GUAM CONSOLIDATED COMMISSION ON UTILITIES

RESOLUTION NO. 06–FY2016

RELATIVE TO APPROVAL OF THE BAZA GARDENS WASTEWATER CROSS-ISLAND PUMPING AND CONVEYANCE DESIGN SERVICES PROJECT

WHEREAS, under 12 G.C.A. §14105, the Consolidated Commission on Utilities (“CCU”) has plenary authority over financial, contractual, and policy matters relative to the Guam Waterworks Authority (“GWA”); and

WHEREAS, the Guam Waterworks Authority (“GWA”) is a Guam Public Corporation established and existing under the laws of Guam; and

WHEREAS, GWA currently has a number of critical Court Order (“CO”) projects including a complete evaluation of the Baza Gardens WWTP to determine what improvements are necessary at the plant to achieve compliance with the WWTP’s NDDES permit, as stated in Paragraph 13 of the 2011 Court Order; and

WHEREAS, the system evaluation report completed in April of 2014 by GWA’s Program Management Office (PMO), Brown and Caldwell, resulted in a recommendation to GWA and the USEPA that transferring/conveying the Baza Gardens WWTP effluent flow across the Route 17 (Cross Island Road) to a new Agat-Santa Rita WWTP site was the recommended conceptual alternative; and

WHEREAS, the PMO subsequently prepared for GWA a Design Alternatives Report in April of 2015 which evaluated conceptual design alternatives for the proposed cross-island system that looked at key components such as a new head works facility to provide preliminary treatment before pumping, flow equalization to reduce peak transfer flow rates, transfer pumping station, a conveyance pipeline consisting of force main and gravity sections and odor control facilities; and
WHEREAS, the Design Alternatives Report noted established design criteria's which resulted in the development of a Scope of Work (SOW) for Baza Gardens Cross-Island Pumping and Conveyance Design Project; and

WHEREAS, GWA has advertised the Request for Proposal (RFP-13-ENG-2015) soliciting a statement of qualification from experienced and qualified engineering firms to provide engineering design services for the Design Services for the Baza Gardens Wastewater Cross-Island Pumping and Conveyance project; and

WHEREAS, Request for Proposal (RFP) packages were downloaded by multiple interested parties, from which GWA received proposal submittals from ten (10) engineering firms before the RFP submittal deadline of October 15, 2015; and

WHEREAS, GWA is currently reviewing all proposals and anticipates making a recommendation for the most qualified design firm by October 23, 2015 after which design scope clarifications and negotiation for fees can proceed with the expectation to complete fee negotiations by third week of November 2015; and

WHEREAS, GWA engineering, along with the PMO, estimates the construction cost for the pumping and conveyance system to be as high as $25,000,000.00 and as such the industry standard for design services fees with an estimated cost construction for the amount noted would be in the ten to twelve percent (10% - 12%) range therefore the estimated high end of the design range cost is Three Million Dollars ($3,000,000.00); and

WHEREAS, the on-going procurement for design services is necessary and also specified to have a milestone deadline as stated under CO Paragraph 14 (a) that reads “By October 31, 2015, GWA shall execute a design contract and issue notice to proceed with the design” which unfortunately GWA will not meet the exact language of the order but is working to issue a notice to proceed the soonest by seeking the support of the CCU to approve the intent of the design project and the estimated high end of the design range cost of Three Million Dollars ($3,000,000.00) in advance of the firm selection and fee negotiations process; and
WHEREAS, GWA management will provide an update via the GM’s Report the results of the procurement process relative to this resolution which will include the name of the design firm selected and the negotiated design fees; and

WHEREAS, funding for this project will be from the Internally Funded CIP fund and the 2010, 2013 and 2015 Bond Funds under the line items CIP WW 09-08 and WW 11-03; and

NOW BE IT THEREFORE RESOLVED, the Consolidated Commission on Utilities does hereby approve the following:

1. The recitals set forth above hereby constitute the findings of the CCU.
2. The CCU finds that the terms of the conditions set by GWA relative to commencement of work activities are fair and reasonable and serve as a measure of Quality Assurance/Quality Control (QA/QC).
3. The CCU hereby approves the intent of the design project and authorizes the management of GWA to enter into a contract with the most qualified design engineering firm in the amount not to exceed Three Million Dollars ($3,000,000.00).
4. The CCU hereby further approves funding for this project to be from the Internally Funded CIP fund and the 2010, 2013 and 2015 Bond Funds under the line items CIP WW 09-08 and WW 11-03.

RESOLVED, that the Chairman certified and the Board Secretary attests to the adoption of this Resolution.

DULY AND REGULARLY ADOPTED this 27th day of October 2015.

Certified by: ________________________________
JOSEPH T. DUENAS
Chairperson

Attested by: ________________________________
J. GEORGE BAMBA
Secretary
I, J. George Bamba, Board Secretary of the Consolidated Commission on Utilities as evidenced by my signature above do hereby certify as follows:

The foregoing is a full, true and accurate copy of the resolution duly adopted at a regular meeting by the members of the Guam Consolidated Commission on Utilities, duly and legally held at a place properly noticed and advertised at which meeting a quorum was present and the members who were present voted as follows:

AYES: 4

NAYS: 0

ABSTENTIONS: 0

ABSENT: 1