

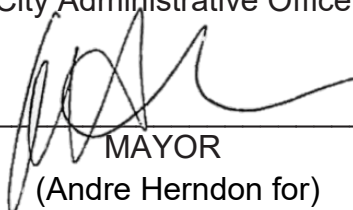
0220-05356-0002
0220-05356-0003

TRANSMITTAL

TO The Council	DATE 05/11/2022	COUNCIL FILE NO. 16-0358
FROM The Mayor	COUNCIL DISTRICT All	

Amendments to Contract No. 129255 with the Los Angeles County Metropolitan Transportation Authority and the Los Angeles Police Department to provide law enforcement services for the transit system infrastructure, bus, and rail lines

Transmitted for your consideration. Pursuant to Los Angeles Administrative Code Section 10.5(a), the Council has 60 days to act, otherwise the matter will be deemed approved. See the attached City Administrative Officer report.



MAYOR
(Andre Herndon for)

MWS:DP: 04220098c

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: May 10, 2022

CAO File No. 0220-05356-0002
0220-05356-0003
Council File No. 16-0358
18-0600-S116
18-0600-S135
Council District: All

To: The Council
The Mayor



From: Matthew W. Szabo, City Administrative Officer

Reference: Transmittal from the Board of Police Commissioners dated January 11, 2022 (Third Amendment); and Transmittal from the Board of Police Commissioners dated March 8, 2022 (Fourth Amendment).

Subject: **LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
THIRD AND FOURTH AMENDMENTS TO CONTRACT NO. C-129255 WITH THE
LOS ANGELES POLICE DEPARTMENT**

RECOMMENDATIONS

That the Council, subject to the approval of the Mayor:

1. Authorize the Chief of Police, or designee, to execute the Third Amendment to Contract No. C-129255 with the Los Angeles County Metropolitan Transportation Authority (LACMTA) and increase the maximum allowable compensation by \$38,628,480 from \$390,857,017 to \$429,485,497 to provide law enforcement services for the LACMTA public transit system;
2. Authorize the Chief of Police, or designee, to execute the Fourth Amendment to Contract No. C-129255 with the LACMTA that incorporates language requiring employees to comply with an enforced COVID-19 vaccine mandate; and,
3. Authorize the Los Angeles Police Department to prepare Controller instructions for any technical adjustments, as necessary, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

SUMMARY

At its meeting on January 11, 2022, the Board of Police Commissioners (Board) approved a proposed Third Amendment to Contract No. C-129255 between the Los Angeles Police Department (Department) and the Los Angeles County Metropolitan Transportation Authority (LACMTA). The proposed amendment will increase the maximum allowable compensation by

\$38,628,480 from \$390,857,017 to \$429,485,497. On March 8, 2022, the Board approved the Fourth Amendment which adds language relative to compliance with the COVID-19 vaccine mandate. Under the terms of the Fourth Amendment, the Department shall assign employees performing services who are vaccinated with an approved COVID-19 vaccine or have an approved religious or medical exemption. The Department will be responsible for managing exemptions, weekly testing and oversight of employees, and shall be able to certify compliance upon request by the LACMTA. This requirement will be effective on July 1, 2022, and will be subject to an extension of the current agreement.

The Department reports that the LACMTA intends to continue services beyond the existing term, which is set to expire on June 30, 2022. LACMTA Security Services and Law Enforcement staff have discussed a contract value increase for FY 2023 that will be presented before the LACMTA Board of Directors in May 2022

On May 3, 2017, the Council authorized the Department to execute a five-year contract with the LACMTA to provide law enforcement services for the transit system's infrastructure, bus, and rail lines (C.F. 16-0358). The term of the proposed agreement began on July 1, 2017 and expires on June 30, 2022, with a maximum allowable compensation of \$369,330,499.

On June 29, 2018, the Council approved the First Amendment to Contract No. C-129255 that modified Section GC-14-A Termination for Convenience clause from six months to 12 months, which states that either party may terminate the agreement without cause by written notice sent at least 12 months prior to the termination (C.F. 18-0600-S116). This amendment also included budgetary adjustments and service enhancements to address understaffing and expanded hours, added a full-time K-9 Bomb Unit, and modified the dedicated Homeless Outreach and Proactive Engagement team from an overtime basis to 11 full-time officers. On September 29, 2021, the Council approved the Second Amendment with the LACMTA to increase the maximum allowable compensation by \$21,526,518 from \$369,330,499 to \$390,857,017.

In accordance with Los Angeles Administrative Code Section 10.5(b)2, Council approval of the proposed amendments are required because Council approved the original agreement and subsequent amendments.

FISCAL IMPACT STATEMENT

Approval of the recommendations stated in this report will authorize the Los Angeles Police Department (Department) to execute the Third Amendment to Contract No. C-129255 with the Los Angeles County Metropolitan Transportation Authority (LACMTA) authorizing an increase to expenditures by \$38,628,480, from \$390,857,017 to \$429,485,497. In addition, the recommendations authorize the Department to execute a Fourth Amendment with the LACMTA that incorporates language requiring employees to comply with the COVID-19 vaccination mandate. All other terms remain the same. Reimbursement for services provided will be deposited into Revenue Source Code 4603, Service to LACMTA. There is no additional impact to the General Fund.

FINANCIAL POLICIES STATEMENT

The recommendations stated in this report are in compliance with the City's Financial Policies in that the City will be reimbursed for services provided, based on the full cost of operations.

MWS:DP:04220098c

Attachments

LOS ANGELES POLICE COMMISSION

BOARD OF POLICE COMMISSIONERS

WILLIAM J. BRIGGS, II
PRESIDENT

EILEEN M. DECKER
VICE PRESIDENT

DALE BONNER
MARIA LOU CALANCHE
STEVE SOBOROFF

MARIA SILVA
COMMISSION EXECUTIVE ASSISTANT II



ERIC GARCETTI
MAYOR

RICHARD M. TEFANK
EXECUTIVE DIRECTOR

MARK P. SMITH
INSPECTOR GENERAL

EXECUTIVE OFFICE
POLICE ADMINISTRATION BUILDING
100 WEST FIRST STREET, SUITE 134
LOS ANGELES, CA 90012-4112

(213) 236-1400 PHONE
(213) 236-1410 FAX
(213) 236-1440 TDD

January 11, 2022

BPC #22-010

The Honorable Eric Garcetti
Mayor, City of Los Angeles
City Hall, Room 303
Los Angeles, CA 90012

Attention: Heleen Ramirez

Dear Honorable Mayor:

RE: REQUEST FOR APPROVAL OF THE THIRD AMENDMENT TO CONTRACT NO.
C-129255 BETWEEN THE CITY OF LOS ANGELES AND THE LOS ANGELES
COUNTY METROPOLITAN TRANSPORTATION AUTHORITY.

At the regular meeting of the Board of Police Commissioners held Tuesday, January 11, 2022,
the Board APPROVED the Department's report relative to the above matter.

This matter is forwarded for your approval.

Respectfully,

BOARD OF POLICE COMMISSIONERS

A handwritten signature in blue ink that reads "Maria Silva".

MARIA SILVA
Commission Executive Assistant

Attachment

c: Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

22-090
RECEIVED
RICHARD M. TEFANK
EXECUTIVE DIRECTOR
DATE 1/5/22
4B
T

January 7, 2022
3.5

RECEIVED

JAN 05 2022

POLICE COMMISSION

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: REQUEST FOR APPROVAL OF THE THIRD AMENDMENT TO
CONTRACT NO. C-129255 BETWEEN THE CITY OF LOS ANGELES AND
THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE the attached Third Amendment to City Contract No. C-129255 (MTA Contract No. PS5862100LAPD24750, Modification No. 3) between the City of Los Angeles acting by and through the Los Angeles Police Department (LAPD) and the Los Angeles County Metropolitan Transportation Authority (LACMTA).
2. That the Board TRANSMIT the Third Amendment to the Mayor's Office for review and approval.
3. That the Board AUTHORIZE the Chief of Police to execute the Third Amendment upon Mayoral approval.

DISCUSSION

On February 23, 2017, the LACMTA selected the LAPD under a competitive bid process to provide law enforcement services to the LACMTA infrastructure, bus and rail lines, and ridership within the City of Los Angeles. The LAPD and the LACMTA entered into a five-year contract, which became effective on March 1, 2017 and expires on June 30, 2022. Under the terms of the Original Agreement, the LACMTA would compensate the LAPD a total contract amount of \$369,330,499 for these services. The First Amendment changed the termination for convenience from six months to 12 months. LACMTA also agreed to make budgetary adjustments during the life of the contract that would allow them to compensate the LAPD for a not-to-exceed contract amount of \$404,667,111.70. On June 29, 2018, the Los Angeles City Council approved the First Amendment and these adjustments (CF 16-0358, 18-0600-S116, and 18-0600-S135). The Second Amendment subsequently increased the total contract amount from \$369,330,499 to \$390,857,017. This Third Amendment increases the total contract amount by \$38,628,480, from \$390,857,017 to \$429,485,497. The Office of the City Attorney has approved this Third Amendment as to form.

The Honorable Board of Police Commissioners

Page 2

3.5

Should you have any questions concerning this request, please contact
Police Administrator II Thom Brennan, Commanding Officer, Fiscal Group, at (213) 486-8590.

Respectfully,



MICHEL R. MOORE
Chief of Police

**BOARD OF
POLICE COMMISSIONERS**
Approved
Secretary

January 11, 2022
Maria Silva

Attachments

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACT NO. PS5862100LAPD24750, MODIFICATION NO. 3**

TRANSIT LAW ENFORCEMENT SERVICES

This Contract Modification No. 3 to Contract No. PS5862100LAPD24750 effective January 1, 2022, by and between the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, hereinafter referred to as "METRO", and the City of Los Angeles, a municipal corporation acting by and through its Police Department (LAPD), hereinafter referred to as the "CONTRACTOR."

WHEREAS, Contractor and Metro entered into Contract No. PS5862100LAPD24750, effective March 1, 2017, subsequently modified by Modification No. 1, effective July 1, 2018 and Modification No. 2 effective August 16, 2021 the "Existing Contract) and;

WHEREAS, Contractor and METRO desire to amend the Existing Contract as provided herein;

Now, therefore, it is mutually agreed, by and between the parties as follows:

A. ARTICLE IV: COMPENSATION

The total Contract Price shall be increased by \$38,628,480 from \$390,857,017 to \$429,485,497 for a revised not-to-exceed Contract Price of \$429,485,497.

All other terms and conditions of Contract No. PS5862100LAPD24750 shall remain unchanged.

Except as expressly modified hereby, the Existing Contract, as modified remains in full force and effect as originally executed.

IN WITNESS WHEREOF, the parties have caused this Modification No. 3 to the Existing Contract to be executed by their respective officers duly authorized on the date first written above.

CITY OF LOS ANGELES
c/o Los Angeles Police Department
100 W. 1st Street
Los Angeles, CA 90012

**LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION
AUTHORITY**

SIGNATURE OF AUTHORIZED OFFICIAL

STEPHANIE N. WIGGINS
CHIEF EXECUTIVE OFFICER

BY: _____
(print or type name)

BY: _____

(Title)

(date)

Date: _____

APPROVED AS TO FORM:
MICHAEL N. FEUER
City Attorney

ATTEST:
Holly L. Wolcott
City Clerk

By: _____
DANIEL KREINBRING
Deputy City Attorney

By: _____
Deputy City Clerk

Date: _____

Date: _____

INTRADEPARTMENTAL CORRESPONDENCE

DATE

RICHARD M. TEFANK
EXECUTIVE DIRECTOR

REVIEWED

December 17, 2021
3.5

TO: Chief of Police

FROM: Commanding Officer, Fiscal Group

SUBJECT: REQUEST FOR APPROVAL OF THE THIRD AMENDMENT TO
CONTRACT NO. C-129255 BETWEEN THE CITY OF LOS ANGELES AND
THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY

It is requested that the Chief of Police review, approve, and transmit to the Board of Police Commissioners (Board) the Third Amendment to City Contract No. C-129255 (MTA Contract No. PS5862100LAPD24750, Modification No. 3) between the City of Los Angeles acting by and through the Los Angeles Police Department (LAPD) and the Los Angeles County Metropolitan Transportation Authority (LACMTA). The Office of the City Attorney has approved this Third Amendment as to form.

On February 23, 2017, the LACMTA selected the LAPD under a competitive bid process to provide law enforcement services to the LACMTA infrastructure, bus and rail lines, and ridership within the City of Los Angeles. The LAPD and the LACMTA entered into a five-year contract, which became effective on March 1, 2017 and expires on June 30, 2022. Under the terms of the Original Agreement, the LACMTA would compensate the LAPD a total contract amount of \$369,330,499 for these services. The First Amendment changed the termination for convenience from six months to 12 months. LACMTA also agreed to make budgetary adjustments during the life of the contract that would allow them to compensate the LAPD for a not-to-exceed contract amount of \$404,667,111.70. On June 29, 2018, the Los Angeles City Council approved the First Amendment and these adjustments (CF 16-0358, 18-0600-S116, and 18-0600-S135). The Second Amendment subsequently increased the total contract amount from \$369,330,499 to \$390,857,017. This Third Amendment increases the total contract amount by \$38,628,480, from \$390,857,017 to \$429,485,497.

Should you have any questions concerning this request, please contact Senior Management Analyst II James T. Aceron, Officer in Charge, Contracts Section, Fiscal Group at (213) 486-0112.


THOM BRENNAN, Police Administrator II
Commanding Officer
Fiscal Group

Attachments

LOS ANGELES POLICE COMMISSION

BOARD OF POLICE COMMISSIONERS

WILLIAM J. BRIGGS, II
PRESIDENT

EILEEN M. DECKER
VICE PRESIDENT

DALE BONNER
MARIA LOU CALANCHE
STEVE SOBOROFF

MARIA SILVA
COMMISSION EXECUTIVE ASSISTANT II



ERIC GARCETTI
MAYOR

RICHARD M. TEFANK
EXECUTIVE DIRECTOR

MARK P. SMITH
INSPECTOR GENERAL

EXECUTIVE OFFICE
POLICE ADMINISTRATION BUILDING
100 WEST FIRST STREET, SUITE 134
LOS ANGELES, CA 90012-4112

(213) 236-1400 PHONE
(213) 236-1410 FAX
(213) 236-1440 TDD

March 8, 2022

BPC #22-049

The Honorable Eric Garcetti
Mayor, City of Los Angeles
City Hall, Room 303
Los Angeles, CA 90012

Attention: Heleen Ramirez

Dear Honorable Mayor:

RE: FOURTH AMENDMENT TO CONTRACT NO. C-129255 BETWEEN THE CITY OF LOS ANGELES AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR TRANSIT LAW ENFORCEMENT SERVICES.

At the regular meeting of the Board of Police Commissioners held Tuesday, March 8, 2022, the Board APPROVED the Department's report relative to the above matter.

This matter is being forwarded to you for approval.

Respectfully,

BOARD OF POLICE COMMISSIONERS

A handwritten signature in blue ink that reads "Maria Silva".

MARIA SILVA
Commission Executive Assistant

Attachment

c: Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

BPC 22-049
RECEIVED

MAR 03 2022

POLICE COMMISSION

March 2, 2022
3.5

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: REQUEST FOR APPROVAL OF THE FOURTH AMENDMENT TO
CONTRACT NO. C-129255 BETWEEN THE CITY OF LOS ANGELES AND
THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY FOR TRANSIT LAW ENFORCEMENT SERVICES

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE the attached Fourth Amendment to City Contract No. C-129255 (MTA Contract No. PS5862100LAPD24750, Modification No. 4) between the City of Los Angeles acting by and through the Los Angeles Police Department (LAPD) and the Los Angeles County Metropolitan Transportation Authority (LACMTA).
2. That the Board TRANSMIT the Fourth Amendment to the Mayor's Office for review and approval.
3. That the Board AUTHORIZE the Chief of Police to execute the Fourth Amendment upon Mayoral approval.

DISCUSSION

On February 23, 2017, the LACMTA selected the LAPD under a competitive bid process to provide law enforcement services to the LACMTA infrastructure, bus and rail lines, and ridership within the City of Los Angeles. The LAPD and the LACMTA entered into a five-year contract, which became effective on March 1, 2017 and expires on June 30, 2022. This Fourth Amendment adds a special provision for the COVID-19 Vaccine Mandate:

The Contractor shall comply with an enforced COVID-19 Vaccine mandate. Enforced mandate is defined as requiring employees assigned to the contract to be vaccinated with Center for Disease Control and Prevention (CDC)/World Health Organization (WHO) approved COVID-19 Vaccine or have an approved religious/medical exemption. Contractor shall be responsible for managing exemptions and weekly testing oversight for their employees. Contractor shall audit staff assigned to the contract and be able to certify compliance upon LACMTA request.

While the Fourth Amendment is effective July 1, 2022, the extension of the referenced contract is conditioned on the LAPD having an enforced COVID-19 vaccination mandate. The status of

The Honorable Board of Police Commissioners

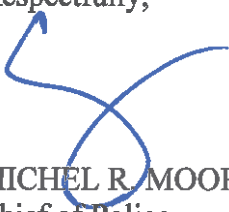
Page 2

3.5

such is to be included in the next LACMTA Security Services and Law Enforcement Staff report to the LACMTA Board of Directors. The Office of the City Attorney has approved this Fourth Amendment as to form.

Should you have any questions concerning this request, please contact Police Administrator II Thom Brennan, Commanding Officer, Fiscal Group, at (213) 486-8590.

Respectfully,


MICHEL R. MOORE
Chief of Police

BOARD OF
POLICE COMMISSIONERS
Approved *March 8, 2002*
Secretary *Maria Silva*

Attachment

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
CONTRACT NO. PS5862100LAPD24750, MODIFICATION NO. 4**

FOR: TRANSIT LAW ENFORCEMENT SERVICES

This Contract Modification No. 4 to Contract No. PS5862100LAPD24750 effective July 1, 2022 (pending approval of contract extension and funding), by and between the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, hereinafter referred to as "METRO", and the City of Los Angeles, a municipal corporation acting by and through its Police Department (LAPD), hereinafter referred to as the "CONTRACTOR."

WHEREAS, Contractor and Metro entered into Contract No. PS5862100LAPD24750, effective March 1, 2017, subsequently modified by Modification No. 1, effective July 1, 2018, Modification No. 2 effective August 16, 2021 and Modification No. 3 effective January 1, 2022 (the "Existing Contract") and;

WHEREAS, Contractor and METRO desire to amend the Existing Contract as provided herein;

Now, therefore, it is mutually agreed, by and between the parties, to add the following Special Provision:

1. SP-03 COVID-19 VACCINE MANDATE

The Contractor shall comply with an enforced Covid-19 Vaccine mandate. Enforced mandate is defined as requiring employees assigned to the contract to be vaccinated with Center for Disease Control and Prevention (CDC)/World Health Organization (WHO) approved Covid-19 Vaccine or have an approved religious/ medical exemption. Contractor shall be responsible for managing exemptions and weekly testing oversight for their employees. Contractor shall audit staff assigned to the contract and be able to certify compliance upon LACMTA request.

All other terms and conditions of Contract No. PS5862100LAPD24750 shall remain unchanged.

Attached is revised page 25 of Contract No. PS5862100LAPD24750. Amendment revisions are identified by a denoted bar (|) in the border and are printed in bold and italics for easy reference.

Except as expressly modified hereby, the Existing Contract, as modified remains in full force and effect as originally executed.

IN WITNESS WHEREOF, the parties have caused this Modification No. 4 to the Existing Contract to be executed by their respective officers duly authorized on the date first written above.

CITY OF LOS ANGELES

c/o Los Angeles Police Department
100 W. 1st Street
Los Angeles, CA 90012

LOS ANGELES COUNTY

**METROPOLITAN
TRANSPORTATION AUTHORITY**

SIGNATURE OF AUTHORIZED OFFICIAL

STEPHANIE N. WIGGINS
CHIEF EXECUTIVE OFFICER

BY: _____
(PRINT OR TYPE NAME)

BY: _____

(TITLE)

(DATE)

Date: _____

APPROVED AS TO FORM:
MICHAEL N. FEUER
City Attorney

ATTEST:
Holly L. Wolcott
City Clerk

By: _____
DANIEL KREINBRING
Deputy City Attorney

By: _____
Deputy City Clerk

Date: _____

Date: _____

be signed by the party giving such Notice or by a duly authorized representative of such party.

- B. Notices shall not be effective for any purpose whatever unless enclosed in a sealed envelope and transmitted by registered mail or any certifiable delivery service addressed to:

Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952
Attention: Aielyn Dumaua, **Senior Manager**, Contract Administration Manager
Contract No. PS5862100LAPD24750

- C. All Notices to the Contractor will be enclosed in a sealed envelope and transmitted by personal delivery to the Contractor or its authorized representative or by registered mail or any certifiable delivery service addressed as follows:

City of Los Angeles
c/o Los Angeles Police Department
100 W. 1st Street
Los Angeles, CA 90012

Attention:

Director
Los Angeles Police Department Office of Operations

With copies to:

Commanding Officer
Los Angeles Police Department, Fiscal Operations Division
100 W. 1st Street
Los Angeles, CA 90012

- D. Any Notice of changes of address shall be given according to the provisions of this Special Provision.

SP-03

COVID 19-VACCINE MANDATE

The Contractor shall comply with an enforced Covid-19 Vaccine mandate. Enforced mandate is defined as requiring employees assigned to the contract to be vaccinated with Center for Disease Control and Prevention (CDC)/World Health Organization (WHO) approved Covid-19 Vaccine or have an approved religious/ medical exemption. Contractor shall be responsible for managing exemptions and weekly testing oversight for their employees. Contractor shall audit staff assigned to the contract and be able to certify compliance upon LACMTA request.

END OF SPECIAL PROVISIONS

METRO PS5862100LAPD24750 ISSUED: 03.01.17	25	SPECIAL PROVISIONS (SERVICES) PRO FORM 089 REVISION DATE: 03.09.17
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