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Meeting Date: September 21, 2016  
Staff Contact: Mario Martinez, Electrical Engineer, Central Engineering

**TITLE: C-16-20 - Authorizing Additional Services from Eaton to Perform Arc Flash & Short Circuit Studies**

**ACTION: Recommend Approval**

**SUMMARY:**

The fifth supplemental agreement is to add Short-Circuit, Coordination, and Arc Flash Hazard Analysis Studies for the Water Authority Soils Amendment Facility, Chemical Stations, and Lift Stations located throughout the city.

The supplement will include a study of connected utility substations down to and including all major equipment locations such as panelboards, motor control centers (MCCs), switchboards and switchgears.

NFPA 70E-2012, Article 110.3(F) states that an electrical safety program shall include a hazard identification and risk evaluation procedure to be used before work is started within the limited approach boundary or within the arc flash boundary of energized electrical conductors operating at 50 volts or more or where an electrical hazard exists.

Any location where work may be performed on or near energized electrical conductors and circuit parts is subject to the arc flash standards.

**FISCAL IMPACT:**

The supplemental agreement with Eaton Corporation will add \$54,902.89 to the current agreement, contract total is \$721,951.59

**FIFTH SUPPLEMENTAL AGREEMENT  
ALBUQUERQUE BERNALILLO COUNTY  
WATER UTILITY AUTHORITY  
AND  
EATON CORPORATION**

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This **FIFTH SUPPLEMENTAL AGREEMENT** is made and entered into on the date of the last signature entered below by and between the Albuquerque Bernalillo County Water Utility Authority, a New Mexico political subdivision, P.O. Box 568, Albuquerque, NM 87103-0568 (hereinafter referred to as the "Water Authority"), and Eaton Corporation, an Ohio corporation, 560 N. 54<sup>th</sup> St., Ste 3, Chandler, AZ 85226 (hereinafter referred to as the "Contractor").

**RECITALS**

**WHEREAS**, the Water Authority and the Contractor entered into an Agreement, dated March 27, 2014, as amended by a First Supplemental Agreement dated June 3, 2014, a Second Supplemental Agreement dated November 24, 2014, a Third Supplemental Agreement dated July 16, 2015 and a Fourth Supplemental Agreement dated October 12, 2015, hereinafter referred to as the "Original Agreement", whereby the Contractor agreed to render certain professional services to the Water Authority; and

**WHEREAS**, the Contractor currently provides said Arc Flash study services in accordance with GSA Contract No. GS-06F-0023R, which is referenced as Exhibit A to the Original Agreement; and

**WHEREAS**, the Water Authority wishes to add \$54,902.89 to the total compensation of the Agreement; and

**WHEREAS**, the Contractor is agreeable adding to the total compensation of the Agreement.

**NOW THEREFORE**, in consideration of the premises and mutual obligations herein, the parties hereto do mutually agree as follows:

1. Section 3.A. of the Original Agreement is hereby amended to read as follows:

A. **Compensation.** For performing the Services specified in Section 1 hereof, the Water Authority agrees to pay the Contractor up to the amount of **Seven Hundred Twenty-One Thousand Nine Hundred Fifty-One and 59/100 Dollars (\$721, 951.59)**, which amount includes any applicable gross receipts taxes and which amount shall constitute full and complete compensation for the Contractor's Services under this Agreement, including all expenditures made and expenses incurred by the Contractor in performing such Services.

2. Except as herein expressly amended, the terms and conditions of the Original Agreement shall remain unchanged and shall continue in full force and effect unless there is a conflict between the terms and conditions of the Original Agreement and this Fifth Supplemental Agreement, in which event, the terms and conditions of this Fifth Supplemental Agreement shall control.

3. This Fifth Supplemental Agreement shall not become effective or binding until approved by the Water Authority's Executive Director.

**IN WITNESS WHEREOF**, the Water Authority and the Contractor have executed this Fifth Supplemental Agreement as of the date of the last signature entered below.

**ALBUQUERQUE BERNALILLO COUNTY  
WATER UTILITY AUTHORITY**

**CONTRACTOR:  
EATON CORPORATION**

Approved By:

\_\_\_\_\_  
Mark S. Sanchez, Executive Director

Date: \_\_\_\_\_

\_\_\_\_\_  
John M. Stomp III, P.E.  
Chief Operating Officer

Date: \_\_\_\_\_

Reviewed by:

\_\_\_\_\_  
Charles W. Kolberg, General Counsel

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

State Taxation and Revenue Tax  
Identification No.: **01721442004**

Federal Taxpayer Identification No.:  
**34-0196300**