

WHEREAS, GE Vernova International, LLC (GEVI) and GE Vernova Operations, LLC (GEVO) were awarded Agreement Nos. 47677A and 47677B (Agreements), respectively, by the Los Angeles Department of Water and Power (LADWP) Board of Water and Power Commissioners (Board) on August 24, 2021, to provide proprietary professional, technical, and repair services and parts for steam, gas, and wind turbine generators; and

WHEREAS, the Agreements were awarded for a term of five years for an amount not-to-exceed \$160,000,000; and

WHEREAS, LADWP has determined that Amendment No. 1 (Amendment) is necessary due to increased usage and the continued need to maintain reliability of LADWP's generation fleet; and

WHEREAS, GEVI and GEVO are the Original Equipment Manufacturers of the generators that will receive service under the Agreements and the generators are proprietary to GEVI and GEVO; and

WHEREAS, LADWP recommends approval of Amendment to the Agreements with GEVI and GEVO to increase the not-to-exceed amount of the Agreements by \$105,000,000 to a new not-to-exceed amount of \$265,000,000.

NOW, THEREFORE, BE IT RESOLVED that the Amendment to the Agreements, approved as to form and legality by the City Attorney, and filed with the Secretary of the Board, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to the City Charter Section 1022, the Board finds it more feasible to have the work performed by an independent contractor.

BE IT FURTHER RESOLVED that pursuant to City Charter Section 371(e)(7), the Board finds that this Amendment meets the exception to competitive bidding for contracts for equipment repairs or parts obtained from the manufacturer of the equipment or its exclusive agent.

BE IT FURTHER RESOLVED that pursuant to City Charter Section 371(e)(10), the Board finds that pursuing a competitive process for this Amendment is impractical since the generators that will receive service under the Agreements are proprietary to GEVI and GEVO.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of LADWP, upon proper certification, is authorized and directed to draw demands on the Power Revenue Fund, in accordance with the terms of this Amendment to Agreement Nos. 47677A and 47677B and this Resolution.

BE IT FURTHER RESOLVED that the President or Vice President of the Board, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said Amendment for and on behalf of LADWP.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of the Resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held

Secretary

APPROVED AS TO FORM AND LEGALITY

HYDEE FELDSTEIN SOTO, City Attorney

By

Bethany A Burgess,

BETHANY A. BURGESS

Deputy City Attorney

Date: September 12, 2024