



GOVERNMENT OF PUERTO RICO

Puerto Rico Electric Power Authority
Governing Board

RESOLUTION 4810 SECOND AMENDMENT – GLOBAL CONSULTAS ASOCIADOS, L.L.C.

- 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 capital construction contracts, shall follow a bid process.
- WHEREAS: According to Section 15(2)(d) of Act 83, a competitive bidding process shall not be necessary, when professional or expert services or work are required and PREPA deems it in the best interests of good administration for such works or services to be contracted without said process.
- WHEREAS: On July 1, 2019, PREPA and Global Consultas Asociados, L.L.C. (Global) executed Professional Services Contract 2020-P00006 (Contract) for legal professional services, including legal representation in eminent domain cases, appraisal, acquisition and surveying of properties, among others, for an amount of \$4,850,000 (Contract Amount), until June 30, 2020. The Contract was previously approved by PREPA's Governing Board, through Resolution 4713, of June 26, 2019.
- WHEREAS: On December 30, 2019, the Parties executed the First Amendment to the Contract, to include additional provisions in order to comply with applicable federal law, regulations and executive orders.



WHEREAS: PREPA assigned several tasks to Global, related to the preliminary evaluation required for the reconstruction projects expected to be approved and covered by federal funding, as well as some environmental work related to the closeout of the emergency restoration with the Federal Emergency Management Agency's (FEMA) Environmental and Historic Preservation (EHP). For such reasons, the services related to the completion of these tasks are critical in order to deliver results required to complete PREPA's claim to FEMA.

WHEREAS: Due to the COVID-19 Pandemic and the restrictions imposed by the Executive Orders approved by the Government of Puerto Rico, Global has had difficulty in the execution of the works as originally scheduled, and the field work to be carried out under the Contract has been delayed.

WHEREAS: In order for PREPA to continue receiving the services of Global, Mr. Fernando Padilla-Padilla, Restructuring and Fiscal Affairs Administrator of the Project Management Innovation Office, is requesting a time extension for the Contract, from July 1, 2020 to September 30, 2020, under the same terms and conditions, and for the available balance of the Contract Amount, estimated in \$1,000,000.

WHEREAS: On May 7, 2020, PREPA's Chief Financial Officer, Mr. Nelson Morales-Rivera, certified the availability of \$1,000,000 in the budget for Fiscal Year 2020-2021.

WHEREAS: PREPA's General Counsel considered Mr. Padilla Padilla's memorandum and concluded that the Second Amendment to Contract 2020-P00006 may be carried out, according to the faculty granted to PREPA by Sections 15(2) (d) of Act 83.

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

Authorize the Chief Executive Officer to execute the Second Amendment to Contract 2020-P00006 between PREPA and Global Consultas Asociados, L.L.C., to extend its term from July 1st, 2020 to September 30, 2020. All the other terms and conditions of Contract 2020-P00006 remain unaltered, including its amount.

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



Eduardo Arosemena-Muñoz
Secretary of the Board