



GOVERNMENT OF PUERTO RICO

Puerto Rico Electric Power Authority
Governing Board

RESOLUTION 4723

First Amendment to PUMA Energy Caribe, LLC, Contract 902-01-17

- WHEREAS:** The Puerto Rico Electric Power Authority (PREPA) is a public corporation and an instrumentality of the Government of Puerto Rico, created by Act No. 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, it 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, in the management of its purposes, to grant contracts and formalize all the instruments that are necessary or convenient in the exercise of any of its powers.
- WHEREAS:** On July 21, 2017, PREPA entered into Contract No. 902-01-17 with Puma Energy Caribe, LLC (Puma) ("Contract"), for the sale and delivery of light distillate No. 2 fuel oil for the San Juan, Palo Seco, Aguirre, Mayaguez, Cambalache and gas turbine generating stations. The Contract expires on July 20, 2019.
- WHEREAS:** The Fiscal Oversight and Management Board ("FOMB") has requested that PREPA pursue a competitive process through a Request for Proposal ("RFP") for the supply of light distillate No. 2 fuel suppliers.
- WHEREAS:** PREPA is in an urgent need to procure the supply of light No. 2 diesel fuel for the purpose of meeting critical electricity load requirements in the North of Puerto Rico, for the short term after July 21, 2019 and for the next four (4) months, until the RFP process is finalized.
- WHEREAS:** Article 1(D) of the Contract states that it may be extended on a monthly basis upon mutual agreement after the end of the contracted term or its renewal, provided that, said extension shall not exceed four (4) consecutive months, except when an emergency is declared by PREPA's Governing Board.



WHEREAS: Mr. Fernando Padilla-Padilla, Restructuring and Fiscal Affairs Administrator, requests the Governing Board's authorization to extend the Contract for four additional months.

WHEREAS: On July 18, 2019, PREPA's Chief Financial Officer certified the availability of funds for this four-month extension.

THEREFORE: In accordance with Act 83, PREPA's Governing Board resolves to:

Authorize PREPA's Chief Executive Officer to enter into an agreement with Puma to extend Contract 902-01-17 for a term of four (4) months beginning from the original expiration date of the Contract, July 20, 2019.

Approved in San Juan, Puerto Rico, this nineteenth day of July, two thousand nineteen.



Eduardo Arosemena- Muñoz
Secretary of the Board