GWA RESOLUTION NO. 06-FY2018

RELATIVE TO APPROVAL OF CHANGE ORDER WORK FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE REHABILITATION OF GWA WELLS (D-03, D-17, D-18, D-22, M-09) PROJECT W11-008-BDN

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 has received a grant from the United States Environmental Protection Agency ("USEPA") under the State Revolving Fund ("SRF") program to repair and rehabilitate the water and wastewater system infrastructure; and

WHEREAS, GWA has a number of important USEPA SRF projects including the rehabilitation, repair, or replacement of groundwater wells D-03, D-17, D-18, D-22, and M-09, which have been inoperable for a significant amount of time; and

WHEREAS, the inoperability of the wells has inhibited the full optimization of the island's system water pressure and contributed to supply deficiencies, and the rehabilitation, repair, or replacement of groundwater wells D-03, D-17, D-18, D-22, and M-09, once they are put on line and operational, it will add almost 1,000 MGDs back to the island's water system; and

WHEREAS, on December 30, 2015, GWA entered into a contract with EA Engineering, Science and Technology, Inc., PBC (EA) to perform the Construction Management (CM) Services for the Rehabilitation of GWA Wells D-03, D-17, D-18, D-22, and M-09 project; and
WHEREAS, on August 22, 2016, GWA awarded the construction contract for the Island-wide Well Site Rehabilitation (D-03, D-17, D-18, D-22, and M-09) to Pacific Rim Corporation with a completion date of August 22, 2017; and

WHEREAS, on August 22, 2017, GWA extended the construction contract for the Island-wide Well Site Rehabilitation (D-03, D-17, D-18, D-22, and M-09) to November 25, 2017, to allow for extra time for the completion of the associated wells due to capacity issues with some initial wells that required re-drilling and changes that were required for the electrical systems; and

WHEREAS, due to the extension of the construction time, GWA requested a proposal from EA to extend their CM contract to the new construction completion date of November 25, 2017; and

WHEREAS, GWA has discussed the proposal with the USEPA (the funding agency for this project) and received the USEPA’s support to use the SRF grant to fund CM contract extension for the Island-wide Well Site Rehabilitation project; and

WHEREAS, GWA received a final proposal from EA on November 3, 2017 (SEE EXHIBIT A), in the amount of One Hundred Nineteen Thousand Three Hundred Eighty One Dollars ($119,381.00), and reviewed EA’s proposal with GWA’s PMO, and determined the proposal as fair and reasonable; and

WHEREAS, CCU approved the original contract value for this project in the amount of Seven Hundred Forty Nine Thousand One Hundred Eighty Four Dollars ($749,184.00), plus a ten percent (10%) contingency of Seventy Four Thousand Nine Hundred Eighteen Dollars and Forty Cents ($74,918.40), which brought the total authorized funding amount to a maximum of Eight Hundred Twenty Four Thousand One Hundred Two Dollars and Forty Cents ($824,102.40); and
WHEREAS, with two (2) previously approved changed orders in the amount of Seventy Four Thousand Seven Hundred Ninety Six Dollars and Thirty Two Cents ($74,796.32), the current total contract value is Eight Hundred Twenty Three Thousand Nine Hundred Eighty Dollars and Thirty Two Cents ($823,980.32); and

WHEREAS, GWA Management seeks CCU approval of the proposed Change Order No. 3 in the amount of One Hundred Nineteen Thousand Three Hundred Eighty One Dollars ($119,381.00) which will bring the authorized funding for the Contract to Nine Hundred Forty Three Thousand Three Hundred Sixty One Dollars and Thirty Two Cents ($943,361.32); and

WHEREAS, funding for the change order work will be from the USEPA State Revolving Fund and, if necessary, GWA Bond funds applicable to the project type; 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 fee proposal submitted by EA Engineering, Science and Technology, Inc., PBC (EA) are fair and reasonable.
3. The CCU hereby authorizes the management of GWA to approve the Change Order No. 3 in the amount of One Hundred Nineteen Thousand Three Hundred Eighty One Dollars ($119,381.00).
4. The CCU hereby further approves the total funding amount for this project to a maximum of Nine Hundred Forty Three Thousand Three Hundred Sixty One Dollars and Thirty Two Cents ($943,361.32).
RESOLVED, that the Chairman certified and the Board Secretary attests to the adoption of this Resolution.

DULY AND REGULARLY ADOPTED, this 22nd day of November 2017.

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: 5

NAYS: 0

ABSTENTIONS: 0

ABSENT: 0