

WHEREAS, Haynes Generating Station (HnGS) Unit 8 currently utilizes a Once-Through-Cooling (OTC) system, drawing water from the inlet channel on the east side of the facility to condense turbine exhaust steam and enable operation of the steam cycle and discharging into the San Gabriel River on the west side of the facility; and

WHEREAS, the California State Water Resource Control Board (SWRCB) implemented the statewide Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling governing the use of OTC systems; and

WHEREAS, the primary goal of the HnGS Unit 8 Recycled Water Cooling System Retrofit Project (Project) is to eliminate the use of OTC at HnGS by 2029, the date agreed upon by Los Angeles Department of Water and Power (LADWP) and SWRCB, while retaining the generating capacity of the HnGS combined cycle units; and

WHEREAS, the Project includes the engineering, procurement, and construction of a wet cooling system consisting of a cooling tower and associated infrastructure, integration of new cooling system with existing equipment, addition of station service voltage transformer, demolition of OTC piping and associated equipment, modernization of the existing storm water and waste water systems, and hazardous material abatement and disposal as required; and

WHEREAS, LADWP intends to oversee the construction, retrofitting, demolition, abatement, disposal, and all associated financing costs of the Project; and

WHEREAS, LADWP desires to advertise one Request for Proposal 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 Administrative Code, Section 10.47, *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 Charter of the City of Los Angeles 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 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, this proposed Project is subject to the California Environmental Quality Act (CEQA), Public Resources Code §2100, et seq. In accordance with CEQA, a Mitigated Negative Declaration (MND) was prepared to analyze the impacts associated with the construction and operation of the Haynes Generating Station Unit 8 Recycled Water Cooling System Retrofit Project. On February 8, 2022, the Board of Water and Power Commissioners adopted the MND and Mitigation Monitoring and Reporting Program, and approved the project.

NOW, THEREFORE, BE IT RESOLVED, that the Board find that adherence to the rule that the contract award be made to the lowest responsive and responsible bidder is not practical or advantageous, and the competitive sealed bid proposal method is in the best interests of the City due to the complexity of the Project and the large number of exceptions and clarifications that can reasonably be anticipated for this type of project.

BE IT FURTHER RESOLVED that pursuant to Charter Section 1022, the services advertised for in this Request for Proposal are for expert services which require knowledge and skills that are not available within LADWP, and can therefore be performed more economically and feasibly by independent contractors than by LADWP employees.

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 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 Los Angeles City Council pursuant to sections 371(b) and 674 of the Charter.

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

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


Secretary

JUL 25 2022
BY 
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DEPUTY CITY ATTORNEY