

UNITED STATES
DEPARTMENT OF ENERGY
WESTERN AREA POWER ADMINISTRATION
SIERRA NEVADA REGION

AMENDMENT 5
(Extension)

TO THE CONTRACT FOR
EMERGENCY AID AND OPTIONAL PERMANENT REPAIR SERVICE OF
THE 60-KV TRANSMISSION LINES ON
STONY GORGE AND BLACK BUTTE HYDROELECTRIC PROJECTS

WITH
THE CITY OF SANTA CLARA, CALIFORNIA
dba
SILICON VALLEY POWER

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1. PREAMBLE:

This Contract Amendment is made this _____ day of _____, 2018,
between the UNITED STATES OF AMERICA, acting by and through, DEPARTMENT
OF ENERGY, WESTERN AREA POWER ADMINISTRATION (WAPA) and the CITY
OF SANTA CLARA, CALIFORNIA dba SILICON VALLEY POWER (SVP), also
hereinafter referred to individually as Party and together as Parties, as part of Contract
89-SAO-50003 (Primary Contract) pursuant to the same authorities as the Primary
Contract, and subject to all of the provisions of the Primary Contract, except as herein
amended.

2. EXPLANATORY RECITALS:

2.1 The Parties entered into the Primary Contract on April 24, 1989. The
Primary Contract provides the terms and conditions whereby WAPA will provide
emergency aid and optional permanent repair to SVP's Black Butte and Stony
Gorge Transmission Lines.

///

1
2 2.2 The Parties entered into Amendment 1 to the Primary Contract on May 21,
3 1996. Amendment 1 provided for replacing the August 15, 1995 General Power
4 Contract Provisions (GPCP) with the January 3, 1989 GPCP.
5

6 2.3 The Parties entered into Amendment 2 to the Primary Contract on
7 November 25, 2003. Amendment 2 extended the term of the Contract through
8 December 31, 2018. Also under Amendment 2, WAPA committed to performing
9 annual inspections of SVP's Black Butte and Stony Gorge Transmission Lines.
10

11 2.4 SVP requested WAPA discontinue performing annual inspections of the
12 Black Butte and Stony Gorge Transmission Lines. The Parties executed
13 Amendment 3 to the Primary Contract on December 7, 2005 to terminate said
14 inspections.
15

16 2.5 In 2015, SVP requested WAPA resume performing annual inspections of
17 the Black Butte and Stony Gorge Transmission Lines, and the Parties executed
18 Amendment 4 to the Primary Contract on June 30, 2015 to provide for said
19 services.
20

21 2.6 The Parties wish to extend the term of the Primary Contract beyond
22 December 31, 2018; and, therefore, are entering into this Amendment 5.
23

24 **3. AGREEMENT:**

25 The Parties agree to the terms and conditions set forth herein.
26
27
28

1 **4. TERM OF AMENDMENT:**

2 This Amendment shall become effective upon execution and shall remain in effect
3 concurrently with the Primary Contract.

4
5 **5. MODIFICATION OF SECTION 5 (TERM OF CONTRACT) TO THE PRIMARY**
6 **CONTRACT:**

7 Section 5 is hereby modified as follows:

8 5.1 This Contract will become effective upon the date of its execution, and shall
9 remain in effect through December 31, 2023.

10
11 **6. PRIMARY CONTRACT TO REMAIN IN EFFECT:**

12 Except as expressly modified by this Amendment 5, said Primary Contract shall remain
13 in full force and effect; and this Amendment shall be subject to all provisions of the
14 Primary Contract, except as herein amended.

1
2 **IN WITNESS WHEREOF**, the Parties have caused this Amendment to be executed the
3 day and year first above written.
4

5 CITY OF SANTA CLARA, dba,
6 SILICON VALLEY POWER
7

8 APPROVED AS TO FORM:

9 Approved as to Form:

10 Dated: _____

11 _____
12 BRIAN DOYLE
13 City Attorney

14 _____
15 DEANNA J. SANTANA
16 City Manager
17 1500 Warburton Avenue
18 Santa Clara, CA 95050
19 Telephone: (408) 615-2210
20 Fax: (408) 241-6771

21 WESTERN AREA POWER ADMINISTRATION
22
23

24 By: _____
25 Name: _____
26 Title: _____ Senior Vice President and
27 _____ Sierra Nevada Regional Manager
28 Address: _____ 114 Parkshore Drive
_____ Folsom, California 95630

