



GPA RESOLUTION NO. 2021-24

RELATIVE TO AUTHORIZING MANAGEMENT OF GUAM POWER AUTHORITY TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH GUAM DEPARTMENT OF EDUCATION (GDOE) TO PERFORM ENGINEERING AND MANAGEMENT SERVICES

WHEREAS, the Guam Department of Education (GDOE) lacks sufficient internal engineering and management capabilities to implement projects necessary to upgrade its educational infrastructure throughout Guam; and

WHEREAS, while GDOE works to build the necessary capacity, there is an immediate need for temporary assistance in helping to plan, review, implement and monitor near-term projects, which assistance would need to include planning experience and an engineering background; and

WHEREAS, GDOE has an opportunity to plan and execute up to \$250 million of Capital Improvement Projects (CIPs) over the next three years. The American Rescue Plan (ARP) project funding of \$170 million for CIPs identified in the GDOE Master Facilities Plan must be obligated by September 2023 and completed by September 2024; and

WHEREAS, GPA has proven expertise and experience implementing, completing, operating, and maintaining capital improvement projects; and

WHEREAS, a GPA-GDOE partnership will assist GDOE with expertise and experience coupled with the substantial American Rescue Plan funding to improve the island-wide schools to infrastructure standards necessary and conducive for educating our children; and

WHEREAS, GPA shall assist GDOE with Engineering and Management Services for implementing its maintenance and capital improvement programs, essentially serving as "Owner's Engineer" for the key projects and initiatives listed on **Exhibit A**; and

WHEREAS, GPA shall be compensated for reasonable costs. The work shall be led and monitored by key professionals within the entities; and

WHEREAS, the Parties are responsible for the following:

1. GDOE shall furnish GPA a list of prioritized infrastructure projects, including approved scope of work, identified funding sources, and associated deadlines.

- 1 2. GPA will furnish GDOE proposed schedules or timelines for such
- 2 projects.
- 3 3. GDOE shall review the proposed project schedules, make
- 4 amendments, and provide a final schedule that may be agreed upon
- 5 by the Parties.
- 6 4. Grant Reports and Federal Forms shall be filled out collaboratively by
- 7 the Parties.
- 8 5. Grant Report and Federal Forms shall be drafted and submitted by
- 9 GDOE to the respective Grant Manager.

10 **WHEREAS**, the Parties shall share and furnish all other information required, and shall
11 ensure that all project activities will abide by the Grant Terms and Conditions; and

12 **WHEREAS**, both parties reserve the right to, upon mutual agreement, modify and make
13 additions to the scope of work outlined herein; and

14 **WHEREAS**, the Term of this Agreement is for five (5) years and may be renewed upon
15 termination. In the event that one or both parties should require termination of the agreement
16 before the five (5) year period, a 30-day-minimum notification to both parties are required.

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18 **NOW, THEREFORE, BE IT RESOLVED**, by the Consolidated Commission on Utilities as
19 follows:


- 20
21 1. GPA is approved to enter into a Memorandum of Agreement (MOA) with Guam
22 Department of Education (GDOE) to Perform Engineering and Management Services.
- 23 2. GPA shall be compensated for reasonable costs.
- 24 3. The Memorandum of Agreement (MOA) shall be effective once signatures are
25 obtained by all authorized parties to the MOA.
- 26 4. The Term of this Agreement is for five (5) years and may be renewed upon
27 termination. In the event that one or both parties should require termination of the
28 agreement before the five (5) year period, a 30-day-minimum notification to both
29 parties are required.
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1 **RESOLVED**, that the Chairman certified, and the Board Secretary attests the adoption of
2 this Resolution.

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4 **DULY AND REGULARLY ADOPTED AND APPROVED THIS 24TH DAY OF AUGUST, 2021.**

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6 Certified by:

Attested by:

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11 **JOSEPH T. DUENAS**
12 Chairperson
13 Consolidated Commission on Utilities

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15 **MICHAEL T. LIMTIACO**
16 Secretary
17 Consolidated Commission on Utilities

18 **I, Michael T. Limtiaco**, Secretary for the Consolidated Commission on Utilities (CCU), as
19 evidenced by my signature above do certify as follows:

20 The foregoing is a full, true, and accurate copy of the resolution duly adopted at a regular
21 meeting of the members of Guam Consolidated Commission on Utilities, duly and legally held at
22 a place properly noticed and advertised at which meeting a quorum was present and the
23 members who were present voted as follows:

24 Ayes: 5

25 Nays: Ø

26 Absent: Ø

27 Abstain: Ø



EXHIBIT A

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GDOE PROJECTS:

- 1. **New Simon Sanchez School Project**
 - a. **Final design, procurement and management most especially over the next (eight) 8 months**
 - b. **Review scope of work for construction and financing Request For Proposal (RFP)**

- 2. **Master Facilities Plan Participation**
 - a. **Participate in current Master Facilities Plan activities led by HHF Planners under US Corp of Engineers and US DOI**
 - b. **Review facility assessment of 41 schools by November 2021 to prioritize projects as part of a facilities plan that is to be finalized by Dec. 2021.**
 - c. **Prioritize, plan and execute capital improvement projects identified in the Master Facilities Planning Process utilizing funding from U.S. Department of Education through the American Rescue Plan (ARP).**

- 3. **DOI Grant Projects**
 - a. **Work with HHF Planners, US Army Corps of Engineers**
 - b. **Pursue other Federal Grants available to GDOE**