



GOVERNMENT OF PUERTO RICO

Puerto Rico Electric Power Authority

Governing Board

RESOLUTION 4777 CPM PR AMENDMENT

- 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: On May 29, 2019, the Governing Board approved Resolution 4708, authorizing PREPA's Chief Executive Officer to execute the Contract between PREPA and CPM PT, LLC (CPM), through June 30, 2020, with a maximum amount of \$6,000,000 (Contract Amount). On June 30, 2019, PREPA and CPM executed the Contract to provide services related to the management and control of the documentation associated with the execution of projects, assistance to ensure compliance with federal regulations, field inspections, and management, advice, and other tasks related to the administration of the reconstruction contracts.
- WHEREAS: On February 26, 2020, the Governing Board, through Resolution 4764, authorized PREPA's CEO to execute the First Amendment to the Contract to increase its total amount by \$3,500,000, for a total Contract Amount of \$9,500,000. On March 17, 2020, PREPA and CPM executed the First Amendment to the Contract.
- WHEREAS: As stated in Mr. Fernando Padilla-Padilla's, PREPA's Restructuring and Fiscal Affairs Administrator of the Project Management and Innovation Office (PMO), memorandum of April 7, 2020, on March 2020, the Governor of Puerto Rico issued Executive Orders OE-2020-023 and OE-2020-023, due to the Coronavirus (COVID-19) pandemic. This situation halted all the streetlight repair works and inspections. Due to these circumstances, the streetlight



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repair work and inspections schedule, which would have been finished on June 30, 2020, will not be completed by said date.

WHEREAS: As such, Mr. Padilla-Padilla has indicated that PREPA will need to request a time extension for all the streetlights repair contracts, that is, from July 1, 2020 to September 30, 2020, in order to finish the repair works and inspections, for which CPM's services will be necessary.

WHEREAS: In order to receive the abovementioned services from CPM, Mr. Padilla-Padilla requests a time extension of the Contract from July 1, 2020 to September 30, 2020.

WHEREAS: PREPA's General Counsel evaluated the legal aspects of the request presented in mister Padilla Padilla's memorandum and concluded that the Second Amendment to the Contract is subject to the approval of PREPA's Governing Board.

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

1. Authorize the Second Amendment to Contract 2019-P00122, to extend its term from July 1, 2020 to September 30, 2020.
2. Authorize the Chief Executive Officer to execute the Second Amendment to Contract 2019-P00122. All the remaining terms of the Contract shall remain in full force and effect.

Approved in San Juan, Puerto Rico, on the twenty-ninth day of April, two thousand twenty.



Eduardo Arosemena-Muñoz
Secretary of the Board