



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. 06-FY2021

**RELATIVE TO APPROVAL OF CHANGE ORDER NO.5 TO CONTRACT 811-OS FOR
THE ASAN-ADELUP-HAGATNA, ROUTE 1 SEWER REHABILITATION AND
REPLACEMENT PHASE 1, PROJECT S15-002-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 has received a grant from USEPA under the State Revolving Fund program to improve the sewer collection system, which included gravity sewer line along Route 1, from the Asan “War in the Pacific” National Historical Park to the Agaña Main Pump Station; and,

WHEREAS, GWA has awarded contract No. 811-OS to InfraTech International, LLC to rehabilitate the gravity sewer from Asan to the Asan Pump Station in accordance with Resolution 44-FY2018 in the amount of Six Million Two Hundred Seventy-Five Thousand Seven Hundred Eighty-Two Dollars and Eighty-Eight Cents (\$6,275,782.88) funded by the USEPA grant; and

WHEREAS, Resolution 44-FY2018 authorized contingency funds in the amount of Six Hundred Twenty-Seven Thousand Five Hundred Seventy-Eight Dollars and Twenty-Nine Cents (\$627,578.29) for this contract, making the maximum authorized expenditure for this contract Six Million Nine Hundred Three Thousand Three Hundred Sixty-Seven Dollars and Seventeen Cents (\$6,903,367.17); and,

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1 **WHEREAS**, GWA has executed four change orders under this contract totaling Four
2 Hundred Seventy-Nine Thousand Two Hundred Sixty Dollars and Eleven Cents (\$479,260.11);
3 and,

4 **WHEREAS**, unforeseen conditions such as buried existing utilities, work hour restrictions
5 by the Department of Public Works, archaeological discoveries, and extensive AC pipe repairs
6 have caused delays impacting the contractor and adding expense for maintaining by-pass pumping
7 for longer durations requiring execution of a change order (No.5) (Exhibit A); and,

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9 **WHEREAS**, GWA and USEPA agree that the additional cost of One Hundred Sixty-Eight
10 Thousand Seven Hundred Thirty-Seven Dollars and Ninety-Three Cents (\$168,737.93) is fair and
11 reasonable for Change Order No.5 (Exhibit B); and

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13 **WHEREAS**, the maximum contract amount authorized by Resolution 44-FY2018 is
14 insufficient to execute Change Order No.5 in the amount of One Hundred Sixty-Eight Thousand
15 Seven Hundred Thirty-Seven Dollars and Ninety-Three Cents (\$168,737.93); and,

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17 **WHEREAS**, an additional Twenty Thousand Four Hundred Nineteen Dollars and Twenty-
18 Five Cents (\$20,419.25) to the maximum authorized amount of the contract is needed to execute
19 Change Order No.5; and,

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21 **WHEREAS**, GWA Management seeks CCU approval to 1) execute Change Order No.5
22 and 2) to increase the maximum authorized contract amount by Twenty Thousand Four Hundred
23 Nineteen Dollars and Twenty-Five Cents (\$20,419.25) to Six Million Nine Hundred Twenty-Three
24 Thousand Seven Hundred Eighty Dollars and Forty-Two Cents (\$6,923,780.42); and

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26 **WHEREAS**, funding for this project will be from the USEPA State Revolving Funds and,
27 if necessary, GWA Bond funds;

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29 **NOW BE IT THEREFORE RESOLVED**; the Consolidated Commission on Utilities
30 does hereby approve the following:

- 31 1. The recitals set forth above hereby constitute the findings of the CCU.

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2. The CCU finds that the terms of Change Order No.5 for InfraTech International, LLC fair and reasonable.
3. The CCU hereby authorizes the management of GWA to approve Change Order No.5 in the amount of One Hundred Sixty-Eight Thousand Seven Hundred Thirty-Seven Dollars and Ninety-Three Cents (\$168,737.93) (Exhibit B).
4. The CCU hereby further authorizes increasing the maximum total contract amount for InfraTech International, LLC by Twenty Thousand Four Hundred Nineteen Dollars and Twenty-Five Cents (\$20,419.25) to Six Million Nine Hundred Twenty-Three Thousand Seven Hundred Eighty Dollars and Forty-Two Cents (\$6,923,780.42).
5. The CCU further approves management to duly notify the PUC that this contract exceeds One Million Dollars (\$1,000,000.00), and is funded primarily by USEPA grant funds and, if necessary, GWA Bond Funds.
6. The CCU hereby approves the use of USEPA grant funds and, if necessary, GWA Bond funds as the funding source.

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

DULY AND REGULARLY ADOPTED, this 26th day of January, 2021.

Certified by:

Attested by:



JOSEPH T. DUENAS
Chairperson

MICHAEL T. LIMTIACO
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: 4
NAYS: Ø
ABSENT: 1
ABSTAIN: Ø



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