

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, on December 15, 2006, the Board authorized the execution of a contract between the Board and the Amawalk Consulting Group LLC ("Amawalk") for Amawalk to serve as Rate Advisor to the Board; and

WHEREAS, on March 1, 2007, the Board entered into a Consulting Agreement with Amawalk (the "Agreement") to provide such assistance; and

WHEREAS, on September 28, 2007, the Board authorized an amendment to the Agreement in an amount not to exceed \$130,000 to provide for two additional tasks involving the reconciliation of NYC Department of Finance Real Property Assessment Data against DEP billing records to enhance system revenues and the monitoring of characteristics and behavioral trends of customer accounts over time; and

WHEREAS, in the interest of promoting fairness to customers in the recovery of the costs of providing stormwater drainage services from users of the wastewater system , Board staff has recommended that an evaluation be performed with respect to examining the distribution of wastewater system costs between providing sanitary and stormwater drainage services and the options and impacts on customers of

the possible implementation of a separate charge for stormwater service, as described in Appendix A, attached hereto and incorporated and made a part hereof; and

WHEREAS, Board staff have reviewed a proposal submitted by Amawalk to provide the additional services described in Appendix A for an amount not to exceed \$266,000 and has requested that the Board approve an amendment to the Agreement in such amount for such services; and

WHEREAS, the Board has reviewed this proposal and concurs with the recommendation of staff; 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 Agreement, upon such terms and conditions as he may deem reasonable and appropriate, so as to increase the maximum compensation payable to Amawalk by \$266,000 to an amended amount not to exceed \$1,087,355 over the three year term of the Agreement.