

RESOLUTION NO. 27217

WHEREAS, on recommendation of Management, there was presented for approval, Second Amendment to Contract DA-5063 with Meyers Nave, Second Amendment to Contract DA-5078 with Remy Moose Manley LLP, and Third Amendment to Contract DA-5062 with Kaplan Kirsch & Rockwell LLP to extend their respective terms by one (1) year, and increase their respective contract authorities except for Contract DA-5062, covering legal services to assist Los Angeles World Airports; and

LAX

Van Nuys

City of Los Angeles

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Mayor

Board of Airport
Commissioners

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Justin Erbacci
Chief Executive Officer

WHEREAS, under their contracts, Meyers Nave, Remy Moose Manley LLP (Remy Moose) and Kaplan Kirsch & Rockwell LLP (Kaplan Kirsch) provide legal support to the City Attorney on key issues involving environmental and regulatory matters; and

WHEREAS, the Amendment to Contracts DA-5063 with Meyers Nave and DA-5062 with Kaplan Kirsch will extend their term to March 31, 2022. And the Amendment to Contract DA-5078 with Remy Moose will extend the term to April 30, 2022. The term extension will allow access to ongoing strategic California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) advice from the firms for the many high profile and environmentally complicated Los Angeles World Airports (LAWA) and LAWA tenants' development projects. Those projects include, but are not limited to, the Airfield and Terminal Modernization Project, the proposed Concourse 0, the proposed Terminal 9, and work on high-exposure per- and polyfluoroalkyl substances (PFAS) and Underground Storage Tank regulatory compliance matters; and

WHEREAS, the type of legal expertise necessary to properly advise LAWA on environmental issues is highly technical and specialized. It is vital to have said expertise under contract with a readily available budget to respond to time-sensitive complex issues as they arise. LAWA would be disadvantaged if it could not obtain such advice as needed; and

WHEREAS, the City Attorney Airport Division does not have sufficient expertise and personnel to address the vast array of highly technically, legally complex fast moving, and multifaceted CEQA, NEPA, Land Use and Planning issues and federal regulatory issues. The need for legal expertise for those tasks is highly specialized, project-based, with spikes in required assistance. Employment of additional in-house attorneys would not provide the up-to-date, wide range of technical expertise or critical mass when needed. The City Attorney's Office will issue a Request for Proposals in the Fall of 2021 to handle said services; and

WHEREAS, funds for the Amendments are currently available in the Fiscal Year 2020-2021 LAWA Operating Budget in LAX 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 activity, is exempt from CEQA requirements pursuant to Article II, Section 2.f. of the Los Angeles City CEQA Guidelines; and

WHEREAS, the firms are required by contract to comply with the provisions of the Living Wage Ordinance, Affirmative Action Program, and Child Support Obligations Ordinance; and

WHEREAS, Meyers Nave, Remy Moose, and Kaplan Kirsch have been assigned Business Tax Registration Certificates 0000536756-0001-1, 0002797999-0001-1, and 0002939999-0001-9, respectively; and



WHEREAS, the firms have 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 contracts can be performed more feasibly or economically by an Independent Contractor than by City employees; and

WHEREAS, the firms have submitted the Contractor Responsibility Program Pledge of Compliance, and will comply with the provisions of said program; and

WHEREAS, the firms 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 their respective Amendments; and

WHEREAS, the firms will comply with the provisions of the First Source Hiring Program for all non-trade Los Angeles International Airport jobs; and

WHEREAS, the firms have submitted the Bidder Contributions CEC Form 55, and will comply with its provisions; and

WHEREAS, Meyers Nave will be required to comply with the provisions of the Iran Contracting Act. Remy Moose and Kaplan Kirsch are not subject to the provisions of the Iran Contracting Act; 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 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 Second Amendment to Contract DA-5063 with Meyers Nave, Second Amendment to Contract DA-5078 with Remy Moose Manley LLP, and Third Amendment to Contract DA-5062 with Kaplan Kirsch & Rockwell LLP to extend their respective terms by one (1) year, and increase their respective contract authorities except for Contract DA-5062, covering legal services to assist Los Angeles World Airports; and authorized the Chief Executive Officer to execute said Amendments after approval by the Los Angeles City Council.

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I hereby certify that this Resolution No. 27217 is true and correct, as adopted by the Board of Airport Commissioners at its Regular Meeting held on Thursday, March 18, 2021.


Grace Miguel – Secretary
BOARD OF AIRPORT COMMISSIONERS