

**ADOPTED AS AMENDED AT 03/23/21 BOARD MEETING
SEE ATTACHED VERBAL MOTION**

Resolution No. 021 179

WHEREAS, Webcor|Obayashi|Lyles, a Joint Venture (WOL), was awarded Agreement No. 47071-2 (Agreement) by the Los Angeles Department of Water and Power (LADWP) Board of Commissioners (Board) on December 6, 2011, as the Construction Manager At Risk (CMAR) to perform pre-construction and construction services for the Silver Lake Reservoir Complex Storage Replacement Project/Headworks Reservoir Project (Project); and

WHEREAS, through Amendment Nos. 1, 2, and 3, the Agreement was awarded for a term that is set to expire on December 31, 2021, and an amount not to exceed \$353 million on a task assignment basis contingent upon the availability of sufficient funds, for construction of all four Project phases over the life of the Agreement; and

WHEREAS, LADWP has determined that, due to escalation of the construction cost for Phase 3 of the Project, additional funding is needed for construction, and recommends authorization of \$35 million in additional funding for Phase 3 of the Project.

WHEREAS, LADWP has determined that, due to revisions to the scope of work for Phases 3 and 4 of the Project and the time needed for redesign and construction of both Phases, that it is necessary to increase the contract term by four years totaling 14 years which exceeds the total contract time set by ordinance, and in accordance with the City Charter Section 373, City Council approval is required.

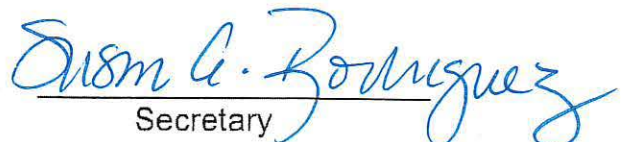
NOW, THEREFORE, BE IT RESOLVED that this Amendment No. 4 to Agreement No. 47071-2, approved as to form and legality by the City Attorney and on file with the Secretary of the Board, is hereby approved.

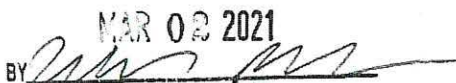
BE IT FURTHER RESOLVED that the Chief Accounting Employee of the LADWP, upon proper certification, is authorized and directed to draw demands on the Water Revenue Fund, in accordance with the terms of this Amendment to Agreement No. 47071-2 and this resolution.

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 **MAR 23 2021**

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


Secretary

MAR 02 2021
BY 
MARK REUSCH
DEPUTY CITY ATTORNEY

VERBAL MOTION

I MOVE that Item No. 17 on the March 23, 2021, Commission Agenda relative to Approval of Amendment No. 4 to Agreement No. 47071-2 with Webcor/Obayashi/Lyles, a Joint Venture, for the Silver Lake Reservoir Complex Storage Replacement Project/Headworks Reservoir Project; this Amendment will extend the term for four years and increase the amount by \$35 million; **BE AMENDED**, as follows:

- “1. Approval of the increase in the amount of the Agreement by \$35 million, to a not-to-exceed amount of \$388 million; and
2. Denial of the requested term extension of four years, such that Agreement No. 47071-2, as amended, will terminate on December 31, 2021.”

Moved by: Cynthia McClain-Hill

Seconded by: Susana Reyes

Approved by the Board of Water and Power Commissioners at its Regular Meeting on March 23, 2021: Ayes: Commissioners McClain-Hill, Reyes, and Barad; Noes: None. Absent: Commissioners Leher and Neeman Brady.

By: 
Susan A. Rodriguez, Board Secretary