



CONSOLIDATED COMMISSION ON UTILITIES

Guam Power Authority | Guam Waterworks Authority

P.O. Box 2977 Hagatna, Guam 96932 | (671)649-3002 | guamccu.org

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RESOLUTION NO. 29-FY2017

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RELATIVE TO APPROVAL OF THE BAZA GARDENS WASTEWATER CROSS-ISLAND PUMPING AND CONVEYANCE PHASE III CONSTRUCTION PROJECT

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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

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

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WHEREAS, GWA currently has several 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 NDPEs permit, as stated in Paragraph 13 of the 2011 Court Order as well as the completion of construction activities that were identified in the approved plan resulting from the evaluation noted above as stated in Paragraph 14 of the 2011 Court Order; and

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WHEREAS, the system evaluation report required under Paragraph 13 and 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 to which this recommendation was found to be acceptable by all parties; and

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WHEREAS, in September of 2015 GWA began the procurement process to find a consulting engineering team to design the wastewater conveyance system and via Resolution No.

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1 06-FY2016, approved by the CCU in October of 2015, GWA management was authorized to
2 enter

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

7 **WHEREAS**, GWA has determined that to comply with the intent of the Court Order
8 deadline of executing “a construction contract and issue a notice to proceed with construction”
9 by October 31, 2016 the most expedient procurement process was to break the construction
10 activities into phases; and

11 **WHEREAS**, GWA started procurement of Phase I construction (IFB-08-ENG-2016) on
12 September 9, 2016 which allowed GWA to issue a contract and notice to proceed on October 25,
13 2016 to BME & Sons Inc., meeting the intent of Court Order deadline; and

14 **WHEREAS**, GWA subsequently started procurement of Phase II construction (IFB-02-
15 ENG-2017) on November 14, 2016 which allowed GWA to issue a contract and notice to
16 proceed on December 19, 2016 to BME & Sons Inc.; and

17 **WHEREAS**, GWA has further moved on the third phase of construction by advertising
18 on March 30, 2017 the Invitation For Bid (IFB-05-ENG-2017) for Baza Gardens Wastewater
19 Conveyance and Pumping Phase III Construction project wherein GWA solicited bid proposals
20 from experienced and responsive bidders to construct a sewer pump station, sewer gravity and
21 force mains; and

22 **WHEREAS**, this phase of work consists of furnishing all labor, tools, equipment and
23 materials including coordination with GWA Wastewater Operations and Engineering and the
24 Construction Manager to construct all components described in the 100% design drawings and
25 technical specifications which include but are not limited to a sewer pump station with
26 generator and wet well, above ground fuel tank, equalization tanks, 10,481 linear feet of 10”
27 PVC force main, pavement restoration in affected areas, perimeter fencing, SPS retaining
28 walls, as well as a communication conduit for future use by GWA and GPA; and

29 **WHEREAS**, IFB packages were picked up by nine (9) interested parties, from which
30 GWA received bid proposal from two (2) of the nine (9) (SEE EXHIBIT A – Abstract of Bids)
31 before the bid proposals deadline of May 5, 2017; and

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2 **WHEREAS**, GWA’s design consultant for the project along with GWA Engineering
3 analyzed the bid proposals received, particularly the lowest bid received and determined that
4 “Sumitomo-Mitsui Construction Company (SMCC)” successfully submitted the lowest bid as a
5 responsive and responsible bidder and met all the bid requirements set forth by GWA (SEE
6 EXHIBIT B – Bid Evaluation); and

7 **WHEREAS**, GWA management finds SMCC bid proposal acceptable and now seeks
8 CCU approval of the bid proposal amount of Fifteen Million Five Hundred Thirty Thousand
9 Eight Hundred Ninety Two Dollars (\$15,530,892.00) (SEE EXHIBIT C – Bid Proposal); and

10 **WHEREAS**, GWA management further seeks CCU approval of a five percent (5%)
11 contingency to the bid proposal amount or Seven Hundred Seventy Six Thousand Five Hundred
12 Forty Four Dollars and Sixty Cents (\$776,544.60) to bring the total authorized funding amount to
13 Sixteen Million Three Hundred Seven Thousand Four Hundred Thirty Six Dollars and Sixty
14 Cents (\$16,307,436.60); and

15 **WHEREAS**, funding for this project will be from the Bond Funds under the line items
16 CIP WW 11-03 “Baza Gardens STP Replacement”, MC-09-01 General Plant Improvement, and
17 Internally Funded CIP (IFCIP); and

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

- 21 1. The recitals set forth above hereby constitute the findings of the CCU.
22 2. The CCU finds that the terms of the conditions set by GWA relative to
23 commencement of work activities are fair and reasonable and serve as a
24 measure of Quality Assurance/Quality Control (QA/QC).
25 3. The CCU hereby authorizes the management of GWA to accept the bid
26 proposal from “Sumitomo-Mitsui Construction Company (SMCC)” attached
27 hereto as Exhibit C and which is incorporated into this Resolution in its
28 entirety.
29 4. The CCU hereby further authorizes the management of GWA to enter into a
30 contract with “SMCC” in the amount Fifteen Million Five Hundred Thirty
31 Thousand Eight Hundred Ninety Two Dollars (\$15,530,892.00).

1 5. The CCU hereby further approves the funding total of Fifteen Million Five
2 Hundred Thirty Thousand Eight Hundred Ninety-Two Dollars and Zero Cents

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5 (\$15,530,892.00) plus a five percent (5%) contingency of Seven Hundred
6 Seventy Six Thousand Five Hundred Forty Four Dollars and Sixty Cents
7 (\$776,544.60) for a total amount of Sixteen Million Three Hundred Seven
8 Thousand Four Hundred Thirty Six Dollars and Sixty Cents (\$16,307,436.60).

9 6. The CCU hereby further approves funding for this project to be from the Bond
10 Funds under the line items CIP WW 11-03 "Baza Gardens STP
11 Replacement", MC 09-01 General Plant Improvements, and Internally Funded
12 CIP (IFCIP).
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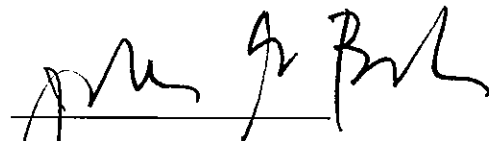
14 **RESOLVED**, that the Chairman certified and the Board Secretary attests to the adoption
15 of this Resolution.

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17 **DULY AND REGULARLY ADOPTED**, this 23rd day of May 2017.

18
19 Certified by:

Attested by:

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22 **JOSEPH T. DUENAS**

22 **J. GEORGE BAMBA**

23 Chairperson

23 Secretary

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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:	<u>4</u>
NAYS:	<u>0</u>
ABSTENTIONS:	<u>0</u>
ABSENT:	<u>1</u>

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ORIGINAL

GUAM WATERWORKS AUTHORITY
ABSTRACT OF BIDS

Project Name: BAZA GARDENS WASTEWATER CROSS-ISLAND PUMPING AND CONVEYANCE - PHASE III

Project Number: S15-008-BND; IFB-05-ENG-2017

Bid Opening Date: May 5, 2017
Bid Opening Time: 3:00 pm

EXHIBIT A (1 of 1)

Bidders Name	Section A-5 Bid Bond	CERTIFICATIONS										BASIC BID							
		Bidder Qualification Form	Non-Collusion Affidavit	ECO Certification	Non-Segregated Facilities	Sex Offender Certification	Wage & Benefits Determination	Major Shareholders Affidavit	Special Instructions to Bidders	Addendum									
										1	2								
1. POLYPHASE SYSTEM INC.																			
2. KORANDO CORPORATION																			
3. SUMITOMO-MITSUJI CONST. CO.	<i>Federal Insurance Company</i>																		
4. AISI	<i>15% of the Bond</i>																		
5. CORE TECH INTL. CORP.																			
6. BME & SONS	<i>Fidelity and Deposit Company</i>																		
7. PACIFIC RIM CONSTRUCTORS, INC.	<i>15% of Bid</i>																		
8. PROPACIFIC BUILDER CORP.																			
9. CHI CONSTRUCTION INC.																			
GWA Estimate																			\$16,920,966.00

Bids Opened and Read by:
ANGEL SMIT
(Name and Signature)
Gloria P. BENJAN

Tabulated By:
RYLON A. RIND
(Name and Signature)

GWA Procurement Representative:
[Signature]
(Name and Signature)

Witnesses:
[Signature]
[Signature]

Exhibit B (1 of 1)



Website: www.dcaguam.com
Email: dca@dcaguam.com

May 9, 2017

Thomas Cruz, PE
Chief Engineer
Guam Waterworks Authority
thomas@guamwaterworks.org
671-300-6036
Hand delivery

Ref: **Baza Gardens Wastewater Cross-Island Pumping and Conveyance System,
Phase III**


Subj: **Sumitomo Mitsui Construction Co., LTD. Bid Proposal Review**

Hafa Adai,

Dueñas, Camacho, & Associates, Inc. (DCA) has reviewed the May 5, 2017 Bid Proposal submitted by Sumitomo Mitsui Construction Co., LTD (SMCC) and BME & Sons for the referenced project. These were the only two bidders who responded to the request for bid. The SMCC bid proposal was compared to the engineers estimate and overall the SMCC bid is 4.8% below the engineers estimate. Based on DCA's past and current working experience with SMCC and bid review, DCA has no exceptions with GWA moving forward with contracting Sumitomo Mitsui Construction Co., LTD for this referenced project.

DCA does provide the following recommendation regarding the current status of manpower for construction work on Guam. Before award of this construction contract, it is recommended that GWA receive a construction schedule and narrative that provides detail on how SMCC will execute this project and meet the required court ordered dates given the current manpower shortage and SMCC's ongoing construction activities at the new Agat WWTP. This recommendation will provide GWA insight on the manpower challenges facing Guam and how these challenges may impact ongoing and future construction projects.

Regards,


Kenneth M Rekdahl, PE
Vice-President and Project Manager
Dueñas, Camacho & Associates
671-477-7991
kmrekdahl@dcaguam.com

Recommendation noted - will not be a condition of award as contractor is well aware of contract schedule. Will be a pre-construction submittal requirement.


5.10.17
GEN. MANAGER

Exhibit C (1 of 7)

BID SCHEDULE

Interested Bidders must complete the following Bid Schedules in its entirety. All blanks in each table must be filled out.

BAZA GARDENS WASTEWATER CROSS-ISLAND PUMPING AND CONVEYANCE SYSTEM - PHASE-III

Bidder will complete the work for the following price(s) as broken down per scope item:

Item	Description	Specification Reference	Est. Qty.	Unit	Total
1	Project mobilization (not to exceed 5% of total basic bid)	010200	1	LS	\$658,136.00
2	Temporary facilities	015000	1	LS	\$451,233.00
3	Pump station and conveyance system layout	017000	1	LS	\$79,864.00
4	Equipment extended warranty	017810	1	LS	\$286,063.00
5	Temporary environmental protection	015010	1	LS	\$110,848.00
6	Temporary traffic control	010200	1	LS	\$261,999.00
7	Site clearing	312230	1	LS	\$24,432.00
8	Site grading	310513	1	LS	\$133,335.00
9	Underground storage tank removal and disposal	026500	1	LS	\$58,583.00
10	Building and site demolition and disposal	017320	1	LS	\$182,251.00
11	Asbestos cement removal and pipe disposal (4 tons)	028213.33	1	LS	\$29,471.00
12	Site access road and pavement	321723	1	LS	\$313,386.00
13	Perimeter fence line and gates	312831	1	LS	\$240,201.00
14	Site drainage improvements complete in place	312316	1	LS	\$158,783.00
15	Headworks and pump station structure and finishing's complete in place	032000	1	LS	\$2,136,264.00

Exhibit C (2 of 7)

16	Parshall flume complete in place	400207	1	LS	\$21,938.00
17	Rotary screen complete in place	462133	1	LS	\$1,074,438.00
18	Grit removal system complete in place	462363	1	LS	\$675,254.00
19	Wastewater pumps complete in place	431311	1	LS	\$249,556.00
20	Pump station and headworks mechanical process piping, fittings and flow-meter installed complete in place	400519	1	LS	\$101,478.00
21	Surge relief valve and vault complete in place	400562	1	LS	\$22,014.00
22	Pump VFDs, controls and level sensor	262923	1	LS	\$464,462.00
23	Odor control unit complete in place	443121	1	LS	\$96,440.00
24	Site water system complete in place	333113	1	LS	\$112,650.00
25	Site process piping complete in place	400519	1	LS	\$203,228.00
26	Site wastewater piping complete in place	333113	1	LS	\$74,996.00
27	Force-main 1 10,481 of 10 inch PVC pipe	333400	1	LS	\$1,581,549.00
28	Force-main 1 road repair	Plan Reference	1	LS	\$472,749.00
29	2-4inch PVC communication conduit and hand-hole complete in place	Plan Reference	1	LS	\$734,510.00
30	New fiber optic line complete in place	Plan Reference	1	LS	\$117,016.00
31	Site electrical inclusive of transformer, light poles, communication and power lines complete in-place	260513	1	LS	\$192,659.00
32	New standby generator building structure and finishing's complete in place	032000	1	LS	\$396,435.00

Exhibit C (3 of 7)

33	Standby generator installed complete in-place	263213	1	LS	\$106,320.00
34	Aboveground fuel tank complete in place	231323	1	LS	\$62,119.00
35	Wastewater pump station and headworks start-up and testing	018200	1	LS	\$94,136.00
36	Baza Gardens WWTP Facility Demolition	017320	1	LS	\$196,718.00
37	Sludge removal and disposal (30 cubic yards)	012000	1	LS	\$9,395.00
38	Equalization tank 1 complete in place	032000	1	LS	\$143,720.00
39	Equalization tank 2 complete in place	032000	1	LS	\$2,690,986.00
40	Project closeout (not less than 3% of total basic bid)	017700	1	LS	\$511,267.00
	Total Basic Bid			LS	\$15,530,892.00

NOTES:

1. LS = Lump Sum.
2. All other work, description or specification reference not qualified or not listed in the Bid Schedule are considered incidental work and are an obligation of the Contractor under the various Bid Items as specified in the Bid at no additional cost to GWA.
3. Total basic bid shall include sales tax and all applicable taxes and permit fees.
4. The price bid for each item represents the total price for furnishing all materials, equipment, labor, tools and incidentals necessary to complete the work in-place.

BASIS OF SELECTION

Award will be based on the Total Basic Bid, and available funding. In the event that all qualified bids received exceed the available funding, GWA shall deduct, from all qualified bids, the following deductive bid items in any order and selection required to meet the available funds.

Deductive Bid Items listed in no order of preference:

Exhibit C (4 of 7)

Item	Description	Specification Reference	Est. Qty.	Unit	Total
38	Equalization tank 1 complete in place	032000	1	LS	Same as Bid Schedule
39	Equalization tank 2 complete in place	032000	1	LS	Same as Bid Schedule

Exhibit C (5 of 7)



SUMITOMO MITSUI CONSTRUCTION CO.,LTD.

Guam Office : P. O. Box 9670 Tamuning, Guam 96931

May 11, 2017

Mr. Thomas F. Cruz, P.E.
Chief Engineer
Guam Waterworks Authority
Gloria B. Nelson Public Service Building
688 Route 15, Mangilao, Guam 96913

Project: **IFB-05-ENG-2017**
Baza Gardens Wastewater Cross-Island Pumping and Conveyance System Phase III
GWA Project No.: S15-008-BND

Reference: Your Letter Dated May 10, 2017

Dear Mr. Cruz,

In response to your request, we hereby confirmed that our total bid amount is \$15,530,892.00 as submitted. Please see attached page 4 part of the bid schedule showing bid item no. 19 with typographic error. Bid item no. 19 amount should be \$249,566.00 and not \$249,556.00 as indicated. Also attached is the corrected page 4 part of the bid schedule reflecting the correct amount for bid item no.19 if needed.

Should you have any other questions, please let us know.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Takeyuki Shiino', is written over a horizontal line.

Takeyuki Shiino

General Manager

CC: SMCC file with Attachments

Exhibit C (6 of 7)



GUAM WATERWORKS AUTHORITY

"Better Water. Better Lives."

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

P.O. Box 3010, Hagatna, Guam 96932

Tel. No. (671) 300-6035

May 10, 2017

Sumitomo Mitsui Construction Co., Ltd.
P.O. Box 9670
Tamuning, Guam 96931

Attention: Mr. Takeyuki Shiino
General Manager

Project: IFB-05-ENG-2017
Baza Gardens Wastewater Cross-Island Pumping and Conveyance – Phase III
GWA Project No. S15-008-BND

Hafa Adai Mr. Shiino,

The Guam Waterworks Authority (GWA) has completed the evaluation of bid proposal for the above project to determine if bids are responsive to the invitation.

Apparently, Sumitomo-Mitsui Construction Co., Ltd. submitted the lowest bid amount of \$15,530,892.00. However, upon verification of bid proposals GWA obtained the total amount of \$15,530,882.00. Because of discrepancy in the amount, you are hereby requested to submit a confirmation of bid price statement as soon as possible to avoid delays in awarding the contract.

Sincerely,

THOMAS F. CRUZ, P.E.
Chief Engineer

Exhibit C (7 of 7)

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~~Handwritten mark~~
\$249,566.00