



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

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

1 **WHEREAS**, on November 1, 2018 GWA delivered a letter to G4S expressing GWA's
2 concerns over G4S's failure to perform its obligation under the Contract resulting in delays; and
3

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

11
12 **WHEREAS**, on May 1, 2019, Change Order No. 01 to the G4S construction contract for
13 the aforementioned project was executed to extend final completion date to December 31, 2019
14 and deduct Three Hundred Eighty-Three Thousand Five Hundred Eighty-Nine Dollars
15 (\$383,589.00) from the construction contract amount; and

16
17 **WHEREAS**, GWA Management seeks CCU approval to execute Change Order No. 01
18 with GHD, Inc. for additional construction management services described hereinabove in an
19 amount not-to-exceed Three Hundred Eighty-Three Thousand Five Hundred Eighty-Nine
20 Dollars (\$383,589.00); and

21
22 **WHEREAS**, GWA Management seeks funding authorization of Nine Hundred Fifty
23 Thousand Seven Hundred Eighty-Three Dollars and Ten Cents (\$950,783.10), which includes
24 Five Hundred Fifteen Thousand Six Hundred Thirty-One Dollars (\$515,631.00) for original CM
25 contract amount, Fifty-One Thousand Five Hundred Sixty-Three Dollars (\$51,563.10) for ten
26 percent (10%) contingency on original CM contract amount, and Three Hundred Eighty-Three
27 Thousand Five Hundred Eighty-Nine Dollars (\$383,589.00) for Change Order No. 01; and

28 **WHEREAS**, the funding source will be bond funds from CIP EE 09-09, SCADA
29 Improvement – Phase 4; and
30
31
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1 **NOW BE IT THEREFORE RESOLVED**, the Consolidated Commission on Utilities
2 does hereby approve the following:

- 3 1. The recitals set forth above hereby constitute the findings of the CCU.
4 2. The CCU finds that the terms of the change order fee proposal submitted by
5 GHD are fair and reasonable.
6 3. The CCU hereby authorizes the management of GWA to allocate Fifty-One
7 Thousand Five Hundred Sixty-Three Dollars (\$51,563.00) as a ten percent
8 (10%) contingency on the original construction management service contact
9 with GHD.
10 4. The CCU hereby authorizes the management of GWA to execute Change
11 Order No. 01 to the construction management services contract with GHD,
12 Inc. in the amount of Three Hundred and Eighty-Three Thousand Five
13 Hundred Eighty-Nine Dollars (\$383,589.00) (Exhibit A).
14 5. The CCU hereby further authorizes the requested total maximum funding
15 amount of Nine Hundred Fifty Thousand Seven Hundred Eighty-Three
16 Dollars (\$950,783.00) funded by CIP EE 09-09, SCADA Improvement –
17 Phase 4.

18
19 **RESOLVED**, that the Chairman certified and the Board Secretary attests to the adoption
20 of this Resolution.

21
22 **DULY AND REGULARLY ADOPTED**, this 28th day of May, 2019.

23
24 Certified by:

24 Attested by:

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27 **JOSEPH T. DUENAS**
28 Chairperson

27 **MICHAEL T. LIMTIACO**
28 Secretary

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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



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EXHIBIT A - Fee Proposal

Phase Letter and Task Number	Task Description	Principal Construction Manager (Bryan)	PM/Resident Engineer (Aaron)	On-Island Electrical Inspector (Patrick/Joness)	Admin (Quinn)	ArcSine (10% Markup)	Amount
		211	181	144	71	1.1	
A	CONSTRUCTION EXTENSION CM TASKS						
A1.0	Extension 171 days (24.5 weeks)		245	75		49,920	110,057
A2.0	Pre-termination Support		24		3	16,440	22,641
A3.0	Additional submittal reviews (assume GHD overlap)		45	5		146,010	169,476
A4.0	Multiple subs (submittal complications) coordination		24			19,040	25,288
A5.0	Additional 2 weeks on-site (with ArcSine) coordination		10	20	2	23,500	30,682
A6.0	Field photo taking to accommodate poor Contractor fieldwork		4	40		-	6,484
	CONSTRUCTION EXTENSION HOURS SUBTOTAL		352	140	5	254,910	
	CONSTRUCTION EXTENSION SUBTOTAL		63,712	20,160	355	280,401	364,628
	CONSTRUCTION EXTENSION EXPENSES SUBTOTAL						
	CONSTRUCTION EXTENSION SERVICES & EXPENSES TOTAL						364,628
ALL	SUBTOTAL HOURS		352	140	5	254,910	
	GHD SUBTOTAL COST (EXCEPT EXPENSES)		63,712	20,160	355		84,227
	ARCSINE SUBTOTAL COST					280,401	280,401
ALL	SUBTOTAL						364,628
ALL	GRT AT 5%						18,961
ALL	GRAND TOTAL						\$383,589