

1 **GUAM CONSOLIDATED COMMISSION ON UTILITIES**
2 **RESOLUTION NO. 02-FY2017**

3 **RELATIVE TO APPROVAL OF THE CONSTRUCTION MANAGEMENT (CM)**
4 **CONTRACT FOR BAZA GARDENS WASTEWATER CROSS-ISLAND PUMPING**
5 **AND CONVEYANCE SYSTEM PROJECT**

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
9

10 **WHEREAS**, the Guam Waterworks Authority ("GWA") is a Guam Public Corporation
11 established and existing under the laws of Guam; and
12

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 as well as the completion of construction activities that
17 were identified in the approved plan resulting from the evaluation noted above as stated in
18 Paragraph 14 of the 2011 Court Order; and
19

20 **WHEREAS**, the system evaluation report required under Paragraph 13 and completed in
21 April of 2014 by GWA's Program Management Office (PMO), Brown and Caldwell, resulted in
22 a recommendation to GWA and the USEPA that transferring/conveying the Baza Gardens
23 WWTP effluent flow across the Route 17 (Cross Island Road) to a new Agat-Santa Rita WWTP
24 site was the recommended conceptual alternative to which this recommendation was found to be
25 acceptable by all parties; and
26

27 **WHEREAS**, Paragraph 14, subsection (b) of the 2011 Court Order required that GWA
28 "execute a contract and issue a notice to proceed with construction" by October 31, 2016; and
29

30 **WHEREAS**, in September of 2015 GWA began the procurement process to find a
31 consulting engineering team to design the wastewater conveyance system and via Resolution 06-
32 FY2016, approved by the CCU in October of 2015, GWA management was authorized to enter

1 into a contract with Duenas Camacho and Associates to design the wastewater conveyance and
2 pumping system which would include new Sewer Pump Station (SPS), gravity mains, force
3 mains and all incidentals and appurtenances to these man components; and
4

5 **WHEREAS**, GWA has determined that in an effort to comply with the intent of the
6 Court Order Paragraph 14(b) deadline of October 31, 2016 the most expedient process was to
7 break the construction activities into four phases with the first phase covering the construction
8 of one sewer pump station located by the Aplacho Bridge, 14,643 linear feet of gravity sewer and
9 2,767 linear feet of force main which is considered approximately one-third of the overall project
10 requirements; and
11

12 **WHEREAS**, there are other factors that come into play relative to the decision of
13 phasing the project, such as construction funding availability that is tied to bond borrowing as
14 well as overcoming property acquisition issues but wherein GWA anticipates procurement of the
15 construction services for each phase noted within a three months of each other and with the
16 expectation that all phase of the construction project will be completed by April 30, 2018; and
17

18 **WHEREAS**, Construction of Phase II, III & IV is the conversion of the existing Baza
19 Gardens WWTP site to a pretreatment facility that includes headworks (screening and grit
20 removal), Equalization Tanks 1 & 2, Baza Gardens Pump Station, Operations structures, along
21 with Pump Station 2 near Windward Hills Country Club and laying of force main and gravity
22 sewer lines along Route 17; and
23

24 **WHEREAS**, the installation of the new wastewater conveyance/pumping system along
25 Route 17 and the improvement of Baza Gardens Wastewater Treatment Plant requires qualified
26 and experienced engineering/construction management services to oversee all aspects of the
27 construction project that entails a some specialty construction trades, construction activities that
28 can run simultaneously and at multiple locations, and construction costs that may reach Twenty
29 Nine Million Dollars (\$29,000,000.00) for all four phases; and
30

31 //

32 //

1 **WHEREAS**, GWA has determined that having one construction management team to
2 oversee all construction phases will allow for better construction oversight and control thus is in
3 the best interest of GWA and the rate payers; and

4
5 **WHEREAS**, GWA has advertised the Request for Proposal (RFP-09-ENG-2016)
6 soliciting a statement of qualification from experienced and qualified engineering firms to
7 provide construction management services for the Baza Gardens Wastewater Cross-Island
8 Pumping and Conveyance System Project; and

9
10 **WHEREAS**, Request for Proposal (RFP) packages were downloaded by multiple
11 interested parties, from which GWA received proposals submitted by seven (7) engineering
12 firms before the RFP submittal deadline; and

13
14 **WHEREAS**, the GWA A-E Selection Committee reviewed and evaluated the seven (7)
15 proposals (see EXHIBIT A - Evaluation Scores) and generated a short list of the top three (3)
16 firms with a recommendation to award a contract to the firm SSFM International, (see
17 EXHIBIT B – GM Determination); and

18
19 **WHEREAS**, SSFM International and GWA are currently in the process of negotiating
20 the scope and a reasonable fee for the CM services and expect to come to a conclusion within a
21 week or two; and

22
23 **WHEREAS**, GWA's expectation for construction management service fees with an
24 estimated construction cost of the amount noted, as well as the complexity of the work
25 described, would be in the six to nine percent (6% - 9%) range therefore GWA could expect the
26 estimated high end of the CM serves to be Two Million Six Hundred Ten Thousand Dollars
27 (\$2,610,000.00); and

28
29 **WHEREAS**, the on-going procurement for construction management services is
30 necessary to align, as best as possible, the timing of GWA's issuance of the Notice to Proceed
31 for the construction contract by October 31, 2016, with the start of CM services and as such
32 GWA management is seeking the support by the CCU to approve the need and intent of the

1 construction management services and the estimated high end of the CM range cost of Two
2 Million Six Hundred Ten Thousand Dollars (\$2,610,000.00) in advance of the fee negotiations
3 phase; and
4

5 **WHEREAS**, GWA Management further seeks CCU approval of a ten percent (10%)
6 contingency to the final negotiated CM fee amount in which the contingency could be as high as
7 Two Hundred Sixty One Thousand Dollars (\$261,000.00); and
8

9 **WHEREAS**, GWA management will provide an update via the GM's Report the results
10 of the procurement process relative to this resolution which will include the final negotiated CM
11 fees; and
12

13 **WHEREAS**, funding for this project will be from 2016 Bond Funds under the CIP line
14 item WW 11-03 "Baza Gardens STP Replacement"; and
15

16 **NOW BE IT THEREFORE RESOLVED**, the Consolidated Commission on Utilities
17 does hereby approve the following:
18

- 19 1. The recitals set forth above hereby constitute the findings of the CCU.
- 20 2. The CCU finds that the terms of the conditions set by GWA relative to
21 commencement of work activities are fair and reasonable and serve as a
22 measure of Quality Assurance/Quality Control (QA/QC).
- 23 3. The CCU hereby approves the intent of the project and authorizes GWA
24 management to enter into a contract with SSFM International (Exhibits A and
25 B), should fee negotiations meet GWA's expectation that the fee not exceed
26 Two Million Six Hundred Ten Thousand Dollars (\$2,610,000.00).
- 27 4. The CCU hereby further approves the total funding amount for this project
28 shall not exceed a contract amount of Two Million Six Hundred Ten
29 Thousand Dollars (\$2,610,000.00), plus a ten percent (10%) contingency of
30 Two Hundred Sixty One Thousand Dollars (\$261,000.00), for a total
31 authorized amount of Two Million Eight Hundred Seventy One Thousand
32 Dollars (\$2,871,000.00).

1 5. The CCU hereby further approves that the funding for the construction
2 management services will be from 2016 Bond Funds under the line item CIP
3 WW 11-03 Baza Gardens STP Replacement.
4

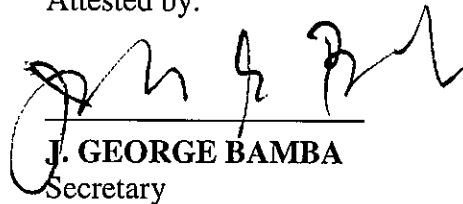
5 **RESOLVED**, that the Chairman certified and the Board Secretary attests to the adoption
6 of this Resolution.
7

8 **DULY AND REGULARLY ADOPTED**, this 25th day of October 2016.
9

10 Certified by:

Attested by:

11 

12 


13 **JOSEPH T. DUENAS**
14 Chairperson

15 **J. GEORGE BAMBA**
16 Secretary

17 I, J. George Bamba, Board Secretary of the Consolidated Commission on Utilities as
18 evidenced by my signature above do hereby certify as follows:
19

20 The foregoing is a full, true and accurate copy of the resolution duly adopted at a regular
21 meeting by the members of the Guam Consolidated Commission on Utilities, duly and
22 legally held at a place properly noticed and advertised at which meeting a quorum was
23 present and the members who were present voted as follows:
24

25 AYES:

26 3 

27 NAYS:

28 0

29 ABSTENTIONS:

30 0

31 ABSENT:

32 1

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///

///

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GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building • 688 Route 15 • Mangilao, Guam 96913

October 3, 2016

To: Thomas F. Cruz, P.E., Acting General Manager

From: Gloria P. Bensen 
Chairperson, Consultant Selection Board

Subject: RFP-09-ENG-2016
Construction Management Services for Baza Gardens Wastewater Cross-
Island Pumping and Conveyance
GWA Project No. S15-008-BND

The following information is intended to document the evaluation process undertaken for the referenced solicitation.

EVALUATION COMMITTEE MEMBERS	
Name	Title
John Davis, P.E.	CIP Wastewater Engineer Supervisor
Barbara C. Cruz, P.E.	Senior Engineer Supervisor
Rylma Carino	Junior Engineer
Anthony Chargualaf	Operations & Maintenance Manager, Distribution

Consultant	Evaluation Score				Total	Rank
1. EMPSCO Engineering Consultants	67	80	82	81	310	6
2. SSFM	88	91	86	86	351	1
3. AmOrient Engineering	90	76	83	90	339	4
4. E.M. Chen & Associates, Inc.	65	72	81	78	296	7
5. TG Engineers, PC	90	83	85	90	348	2
6. AECOM	90	83	85	89	347	3
7. GHD	80	83	84	84	331	5


Scores were evaluated based on sum of the individual scores. The recommendation of the evaluation committee is shown in the ranking above.

Please review and approve at your earliest convenience so that we may proceed with the notification letters.

GUAM WATERWORKS AUTHORITY

"Better Water. Better Lives."
Gloria B. Nelson Public Service Building
688 Route 15, Mangilao, Guam 96913

MEMORANDUM

To: Gloria P. Bensen, A-E Selection Committee 
From: Thomas F. Cruz, P.E., Acting General Manager
Subject: Evaluation Summary for RFP-09-ENG-2016
Construction Management Services for Baza Gardens Wastewater Cross-Island
Pumping and Conveyance
GWA Project No. S15-008-BND
Date: October 3, 2016

The Selection Committee has completed all necessary actions for selecting the most qualified consultant for the referenced solicitation. All proposals were reviewed and scored according to the conditions established in the solicitation and shortlisted firms were interviewed. The evaluation summary sheet is attached for your information.

The committee recommends the following top three (3) firms in order of preference for the project:

1. SSFM
2. TG Engineers, PC
3. AECOM

Concurred:


VINCENT E. GUERRERO
Supply Management Administrator

10/3/2016
Date

GENERAL MANAGER'S DETERMINATION

Consultant Firm Selected:

SSFM

Remarks:


THOMAS F. CRUZ, P.E.
Acting General Manager

10/9/16
Date

TFC/gb



CONSOLIDATED COMMISSION ON UTILITIES




Guam Power Authority • Guam Waterworks Authority
P.O. BOX 2977 • Agaña, Guam 96932

October 25, 2016


MEMORANDUM

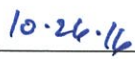
TO: Members, Consolidated Commission on Utilities

SUBJECT: Ratification of Polling of Votes: Resolution 02-FY2017 Relative to the Approval of the Construction Management for the Baza Gardens Wastewater Pumping and Conveyance *(see attached email dated 10/19/2016)*

Commissioner	Y/N	Initials	Time/Date	Comments
Joseph Duenas	Y		10/19/16 11:42 p.m.	Via email
Francis Santos				Via email
George Bamba	Y		10/20/16 7:21 a.m.	Via email
Pedro Guerrero				
Simon Sanchez	Y		10/20/16 7:00 a.m.	Via Email

Concurred by:


Miguel Bordallo, GWA GM


Date

Lou Sablan

From: Lou Sablan
Sent: Wednesday, October 19, 2016 3:09 PM
To: Francis Santos (francis.santos@gpagwa.com); George Bamba; J. George Bamba; Joseph (Joey) Duenas (jtduenas@hotmail.com); Pedro SN. Guerrero; Simon A. Sanchez II
Cc: Miguel C Bordallo (mcbordallo@guamwaterworks.org); Ann Borja - GWA; Greg P. Cruz; Kelly Clark; Tom Cruz (thomas@guamwaterworks.org); 'Paul J. Kemp, M. S.'
Subject: POLL VOTE REQUEST / GWA RESOLUTION 02-FY20117
Attachments: Res. No. 02-FY2017 Justification Summary Sheet.doc; Res. No. 02-FY2017 Rel to Approval of CM for Baza Gardens WW Cross Island Pumping and Conveyance Proj.doc; Res. No. 02-FY2017 Ex. A-Eval. Summ..pdf; Res. No. 02-FY2017 Ex. B-GM Determination.pdf

Importance: High

Dear Commissioners

The GWA GM has asked that I initiate this POLL VOTE relative to:

Resolution 02-FY2017 Approval of the Construction Management Services of the Baza Gardens Wastewater Cross-Island Pumping and Conveyance Project (COPY ATTACHED ALONG WITH JUSTIFICATION AND SUPPORT DOCS)

This resolution is a required component for Resolution 01-FY2016 (which has been passed by POLL VOTE on Sat., Oct. 8th (reference email below). Resolution 02 must accompany Resolution 01 to meet the Court Ordered deadline of October 31, 2016. Thus the necessity for a Poll Vote at this time.

Both Resolution 01 and Resolution 02 will be presented for official ratification at the Oct. 25th CCU meeting.

Date: Sat, 8 Oct 2016 12:01:06 +1000

Subject: Fw: Draft Resoluiton 01-FY2017 Relative to the Approval fo the Baza Gardens Wastewater Pumping and Conveyance Phase I Construction

From: mcbordallo@guamwaterworks.org

To: jtduenas@hotmail.com; fesantos57@gmail.com; georgebamba@hotmail.com; gdcmgr@guamdrycleaners.com; psnguerrero@gpagwa.com; lsablan@gpagwa.com

CC: gpcruz@guamwaterworks.org; koclark@guamwaterworks.org; thomas@guamwaterworks.org; annborja@guamwaterworks.org; paulkemp@guamwaterworks.org; mcbordallo@guamwaterworks.org

Commissioners:

Attached are the draft resolution, justification sheet and exhibits for the Court-ordered Baza Gardens wastewater pumping and conveyance project for your review and consideration in advance of our October meeting.

This project has a court-ordered deadline of October 31, 2016 for GWA to enter a construction contract for the execution of the work. In order to meet this deadline, I am asking for a poll vote by Wednesday of next week, with ratification at the October meeting, so that if the Commission approves, we may begin processing the contract documents for signing subsequent to ratification but prior to the 31st.

Please advise of any questions or concerns, and Tom, Paul and Kelly will try to get them addressed immediately, while I am off-island next week.

Regards,

MCB

Sent from my BlackBerry 10 smartphone.

Thank you,

B. Lou Sablan

Board Secretary
Consolidated Commission on Utilities
Admin. Asst., Legal Counsel, GPA
GLORIA B. NELSON PUBLIC SERVICE BLDG.
3rd Floor, Executive Division
688 Route 15, Mangilao, GU 96913
P.O. Box 2977, Hagatna, GU 96932
Tel: (671) 648-3002
Fax: (671) 648-3290
Email: lsablan@gpagwa.com
Website: <http://guamccu.org/>
www.guampowerauthority.com
www.guamwaterworksauthority.org

Lou Sablan

From: Joseph Duenas <jtduenas@hotmail.com>
Sent: Wednesday, October 19, 2016 11:42 PM
To: Lou Sablan
Cc: Francis Santos (CCU Member); George Bamba; J. George Bamba; Pedro SN. Guerrero; Simon Sanchez; Miguel C Bordallo (mcbordallo@guamwaterworks.org); Ann Borja - GWA; Greg P. Cruz; Kelly Clark; Tom Cruz (thomas@guamwaterworks.org); Paul J. Kemp, M. S.
Subject: Re: POLL VOTE REQUEST / GWA RESOLUTION 02-FY20117
Attachments: image001.jpg

I vote yes. Joey

Sent from my iPad

> On Oct 19, 2016, at 3:10 PM, Lou Sablan <lsablan@gpagwa.com> wrote:
>
>
> Dear Commissioners
>
> The GWA GM has asked that I initiate this POLL VOTE relative to:
>
> Resolution 02-FY2017 Approval of the Construction Management Services
> of the Baza Gardens Wastewater Cross-Island Pumping and Conveyance
> Project (COPY ATTACHED ALONG WITH JUSTIFICATION AND SUPPORT DOCS)
>
> This resolution is a required component for Resolution 01-FY2016 (which has been passed by POLL VOTE on Sat., Oct. 8th (reference email below). Resolution 02 must accompany Resolution 01 to meet the Court Ordered deadline of October 31, 2016. Thus the necessity for a Poll Vote at this time.
>
> Both Resolution 01 and Resolution 02 will be presented for official ratification at the Oct. 25th CCU meeting.
>
> Date: Sat, 8 Oct 2016 12:01:06 +1000
> Subject: Fw: Draft Resoluiton 01-FY2017 Relative to the Approval fo
> the Baza Gardens Wastewater Pumping and Conveyance Phase I
> Construction
> From:
> mcbordallo@guamwaterworks.org<<mailto:mcbordallo@guamwaterworks.org>>
> To: jtduenas@hotmail.com<<mailto:jtduenas@hotmail.com>>;
> fesantos57@gmail.com<<mailto:fesantos57@gmail.com>>;
> georgebamba@hotmail.com<<mailto:georgebamba@hotmail.com>>;
> gdcmgr@guamdrycleaners.com<<mailto:gdcmgr@guamdrycleaners.com>>;
> psnguerrero@gpagwa.com<<mailto:psnguerrero@gpagwa.com>>;
> lsablan@gpagwa.com<<mailto:lsablan@gpagwa.com>>
> CC: gpcruz@guamwaterworks.org<<mailto:gpcruz@guamwaterworks.org>>;
> koclark@guamwaterworks.org<<mailto:koclark@guamwaterworks.org>>;
> thomas@guamwaterworks.org<<mailto:thomas@guamwaterworks.org>>;
> annborja@guamwaterworks.org<<mailto:annborja@guamwaterworks.org>>;
> paulkemp@guamwaterworks.org<<mailto:paulkemp@guamwaterworks.org>>;

Lou Sablan

From: J. George Bamba <georgebamba@hotmail.com>
Sent: Thursday, October 20, 2016 7:21 AM
To: Lou Sablan; Francis Santos (CCU Member); George Bamba; Joseph Duenas; Pedro SN. Guerrero; Simon Sanchez
Cc: 'Miguel C Bordallo'; Ann Borja - GWA; Greg P. Cruz; 'Kelly Clark'; 'Tom Cruz'; 'Paul J. Kemp, M. S.'
Subject: Re: POLL VOTE REQUEST / GWA RESOLUTION 02-FY20117

Yes for e also.
Blessings,
George

From: Simon Sanchez <gdcmgr@guamdrycleaners.com>
Sent: Thursday, October 20, 2016 7:00 AM
To: 'Lou Sablan'; 'Francis Santos (CCU Member)'; 'George Bamba'; 'J. George Bamba'; 'Joseph Duenas'; 'Pedro SN. Guerrero'
Cc: 'Miguel C Bordallo'; 'Ann Borja - GWA'; 'Greg P. Cruz'; 'Kelly Clark'; 'Tom Cruz'; 'Paul J. Kemp, M. S.'
Subject: RE: POLL VOTE REQUEST / GWA RESOLUTION 02-FY20117

I vote yes

From: Lou Sablan [mailto:lsablan@gpagwa.com]
Sent: Wednesday, October 19, 2016 3:09 PM
To: Francis Santos (CCU Member); George Bamba; J. George Bamba; Joseph Duenas; Pedro SN. Guerrero; Simon Sanchez
Cc: Miguel C Bordallo (mcbordallo@guamwaterworks.org); Ann Borja - GWA; Greg P. Cruz; Kelly Clark; Tom Cruz (thomas@guamwaterworks.org); 'Paul J. Kemp, M. S.'
Subject: POLL VOTE REQUEST / GWA RESOLUTION 02-FY20117
Importance: High