



REPORT TO THE BOARD OF AIRPORT COMMISSIONERS

Tamara McCrossen-Orr

Tamara McCrossen-Orr (Oct 28, 2021 09:17 PDT)

Approved by: Tamara McCrossen-Orr, Chief of Airport Planning I

Samantha Bricker

Samantha Bricker (Oct 28, 2021 09:19 PDT)

Reviewed by: Samantha Bricker, Deputy Executive Director

Brian C. Ostler

Brian Ostler (Oct 28, 2021 09:37 PDT)

City Attorney

Justin Erbacci

Justin Erbacci (Oct 28, 2021 13:22 PDT)

Justin Erbacci, Chief Executive Officer

Meeting Date:

11/4/2021

CAO Review:

- Completed
- Pending
- N/A

Reviewed for	Date	Approval Status	By
Finance	10/20/2021	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA	JS
CEQA	10/21/2021	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	VW
Procurement	10/20/2021	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Cond	QM
Guest Experience	10/22/2021	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	TB
Strategic Planning	10/20/2021	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA	KC

SUBJECT

Approve the First Amendment to Contract DA-5339 with The Bay Foundation for an approximately 16-month, no-cost extension until June 30, 2023, for habitat maintenance and restoration services related to the Coastal Dunes Improvement Project at Los Angeles International Airport.

RECOMMENDATIONS

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Class 2 (f) of the Los Angeles City CEQA Guidelines.
3. APPROVE the First Amendment to Contract DA-5339 with The Bay Foundation for a 16-month, no-cost extension for habitat maintenance and restoration services related to the Coastal Dunes Improvement Project at Los Angeles International Airport.
4. AUTHORIZE the Chief Executive Officer to execute the First Amendment to Contract DA-5339 with The Bay Foundation upon approval as to form by the City Attorney and approval by the Los Angeles City Council.

DISCUSSION

1. Purpose

The purpose of this action is to request approval of a first amendment to The Bay Foundation's (TBF) contract with Los Angeles World Airports, which ends on February 25, 2022. The contract, which is for habitat maintenance and restoration services related to the Coastal Development Improvement Project (CDIP) at Los Angeles International Airport (LAX), would be extended for approximately 16 months until June 30, 2023, to complete the tasks that were delayed due to the COVID-19 pandemic. No change to the \$500,000 not-to-exceed contract authority is being requested.

2. Prior Related Actions

- **February 19, 2013 – Resolution No. 25047**
The Board of Airport Commissioners (Board) authorized a release of the Notice Inviting Bids for the Coastal Dunes Improvement Project.
- **August 20, 2013 – Resolution No. 25200**
The Board awarded a contract to Griffith Company for road removal and habitat restoration in the Coastal Dunes Improvement Project area.
- **February 7, 2019 – Resolution No. 26685**
The Board awarded a three-year contract (DA-5339) to The Bay Foundation for Habitat Maintenance and Restoration Services related to the Coastal Dunes Improvement Project for a not-to-exceed amount of \$500,000.

3. Current Action

Los Angeles World Airports requests the Board to approve a no-cost first amendment contract extension of 16 months, from February 25, 2022 through June 30, 2023, with The Bay Foundation, for habitat maintenance and restoration services related to the Coastal Dunes Improvement Project at LAX. The project is located on the northern part of the LAX/EI Segundo Dunes (See Figure 1 below).

The Bay Foundation's contract with the City of Los Angeles began in February 2019 and ends in February 2022. However, work delays and stoppages related to the COVID-19 pandemic prevented the project from progressing in a timely manner.

In March 2020, the City of Los Angeles issued the "Safer at Home" orders as a response to the COVID-19 virus outbreak in Los Angeles. Pursuant to those orders, field activities and restoration events were significantly reduced or cancelled. Both field work and community restoration events are anticipated to resume in October/November of 2021.



Figure 1. Northern LAX Dunes (48 acres) and CDIP project area.

In addition, TBF revised the 2019 Revised Ecological Landscape Plan to address issues the Coastal Commission identified in the Plan. The Ecological Landscape Plan is a guiding document for the project that prescribes restoration actions and specifies success criteria. Los Angeles World Airports and TBF resubmitted the Revised Ecological Landscape Plan to the Coastal Commission on April 26, 2021.

The work completed during the first year of the contract (February 2019 - March 2020), proceeded on schedule. The Bay Foundation implemented various vegetation monitoring protocols and executed sub-contracts with partners such as the CA Botanic Garden and LA Conservation Corps, who then started collecting seeds and advising on monitoring and restoration actions. The Bay Foundation also held 12 volunteer restoration events, which collected over 4,800 pounds of non-native plants.

A 16-month extension will allow TBF and its sub-contractors to complete the remaining tasks outlined in the contract's Scope of Work in accordance with the Revised Ecological Landscape Plan and Coastal Development Permit.

Remaining Project Timeline

November 2021 - March 2022:

Tasks to be completed by TBF and partners include continued non-native vegetation removal and herbicide application, revegetation, compliance monitoring, adaptive management, and reporting. Planting and seeding activities are anticipated for this coming fall and winter. As part of revegetation efforts, TBF, LAWA, and community volunteers will be planting approximately 20,000 container stock plants that are native to coastal dunes. Following these restoration efforts, TBF will lead monitoring, maintenance, and adaptive management activities.

March 2022 - June 2023:

Maintenance and adaptive management activities include continued non-native vegetation control and potentially supplementary planting/seeding, watering, and/or herbivory reduction methods. Lastly, TBF will continue to aid LAWA in any tasks LAWA requests related to the LAX Dunes; this includes, but is not limited to, identification of mitigation habitat units, advising on larger restoration actions, consulting on restoration documents, securing supplementary grant funding to support restoration work, and assisting in outreach efforts.

How this action advances a specific strategic plan goal and objective

This action advances this strategic goal and objective: *Sustain a Strong Business: Operate sustainability – balancing economic, social and environmental responsibilities*. The contract extension amendment will enable LAWA to continue maintaining and restoring the Coastal Dunes Improvement Project area and the northern section of the dunes to meet the Coastal Commission's permit requirements and fulfill LAWA's environmental obligations for this sensitive habitat. In addition, this project enhances the City's biodiversity and LAWA's social responsibilities through volunteer and community engagement on ecological restoration projects.

Fiscal Impact

This action is a no-cost, first amendment contract extension; therefore, LAWA will not incur additional costs as a result of this action. The contract authority remains at a not-to-exceed amount of \$500,000. As of September 20, 2021, expenditures and encumbrances totaled \$266,000 leaving a balance of \$234,000 which will be used to perform the remaining tasks.

4. Alternatives Considered

• ***Take No Action***

If no action is taken, TBF's contract with the City of Los Angeles will end on February 25, 2022, and TBF would not be able to complete the project. Los Angeles World Airports would be required to conduct a new procurement process to retain a replacement contractor to perform these same functions.

APPROPRIATIONS

Funds for the contract are available in the FY2021-22 Los Angeles World Airports Operating Budget LAX Cost Center 1140003 - Environmental Programs Group, Commitment Item 520 – Contractual Services. Funding for subsequent years will be requested as part of the annual budget process.

STANDARD PROVISIONS

1. Amendment to extend the term of an existing contract is exempt from California Environmental Quality Act (CEQA) requirements pursuant to Article II, Class 2 (f) of the Los Angeles City CEQA Guidelines as continuing administrative, maintenance, and personnel-related activities.
2. The proposed document(s) is/are subject to approval as to form by the City Attorney.

3. 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.
4. The Bay Foundation is required by contract to comply with the provisions of the Living Wage Ordinance.
5. Procurement Services reviewed this action (File No. 8747) and established a mandatory 5 percent Small Business Enterprise (SBE) and 3 percent Disabled Veterans Business Enterprise (DVBE) goals for the project. The Bay Foundation committed to 6.8 percent SBE and 6.8 percent DVBE participation and has achieved 0 percent to date.
6. The Bay Foundation is required by contract to comply with the provisions of the Affirmative Action Program.
7. The Bay Foundation has been assigned Business Tax Registration Certificate number 0003083305-0001-2.
8. The Bay Foundation is required by contract to comply with the provisions of the Child Support Obligations Ordinance.
9. The Bay Foundation must have approved insurance documents, in the terms and amounts required, on file with Los Angeles World Airports prior to execution of the contract amendment.
10. Pursuant to Charter Section 1022, staff determined the work specified on the proposed contract can be performed more feasibly or economically by an Independent Contractor than by City employees.
11. The Bay Foundation has submitted the Contractor Responsibility Program Questionnaire and Pledge of Compliance and will comply with the provisions of the Contractor Responsibility Program.
12. The Bay Foundation must be determined by Public Works, Office of Contract Compliance, to be in full compliance with the provisions of the Equal Benefits Ordinance prior to execution of the contract amendment.
13. The Bay Foundation is required by contract to comply with the provisions of the First Source Hiring Program for all non-trade Airport jobs.
14. The Bay Foundation has submitted the Bidder Contributions CEC Form 55 and will comply with its provisions.
15. The Bay Foundation has submitted the Municipal Lobbying Ordinance CEC Form 50 and will comply with its provisions.
16. This action is not subject to the Iran Contracting Act of 2010.