

WHEREAS, The State of California has established a Renewable Portfolio Standard (RPS) policy requiring the increased production and use of renewable energy (such as wind, solar, small hydroelectric, biomass, and geothermal energy); and

WHEREAS, in 2007, the City of Los Angeles Department of Water and Power (LADWP) prepared an energy resource planning document called the Power System Integrated Resource Plan (IRP) that provided a framework for ensuring the future electrical energy needs of LADWP. As a component to the IRP, LADWP has also adopted an RPS policy that matches the state's; and

WHEREAS, one of the primary purposes for the Sylmar Ground Return System Replacement Project (Project) is to continue to assist LADWP in meeting its 2020 RPS goal which is to meet the renewable energy mandate of 33 percent by the year 2020. The implementation of the Project would allow wind-generated energy and hydro-generated energy, carried on the Pacific Direct Current Intertie (PDCI), to continue to be transmitted to Southern California; and

WHEREAS, LADWP intends to oversee the engineering, procurement, and construction of new Direct Current (DC) electrode lines that will be approximately 8 miles on land and 4 miles in the ocean. The new electrode lines will assist the PDCI in the event of a failure, by switching to a ground return operation with 3100 Amperes and remain at this level for 20 minutes, then ramp down to 2,000 Amperes in 10 minutes, and remain at 2,000 Amperes for two hours before reducing to zero; and

WHEREAS, LADWP wishes to utilize the competitive sealed proposal method because a large number of exceptions and clarifications is anticipated due to the complexity of the Project, and to encourage prospective bidders to respond to the Request for Proposal, while maintaining the bidders' confidentiality of proprietary information and permitting clarification and negotiations after proposals have been opened; and

WHEREAS, LADWP desires to use a competitive sealed proposal method and follow criteria established by ordinance to award to the bidder specialized in high voltage electrode lines underground and underwater. During the negotiation phase, LADWP will ensure bidders fully understand that environmental mitigation measures and a monitoring program to be determined by the board may be required per Final Environmental Impact Report; and

WHEREAS, this proposed project is subject to the California Environmental Quality Act (CEQA), Public Resources Code §2100, et seq. As such, it is important to note that the Los Angeles Department of Water and Power Board of Commissioners

(Board) has made no final determinations regarding the proposed Project. The Board retains its full discretion to make a determination regarding the proposed Project, including but not limited to, the possible selection of an alternatively analyzed project or the selection of no project at all. The Board will review the CEQA analysis and make a determination pursuant to law. Bidders recognize and assume this risk. No contracts shall be awarded prior to the completion of CEQA compliance; and

WHEREAS, §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, due to the complexity of the Project, scheduling uncertainties in the permitting process, and long lead times to fabricate major components, a contract term not to exceed five years is requested under §373 of the Charter of the City of Los Angeles.

NOW, THEREFORE, BE IT RESOLVED that the Board 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 and the large number of exceptions and clarifications that can reasonably be anticipated for this type of project.

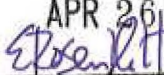
BE IT FURTHER RESOLVED that pursuant to Charter §1022, such services advertised for in this Request for Proposal are for expert services which require knowledge and skills that are not available within LADWP, and can therefore be performed more economically and feasibly by independent contractors than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

BE IT FURTHER RESOLVED that the Board approves and recommends to the Los Angeles City Council adoption by Ordinance of the proposed criteria to be used in the selection of the contractor for the proposed Project pursuant to §371(b) of the Charter and that the Board be permitted to award the contract for said equipment and construction for a term not to exceed five years without further approval by the Los Angeles City Council pursuant to sections 373 and 674 of the Charter.

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 **JUN 07 2016**


Secretary

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

APR 26 2016
BY 
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DEPUTY CITY ATTORNEY