

RESOLUTION NO. 2018-107

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY
APPROVING AND AUTHORIZING EXECUTION AND
DELIVERY OF AMENDMENT 1 TO THE AGREEMENT
FOR A GENERATOR STEP UP TRANSFORMER
BETWEEN SCPPA AND MITSUBISHI ELECTRIC POWER
PRODUCTS, INC., FOR THE APEX GENERATION
STATION**

WHEREAS, in 2014 the Southern California Public Power Authority (“SCPPA”) purchased the Apex Generation Station (“Apex”), an existing 525 MW combined-cycle power plant located near North Las Vegas, Nevada, for the benefit of the Los Angeles Department of Water and Power (“LADWP”); and

WHEREAS, in May 2017, SCPPA entered into an Agreement for a Generator Step Up Transformer (“Agreement”) with Mitsubishi Electric Power Products, Inc. (“Mitsubishi”), calling for Mitsubishi to manufacture, deliver and install the new transform at Apex; and

WHEREAS, Mitsubishi failed to meet certain performance deadlines in the Agreement and thereby became obligated to pay liquidated damages; and

WHEREAS, in lieu of liquidated damages, Mitsubishi and LADWP staff negotiated a proposed Amendment 1 to the Agreement by which the warranty on the new unit will be extended by five (5) years and Mitsubishi will perform certain services at no additional charge, as further described in the Agenda Report submitted herewith; and

WHEREAS, the Board of Directors believes it is in the best interests of SCPPA and the Apex project to approve Amendment 1.

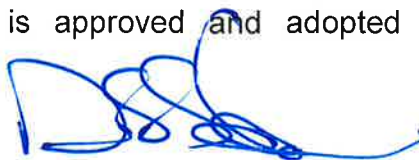
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Southern California Public Power Authority as follows:

1. Amendment 1 to the Agreement for a Generator Step Up Transformer between the Southern California Public Power Authority and Mitsubishi Electric Power Products, Inc., a form of which has been presented to the Board substantially in final form, is hereby approved.

**Project Vote – Apex
(LADWP)**

2. The Executive Director or his designee is hereby authorized and directed to execute and deliver Amendment 1 with such changes, insertions and omissions as shall be approved by the Executive Director or his designee.
3. The Executive Director and other officers of the Authority are hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this resolution.
4. This resolution shall become effective immediately.

THE FOREGOING RESOLUTION is approved and adopted by the Authority this 20th day of December 2018.



PRESIDENT
Southern California Public
Power Authority

ATTEST:



SECRETARY
Southern California Public
Power Authority