



GWA RESOLUTION NO. 34-FY2020

**RELATIVE TO APPROVAL OF FUND INCREASE TO THE CONSTRUCTION
MANAGEMENT CONTRACT FOR THE ROUTE 4 RELIEF SEWERLINE
REHABILITATION AND REPLACEMENT
PROJECT S15-006-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 is a Guam Public Corporation established and existing under the laws of Guam; and

WHEREAS, GWA received a grant from USEPA under the Title 2 Construction Grants Program to improve the sewer collection system, which included over 4,200 linear feet of gravity sewer line along Route 4 and Route 1, from the base of the Sinajaña hill in Hagatña to the Hagatña Main Pump Station; and

WHEREAS, the gravity sewer line noted above has a section that has been inactive since its original installation due to incomplete construction work, and sections that need repair due to high infiltration and inflow (I/I), and the intent of this project is to rehabilitate, repair or replace these sections; and

WHEREAS, in September 2018 GWA management executed two separate construction contracts (Schedule A and Schedule B) to rehabilitate the Route 4 Relief Sewerline, the first (Schedule A) with ProPacific Builder Corporation (PPBC), and the second (Schedule B) with Insituform Technologies LLC (Insituform); and

WHEREAS, to provide construction management (CM) services on both construction contracts, in June 2018 GWA management entered into a contract with EMPSCO Engineering

1 Consultants (EMPSCO) in the amount of Seven Hundred Two Thousand Six Hundred Seventy-
2 Eight Dollars and Thirteen Cents (\$702,678.13); and

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4 **WHEREAS**, while both construction contractors received the Notice to Proceed in
5 September 2018, the start of construction was delayed due to complications with obtaining
6 approvals during the permitting process; and

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8 **WHEREAS**, construction by Insituform Technologies LLC was substantially completed
9 in March 2020; and

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11 **WHEREAS**, construction by ProPacific Builder Corporation continues but is scheduled
12 to be completed by the end of September 2020, and the CM services are anticipated to be
13 required through September 2020; and

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15 **WHEREAS**, GWA has amended the CM contract with EPMSO to provide continued
16 construction management services on both construction contracts through June 2020 on a Time
17 and Materials basis, as authorized by Resolution 14-FY2020; and

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19 **WHEREAS**, GWA has negotiated Change Order No.2 with EPMSO, shown in Exhibit
20 A, to provide continued construction management services on both construction contracts
21 through September 2020 on a Time and Materials basis; and

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23 **WHEREAS**, GWA Management seeks CCU approval of EMPSO's Change Order No.
24 2 fee proposal for additional construction management services funding with a not-to-exceed
25 amount of Eighty-Two Thousand Forty Two Dollars and Twenty Cents (\$82,042.20), to bring
26 the total authorized funding amount to a maximum not-to-exceed amount of One Million Fifteen
27 Thousand Four Hundred Seventy-Nine Dollars and Ninety-Five Cents (\$1,015,479.95); and

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29 **WHEREAS**, funding for this project will be from the USEPA Title 2 Construction
30 Grants Program and, if necessary, GWA Bond funds with an estimated project budget One
31 Million Fifteen Thousand Four Hundred Seventy-Nine Dollars and Ninety-Five Cents
32 (\$1,015,479.95);

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 hereby approves the funding increase for construction management
5 services of an additional not-to-exceed amount of One Million Fifteen Thousand
6 Four Hundred Seventy-Nine Dollars and Ninety-Five Cents (\$1,015,479.95).
7 3. The CCU hereby further approves the total funding authorization for the contract
8 with EMPSCO to an amount not-to-exceed One Million Fifteen Thousand Four
9 Hundred Seventy-Nine Dollars and Ninety-Five Cents (\$1,015,479.95).
10 4. The CCU hereby further approves management to duly notify the PUC that this
11 contract will now exceed One Million Dollars (\$1,000,000.00), funded primarily
12 by USEPA grants and, if necessary, GWA Bond Funds.
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14 **RESOLVED**, that the Chairman certified and the Board Secretary attests to the adoption
15 of this Resolution.

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17 **DULY AND REGULARLY ADOPTED**, this 28th day of July 2020.

18 Certified by:

Attested by:

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21 **JOSEPH T. DUENAS**

MICHAEL T. LIMTIACO

22 Chairperson

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:	<u>5</u>
NAYS:	<u>ϕ</u>
ABSENT:	<u>ϕ</u>
ABSTAIN:	<u>ϕ</u>

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