

1 **GUAM CONSOLIDATED COMMISSION ON UTILITIES**

2 **RESOLUTION NO. 06-FY2016**

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

5  
6 **WHEREAS**, under 12 G.C.A. §14105, the Consolidated Commission on Utilities  
7 (“CCU”) has plenary authority over financial, contractual, and policy matters relative to the  
8 Guam Waterworks Authority (“GWA”); and

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

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

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

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24 **WHEREAS**, the PMO subsequently prepared for GWA a Design Alternatives Report in  
25 April of 2015 which evaluated conceptual design alternatives for the proposed cross-island  
26 system that looked at key components such as a new head works facility to provide preliminary  
27 treatment before pumping, flow equalization to reduce peak transfer flow rates, transfer pumping  
28 station, a conveyance pipeline consisting of force main and gravity sections and odor control  
29 facilities; and

1           **WHEREAS**, the Design Alternatives Report noted established design criteria's which  
2 resulted in the development of a Scope of Work (SOW) for Baza Gardens Cross-Island Pumping  
3 and Conveyance Design Project; and  
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5           **WHEREAS**, GWA has advertised the Request for Proposal (RFP-13-ENG-2015)  
6 soliciting a statement of qualification from experienced and qualified engineering firms to  
7 provide engineering design services for the Design Services for the Baza Gardens Wastewater  
8 Cross-Island Pumping and Conveyance project; and  
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10           **WHEREAS**, Request for Proposal (RFP) packages were downloaded by multiple  
11 interested parties, from which GWA received proposal submittals from ten (10) engineering  
12 firms before the RFP submittal deadline of October 15, 2015; and  
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14           **WHEREAS**, GWA is currently reviewing all proposals and anticipates making a  
15 recommendation for the most qualified design firm by October 23,2015 after which design  
16 scope clarifications and negotiation for fees can proceed with the expectation to complete fee  
17 negotiations by third week of November 2015; and  
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19           **WHEREAS**, GWA engineering, along with the PMO, estimates the construction cost for  
20 the pumping and conveyance system to be as high as \$25,000,000.00 and as such the industry  
21 standard for design services fees with an estimated cost construction for the amount noted would  
22 be in the ten to twelve percent (10% - 12%) range therefore the estimated high end of the design  
23 range cost is Three Million Dollars (\$3,000,000.00); and  
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25           **WHEREAS**, the on-going procurement for design services is necessary and also  
26 specified to have a milestone deadline as stated under CO Paragraph 14 (a) that reads "By  
27 October 31, 2015, GWA shall execute a design contract and issue notice to proceed with the  
28 design" which unfortunately GWA will not meet the exact language of the order but is working  
29 to issue a notice to proceed the soonest by seeking the support of the CCU to approve the intent  
30 of the design project and the estimated high end of the design range cost of Three Million  
31 Dollars (\$3,000,000.00) in advance of the firm selection and fee negotiations process; and  
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1           **WHEREAS**, GWA management will provide an update via the GM's Report the results  
2 of the procurement process relative to this resolution which will include the name of the design  
3 firm selected and the negotiated design fees; and  
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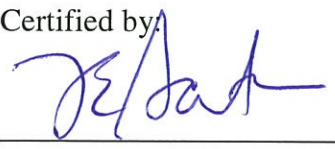
5           **WHEREAS**, funding for this project will be from the Internally Funded CIP fund and the  
6 2010, 2013 and 2015 Bond Funds under the line items CIP WW 09-08 and WW 11-03; and  
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8           **NOW BE IT THEREFORE RESOLVED**, the Consolidated Commission on Utilities  
9 does hereby approve the following:

- 10           1. The recitals set forth above hereby constitute the findings of the CCU.
- 11           2. The CCU finds that the terms of the conditions set by GWA relative to  
12           commencement of work activities are fair and reasonable and serve as a  
13           measure of Quality Assurance/Quality Control (QA/QC).
- 14           3. The CCU hereby approves the intent of the design project and authorizes the  
15           management of GWA to enter into a contract with the most qualified design  
16           engineering firm in the amount not to exceed Three Million Dollars  
17           (\$3,000,000.00).
- 18           4. The CCU hereby further approves funding for this project to be from the  
19           Internally Funded CIP fund and the 2010, 2013 and 2015 Bond Funds under  
20           the line items CIP WW 09-08 and WW 11-03.

21           **RESOLVED**, that the Chairman certified and the Board Secretary attests to the adoption  
22 of this Resolution.  
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24           **DULY AND REGULARLY ADOPTED** this 27<sup>th</sup> day of October 2015.  
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27           Certified by:  
28             
29           \_\_\_\_\_  
30           **JOSEPH T. DUENAS**  
31           Chairperson

32           Attested by:  
33             
34           \_\_\_\_\_  
35           **J. GEORGE BAMBA**  
36           Secretary

37           //

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

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

6 AYES: 4

7 NAYS: 0

8 ABSTENTIONS: 0

9 ABSENT: 1

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