

NEW YORK CITY WATER BOARD

April 11, 2008

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 Board entered into an agreement on April 24, 2006 with MWH Americas ("MWH") in the amount of \$1,250,000 whereby MWH provided capital program management services to the New York City Department of Environmental Protection ("DEP"), which in particular, reviewed and identified the best practices for program management, benchmarked DEP's practices and processes and made recommendations the implementation of which would improve DEP's management of the water and wastewater capital program ("the Consulting Agreement"); and

WHEREAS, on September 15, 2006, the Board authorized an amendment to the Consulting Agreement in the amount of \$1,000,000 for the provision of additional services with respect to the benchmarking and scoping the development and implementing of a capital program Project Management Information System ("PMIS"); and

WHEREAS, on December 15, 2006, the Board authorized a second amendment to the Consulting Agreement with MWH in the amount of \$8,250,000 to assist in the Phase II implementation of best practices recommendations for capital program management; and

WHEREAS, on May 14, 2007, the Board authorized a fourth amendment to the Consulting Agreement with MWH in the amount of \$9,364,000 to provide

assistance to DEP with developing, installing, configuring and deploying a capital program Project Management Information System; and,

WHEREAS, DEP has identified a need for further assistance from MWH in completing the implementation of new capital program management processes for DEP, including the provision project management and administration, education and training of personnel, documentation of engineering standards and services and supplemental staff resources, over a sixteen month period for an additional amount not to exceed \$8,876,000; and

WHEREAS, the Board has received a presentation from DEP which describes MWH's capital program management services to date and their progress and the need for further services and has requested the Board approve an amendment to the Consulting Agreement in the above amount for such services; 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 MWH to provide the additional services, upon such terms and conditions as the Executive Director may deem reasonable and appropriate, for an additional amount not to exceed \$8,876,000, provided that total compensation for services performed under the Consulting Agreement and its four subsequent amendments shall not exceed \$28,740,000.