



CONSOLIDATED COMMISSION ON UTILITIES
Guam Power Authority | Guam Waterworks Authority
P.O. Box 2977 Hagatna, Guam 96932 | (671)649-3002 | guamccu.org

RESOLUTION NO. 22-FY2019

**RELATIVE TO APPROVAL OF FUND INCREASE TO THE AGAT/SANTA RITA
WASTEWATER TREATMENT PLANT CONSTRUCTION PROJECT**

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 currently has a number of critical Court Order (“CO”) projects including a complete evaluation of the Agat Santa Rita WWTP to determine what improvements are necessary at the plant to achieve compliance with the WWTP’s NDPES permit and eliminate by-passes at the plant, as stated in Paragraph 10 of the 2011 Court Order; and

WHEREAS, the system evaluation report prepared in December of 2013 by EA Engineering, a sub-consultant to GWA’s Program Management Office, resulted in a recommendation to GWA and the USEPA that the existing Agat Santa Rita WWTP needs to be replaced; and

WHEREAS, in March of 2014 GWA began the procurement process to find a consulting engineering team to design the new WWTP and via Resolution 34-FY14, approved by the CCU in August of 2014, GWA management was authorized to enter into a contract with Duenas Camacho and Associates to design the new wastewater treatment plant on property already designated for WWTP use and located adjacent to the Tupalao Sewer Pump Station; and

WHEREAS, GWA has determined that the most expedient process to meeting the Court Order Paragraph 11 deadline of December 31, 2016 was to break the construction activities into

1 two phases with Phase I for Clearing and Grading and Phase II for all vertical and plant process
2 construction; and

3
4 **WHEREAS**, GWA management obtained CCU and PUC approval via Resolution 28-
5 FY15 and PUC Order 15-06, respectively, to reallocate 2013 bonds proceeds in the amount of
6 \$48,200,000.00 to the CIP line Item WW 11-08 "Agat/Santa Rita STP Replacement" as means
7 of ensuring GWA will have sufficient funding to enter into a contract with the lowest
8 responsible and responsive bidder for the Phase II construction project; and

9
10 **WHEREAS**, Resolution 10-FY2016 was approved by the CCU on December 10, 2015,
11 which authorizes a funding total in an amount not to exceed Fifty-Nine Million Ten Thousand
12 Dollars (\$59,010,000); and

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14 **WHEREAS**, GWA executed the construction contract with SMCC on January 8, 2016,
15 as GWA Project No. S14-007-BND, in the amount of Fifty-Six Million Two Hundred Thousand
16 Dollars (\$56,200,000); and

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18 **WHEREAS**, GWA has executed multiple Change Orders to the project's scope of work
19 (SOW) which has increased the construction contract value to Fifty-Eight Million Two Hundred
20 Ninety-Three Thousand Seven Hundred Ninety-Two Dollars and Eighty-Three Cents
21 (\$58,293,792.83); and

22
23 **WHEREAS**, GWA anticipates further change orders will be forthcoming to address a
24 variety of construction issues, including additional paving, electrical system enhancements, and
25 miscellaneous modifications, and as such GWA management seeks CCU approval to increase
26 the funding authority an additional Five Hundred Forty Thousand Dollars (\$540,000.00) to bring
27 the total funding authorization to Fifty-Nine Million Five Hundred Fifty Thousand Dollars
28 (\$59,550,000); and

29
30 **WHEREAS**, funding for this project will be from the Bond Funds under the line items
31 CIP WW 11-08 "Agat/Santa Rita STP Replacement", System Development Charges, Internally
32 Funded CIP, if applicable; and

1
2 **NOW BE IT THEREFORE RESOLVED**, the Consolidated Commission on Utilities
3 does hereby approve the following:
4

- 5 1. The recitals set forth above hereby constitute the findings of the CCU.
6 2. The CCU finds that the terms of the conditions set by GWA relative to
7 commencement of work activities are fair and reasonable and serve as a
8 measure of Quality Assurance/Quality Control (QA/QC).
9 3. The CCU hereby approves the increase in funding authorization an additional
10 Five Hundred Forty Thousand Dollars (\$540,000.00) to bring the total
11 authorized funding for the project to Fifty-Nine Million Five Hundred Fifty
12 Thousand Dollars (\$59,550,000).
13 4. The CCU hereby further approves funding for this project to be from the Bond
14 Funds under the line items CIP WW 11-08, System Development Charges
15 and Internally Funded CIP, if applicable.
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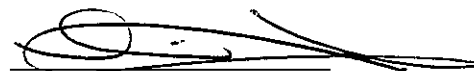
17 **RESOLVED**, that the Chairman certified and the Board Secretary attests to the adoption
18 of this Resolution.
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20 **DULY AND REGULARLY ADOPTED**, this 25th day of April 2019.
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22 Certified by:

Attested by:

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25 **JOSEPH T. DUENAS**
26 Chairperson

27 **MICHAEL T. LIMTIACO**
28 Secretary
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