

**AMENDMENT NO. 2 TO AGREEMENT NO. 47525
BETWEEN
THE LOS ANGELES DEPARTMENT OF WATER AND POWER
AND
KIEWIT INFRASTRUCTURE WEST CO.**

THIS AMENDMENT NO. 2 to Agreement No. 47525 (Amendment) is made and entered into by and between the Los Angeles Department of Water and Power, a municipal corporation, hereinafter referred to as LADWP, and Kiewit Infrastructure West Company, hereinafter referred to as Kiewit or Contractor, collectively the "Parties."

WHEREAS, the Parties entered into Agreement No. 47525 for Contractor to provide LADWP progressive design-build services for the San Fernando Groundwater Basin, which together with Amendment No. 2 thereto is hereinafter referred to as the "Agreement"; and

WHEREAS, the Agreement was awarded under Resolution No. 020 028 for a term of five years and an amount not-to-exceed \$408,000,000; and

WHEREAS, Amendment No. 1 was adopted by the Board on January 26, 2021, to increase the Agreement amount by \$87,000,000, from \$408,000,000 to \$495,000,000; and

WHEREAS, LADWP has determined that due to delays in construction and review periods for permitting, it is necessary to amend the Agreement term by one year for a total term of six 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 for good value and consideration including the mutual exchange of promise, the Parties agree to amend Agreement No. 47525 as follows:

1. §1.6, "Expiration of Agreement" is amended as follows:
 - A. The Agreement period shall not exceed 6 years from the Agreement's Effective Date (as defined in Section 3.2.E).

Except as amended herein, all terms and conditions of Agreement No. 47525 shall remain in full force and effect.

This Amendment No. 2 may be executed in one or more counterparts, and by the Parties in separate counterparts, each of which when executed shall be deemed to be an original but all of which taken together shall constitute one and the same Amendment. The Parties further agree that facsimile signatures or signatures scanned into .pdf (or signatures in another electronic format designated by LADWP) and sent by e-mail shall be deemed original signatures. This Amendment No. 2 consists of two (2) pages.

[Signature Page follows.]

SIGNATURE PAGE

IN WITNESS THEREOF, the Parties hereto have caused this Amendment No. 2 to Agreement No. 47525 to be executed by their authorized representatives on the date written below.

DEPARTMENT OF WATER AND POWER
OF THE CITY OF LOS ANGELES BY
BOARD OF WATER AND POWER COMMISSIONERS

KIEWIT INFRASTRUCTURE WEST
COMPANY

By signing below, the signatories attest that they have no personal, financial, beneficial, or familial interest in this contract.

By: _____
JANISSE QUIÑONES
General Manager, Chief Executive Officer and
Chief Engineer

Date: _____

And: _____
CHANTE L. MITCHELL
Board Secretary

MARK S. REUSCH
Deputy City Attorney

APPROVED AS TO FORM AND LEGALITY
HYDE FELDSTEIN SOTO, CITY ATTORNEY
July 5, 2024

By: _____
BRIAN RAPP
Vice President

Date: _____

By: _____
KATRINA WILLIAMS
Assistant Secretary

Date: _____