

NEW YORK CITY WATER BOARD

September 25, 2009

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 and first and second amendments to agreement with Appleseed, Inc. ("Appleseed"), in the amount of \$55,000 whereby Appleseed provided economic and financial analytical consulting services to the New York City Department of Environmental Protection ("DEP") for a term which expired on December 31, 2007 (the "Agreement"), and

WHEREAS, DEP staff have identified a need for further assistance from Appleseed in providing an updated economic impact report of DEP's operations and investments in the upstate watershed; and

WHEREAS, the Board has reviewed a September 11, 2009 memorandum from DEP Assistant Commissioner Kathryn Garcia, which details the additional requested services and sets forth a recommendation that the Board authorize an amendment to the Agreement with Appleseed to provide 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 a third amendment to the Agreement with Appleseed 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 \$75,000. Total compensation for services performed under the Agreement and its three amendments shall not exceed \$130,000.