

WHEREAS, International Business Machines Corporation (IBM) was awarded Agreement No. 47553-7 (Agreement) by the Los Angeles Department of Water and Power's (LADWP) Board of Commissioners (Board) on February 20, 2007, and subsequently approved by the Los Angeles City Council (City Council) on April 11, 2007, for furnishing and delivering software, licensing, software subscription and support, and monthly license charge software; and

WHEREAS, the Board authorized Amendment Nos. 1, 3, 4, and 5 to exercise the four (4) one-year options to the Agreement; and

WHEREAS, Amendment No. 2 to the Agreement was inadvertently skipped; and

WHEREAS, on November 15, 2011, the Board authorized Amendment No. 6 to the Agreement with IBM, and subsequently approved by the City Council on January 4, 2012, to increase the Agreement by \$19,006,629 from \$17,730,128 to \$36,736,757 and extend the term for additional five (5) years from October 31, 2011 through October 31, 2016; and

WHEREAS, the Board adopted Amendment No. 7, pursuant to Resolution No. 016-126 dated December 1, 2015, and subsequently approved by City Council on January 27, 2016, to extend the Agreement for two years and two months from October 31, 2016 through December 31, 2018, for an amount not-to-exceed \$52,209,464, to continue purchasing IBM software, licenses, subscriptions, and for support for existing software; and

WHEREAS, LADWP has determined that, due to ongoing needs to maintain critical legacy applications on the IBM mainframe, it is necessary to increase the Agreement amount by \$27,219,000 from \$52,209,463.91 to \$79,428,463.91; and

WHEREAS, LADWP has determined that it is necessary to increase the Agreement term by another five years from January 1, 2019 through December 31, 2023 which exceeds the time period set by Ordinance, and in accordance with City Charter Section 373, Los Angeles City Council approval is required.

NOW, THEREFORE, BE IT RESOLVED that the Amendment to the Agreement, approved as to form and legality by the City Attorney and on file with the Secretary of the Board, is hereby approved.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of LADWP, upon proper certification, is authorized and directed to draw demands on the Power Revenue Fund, in accordance with the terms of this Amendment to the Agreement and this Resolution.

BE IT FURTHER RESOLVED that the President or Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said Amendment for and on behalf of LADWP upon approval by the City Council pursuant to City Charter Section 373.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of the Resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held

APR 02 2018


Secretary

APPROVED AS TO FORM AND LEGALITY
MICHAEL N. FEUER, CITY ATTORNEY

NOV 29 2018

BY 
DIRK BROERSMA
DEPUTY CITY ATTORNEY