



## GOVERNMENT OF PUERTO RICO

Puerto Rico Electric Power Authority  
Governing Board

### RESOLUTION 4804 FIRST AMENDMENT – FILSINGER ENERGY PARTNERS

- 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 June 26, 2019, the Governing Board approved Resolution 4717, authorizing PREPA's Chief Executive Officer to execute a professional services agreement between PREPA and Filsinger Energy Partners, Inc., (Filsinger), through June 30, 2020, with a maximum amount of \$7,400,000. On July 16, 2019, PREPA and Filsinger executed Professional Services Agreement 2020-P00013, to provide general financial and managerial support, advice on the implementation of the fiscal and operational restructuring reforms and initiatives, and assistance and support on any matters requested by the Chief Executive Officer.
- WHEREAS: In his Memorandum of June 2<sup>nd</sup>, 2020, Mr. Fernando Padilla-Padilla, PREPA's Program Management Office (PMO), Restructuring, and Fiscal Affairs Administrator, stated that on May 18, 2020, the PMO issued a request for proposals (RFP) for financial operational strategic services, which contemplates the tasks and services currently provided by Filsinger. The RFP closed in June 4, 2020, and the evaluation committee is evaluating the proposal received.
- WHEREAS: In order to conclude the RFP process and provide the required transition of tasks for the continued support to PREPA on the ongoing work streams, as set forth in Filsinger's Agreement, Mr. Padilla-Padilla is requesting a three-month extension for the Agreement, from July 1 to September 30, 2020, under the same terms and conditions, including the Agreement Amount.



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WHEREAS: PREPA's General Counsel considered the legal aspects of Mr. Padilla-Padilla request, and concluded that such extension is allowed by Article 4 of the Agreement and the faculty granted to PREPA by Section 15(2) (d) of Act 83, subject to approval by PREPA's Governing Board.

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

1. Authorize PREPA's Chief Executive Officer to execute the First Amendment to Professional Services Agreement 2020-P00013, to extend its term from July 1 to September 30, 2020.
2. All other terms of the Agreement shall remain unaltered and in full force and effect.

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



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Eduardo Arosemena-Muñoz  
Secretary of the Board