

Amendment No. 1

Subject Project: Request for Proposals, Engineering and Hydrogeologic Services, Sunset Gap Seawater Intrusion Barrier Feasibility Study, May 2023

The following items amend the subject project request for proposals:

Replace the following, in its entirety:

8.10 Construction Conflict of Interest

The Consultant shall not be eligible to construct the subject project, nor partner in any way with the Contractor or Construction Management firms executing the construction activities unless expressly authorized by OCWD in writing.

with the following:

8.10 Potential Conflict of Interest

OCWD is involved in active litigation, including OCWD v. Sabic et al. ("South Basin" litigation) and OCWD v. 3M Company et al. ("PFAS" litigation). As such, it is the District's goal to avoid conflicts of interest with respect to the selection of the Consultant and the litigation. To this end, it is incumbent upon prospective Consultants to identify in their proposal if they are working for, or likely to work for, any party to litigation in an adverse relationship to OCWD. The prospective Consultant may elect to recuse itself and not submit a proposal or, alternatively, may provide in its proposal a description of the nature of work it is or anticipates performing for the adverse party(ies) to assist OCWD in evaluating the potential for a conflict of interest. As a factor in its Consultant selection process OCWD will consider the information, or absence of information, provided by the prospective Consultant on the nature of its work for litigating parties adverse to OCWD.