



**GOVERNMENT OF PUERTO RICO**  
Puerto Rico Electric Power Authority  
Governing Board

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**RESOLUTION 4690**  
**RFP VEGETATION MANAGEMENT**

- WHEREAS:** The Puerto Rico Electric Power Authority (PREPA) is a public corporation and an instrumentality of the Government of Puerto Rico created by Act 83 of May 2, 1941, as amended (Act 83). PREPA was created to provide electrical energy in a reliable way contributing to the general welfare and sustainable future of the people of Puerto Rico, maximizing benefits and minimizing social, environmental and economic impacts. In addition, PREPA provides a service based on affordable, fair, reasonable and non-discriminatory cost that is consistent with environmental protection, non-profit, focused on citizen participation and its clients.
- WHEREAS:** Act 83, authorizes PREPA to grant contracts and formalize all the instruments that are necessary or convenient in the exercise of any of its powers.
- WHEREAS:** Section 15(1)(a) of Act 83 states that all purchases made and contracts for supplies or services, except professional services, entered into by PREPA, including its capital construction contracts, shall be conducted through a bid process.
- WHEREAS:** Section 15 (2) of Act 83, lists the instances in which a bid process will not be required.
- WHEREAS:** According to Section 15 (2)(f) of Act 83, a competitive bidding process shall not be necessary, when in the judgment of the Governing Board, a competitive request for proposal (RFP) process for the acquisition of goods, equipment, materials or services must be carried out to encourage greater competition, reduce the risk of collusion and promote the best possible terms and conditions in benefit of greater savings and reduction of costs and operational expenses of PREPA.
- WHEREAS:** Puerto Rico's tropical climate affects the power lines' operation due to the overgrowth of trees and other types of vegetation that grows below or near them.



- WHEREAS: PREPA's financial and labor workforce situation hinders its ability to implement an efficient vegetation management program that prevents the vegetation encroachment over its lines.
- WHEREAS: The amount of work needed requires PREPA to adopt new work practices to implement modern, more sophisticated methods of planning and approaching the work.
- WHEREAS: The RFP is a competitive procurement process that provides PREPA the opportunity to procure greater competition; reduce the risk of collusion, and promote the best possible terms and conditions that will further its best interests in terms of savings, costs and expenses.
- WHEREAS: On March 20, 2019, Nelson Morales Rivera, Chief Financial Officer, certified the inclusion of \$40,000,000 in the budget for Fiscal Year 2019-2020, for this initiative under accounts 01-4024-67000-550-474 and 4025-693000-550-474.
- WHEREAS: PREPA's General Counsel considered the Memorandum in support of this request, and determined that the process may be conducted through the issuance of an RFP.
- THEREFORE: In accordance with the applicable dispositions of Act No. 83, PREPA's Governing Board resolves to:
1. Authorize the Office of Restructuring, Fiscal Affairs and Innovation to proceed with the issuance of an RFP to award a contract or contracts, as needed by PREPA.
  2. Delegate to PREPA's Chief Executive Officer the appointment of an evaluation committee to analyze the proposals and select the best alternative(s).
  3. The General Counsel will review the terms and conditions of the contract used for the RFP process to ensure that it meets the legal requirements regarding government contracting.
  4. Authorize the Chief Executive Officer to execute the contract or contracts resulting from the RFP process.

Approved in San Juan, Puerto Rico, on the twenty seventh day of March, two thousand nineteen.



Eduardo Arosemena- Muñoz  
Secretary of the Board