

WHEREAS, the Los Angeles Department of Water and Power (LADWP) has conducted studies which have concluded that the Haiwee Power Plant Penstock, which was commissioned in 1927, has exceeded its useful life and has no remaining margin of safety; and

WHEREAS, leaks requiring repair occur along the penstock's 10,000-foot length every few months, and replacement of the entire penstock is necessary in order to maintain safe and reliable operation; and

WHEREAS, LADWP intends to oversee the acquisition, design, engineering, procurement, fabrication, construction, and all associated financing costs of the Haiwee Power Plant Penstock Replacement Project; and

WHEREAS, the primary goal of this project is to improve the reliability and availability of the Haiwee Power Plant which serves the needs of both Power System and Water System by providing generation of renewable energy and water supply to the City of Los Angeles; and

WHEREAS, LADWP desires to advertise a Request for Proposal utilizing the competitive sealed proposal method that permits negotiations after proposals have been submitted to allow clarifications and changes to the proposal; and

WHEREAS, Section 371(b) of the Charter of the City of Los Angeles provides that as an alternative to an award pursuant to open and competitive bidding, a contract may be let pursuant to a competitive sealed proposal method, in accordance with criteria adopted by a two-thirds vote of the Council. The competitive sealed proposal method may permit negotiations in accordance with criteria as established by the Ordinance authorizing the use of such alternative method; and

WHEREAS, an award shall be made to the bidder whose final proposal provides the lowest ultimate cost to LADWP, as determined by LADWP.

NOW, THEREFORE, BE IT RESOLVED that the Board of Water and Power Commissioners approves and recommends to the Los Angeles City Council adoption by Ordinance of the proposed Design-Build criteria to be used in the selection of a contractor for the proposed Haiwee Power Plant Penstock Replacement Project pursuant to Sections 371(b) and 674 of the Charter and that the Board of Water and Power Commissioners be permitted to award the contract(s) for said project for a term not to exceed 3 years without further approval by the Los Angeles City Council.

BE IT FURTHER RESOLVED that the Board of Water and Power Commissioners finds that adherence to the rule that the award be made to the lowest responsive and responsible bidder is not practicable or advantageous and that the competitive sealed bid proposal method is in the best interests of the City due to the complexity of the Project. A qualitative assessment of the proposals is equally important as the quantitative assessment and will yield a more qualified contractor and a lower ultimate cost to the City.

BE IT FURTHER RESOLVED that pursuant to Charter Section 1022, the services advertised for in this Request for Proposal are for expert services which require knowledge and skills that are not available within LADWP and can be performed more economically or feasibly by independent contractors than by City employees.

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

NOV 15 2016


Secretary

APPROVED AS TO FORM AND LEGALITY
MICHAEL N. FEUER, CITY ATTORNEY

OCT 21 2015
BY 
ERIC ROSENBLATT
DEPUTY CITY ATTORNEY