

NEW YORK CITY WATER BOARD

June 19, 2007

RESOLUTION

WHEREAS, the water and wastewater systems (the “Systems”) of the City of New York (the “City”) have been leased by the City to the New York City Water Board (the “Board”) pursuant to an Agreement of Lease, dated as of July 1, 1985, as amended, between the City and the Board; and

WHEREAS, the New York City Department of Environmental Protection (“DEP”) operates and maintains the Systems; and

WHEREAS, the Board and DEP both wish to ensure that the Systems are operated and maintained in a manner that complies with all applicable laws, rules and regulations; and

WHEREAS, in furtherance of this important objective the Board previously authorized the execution of consulting agreements between the Board and Professor Ross Sandler, Deidre Daly, Esq., and James Krantz to allow the aforesaid individuals (the “Consultants”) to serve as advisors to DEP in the development and implementation of its Environmental Health and Safety (“EH&S”) Compliance Program; and

WHEREAS, the current agreements with each of the Consultants expires on June 30, 2007; and

WHEREAS, DEP has determined that it is necessary and desirable to continue to retain the services of the Consultants as DEP moves forward with its EH&S Compliance Program; and

WHEREAS, the Board concurs in such determination; and

WHEREAS, in accordance with the Water Board’s Policy on the Procurement of Goods and Services, in particular, Section 5.i (prior Board approval of contracts where the cumulative

value exceeds \$100,000) and Section 6.iv (waiver of competitive solicitation where the procurement is a continuation of existing services and it is desirable for purposes of continuity and compatibility), the Board finds such justification reasonable and appropriate in the present circumstances; it is therefore,

RESOLVED, that the Executive Director is hereby authorized and directed to execute Agreements with each of the Consultants to provide for continued expert EH&S advisor services for a term of one (1) year and with an option to renew for a second year, and upon such other terms and conditions as the Executive Director considers reasonable and appropriate, provided that the maximum compensation payable to Ross Sandler shall not exceed \$50,000 and the maximum compensation payable to Deidre Daly and James Krantz shall not exceed \$150,000 each.