

WHEREAS, OGMA Consulting Corporation (OGMA), the manufacturer of the proprietary software application upon which the Los Angeles Department of Water and Power's (LADWP) Electronic Request-Solicit-Procure (eRSP) system is based, assumed sole responsibility for providing the offsite routine maintenance and support services for the eRSP system from the original system integrator, Sierra Systems Inc., effective October 17, 2011; and was compensated for said services utilizing LADWP's software commodities contract for a term expiring on April 13, 2012; and

WHEREAS, OGMA was later awarded Purchase Order (PO) No. 49024-2 by the General Manager of LADWP on December 1, 2011, for a term expiring on April 13, 2012, for an amount not to exceed \$150,000 to provide onsite advanced support and offsite software change services for the eRSP system; and

WHEREAS, Amendment No. 1 to PO No. 49024-2 was awarded by the Board of Water and Power Commissioners (Board) on March 20, 2012, to increase the PO amount by \$1,198,903 to \$1,348,903, extend the term through November 30, 2014, expand the scope of work to include routine maintenance and support services, and renumber the PO to Agreement No. 47080-2 (Agreement); and

WHEREAS, Amendment No. 2 to the Agreement was awarded by the Board on December 3, 2013, to increase the Agreement amount by \$442,500 to \$1,791,403 for unanticipated costs associated with the design, development, and implementation of some strategic initiatives such as the integration between the eRSP system and the Maximo receiving and inventory system; and

WHEREAS, Amendment No. 3 to the Agreement was awarded by the Board on February 3, 2015, to increase the Agreement amount by \$3,694,410 to \$5,485,813 and extend the term by five years to November 30, 2019, to continue the routine maintenance and support, advanced support, and software change services; and

WHEREAS, Amendment No. 4 to the Agreement was awarded by the Board on November 19, 2019, to increase the Agreement amount by \$1,187,700 to \$6,673,513 and extend the term by two years to November 30, 2021, to continue the routine maintenance and support, advanced support, and software change services while LADWP completed the solicitation, evaluation, and award process for the Enterprise Resource Planning (ERP) project and establish the ERP project roadmap that would include the replacement of the eRSP system; and

WHEREAS, LADWP has determined that it is necessary for OGMA to continue providing ongoing routine maintenance and support, advanced support, and software change services to sustain the eRSP system while LADWP undertakes the ERP project that will eventually replace the eRSP system; and

WHEREAS, LADWP has determined that it is necessary for OGMA to assist LADWP with retiring the eRSP system, converting the appropriate data elements into the ERP procurement system, ensuring long-term procurement data analytics capabilities, and maintaining the necessary LADWP historical procurement records; and

WHEREAS, LADWP has determined that it is necessary to increase the Agreement amount by \$2,818,120 to \$9,491,633 and extend the term by 4 years from December 1, 2021 to November 30, 2025, for a total of 14 years which exceeds the total contract time period set by ordinance, and in accordance with the City Charter Section 373, City Council approval is required.

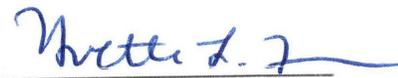
NOW, THEREFORE, BE IT RESOLVED that Amendment No. 5 (Amendment) to the Agreement, approved as to form and legality by the City Attorney and on file with the Secretary of the Board, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to City Charter Section 1022, the Board finds that it is more feasible to have work performed by an independent contractor.

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.

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.

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 **AUG 24 2021**


Acting Board Secretary

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

APR 29 2021
BY 
TIMOTHY J. CHUNG *for Mark Rausch*
DEPUTY CITY ATTORNEY