

HARBOR DIVISION

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DATE: MARCH 22, 2013

FROM: OFFICE OF THE CITY ATTORNEY

SUBJECT: RESOLUTION NO. _____ FIRST AMENDMENT TO
AGREEMENT NO. 3043 WITH THE SOHAGI LAW GROUP

SUMMARY:

The Office of the City Attorney requests approval of a First Amendment (First Amendment) to Agreement for Professional Services No. 3043 (Agreement No. 3043) between the City of Los Angeles (City) and The Sohagi Law Group, increasing the compensation by \$247,398 to an amount not to exceed \$577,398 for legal services for environmental matters.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners:

1. Approve the First Amendment to Agreement No. 3043 with The Sohagi Law Group attached as Transmittal 1, increasing the compensation by \$247,398 to an amount not to exceed \$577,398
2. Authorize the Executive Director to execute and the Board Secretary to attest to the First Amendment to Agreement No.3043;
3. Adopt Resolution No. _____.

DISCUSSION:

Background and Context- On February 2, 2012, the Board of Harbor Commissioners (Board) authorized Agreement No. 3043 for legal services between the City of Los Angeles and The Sohagi Law Group (Sohagi). Sohagi was among two firms selected using a competitive Request for Proposals (RFP) process. Agreement No. 3043 included a three year term (March 1, 2012 to February 28, 2015) and a not to exceed amount of \$330,000. The scope of work was for performing legal services in connection with environmental matters, specifically issues under the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), and other

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environmental matters requiring specialized law. The Harbor Department's environmental impact reports (EIRs) under CEQA and environmental impact statements (EISs) under NEPA require complex technical analysis and disclosures requiring specialized expertise.

The Sohagi Law Group- The initial contract authority was allocated for the completion of the Recirculated Draft and Final Environmental Impact Report (EIR) for the Southern California International Gateway (SCIG) project (\$261,409) and for General CEQA Advice (\$68,591).

Through February 2013, the total amount spent under Agreement No. 3043 is \$251,797 and the total remaining contract authority is \$78,203, which is expected to be expended during FY 2012-13 (March 1, 2013 through June 30, 2013).

First Amendment- The Office of the City Attorney requests approval of a First Amendment for Professional Services between the City and The Sohagi Law Group, to increase compensation by \$247,398 to an amount not to exceed \$577,398. The scope of work under the First Amendment is to assist the Office of the City Attorney with legal challenges to the EIR for the SCIG project. Further explanation of the proposed legal work to be performed under the First Amendment is set forth in a separate privileged and confidential legal memorandum from our Office to the Board.

ENVIRONMENTAL ASSESSMENT:

The proposed action is for the approval of a First Amendment to Agreement No.3043, to increase compensation by \$247,398 for a total amount not to exceed \$577,398, for legal services to assist the Office of City Attorney in Harbor Department environmental matters. As an administrative activity, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f) of the City of Los Angeles CEQA Guidelines.

ECONOMIC IMPACT:

Spending under the original contract with the Sohagi Law Group would have supported 2 direct plus 3 secondary one-year equivalent jobs in the five county region. Spending under the proposed amendment to increase the contract amount will result in 3 direct and 4 secondary one-year equivalent job impacts in the region.

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FINANCIAL IMPACT:

The proposed action is for the approval of a First Amendment to Agreement No. 3043, to increase compensation by \$247,398 for a total amount not to exceed \$577,398. The total remaining contract authority is \$78,203, which is expected to be expended during the period of March 1, 2013 through June 30, 2013. In addition to the remaining authority a total of \$70,547 of the proposed \$247,398 increase will be spent during FY 2012-13. Funding for the \$70,547 increase was included in the FY 2012-13 Operating budget and these funds are available within the Harbor Department City Attorney's Office Account No. 54410, Division 120 and Program No.000.

Funding for the remaining amount of the proposed First Amendment (\$176,851) has been proposed to be budgeted, upon Board approval as part of the annual budget adoption process in the FY 2013-14 Operating budget within the Harbor Department City Attorney's Office Account No. 54410, Division No 120 and Program No 000. Funding for future fiscal years if necessary, will be requested to be budgeted as part of the annual budget adoption process, upon Board approval. A funding out clause is included in Agreement No. 3043.

The schedule of compensation broken down by fiscal year is as follows:

FY 2011-12	\$42,756
FY 2012-13	\$357,791
FY 2013-14	<u>\$176,851</u>
TOTAL	\$577,398

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CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved the proposed First Amendment as to form and legality.

TRANSMITTAL:

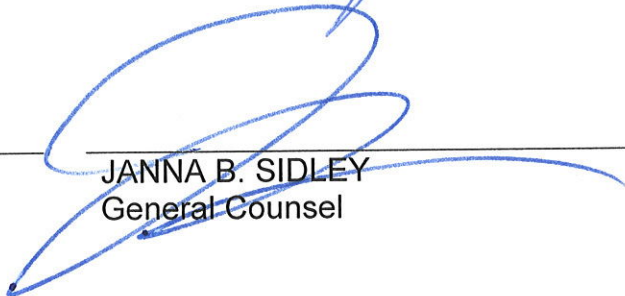
1. Proposed First Amendment to Agreement No. 3043 with The Sohagi Law Group

FIS Approval: WR (initials)

CA Approval: JBS (initials)



JOY M. CROSE
Assistant General Counsel



JANNA B. SIDLEY
General Counsel

APPROVED:

By 

GERALDINE KNATZ, Ph.D.
Executive Director