



RESOLUTION NO. 11-FY2019

**RELATIVE TO APPROVAL OF INCREASE IN PROJECT FUNDING FOR ISLAND-WIDE WELL SITE REHABILITATION (D-03, D-17, D-18, D-22, M-09)
PROJECT W15-004-EPA**

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 has inhibited the full optimization of the island’s system water pressure and contributed to supply deficiencies; and

WHEREAS, on August 12, 2016, GWA entered into a contract with Pacific Rim Constructors, Inc. (PRC) to perform the construction services for the Island-wide Well Site Rehabilitation (D-03, D-17, D-18, D-22, and M-09) project; and

WHEREAS, various additional work items have been necessary to complete the work for the contract including but not limited to such items as:

- 1 1. Required Changes to Programmable Logic Controller (PLC) configuration,
- 2 2. Replacement and relocation for electrical handholes to comply with GPA
- 3 requirements,
- 4 3. Reimbursement for GPA power invoices for operation of the wells following
- 5 substantial completion,
- 6 4. Replacement of components determined necessary for proper operation of the
- 7 chlorination system,
- 8 5. Other potential issues regarding system start-up and troubleshooting; and

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10 **WHEREAS**, GWA is working towards establishing a final contract amount to include
11 all outstanding items associated with the project to allow this project to be completed and
12 formally closed out: and

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14 **WHEREAS**, to facilitate GWA negotiations on the final contract amount and to enable
15 GWA to execute the final contract change order, an estimated additional amount of Two
16 Hundred Thirty Thousand Dollars (\$230,000.00) is needed to complete the final changes
17 necessary for the project; and

18
19 **WHEREAS**, CCU approved the original contract value for this project in the amount of
20 Four Million Six Hundred Eighty-Nine Thousand Eight Hundred Eighty-Eight Dollars
21 (\$4,689,888.00), plus a ten percent (10%) contingency of Four Hundred Sixty-Eight Thousand
22 Nine Hundred Eighty-Eight Dollars and Eighty Cents (\$468,988.80), which brought the total
23 authorized funding amount to a maximum of Five Million One Hundred Fifty-Eight Thousand
24 Eight Hundred Seventy-Six Dollars and Eighty Cents (\$5,158,876.80); and

25
26 **WHEREAS**, with eight (8) previously approved changed orders in the amount of One
27 Million Four Hundred Sixty-Eight Thousand Three Hundred Fifty-Three Dollars and Nineteen
28 Cents (\$1,468,353.19), the current total contract value is Six Million One Hundred Fifty-Eight
29 Thousand Two Hundred Forty-One Dollars and Nineteen Cents (\$6,158,241.19); and

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31 **WHEREAS**, CCU approved an authorized funding amount of Six Million One Hundred
32 Seventy-Six Thousand Twenty-Three Dollars and Eighty Cents (\$6,176,023.80) under

1 Resolution 46-FY2017, and there is Seventeen Thousand Seven Hundred Eighty-Two Dollars
2 and Sixty-One Cents (\$17,782.61) of current authorized funding that has not been allocated to
3 the Contractor; and
4

5 **WHEREAS**, GWA Management seeks approval of additional funding to facilitate GWA
6 negotiations on the final contract amount and to enable GWA to execute the final contract
7 change order, an additional amount of Two Hundred Thirty Thousand Dollars (\$230,000.00)
8 which would bring the total authorized funding to Six Million Four Hundred Six Thousand
9 Twenty-Three Dollars and Eighty Cents (\$6,406,023.80); and
10

11 **WHEREAS**, funding for the change order work will be from the USEPA State
12 Revolving Fund and, if necessary, revenue funds and GWA Bond funds; and
13

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

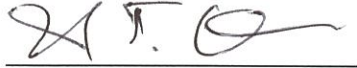
- 16 1. The recitals set forth above hereby constitute the findings of the CCU.
- 17 2. The CCU hereby authorizes the management of GWA to negotiate the final
18 contract amount and issue a final Change Order for the contract within the
19 remaining authorized amount of Seventeen Thousand Seven Hundred Eighty-Two
20 Dollars and Sixty-One Cents (\$17,782.61) and the requested additional amount of
21 Two Hundred Thirty Thousand Dollars (\$230,000.00) for a not to exceed amount
22 of Two Hundred Forty-Seven Thousand Seven Hundred Eighty-Two Dollars and
23 Sixty-One Cents (\$247,782.61).
- 24 3. The CCU hereby further approves the increase in funding authorized for this
25 project of Two Hundred Thirty Thousand Dollars (\$230,000.00), to bring the total
26 authorized funding amount to a maximum of Six Million Four Hundred Six
27 Thousand Twenty-Three Dollars and Eighty Cents (\$6,406,023.80).
- 28 4. The CCU approves that the funding for the change order work will be from the
29 USEPA State Revolving Fund and, if necessary, revenue funds and GWA Bond
30 funds applicable to the project.
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32

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

3
4 **DULY AND REGULARLY ADOPTED**, this 22nd day of January 2019.

5
6 Certified by:

Attested by:

7 

8 

9 **JOSEPH T. DUENAS**
10 Chairperson

MICHAEL T. LIMTIACO
Secretary

11
12 **SECRETARY'S CERTIFICATE**

13
14 I, Michael T. Limtiaco, Board Secretary of the Consolidated Commission on Utilities as
15 evidenced by my signature above do hereby certify as follows:

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

20 AYES: 4
21 NAYS: 0
22 ABSTENTIONS: 0
23 ABSENT: 1
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