

WHEREAS, the Los Angeles Department of Water and Power (LADWP) intends to manage the design, engineering, procurement, and construction of the Electrical Substations Physical Security Upgrade Project (Project); and

WHEREAS, LADWP assessed risk at the facilities, and developed and implemented a plan to upgrade the physical security; and

WHEREAS, the Project goal is to maintain LADWP's grid reliability and to mitigate potential threats to the daily operation of LADWP facilities; and

WHEREAS, the Project includes the designing, engineering, procurement, testing and commissioning, and construction of a physical security wall and associated physical security measures; and

WHEREAS, LADWP desires to advertise one Request for Proposal with one agreement, which may be awarded in whole or in part at LADWP's discretion, using the competitive-sealed proposal method that permits negotiations after proposals have been submitted to allow clarifications and changes to the proposal; and

WHEREAS, A Local Bid Preference is applied for businesses located within Los Angeles County, in accordance with Chapter 1, Article 21 of the City of Los Angeles (City) Administrative Code, Section 10.25, *et seq.* The criteria as established by the proposed Ordinance will grant local businesses up to an additional eight percent weighting factor; and

WHEREAS, Section 371(b) of the City Charter provides that as an alternative to an award pursuant to open and competitive bidding, a contract may be let pursuant to a competitive-sealed proposal method, in accordance with criteria adopted by a two-thirds vote of the Los Angeles City Council (City Council). The competitive-sealed proposal method may permit negotiations in accordance with criteria as established by the Ordinance authorizing the use of such alternative method; and

WHEREAS, the purpose of this Ordinance is to establish criteria for the letting of contracts pursuant to a competitive-sealed proposal method and to authorize the use of an alternative project delivery method for the contract between LADWP and the successful proposer for engineering and construction services for the Project; and

WHEREAS, due to the complexity of the Project and the lengthy duration of time to fabricate major components, LADWP will require a contract term of up to five years to complete the entire Project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Water and Power Commissioners (Board) finds that adherence to the rule that the award be made to the lowest responsive and responsible bidder is not practicable or advantageous and that the competitive-sealed bid proposal method is in the best interests of the City due to the expertise required and complexity of the Project.

BE IT FURTHER RESOLVED that pursuant to City Charter Section 1022, the Board finds that it is more feasible to have the work performed by an independent contractor. There is insufficient existing LADWP staff to perform the work proposed to be contracted and additional staff cannot be employed and trained in a timely manner to meet LADWP's needs.

BE IT FURTHER RESOLVED that the Board approves and recommends to the Los Angeles City Council adoption by Ordinance of the proposed criteria to be used in the selection of the contractor(s) for the proposed Project pursuant to Section 371(b) of the City Charter and that the Board be permitted to award the contract(s) and execute non-material corollary documents and amendments for said equipment and construction for a term not to exceed five years without further approval by the City Council pursuant to sections 371(b) of the Charter.

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 8, 2025.

APPROVED AS TO FORM AND LEGALITY
HYDEE FELDSTEIN SOTO, CITY ATTORNEY
MARCH 13, 2025


Secretary



BY _____
MARK S. REUSCH
Deputy City Attorney