



RESOLUTION NO. 39-FY2019

RELATIVE TO APPROVAL OF THE CONTRACT WITH TOTAL CHEMICAL RESOURCES, INC. AND JMI-EDISON FOR THE PURCHASE OF WASTEWATER CHEMICALS FOR WASTEWATER TREATMENT PLANTS

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 2011 Court Order (“CO”) Projects, including system upgrades at the Northern District Wastewater Treatment Plant (NDWWTP) and the Hagåtña Wastewater Treatment Plant (HWWTP) to use Chemically Enhanced Primary Treatment as specified in § II A Paragraphs 2 and 5 of the CO; and

WHEREAS, GWA has completed the system upgrades of both WWTPs to use Chemical Enhanced Primary Treatment and is now operating the plants as specified in the CO; and

WHEREAS, the Chemically Enhanced Primary Treatment requires the purchase of chemicals for the application of the treatment process at the NDWWTP, and the HWWTP; and

WHEREAS, the secondary treatment process employed at GWA’s newest treatment plant, the Agat-Santa Rita Wastewater Treatment Plant (ASRWWTP), will also require the use of these chemicals; and

1 **WHEREAS**, GWA issued Bid Number 2019-17 to solicit bid proposals from
2 experienced and responsive bidders to provide chemicals necessary to continue to operate the
3 Northern District WWTP, the Hagåtña WWTP and the Agat-Santa Rita WWTP in compliance
4 with the Court Order; and

5
6 **WHEREAS**, there were two responsive and responsible bidders who offered chemicals
7 meeting the requirements in IFB 2019-17 (see Exhibit A); and

8
9 **WHEREAS**, the IFB 2019-17 offers were evaluated by GWA’s review committee who
10 determined that the best offer for Inorganic Coagulant (“ACH”) (for sludge dewatering) was
11 made by Total Chemical Resources, Inc. (“Total Chemicals”); and

12
13 **WHEREAS**, the committee also determined that the best offer for Anionic and Cationic
14 Polymer was made by JMI-Edison (“JMI”); and

15
16 **WHEREAS**, GWA accepted Total Chemical’s bid proposal (see Exhibit B) of \$1.09/lb.
17 to supply Inorganic Coagulant for an estimated annual cost of Eight Hundred Seventy-Five
18 Thousand Eight Hundred Forty-Five Dollars and Fifty-Two Cents (\$875,845.52), and for a
19 three (3) year contract totaling Two Million Six Hundred Twenty-Seven Thousand Five
20 Hundred Thirty-Six Dollars and Fifty-Six Cents (\$2,627,536.56);

21
22 **WHEREAS**, GWA also accepted JMI Edison’s bid proposal (see Exhibit C) of
23 \$1.16/lb. for Anionic Polymer at an estimated annual cost of One Hundred Twenty-Nine
24 Thousand Six Hundred Forty-Five Dollars and Eight Cents (\$129,645.08), and for a three (3)
25 year contract in the amount of Three Hundred Eighty-Eight Thousand Nine Hundred Thirty-
26 Five Dollars and Twenty-Four Cents (\$388,935.24), and Cationic Polymer at 1.63/lb. for an
27 estimated annual cost of Two Hundred Twenty-Five Thousand Thirty-Nine Dollars and Forty-
28 Three Cents (\$225,039.43), for a three (3) year contract in the amount of Six Hundred Seventy-
29 Five Thousand One Hundred Eighteen Dollars and Twenty-Nine Cents (\$675,118.29), which
30 brings the grand total to One Million Sixty-Four Thousand Fifty-Three Dollars and Fifty-Three
31 Cents (\$1,064,053.53); and
32

1 **WHEREAS**, GWA Management seeks CCU approval of Total Chemical's Contract in
2 the amount of Two Million Six Hundred Twenty-Seven Thousand Five Hundred Thirty-Six
3 Dollars and Fifty-Six Cents (\$2,627,536.56) for the purchase of Inorganic Coagulant ("ACH"),
4 plus a ten percent (10%) contingency totaling Two Million Eight Hundred Ninety Thousand
5 Two Hundred Ninety Dollars and Twenty-Two Cents (\$2,890,290.22) for three (3) years, with
6 the option to renew an additional two (2) one (1) year term; and

7
8 **WHEREAS**, GWA Management further seeks CCU approval of JMI Edison's Contract
9 in the amount of One Million Sixty-Four Thousand Fifty-Three Dollars and Fifty-Three Cents
10 (\$1,064,053.53) for the purchase of Anionic Polymer and Cationic Polymer, plus a ten percent
11 (10%) contingency with a total cost of One Million One Hundred Seventy Thousand Four
12 Hundred Fifty-Eight Dollars and Eighty-Eight Cents (\$1,170,458.88) for a three (3) year
13 contract, with the option to renew for an additional two (2) one (1) year term; and

14
15 **WHEREAS**, the source of funding for the purchase of wastewater chemicals will be
16 from the GWA Operations and Maintenance Budget (revenue funds).

17
18 **NOW BE IT THEREFORE RESOLVED**, the Consolidated Commission on Utilities
19 does hereby approve the following:

- 20 1. The recitals set forth above hereby constitute the findings of the CCU.
- 21 2. The CCU hereby finds that the terms of the bid proposals submitted by Total
22 Chemical Resources, Inc and JMI Edison are fair and reasonable.
- 23 3. The CCU hereby authorizes the management of GWA to proceed based on
24 the notice of award to Total Chemical Resources, Inc. attached hereto as
25 Exhibit D, and the notice of award to JMI Edison attached hereto as Exhibit
26 E both of which are incorporated into this Resolution in its entirety.
- 27 4. The CCU hereby further authorizes the management of GWA to enter into a
28 contract with Total Chemical Resources, Inc. to purchase chemicals in the
29 amount of Two Million Eight Hundred Ninety Thousand Two Hundred
30 Ninety Dollars and Twenty-Two Cents (\$2,890,290.22) for three (3) years,
31 with the option to renew an additional two (2) one (1) year terms.

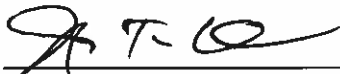
- 1 5. The CCU hereby further authorizes the management of GWA to enter into a
2 Contract with JMI Edison to purchase chemicals in the amount of One
3 Million One Hundred Seventy Thousand Four Hundred Fifty-Eight Dollars
4 and Eighty-Eight Cents (\$1,170,458.88) for three (3) years, with the option to
5 renew an additional two (2) one (1) year terms.
6 6. GWA Management is hereby authorized to seek PUC approval as required
7 by Docket No. 00-04.

8
9 **RESOLVED**, that the Chairman certified and the Board Secretary attests to the
10 adoption of this Resolution.

11
12 **DULY AND REGULARLY ADOPTED**, this 23rd day of July, 2019.

13
14 Certified by:

Attested by:

15 

16 _____
17 **JOSEPH T. DUENAS**
18 Chairperson

19 

20 _____
21 **MICHAEL T. LIMTIACO**
22 Secretary

23 //

24 //

25 //

26 //

27 //

28 //

29 //

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

///



///

///

///

///

///

///

