

RESOLUTION NO. 27706

WHEREAS, on recommendation of Management, there was presented for approval, Sixth Amendment to Contract DA-5190 with Nossaman LLP to extend the term through May 3, 2024, covering Landside Access Modernization Program-related legal services for Los Angeles World Airports relating to property acquisitions; and

WHEREAS, Nossaman LLP is currently representing Los Angeles World Airports (LAWA) on two (2) eminent domain matters in active litigation. The firm is also assisting LAWA with pre-condemnation advice for a third property acquisition that may result in litigation. It is in LAWA's best interest to extend the contract in order to maintain continuous litigation support for those ongoing matters; 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, there is insufficient in-house City Attorney staff with specialized expertise. Also, hiring additional in-house City Attorney staff for the work is impractical as it would not meet the immediate need for counsel with specialized expertise and experience on the matter. The City Attorney's Office will continue to provide legal services as well as closely manage the firm's services; 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 Landside Access Modernization Program Environmental Impact Report was certified by the Board of Airport Commissioners on March 2, 2017 (Resolution 26185); and

WHEREAS, Nossaman LLP will comply with the provisions of the Living Wage Ordinance, Affirmative Action Program, and Child Support Obligations Ordinance; and

WHEREAS, Nossaman LLP is assigned Business Tax Registration 000113159-001-0; and

WHEREAS, Nossaman 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, Nossaman LLP has submitted the Contractor Responsibility Program Questionnaire and Pledge of Compliance, and will comply with the provisions of said program; and

WHEREAS, Nossaman LLP has been determined by Public Works, Office of Contract Compliance to be in full compliance with the provisions of the Equal Benefits Ordinance; and

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

WHEREAS, Nossaman LLP has submitted the Bidder Certification CEC Form 55, and will comply with its provisions; and



WHEREAS, Nossaman LLP has submitted the Bidder Certification CEC Form 50, and will comply with its provisions; 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.i 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; further found that, pursuant to Charter Section 371(e)(2), competitive bidding for said 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; approved the Sixth Amendment to Contract DA-5190 with Nossaman LLP to extend the term through May 3, 2024, covering Landside Access Modernization Program-related legal services for Los Angeles World Airports relating to property acquisitions; and authorized the Chief Executive Officer, or designee, to execute said Sixth Amendment to Contract DA-5190 with Nossaman 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. 27706 is true and correct, as adopted by the Board of Airport Commissioners at its Special Meeting held on Tuesday, April 11, 2023.



Grace Miguel – Secretary
BOARD OF AIRPORT COMMISSIONERS