GWA RESOLUTION NO. 28-FY2019

RELATIVE TO APPROVAL OF CHANGE ORDER NO. 01 TO CONSTRUCTION MANAGEMENT SERVICES CONTRACT FOR THE GWA SCADA SYSTEM FOR WATER AND WASTEWATER FACILITIES PHASE A-1

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 advertised for Request for Proposal (RFP-02-ENG-2018) soliciting statement of qualification from experienced and qualified engineering firms to provide construction management services for the GWA SCADA System for Water and Wastewater Facilities Phase A-1 project; and

WHEREAS, on August 24, 2018, GWA entered into a contract with GHD, Inc. to provide Construction Management ("CM") Services for the aforementioned project in the amount of Five Hundred Fifteen Thousand Six Hundred Thirty-One Dollars ($515,631.00), which is within GWA General Manager's obligating authority of Seven Hundred Fifty Thousand dollars ($750,000.00) in accordance with GWA Resolution No. 31-FY2017 adopted by the CCU on May 23, 2017; and

WHEREAS, on June 19, 2018, GWA awarded the construction contract for the aforementioned project to G4S Security Systems, Inc. ("G4S") with final project completion date of August 12, 2019; and
WHEREAS, on November 1, 2018 GWA delivered a letter to G4S expressing GWA’s concerns over G4S’s failure to perform its obligation under the Contract resulting in delays; and

WHEREAS, as part of negotiated conditions for extending the final completion date to December 31, 2019, G4S agreed to pay, via deduction to the construction contract amount, for costs associated with additional construction management services as a result of the contract time extension and extra work needed to provide additional review, coordination and monitoring of contractor’s remedy to performance issues, which amounts to Three Hundred Eighty-Three Thousand Five Hundred Eighty-Nine Dollars ($383,589.00) (see EXHIBIT A – Fee Proposal); and

WHEREAS, on May 1, 2019, Change Order No. 01 to the G4S construction contract for the aforementioned project was executed to extend final completion date to December 31, 2019 and deduct Three Hundred Eighty-Three Thousand Five Hundred Eighty-Nine Dollars ($383,589.00) from the construction contract amount; and

WHEREAS, GWA Management seeks CCU approval to execute Change Order No. 01 with GHD, Inc. for additional construction management services described hereinabove in an amount not-to-exceed Three Hundred Eighty-Three Thousand Five Hundred Eighty-Nine Dollars ($383,589.00); and

WHEREAS, GWA Management seeks funding authorization of Nine Hundred Fifty Thousand Seven Hundred Eighty-Three Dollars and Ten Cents ($950,783.10), which includes Five Hundred Fifteen Thousand Six Hundred Thirty-One Dollars ($515,631.00) for original CM contract amount, Fifty-One Thousand Five Hundred Sixty-Three Dollars ($51,563.10) for ten percent (10%) contingency on original CM contract amount, and Three Hundred Eighty-Three Thousand Five Hundred Eighty-Nine Dollars ($383,589.00) for Change Order No. 01; and

WHEREAS, the funding source will be bond funds from CIP EE 09-09, SCADA Improvement – Phase 4; 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 change order fee proposal submitted by GHD are fair and reasonable.
3. The CCU hereby authorizes the management of GWA to allocate Fifty-One Thousand Five Hundred Sixty-Three Dollars ($51,563.00) as a ten percent (10%) contingency on the original construction management service contract with GHD.
4. The CCU hereby authorizes the management of GWA to execute Change Order No. 01 to the construction management services contract with GHD, Inc. in the amount of Three Hundred and Eighty-Three Thousand Five Hundred Eighty-Nine Dollars ($383,589.00) (Exhibit A).
5. The CCU hereby further authorizes the requested total maximum funding amount of Nine Hundred Fifty Thousand Seven Hundred Eighty-Three Dollars ($950,783.00) funded by CIP EE 09-09, SCADA Improvement – Phase 4.

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

DULY AND REGULARLY ADOPTED, this 28th day of May, 2019.

Certified by: 

JOSEPH T. DUENAS
Chairperson

Attested by: 

MICHAEL T. LIMTIACO
Secretary
SECRETARY’S CERTIFICATE

I, Michael T. Limtiaco, 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
### CONSTRUCTION EXTENSION CM TASKS

<table>
<thead>
<tr>
<th>Task Description</th>
<th>A1.2: Extension 171 days (24.5 weeks)</th>
<th>A3.3: Pre-termination Support</th>
<th>A3.4: Additional submittal reviews (assumes GHD overlap)</th>
<th>A4.5: Multitask submittal coordination</th>
<th>A5.6: Additional 2-week on-site with AECOM’s coordination</th>
<th>A6.8: Field photo taking to accommodate poor contractor fieldwork</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>245</td>
<td>75</td>
<td>49,920</td>
<td>110,057</td>
<td>146,019</td>
<td>196,478</td>
<td>22,644</td>
</tr>
<tr>
<td>CONSTRUCTION EXTENSION HOURS SUBTOTAL</td>
<td>-</td>
<td>362</td>
<td>140</td>
<td>5</td>
<td>254,916</td>
<td>384,628</td>
<td></td>
</tr>
<tr>
<td>CONSTRUCTION EXTENSION EXPENSES SUBTOTAL</td>
<td>-</td>
<td>63,712</td>
<td>20,100</td>
<td>355</td>
<td>260,401</td>
<td>289,401</td>
<td>4,227</td>
</tr>
<tr>
<td>CONSTRUCTION EXTENSION SERVICES &amp; EXPENSES TOTAL</td>
<td>-</td>
<td>352</td>
<td>140</td>
<td>5</td>
<td>254,916</td>
<td>384,628</td>
<td></td>
</tr>
</tbody>
</table>

### ALL SUBTOTAL HOURS

|                                                        | 63,712 | 20,100 | 355 | 260,401 | 289,401 |

### ALL SUBTOTAL

|                                                        | 352 | 140 | 5 | 254,916 | 384,628 |

### ALL GRT AT 5%

|                                                        |      |     |    |       | 19,901 |

### ALL GRAND TOTAL

|                                                        |      |     |    |       | 389,529 |