

**AMENDMENT NO. 2 TO CONTRACT NO. 47365
WITH WATERSMART SOFTWARE (WATERSMART)**

This Amendment No. 2 to Contract No. 47365 is made and entered into by and between the Los Angeles Department of Water and Power (LADWP) acting by and through the Board of Water and Power Commissioners (Board) and WaterSmart, hereinafter referred to as "Contractor."

WHEREAS, effective December 15, 2014, LADWP and Contractor, hereinafter referred to as "Parties" entered into Contract No. 49262 (which together with all amendments thereto is hereinafter referred to as the "Contract"), for Contractor to provide professional services for LADWP; and

WHEREAS, the Contract is a pilot program to evaluate Contractor's customer engagement platform, a program aimed to increase water savings through home water use reports; and

WHEREAS, effective November 17, 2015, Amendment No. 1 was passed to change the contract number from Contract No. 49262 to Contract No. 47365 to extend the contract to complete additional data analysis required to guide development of a full-scale program for the entire single family sector and expand the pilot group to approximately 73,000 single family customers; and

WHEREAS, the drought emergency for California persisted throughout most of the pilot's implementation period and this restricted our data gathering efforts from being able to see the conservation potential of the program during normal climate patterns; and

WHEREAS, Amendment No. 2 is necessary to complete additional data analysis and gather additional data points to better understand the pilot program's performance under wet weather scenarios and to develop additional program elements that optimize water savings during non-drought periods.

NOW, THEREFORE, LADWP and Contractor hereby agree to amend Contract as follows:

1. Increase maximum amount of the contract by \$542,400, from \$948,000 to \$1,490,400.
2. Extend Contract term by one year to December 14, 2018.
3. Add the following new payment items to continue sending bi-monthly home water reports as stated in Phase II's scope of work:

- a. Item No. 22, 11th bi-monthly home water reports sent out to approximately 73,000 single-family residential accounts - Not to Exceed \$67,800
- b. Item No. 23, 12th bi-monthly home water reports sent out to approximately 73,000 single-family residential accounts - Not to Exceed \$67,800
- c. Item No. 24, 13th bi-monthly home water reports sent out to approximately 73,000 single-family residential accounts - Not to Exceed \$67,800
- d. Item No. 25, 14th bi-monthly home water reports sent out to approximately 73,000 single-family residential accounts - Not to Exceed \$67,800
- e. Item No. 26, 15th bi-monthly home water reports sent out to approximately 73,000 single-family residential accounts - Not to Exceed \$67,800
- f. Item No. 27, 16th bi-monthly home water reports sent out to approximately 73,000 single-family residential accounts - Not to Exceed \$67,800
- g. Item No. 28, 17th bi-monthly home water reports sent out to approximately 73,000 single-family residential accounts - Not to Exceed \$67,800
- h. Item No. 29, 18th bi-monthly home water reports sent out to approximately 73,000 single-family residential accounts - Not to Exceed \$67,800

Except as herein amended, all other terms and conditions of Contract shall remain the same and are incorporated herein as fully as set forth.

In WITNESS WHEREOF, the parties hereto have caused this Amendment No. 2 to be executed by their authorized representatives on the day and year as written below.

DEPARTMENT OF WATER AND POWER
OF THE CITY OF LOS ANGELES BY
BOARD OF WATER AND POWER COMISSIONERS
OF THE CITY OF LOS ANGELES

By: _____
DAVID H. WRIGHT
General Manager

Date: _____

And: _____
BARBARA E. MOSCHOS
Secretary

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

AUG 15 2017

BY _____
DIRK P. BROENING
DEPUTY CITY ATTORNEY

In WITNESS WHEREOF, the parties hereto have caused this Amendment No. 2 to be executed by their authorized representatives on the day and year as written below.

WATERSMART SOFTWARE

By: Robin Gilthorpe
ROBIN GILTHORPE
Chief Executive Officer

Date: July 18, 2017