

NEW YORK CITY WATER BOARD

November 9, 2007

RESOLUTION

WHEREAS, pursuant to Section 1045-g(8) of the New York City Municipal Water Finance Authority Act (the "Act"), the Board is authorized to enter into contracts and to retain private consultants on a contract basis for the purpose of obtaining professional or technical services to assist the Board in carrying out its responsibilities; and,

WHEREAS, the water supply 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, which also include the provision of drinking water to over 35 villages, water districts and other entities north and west of the City; and

WHEREAS, the Board and DEP both wish to ensure that takings of water by upstate water supply customers are properly documented; that charges for such takings are paid as and when due; and that such takings are made in a manner that does not interfere with the operation and maintenance of the water supply system; and

WHEREAS, DEP has requested assistance from the Board in retaining a consulting attorney to work with DEP in addressing legal issues arising out of, or relating to, the supply of water to upstate communities as indicated in the attached Memorandum to the Board from DEP's General Counsel; 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 an amendment to the Consulting Agreement with Robie Craig as consulting attorney, upon such terms and conditions as the Executive Director may deem reasonable and appropriate, for an additional amount not to exceed \$75,000.