



GOVERNMENT OF PUERTO RICO

Puerto Rico Electric Power Authority
Governing Board

RESOLUTION 4771 RFP STREETLIGHT REPAIR

- 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 follow 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: PREPA's streetlight infrastructure consists of approximately 500,000 units, that aid in providing a safer environment in streets, highways and public areas.



WHEREAS: At present, the streetlight infrastructure has approximately 141,000 units that need to be repaired, require maintenance or the upgrade to light-emitting diode (LED) technology. This situation must be addressed immediately as an operational urgency, to provide a safer environment to the public areas. Also, Act 17-2019 states that all public lighting has to be changed to LED technology.

WHEREAS: The RFP is a competitive procurement process that provides PREPA the opportunity to obtain greater competition, reduce the risk of collusion and promote the best possible terms and conditions that will result in its best interests in terms of savings, costs and expenses.

WHEREAS: On March 5, 2020, Nelson Morales-Rivera, Chief Financial Officer, certified the inclusion of \$75,000,000 in the budget for Fiscal Year 2019-2020, for this initiative, under account 01-4024-67000-550-474.

THEREFORE: In accordance with the applicable dispositions of Act 83, and after careful consideration of the recommendation of Mr. Fernando Padilla-Padilla, PMO Administrator, and the General Counsel's memorandum, dated March 10, 2020, PREPA's Governing Board resolves to:

1. Authorize the Office of Restructuring, Fiscal Affairs and Innovation to proceed with an RFP process to award a contract or contracts, as needed by PREPA, for the work needed in the streetlight infrastructure.
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 Chief Executive Officer will inform the Governing Board the result of the procurement process before the execution of the contract(s).
4. The General Counsel will review the terms and conditions of the contract(s) used for the RFP process to ensure that it meets the legal requirements regarding government contracting.

5. 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-fifth day of March, two thousand twenty.



Eduardo Arosemena-Muñoz
Secretary of the Board