



GOVERNMENT OF PUERTO RICO

Puerto Rico Electric Power Authority
Governing Board

RESOLUTION 4814 PROFESSIONAL SERVICES CONTRACT TETRA TECH INC.

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, 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: Act 83 grants PREPA the faculty to make the procurement of professional or expert services or work directly, without a competitive bid process, when it deems it in the best interest of good administration for such works or services to be contracted without the use of a bid process. Notwithstanding the foregoing, as part of the administrative policy of PREPA's Governing Board (Governing Board), to promote more transparency in the contracting process, it is required that, to grant a contract of over \$500,000, the stakeholder shall perform an RFP process for the professional services needed.

WHEREAS: PREPA needs professional engineering and technical support and advice in the environmental compliance activities, as required by the federal and local regulatory laws and regulations, such as: Clean Air Act (CAA), Clean Water Act, (CWA), Resource Conservation and Recovery Act (RCRA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Mercury and Air Toxics Standards Regulations (MATS), among others.



PO Box 364267 San Juan, Puerto Rico 00936-4267

WHEREAS: As part of the requirements mentioned above, PREPA needs to maintain a contract to provide engineering services to determine the applicability of, and compliance with, federal and state regulations. Under this contract, PREPA performs emissions tests to the generating units, to determine compliance and tests to measure the limits of emissions, under the program of operations permits of Title V. As part of the duties under this contract, the contracted company has to make modifications and preparation of the environmental permits required by state and federal regulations, that affect the generating units operated by the Generation Directorate.

WHEREAS: On April 29, 2020, Request for Proposal (RFP) 104566 was issued for professional engineering and technical services in the area of federal and state environmental laws and regulations, to be able to evaluate different companies that could provide these services. The following companies were invited to register for the procurement event:

- a. Stantec Puerto Rico P.S.C.
- b. AECOM
- c. Tetra Tech, Inc.

WHEREAS: Engineer Efran Paredes-Maisonet, Planning and Environmental Protection Director, informed that two proposals were received, from Tetra Tech Inc. and Stantec Puerto Rico P.S.C., and a “Non-Bid” by AECOM.

WHEREAS: The Evaluation Committee of RFP 104566 recommended the award of the RFP to Tetra Tech Inc., because its proposal substantially complied with the intent, specifications, terms and conditions of the RFP requirements, and represented the best offer for the requested services. This determination considered the strong background of Tetra Tech with more than 60 years of experience and with presence in Puerto Rico for more than 20 years. In accordance with the Evaluation Committee, Tetra Tech presented a proposal with evidence of extensive experience in the air permitting and compliance for power generating facilities, water quality, biological sampling design, data collection, and analysis, ESA consultation, NPDES application and permitting with full understanding of the 316 (a) and (b) regulation, storm water, irrigation channels, risk management, renewables, NEPA permitting, SPCC (own software), TRI (own software), PCB, data collection (Drones and Lidar), bathymetry, and FEMA EHP Compliance.

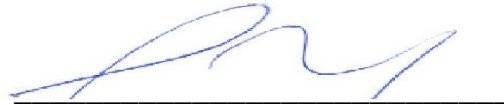
WHEREAS: On June 9, 2020, PREPA’s Chief Financial Officer, Mr. Nelson Morales-Rivera, certified the availability of \$2,000,000 in the budget for Fiscal Year 2020-2021.

WHEREAS: PREPA's General Counsel considered Engineer Paredes-Maisonet's memorandum and concluded that the professional services contract with Tetra Tech Inc., may be carried out, according to the faculty granted to PREPA by Sections 15(2) (d) of Act 83, after approval by the Governing Board.

THEREFORE: In accordance with Act 83, this Governing Board resolves to:

1. Confirm the selection performed by the Evaluation Committee for RFP 104566, for engineering and technical services in the area of federal and state environmental laws and regulations.
2. Authorize PREPA's Chief Executive Officer to execute the professional services contract with Tetra Tech, Inc., for a maximum amount of \$2,000,000 and effective from July 1, 2020 until June 30, 2021, with an option of an additional one-year extension, subject to the availability of funds and the performance of the company.

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



Eduardo Arosemena-Muñoz
Secretary of the Board