

WHEREAS, International Business Machines Corporation (IBM) was awarded Agreement No. 47553-7 by the Los Angeles Department of Water and Power (LADWP) Board of Commissioners on February 20, 2007, and subsequently approved by Los Angeles City Council on April 11, 2007, for furnishing and delivering software licensing, software subscription and support, and monthly license charge software; and

WHEREAS, the Board authorized Amendment Nos. 1, 3, 4 and 5 to exercise the four (4) one-year options to Agreement No. 47553-7; and

WHEREAS, on November 15, 2011, the Board authorized Amendment No. 6 to Agreement No. 47553-7 with IBM, and subsequently approved by Los Angeles City Council on January 4, 2012, to increase the Agreement by \$19,006,629.83 from \$17,730,128.00 to \$36,736,757.83 and extend the term of five (5) years to ten (10) years; and

WHEREAS, LADWP has determined that, due to ongoing need for software licensing, software subscription and support, and monthly license charge software, it is necessary to extend the Agreement term and increase the Agreement amount and so recommends Amendment No. 7 to Agreement No. 47553-7 to extend the Agreement for two (2) years and two (2) months to a new Agreement end date of December 31, 2018, for a total Agreement term of twelve (12) years and two (2) months, and to increase the Agreement amount by \$15,472,706.38 for a new not to exceed amount of \$52,209,463.91; and

WHEREAS, the term of the original Agreement as amended by Amendment No. 7 exceeds the total contract period set by ordinance, and in accordance with the City Charter Section 373, City Council approval is required.

NOW, THEREFORE, BE IT RESOLVED that Amendment No. 7 to Agreement No. 47553-7, is approved as to form and legality by the City Attorney and on file with the Secretary of the Board is hereby approved.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of the LADWP, upon proper certification, is authorized and directed to draw demands on the Water Revenue Fund and Power Revenue Fund, in accordance with the terms of Amendment No. 7 to Agreement No. 47553-7 and this resolution.

BE IT FURTHER RESOLVED that the President or Vice President, 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 upon approval by the City Council pursuant to City Charter Section 373.

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 DEC 0 1 2015

Barbara E. Masias
Secretary

APPROVED AS TO FORM AND LEGALITY
MICHAEL N. FERRELL CITY ATTORNEY
AUG 1 2015
BY *[Signature]*
DORR A. ENDRUSSA
DEPUTY CITY ATTORNEY