CONCUR with the Board's action of August 4, 2016 by Resolution No. 26043 authorizing the Chief Executive Officer, LAWA, to execute the fourth amendment to Contract No. DA-4859 with Morrison and Foerster LLP to extend the contract term by two years for a total term of five years, covering legal services for LAWA in connection with the City's pending litigation involving John Russo Industries and the Runway 25L litigation.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that approval of the fourth amendment will have no impact on the City's General Fund. Funding is available from LAWA's Fiscal Year 2016-17 Operating Budget in Cost Center No. 1110004 - Legal Services Division, Commitment Item No. 520 - Contractual Services. Costs incurred under Contract No. DA-4859 will be recovered from landing fees, terminal rates and charges, and non-aeronautical revenues (e.g., concessions, parking lot revenue, etc.). Future years' funding will be requested as part of the annual budget process. The use of outside legal services complies with LAWA's adopted Financial Policies.

Community Impact Statement: None submitted.

**TIME LIMIT FILE – NOVEMBER 8, 2016**

**(LAST DAY FOR COUNCIL ACTION – NOVEMBER 8, 2016)**

SUMMARY

At the meeting held on September 20, 2016, your Innovation, Grants, Technology, Commerce and Trade Committee considered a LAWA transmittal relative to approval to execute the fourth amendment to Contract No. DA-4859 with the law firm of Morrison and Foerster, LLP to extend the term of performance for an additional two years, for a total of five years, to continue the provision of legal services in support of pending litigation involving the City of Los Angeles Department of Airports v. JRI, Inc. and City of Los Angeles vs. Tutor-Saliba Corporation/O and G Industries Inc., JV, etc., et al. The City Attorney affirms the need to continue the contractor's services. No additional funding is being requested and no substantive changes to the contract terms are being proposed. The original three-year contract term was September 1, 2013 to

August 31, 2016, with the proposed amendment extending the term to August 31, 2018. The contract expenditure authority is \$6.1 million of which \$2,308,621 has been expended as of July 2016. An opportunity for public comment was held. After a brief discussion, the Committee moved to approve the recommendations contained in the transmittal. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

INNOVATION, GRANTS, TECHNOLOGY, COMMERCE AND TRADE COMMITTEE

A handwritten signature in blue ink, appearing to read "Bob Blumenfeld".

<u>MEMBER</u>	<u>VOTE</u>
BLUMENFELD:	YES
BONIN:	YES
KREKORIAN:	YES
BUSCAINO:	YES

ME

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**