



GWA RESOLUTION NO. 01-FY2024

RELATIVE TO AN INCREASE IN FUNDING AND SCOPE OF WORK FOR THE TAI ROAD/S-13 AND CANADA-TOTO LOOP/BLAS STREET WATERLINE REPLACEMENT PROJECT

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 intends to continue the waterline replacement program as part of GWA’s efforts to reduce non-revenue water and make improvements to the system where service delivery should be improved; and

WHEREAS, GWA issued an Invitation for Bid (IFB-02-ENG2021) soliciting bid proposals from experienced, responsible, and responsive bidders to construct the Tai Road/S-13 and Canada-Toto Loop/Blas Street Waterline Replacement project to upgrade and replace existing old and leaking waterlines of various diameters, lengths, and locations to reduce water loss in the water distribution system; and

WHEREAS, Resolution 19-FY2021 (See Exhibit A) and PUC Docket 21-03 (Exhibit B) approved GWA management to enter into contract with Giant Construction Corporation to construct the Base, Additive No. 1 and Additive No. 2 items in the amount of One Million Nine Hundred Forty-Five Thousand Seven Hundred Twenty Dollars (\$1,945,720.00), along with a ten percent (10%) contingency of One Hundred Ninety-Four Thousand Five Hundred Seventy-Two Dollars (\$194,572.00) to bring the total authorized funding amount to Two Million One Hundred Forty Thousand Two Hundred Ninety-Two Dollars (\$2,140,292.00); and

//

1 **WHEREAS**, GWA issued Change Orders No. 1 and 2 for an additional 1,052 lineal
2 feet of pipe replacement on Taison Road and related archaeological services in the collective
3 amount of Five Hundred Eighty-Nine Thousand Three Hundred Fifteen Dollars and Eighty-
4 Nine Cents (\$589,315.89) to bring the total contract to Two Million Five Hundred Thirty-Five
5 Thousand Thirty-Five Dollars and Eighty-Nine Cents (\$2,535,035.89); and
6

7 **WHEREAS**, Resolution 06-FY2023 (see Exhibit C) approved GWA to execute
8 Change Order No. 3 to increase the contract amount by One Hundred Seventy-Eight Thousand
9 Three Hundred Ninety-One Dollars and Forty-Three Cents (\$178,391.43) for additional valves,
10 appurtenances and other required items, to bring the total contract amount to Two Million
11 Seven Hundred Thirteen Thousand Four Hundred Twenty-Seven Dollars and Thirty-Two
12 Cents (\$2,713,427.32) and increase the total authorized funding to include a contingency in the
13 amount Two Hundred Seventy-One Thousand Three Hundred Forty-Two Dollars and Seventy
14 Three Cents (\$271,342.73), which brought the total authorized funding amount to Two Million
15 Nine Hundred Eighty-Four Thousand Seven Hundred Seventy Dollars and Five Cents
16 (\$2,984,770.05); and
17

18 **WHEREAS**, GWA issued Change Order No. 4 (Exhibit D) in the amount of Two
19 Hundred Fifty-Two Thousand Nine Hundred Twenty-Two Dollars and Eighty-Nine Cents
20 (\$252,922.89) to bring the total contract to Two Million Nine Hundred Sixty-Six Thousand
21 Two Hundred Fifty Dollars and Twenty-One Cents (\$2,966,250.21); and
22

23 **WHEREAS**, GWA seeks to issue additional change order(s) for work required to
24 complete the Tai Road/S-13 and Canada-Toto Loop/Blas Street Waterline Replacement project
25 due to unforeseen site conditions discovered only during the final disconnection of old ACP
26 piping from the distribution system; and
27

28 **WHEREAS**, the work will include the following:

- 29 • The connection of 2" WL from Tunel Ramon Ella Rd. that was not covered in
30 the design plans to the new 8" WL on Tai Rd.
- 31 • The connection of 1 1/2" WL from an unnamed road that was not covered in the
32 design plans to the new 12" WL on Toto Canada Lp. Rd.

1
2 **WHEREAS**, the next change orders are under negotiation between GWA and Giant
3 Construction; and

4
5 **WHEREAS**, GWA seeks to increase the total authorized funding by Sixty-One
6 Thousand Dollars (\$61,000.00), bringing the total authorized funding amount under this
7 resolution to Three Million Forty-Five Thousand Seven Hundred Seventy Dollars and Five
8 Cents (\$3,045,770.05) to execute the necessary additional work for the project; and

9
10 **WHEREAS**, GWA Management seeks CCU approval to petition the Public Utilities
11 Commission approval to increase the total authorized amount to Three Million Forty-Five
12 Thousand Seven Hundred Seventy Dollars and Five Cents (\$3,045,770.05); and

13
14 **WHEREAS**, funding for this request shall be from the following source:

- 15 1. MP-PW-Pipe 12 Rehabilitation and Replacement Program.

16
17 **NOW BE IT THEREFORE RESOLVED**, the Consolidated Commission on Utilities
18 does hereby approve and authorize the following:

- 19
20 1. The recitals set forth above hereby constitute the findings of the CCU.
21 2. The CCU finds that the terms of the conditions set by GWA relative to
22 commencement of subsequent work activities are fair and reasonable.
23 3. The CCU hereby authorizes the management of GWA to increase the total
24 authorized funding by Sixty-One Thousand Dollars (\$61,000.00), bringing
25 the total authorized funding amount under this resolution to Three Million
26 Forty-Five Thousand Seven Hundred Seventy Dollars and Five Cents
27 (\$3,045,770.05).
28 4. The CCU hereby approves the use of the following source:
29 a. MP-PW-Pipe 12 Rehabilitation and Replacement Program
30 5. The CCU hereby approves GWA Management to petition the Public
31 Utilities Commission approval to increase the total authorized amount to
32

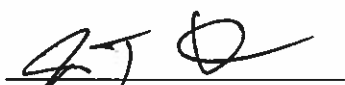
1 Three Million Forty-Five Thousand Seven Hundred Seventy Dollars and
2 Five Cents (\$3,045,770.05).

3
4 **RESOLVED**, that the Chairman certified and the Board Secretary attests to the
5 adoption of this Resolution.

6
7 **DULY AND REGULARLY ADOPTED**, this 31st day of October 2023.

8
9 Certified by:

Attested by:

10 

11 **JOSEPH T. DUENAS**
12 Chairperson

13 

14 **PEDRO ROY MARTINEZ**
15 Secretary

16 **SECRETARY'S CERTIFICATE**

17 I, Pedro Roy Martinez, Board Secretary of the Consolidated Commission on Utilities as
18 evidenced by my signature above do hereby certify as follows:

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

23 AYES:

5

24 NAYS:

0

25 ABSENT:

0

26 ABSTAIN:

0

27 ///

28 ///

29 ///





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. 19-FY2021

**RELATIVE TO CONTRACT APPROVAL FOR THE TAI ROAD/S-13 AND CANADA-TOTO LOOP/BLAS STREET WATERLINE REPLACEMENT PROJECT;
GWA PROJECT NO. M19-001-BND**

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 projects as part of GWA’s Capital Improvement Plan, including the upgrade of service laterals and replacement of old and persistently leaking waterlines in various diameter, length, and location islandwide; and

WHEREAS, GWA intends to continue the waterline replacement program as part of GWA’s efforts to reduce non-revenue water and make improvements to the system where service delivery has been below standard; and

WHEREAS, on January 7, 2021, GWA advertised the Invitation for Bid IFB-02-ENG-2021 for the Tai Road/S-13 and Canada-Toto Loop/Blas Street Waterline Replacement soliciting bid proposals from experienced, responsible, and responsive bidders to provide construction services for service lateral upgrade and replacement of approximately 5,720 LF of existing 2-inch and 6-inch asbestos cement pipe (ACP) with new polyvinyl chloride (PVC) pipes ranging from 6-inch to 12-inch diameter and disconnection of existing branch waterline, service connections and other water appurtenance connections from an existing 6-inch ACP and reconnect to an existing 12-inch PVC waterline along Canada-Toto Loop; and

1 **WHEREAS**, IFB packages were obtained by multiple interested parties, of which four (4)
2 parties submitted bids to GWA (see EXHIBIT A – Abstract of Bids) before the bid proposal
3 deadline; and

4
5 **WHEREAS**, the bid opening conducted on February 26, 2021 revealed Mega United
6 Corporation, Ltd. was the apparent lowest bidder for both Base Bid and Combined Bid (Base Bid
7 + Additive Bid No. 1 + Additive Bid No. 2), however, further review and inquiries from apparent
8 lowest bidder resulted in Mega United Corporation, Ltd. being deemed a non-responsive bidder
9 (see EXHIBIT B – Bid Rejection); and

10
11 **WHEREAS**, GWA Engineering and design consultant subsequently analyzed the next
12 apparent low Base Bid proposal submitted by InfraTech International and determined that
13 InfraTech International was also deemed non-responsive for not submitting complete bid
14 requirements and not meeting the required current and previous experience within the last five (5)
15 years which indicated none of the projects listed give any indication that they are similar in nature
16 to the work required (see EXHIBIT C – GWA letter to InfraTech International); and

17
18 **WHEREAS**, GWA Engineering and design consultant further analyzed the bid proposals
19 received and determined that the bid package submitted by Giant Construction Corporation was
20 the lowest responsive and responsible bid and met all the bid requirements set forth by GWA; and

21
22 **WHEREAS**, GWA Management seeks CCU approval of Giant Construction
23 Corporation’s combined bid (Base Bid + Additive Bid No. 1 + Additive Bid No. 2) proposal
24 amount (SEE EXHIBIT D - Bid Proposal) of One Million Nine Hundred Forty-Five Thousand
25 Seven Hundred Twenty Dollars (\$1,945,720.00), plus the ten percent (10%) contingency of One
26 Hundred Ninety-Four Thousand Five Hundred Seventy-Two Dollars (\$194,572.00), to bring the
27 total authorized funding amount to Two Million One Hundred Forty Thousand Two Hundred
28 Ninety-Two Dollars (\$2,140,292.00); and

29
30 **WHEREAS**, GWA Management further seeks CCU approval to petition the Public
31 Utilities Commission’s approval of the contract given this project meets the Contract Review
32 Protocol requirements for GWA projects for which the use of Bond funds is intended;

1 **WHEREAS**, funding for this project will utilize 2020 Bond under the CIP PW 09-03
2 **Water Distribution System Pipe Replacement and Upgrades and MP-PW-Pipe-12 Rehabilitation**
3 **and Replacement Program funds.**

4
5 **NOW BE IT THEREFORE RESOLVED**, the Consolidated Commission on Utilities
6 **does hereby approve and authorize the following:**

- 7
- 8 1. The recitals set forth above hereby constitute the findings of the CCU.
- 9 2. The CCU finds that the terms of the conditions set by GWA relative to
10 commencement of subsequent work activities are fair and reasonable and serve
11 as a measure of Quality Assurance/Quality Control (QA/QC).
- 12 3. The CCU hereby authorizes the management of GWA to accept the combined
13 bid proposal from Giant Construction Corporation (Exhibit D).
- 14 4. The CCU hereby authorizes the management of GWA to enter into a contract
15 with Giant Construction Corporation in the amount of One Million Nine
16 Hundred Forty-Five Thousand Seven Hundred Twenty Dollars
17 (\$1,945,720.00).
- 18 5. The CCU hereby approves the funding total of One Million Nine Hundred
19 Forty-Five Thousand Seven Hundred Twenty Dollars (\$1,945,720.00), along
20 with a 10% percent contingency of One Hundred Ninety-Four Thousand Five
21 Hundred Seventy-Two Dollars (\$194,572.00), to bring the total authorized
22 funding amount to Two Million One Hundred Forty Thousand Two Hundred
23 Ninety-Two Dollars (\$2,140,292.00).
- 24 6. The CCU hereby approves the funding for this project will be from the 2020
25 Bond proceeds under the CIP PW 09-03 Water Distribution System Pipe
26 Replacement and Upgrades and MP-PW-Pipe-12 Rehabilitation and
27 Replacement Program funds.
- 28 7. The CCU hereby further approves GWA management to petition the PUC's
29 approval of the project and contract proposal.

30 //

31 //

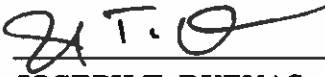
32

1 **RESOLVED**, that the Chairman certified and the Board Secretary attests to the adoption
2 of this Resolution.

3
4 **DULY AND REGULARLY ADOPTED**, this 27th day of April 2021.

5
6 Certified by:

Attested by:

7
8 
9 **JOSEPH T. DUENAS**
Chairperson

10
11 
12 **MICHAEL T. LIMTIACO**
Secretary

13
14 **SECRETARY'S CERTIFICATE**

15 I, Michael T. Limtiaco, Board Secretary of the Consolidated Commission on Utilities as
16 evidenced by my signature above do hereby certify as follows:

17 The foregoing is a full, true and accurate copy of the resolution duly adopted at a regular
18 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:

19 AYES: 5
20 NAYS: Ø
21 ABSENT: Ø
22 ABSTAIN: Ø





GUAM WATERWORKS AUTHORITY

Project Name: TAI ROAD/5-13 AND CANADA-TOTO-LOOP/BLAS STREET WATERLINE REPLACEMENT
Project Number: M19-001-8ND **IFB NO.: IFB-02-ENG-2021**

Bid Opening Date: February 26, 2021
Time: 3:00 PM

ABSTRACT OF BIDS

BIDDERS NAME	Bid Bond	CERTIFICATIONS											ADDENDUM		GRAND TOTAL		
		Bidder Qualification	New Contract	Full Employment	Non-Organized Opportunity	Facilities	Non-Organized	Employment of Former Officers	Wage & Benefit Determination	Major Contractors	Special	Instructions to Bidders	1	2			
1. IAN CORPORATION	LEXOR INSURANCE CO. 15% OF TOTAL BID AMOUNT	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	\$ 2,030,759.60
2. GIANT CONSTRUCTION CORPORATION	PACIFIC INDEMNITY INS. CO. 15% OF TOTAL BID AMOUNT	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	\$ 1,945,720.00
3. INFRA TECH INTERNATIONAL, LLC	SAFECO INSURANCE CO. OF AMERICA 15% OF BID	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	\$ 2,295,290.98
4. MEGA UNITED	FIRST NET INSURANCE CO. 15% OF TOTAL BID AMOUNT	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	\$ 1,261,870.00
GWA Engineer's Estimate													\$352,762.63	\$2,634,087.59			
BASE BID		ADDITIVE BID NO. 1											ADDITIVE BID NO. 2		GRAND TOTAL		
1. IAN CORPORATION	\$ 1,276,796.75												\$ 295,349.34	\$ 458,613.51	\$ 2,030,759.60		
2. GIANT CONSTRUCTION CORPORATION	\$ 1,554,690.00												\$ 162,040.00	\$ 228,990.00	\$ 1,945,720.00		
3. INFRA TECH INTERNATIONAL, LLC	\$ 1,161,211.39												\$ 464,620.45	\$ 669,459.14	\$ 2,295,290.98		
4. MEGA UNITED	\$ 907,290.00												\$ 126,320.00	\$ 228,260.00	\$ 1,261,870.00		

Bids Opened and Read by: FLORIAN BERNAN
 (Name and Signature)

GWA Procurement Representative: ROLAND LUMONGSUD
 (Name and Signature)

Witness: [Signature]



GUAM WATERWORKS AUTHORITY
Gloria B. Nelson Public Service Building | 688 Route 15, Mangilao, Guam 96913
Tel. No. (671) 300-6846

March 10, 2021

Mr. Zumin Zhang
President
Mega United Corporation, LTD
P.O. Box 8620
Tamuning, Guam 96931

Project: Tai Road/S-13 and Canada-Toto Loop/Blas Street Waterline Replacement
GWA Project No. M19-001-BND

Subject: Bid Rejection

Hafa Adai Mr. Zhang,

This is in response to your letter dated March 9, 2021 advising the Guam Waterworks Authority (GWA) that Mega United Corporation LTD (Mega United) made the decision to decline the above referenced project despite being apparent low bidder. You stated the decision was made due to errors resulting from miscalculations of quantities and material costs for numerous line items submitted in the bid proposal.

Because Mega United is nonresponsive, your bid is hereby rejected and GWA will not award the project to Mega United in accordance with Article 16 – Modification and Withdrawal of Bid, Section 16.03 and Article 19 – Evaluation of Bids and Award of Contract, Section 19.01 as rejecting your bid is in the best interest of GWA.

We are returning herewith your bid security (Bid Bond) in accordance with the bid requirements. Should you have any questions, please submit them in writing to Gloria Bensen of Engineering Division at gobensan@guamwaterworks.org.

Sincerely,



MIGUEL C. BORDAÑO, P.E.
General Manager

Enclosure



GUAM WATERWORKS AUTHORITY
Aturidat Kinalamten Hanom Guahan
"Better Water. Better Lives."

Gloria B. Nelson Public Service Building | 688 Route 15, Mangilao, Guam 96913
P.O. Box 3010, Hagåtña, Guam 96932
Tel. No. (671) 300-6846/48 Fax No. (671) 648-3280

March 29, 2021

Ravindra B. Gogineni
Vice President
InfraTech International, LLC
118 Aspengao Ct.
Barrigada, Guam 96913

Project: IFB-02-ENG-2021
Tai Road/S-13 and Canada-Toto-Loop/Bias Street Waterline Replacement
GWA Project No. M19-001-Bond

Subject: Bid Evaluation

Hafa Adai Mr. Gogineni,

This is in response to your email dated March 26, 2021 requesting additional information why InfraTech is not awarded the project when it is the 2nd lowest bidder (Base Bid).

The Guam Waterworks Authority (GWA) and its design consultant carefully evaluated all bids received and decided to award the combined bid (Base Bid, Additive Bid No. 1, and Additive Bid No. 2) to the lowest responsive and responsible bidder who submitted the lowest combined bid and met the requirements of the bid. The determination of award was in accordance with Article 19 – Evaluation of Bids and Award of Contract of the Instruction to Bidders.


Bid Analysis for InfraTech International, LLC:

1. The Contractor is not licensed with a C-17 (Excavating, Grading & Trenching) and C-37 (Plumbing) classification, which are classifications associated with the type of work to be performed under this project and there is no indication of any major suppliers that might be qualified with these classifications.
2. The Contractor's current and previous experience within the last 5 years only shows a few projects that are utility related, but all are on-going project and have not been completed. None of the projects listed give any indication that they are similar in nature to the work required under this project.
3. The Contractor mis-informed the contact information on the Asan-Adelup-Hagatna, Route 1 Sewerline Rehabilitation and Replacement by stating that the Owner is Duenas, Camacho & Associates, instead of Guam Waterworks Authority, and listed the Design Engineer as mi-Tech, instead of HDR, Inc. or HDR Engineering, Inc., whom were the designers for that project.
4. The Contractor is missing Schedule C (Major Equipment) as required under page 8 of Section 00460 – Qualifications Statement.
5. The Contractor only provided "unaudited" balance sheets for the last 3 years and not "audited" balance sheets as required under page 8 of Section 00460 – Qualifications Statement. These "unaudited" balance sheets state to see accompanying review of independent accountants, however, those were not provided.

6. The Contractor did not provide any evidence of authority for individuals to bind organization to an agreement as required under page 8 of Section 00460 – Qualifications Statement.
7. The Contractor did not provide resumes of officers and key individuals (Including Safety Officer) of the firm as required under page 8 of Section 00460 – Qualifications Statement.
8. The Contractor did not provide the required safety program submittals or acknowledge that there are none as required under page 6 & 8 of Section 00460 – Qualifications Statement.
9. The bid form submitted by Infratech International, LLC., had one mathematical calculation error in the base bid. Per the Instructions to Bidders, Article 14.01, Item C, the sum total for a unit price bid item shall favor the unit prices provided. In the bid tabulation, the unit prices were held and multiplied against the quantities that were provided in the bid schedule and the new totals were calculated.
10. The bid submitted was less than the engineer's estimate by 56.0% for the base bid and 87.1% for the overall total. The bid supplied was more than the engineer's estimate by 223.8% for additive bid #1 and 189.8% for additive bid #2.
11. This submitted bid for the additive bid #1 and additive bid #2 is considerably higher than expected and the grand total for base bid and all additive bids is this highest amongst all of the bidders.

Should you have any questions, please email Gloria Bensen at gpbensen@guamwaterworks.org within two (2) days after receipt of this letter.

Sincerely,



for:

MIGUEL C. BORDALLO, P.E.
General Manager

MCB/gb

BID FORM

ORIGINAL

ARTICLE 1 - BID RECIPIENT

1.01 This Bid is submitted to:

Guam Waterworks Authority
Gloria B. Nelson Public Service Building
688 Route 15, Manailao, Guam 96913

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into a Contract with Buyer in the form included in the Bidding Documents to furnish the Goods and Special Services as specified or indicated in the Bidding Documents, for the prices and within the times indicated in this Bid, and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 - BIDDER'S ACKNOWLEDGMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Buyer.

ARTICLE 3 - BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, the related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

Addendum No.	Addendum Date
Addendum No. 1	Feb. 16, 2021
Addendum No. 2	Feb. 17, 2021

B. Bidder has visited the Point of Destination and site where the Goods are to be installed or Special Services will be provided and become familiar with and is satisfied as to the observable local conditions that may affect cost, progress, or the furnishing of Goods and Special Services, if required to do so by the Bidding Documents, or if, in Bidder's judgment, any local condition may affect cost, progress, or the furnishing of Goods and Special Services.

C. Bidder is familiar with and is satisfied as to all Laws and Regulations in effect as of the date of the Bid that may affect cost, progress, and the furnishing of Goods and Special Services.

- D. Bidder has carefully studied, considered, and correlated the information known to Bidder; information commonly known to sellers of similar goods doing business in the locality of the Point of Destination and the site where the Goods will be installed or where Special Services will be provided; information and observations obtained from Bidder's visits, if any, to the Point of Destination and the site where the Goods will be installed or where Special Services will be provided; and any reports and drawings identified in the Bidding Documents regarding the Point of Destination and the site where the Goods will be installed or where Special Services will be provided, with respect to the effect of such information, observations, and documents on the cost, progress, and performance of Seller's obligations under the Bidding Documents.
- E. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, and discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution (if any) thereof by Engineer is acceptable to Bidder.
- F. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for furnishing the Goods and Special Services for which this Bid is submitted.

ARTICLE 4 - BIDDER'S CERTIFICATIONS

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Buyer, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Buyer of the benefits of free and open competition;
 - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Buyer, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
 - 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process.

ARTICLE 5 - BASIS OF BID

5.01 Bidder will furnish the Goods and Special Services in accordance with the Contract Documents for the following price(s):

GUAM WATERWORKS AUTHORITY
TAI ROAD/S-13 AND CANADA-TOTO LOOP/BLAS STREET WATERLINE
REPLACEMENT DESIGN
GWA Project No. M19-001-BND

UNIT PRICE BID FORM

Base Bid Description: Tai Road and Canada-Toto Loop Work

Work consists of replacing an existing 6-inch asbestos cement pipe (ACP) water line with a new 8-inch polyvinyl chloride (PVC) water line and reconnecting all branch water lines, service connections and other water appurtenance connections, and performing disinfection of the new PVC water line and providing temporary traffic control as necessary to complete the work along Tai Road. Additional work consists of reconnecting existing branch water lines, service connections and other water appurtenance connections from an existing 6-inch ACP water line to an existing 12-inch PVC water line along Canada-Toto Loop and providing temporary traffic control as necessary to complete the work along Canada-Toto Loop.

Item No.	Description	Unit	Unit Price	Qty	Bid Amount
1	Mobilization and Demobilization	Lump Sum	\$ 228,000.00	1	\$ 228,000.00
2	Erosion Control Measures (Includes silt fence and all other required temporary best management practices necessary to control sediment runoff)	Lump Sum	\$ 40,000.00	1	\$ 40,000.00
3	2" PVC Pressure Pipe (Includes excavation, bedding, pipe, backfill and any necessary asphalt or grass replacement)	Lin. Ft.	\$ 145.00	48	\$ 6,960.00
4	6" PVC Pressure Pipe Class 235 psi (DR 18) (Includes excavation, bedding, pipe, backfill and any necessary asphalt or grass replacement)	Lin. Ft.	\$ 160.00	135	\$ 21,600.00
5	8" PVC Pressure Pipe Class 235 psi (DR 18) (Includes excavation, bedding, pipe, backfill and any necessary asphalt or grass replacement)	Lin. Ft.	\$ 176.00	3,640	\$ 640,640.00
6	12" PVC Pressure Pipe Class 235 psi (DR 18) (Includes excavation, bedding, pipe, backfill and any necessary asphalt or grass replacement)	Lin. Ft.	\$ 600.00	111	\$ 66,600.00

Item No.	Description	Unit	Unit Price	Qty	Bid Amount
7	12" Gate Valve	Ea.	\$ <u>5,000.00</u>	4	\$ <u>20,000.00</u>
8	8" Gate Valve	Ea.	\$ <u>4,500.00</u>	4	\$ <u>18,000.00</u>
9	6" Gate Valve	Ea.	\$ <u>3,800.00</u>	9	\$ <u>34,200.00</u>
10	1" Service Line	Lin. Ft.	\$ <u>87.00</u>	1,264	\$ <u>109,968.00</u>
11	1-1/2" Service Line	Lin. Ft.	\$ <u>92.00</u>	321	\$ <u>29,532.00</u>
12	Reconnection of 3/4" Single Meter Installation on 8-inch Water Main (Includes Service Saddle and all Fittings necessary to make the reconnection)	Ea.	\$ <u>2,750.00</u>	19	\$ <u>52,250.00</u>
13	Reconnection of 3/4" Single Meter Installation on 12-inch Water Main (Includes Service Saddle and all Fittings necessary to make the reconnection)	Ea.	\$ <u>2,920.00</u>	19	\$ <u>55,480.00</u>
14	Reconnection of 3/4" Dual Meter or Multi-Meter Installation on 8-inch Water Main (Includes Service Saddle and all Fittings necessary to make the reconnection)	Ea.	\$ <u>2,850.00</u>	9	\$ <u>25,650.00</u>
15	Reconnection of 3/4" Dual or Multi-Meter Installation on 12-inch Water Main (Includes Service Saddle and all Fittings necessary to make the reconnection)	Ea.	\$ <u>2,980.00</u>	7	\$ <u>20,860.00</u>
16	Reconnection of 2" Water line on 8-inch Water Main (Includes Service Saddle and all Fittings necessary to make the reconnection)	Ea.	\$ <u>2,800.00</u>	3	\$ <u>8,400.00</u>
17	Reconnection of 2" Water line on 12-inch Water Main (Includes Service Saddle and all Fittings necessary to make the reconnection)	Ea.	\$ <u>2,850.00</u>	1	\$ <u>2,850.00</u>
18	Reconnection of Fire Hydrant Assembly on 8-inch Water Main (Includes Tapping Sleeve and all Fittings necessary to make the reconnection)	Ea.	\$ <u>8,000.00</u>	2	\$ <u>16,000.00</u>
19	Reconnection of Fire Hydrant Assembly on 12-inch Water Main (Includes Tapping Sleeve and all Fittings necessary to make the reconnection)	Ea.	\$ <u>8,400.00</u>	2	\$ <u>16,800.00</u>

Item No.	Description	Unit	Unit Price	Qty	Bid Amount
	reconnection)				
20	Fire Hydrant Assembly (Includes 5 L.F of 6-inch PVC lateral service line and all pipe, bends and thrust blocks necessary to complete the installation)	Ea.	\$ <u>6,800.00</u>	3	\$ <u>20,400.00</u>
21	Combination Air Release Valve in Valve Box	Ea.	\$ <u>5,500.00</u>	2	\$ <u>11,000.00</u>
22	Relocate Meter Box and Assembly	Ea.	\$ <u>4,700.00</u>	5	\$ <u>23,500.00</u>
23	Pressure Testing and Disinfection of New Waterline and Service Connections (Tai Rd. and Canada-Toto Loop)	Lump Sum	\$ <u>20,000.00</u>	1	\$ <u>20,000.00</u>
24	Fittings	Tons	\$ <u>8,000.00</u>	2	\$ <u>16,000.00</u>
25	Traffic Control Including traffic control work, all traffic control devices, placement and removal of devices and detours, cleanup, restoration, and incidentals.	Lump Sum	\$ <u>45,000.00</u>	1	\$ <u>45,000.00</u>
26	As-builts	Lump Sum	\$ <u>5,000.00</u>	1	\$ <u>5,000.00</u>
BASE BID (TOTAL Items 1 through 26, Inclusive)					\$ <u>1,554,690.00</u>
<i>(Please write out total bid amount in words below)</i>					
<p><u>\$ One Million Five Hundred Fifty Four Thousand Six Hundred Ninety Exactly</u></p>					

GUAM WATERWORKS AUTHORITY
TAI ROAD/S-13 AND CANADA-TOTO LOOP/BLAS STREET WATERLINE
REPLACEMENT DESIGN
GWA Project No. M19-001-BND

UNIT PRICE BID FORM

Additive Bid #1 Description: S-13 Road Work

Replacing an existing 2-inch water line with a new 6-inch water line along S-13 and reconnecting all service connections and other water appurtenance connections.

Item No.	Description	Unit	Unit Price	Qty	Bid Amount
1	Mobilization and Demobilization (For additional costs associated with bonding, insurance and permits for this additive bid)	Lump Sum	\$ 28,000.00	1	\$ 28,000.00
2	Erosion Control Measures (Includes silt fence and all other required temporary best management practices necessary to control sediment runoff)	Lump Sum	\$ 3,500.00	1	\$ 3,500.00
3	6" PVC Pressure Pipe Class 235 psi (DR 18) (Includes excavation, bedding, pipe, backfill and any necessary asphalt or grass replacement)	Lin. Ft.	\$ 135.00	680	\$ 91,800.00
4	1" Service Line	Lin. Ft.	\$ 120.00	112	\$ 13,440.00
5	Reconnection of 3/4" Single Meter Installation on 6-inch Water Main (Includes Service Saddle and all fittings necessary to make the reconnection)		\$ 1,800.00	5	\$ 9,000.00
6	2" Temporary Blowoff Assembly in Vault (Complete in Place)	Lump Sum	\$ 5,000.00	1	\$ 5,000.00
7	Pressure Testing and Disinfection of New Waterline and Service Connections (S-13 Rd.)	Lump Sum	\$ 4,000.00	1	\$ 4,000.00

Item No.	Description	Unit	Unit Price	Qty	Bid Amount
8	Fittings	Tons	\$ 10,000.00	0.1	\$ 1,000.00
9	Traffic Control including traffic control work, all traffic control devices, placement and removal of devices and detours, cleanup, restoration, and incidentals.	Lump Sum	\$ 4,500.00	1	\$ 4,500.00
10	As-builts	Lump Sum	\$ 1,800.00	1	\$ 1,800.00
ADDITIVE BID #1 (TOTAL Items 1 through 10, Inclusive)					\$ 162,040.00
<i>(Please write out total bid amount in words below)</i>					
\$ One Hundred Sixty Two Thousand Forty Exactly					

GUAM WATERWORKS AUTHORITY
TAI ROAD/S-13 AND CANADA-TOTO LOOP/BLAS STREET WATERLINE
REPLACEMENT DESIGN
GWA Project No. M19-001-BND

UNIT PRICE BID FORM

Additive Bid #2 Description: Blas Street Work

Work consists of replacing an existing 6-inch ACP water line with a new 6-inch PVC water line along Blas Street and reconnecting all service connections and other water appurtenance connections.

Item No.	Description	Unit	Unit Price	Qty	Bid Amount
1	Mobilization (For additional costs associated with bonding, insurance and permits for this additive bid)	Lump Sum	\$ <u>38,000.00</u>	1	\$ <u>38,000.00</u>
2	Erosion Control Measures (Includes silt fence and all other required temporary best management practices necessary to control sediment runoff)	Lump Sum	\$ <u>8,400.00</u>	1	\$ <u>8,400.00</u>
3	6" PVC Pressure Pipe Class 235 psi (DR 18) (Includes excavation, bedding, pipe, backfill and any necessary asphalt or grass replacement)	Lin. Ft.	\$ <u>85.00</u>	1,152	\$ <u>97,920.00</u>
4	6" Gate Valve	Ea.	\$ <u>3,500.00</u>	1	\$ <u>3,500.00</u>
5	1" Service Line	Lin. Ft.	\$ <u>60.00</u>	142	\$ <u>8,520.00</u>
6	Reconnection of 3/4" Single Meter Installation on 6-inch Water Main (Includes Service Saddle and all fittings necessary to make the reconnection)	Ea.	\$ <u>2,900.00</u>	6	\$ <u>17,400.00</u>

Item No.	Description	Unit	Unit Price	Qty	Bid Amount
7	Fire Hydrant Assembly (Includes 5 L.F of 6 inch PVC lateral service line and all pipe, bends and thrust blocks necessary to complete the installation)	Ea.	\$ <u>6,800.00</u>	1	\$ <u>6,800.00</u>
8	2" Permanent Blowoff Assembly In Vault (Complete In Place)	Lump Sum	\$ <u>5,200.00</u>	1	\$ <u>5,200.00</u>
9	Combination Air Release Valve In Valve Box	Ea.	\$ <u>5,500.00</u>	2	\$ <u>11,000.00</u>
10	Pressure Testing and Disinfection of New Waterline and Service Connections (Blas St.)	Lump Sum	\$ <u>12,500.00</u>	1	\$ <u>12,500.00</u>
11	Fittings	Tons	\$ <u>8,500.00</u>	0.7	\$ <u>5,950.00</u>
12	Traffic Control including traffic control work, all traffic control devices, placement and removal of devices and detours, cleanup, restoration, and incidentals.	Lump Sum	\$ <u>10,000.00</u>	1	\$ <u>10,000.00</u>
13	As-builts	Lump Sum	\$ <u>3,800.00</u>	1	\$ <u>3,800.00</u>
ADDITIVE BID #2 (TOTAL Items 1 through 13, inclusive)					\$ <u>228,990.00</u>
<i>(Please write out total bid amount in words below)</i>					
<u>\$ Two Hundred Twenty Eight Thousnad Nine Hundred Ninety Exactly</u>					

GUAM WATERWORKS AUTHORITY
TAI ROAD/S-13 AND CANADA-TOTO LOOP/BLAS STREET WATERLINE
REPLACEMENT DESIGN
GWA Project No. M19-001-BND

SUMMARY OF BIDS	
BASE BID (TOTAL Items 1 through 26, inclusive)	\$ <u>1,554,690.00</u>
ADDITIVE BID #1 (TOTAL Items 1 through 10, inclusive)	\$ <u>162,040.00</u>
ADDITIVE BID #2 (TOTAL Items 1 through 13, inclusive)	\$ <u>228,990.00</u>
GRAND TOTAL BASE BID + ADDITIVE BID #1 TO ADDITIVE BID #2	\$ <u>1,945,720.00</u>
<i>(Please write out grand total bid amount in words below)</i>	
\$ <u>One Million Nine Hundred Forty Five Thousand Seven Hundred Twenty Exactly</u>	



BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

IN RE: REQUEST BY THE GUAM) GWA Docket 21-03
WATERWORKS AUTHORITY FOR)
APPROVAL OF THE BID AND)
PROPOSED CONTRACT WITH GIANT) **ORDER**
CONSTRUCTION CORPORATION FOR)
THE TAI ROAD/S13 AND CANADA-)
TOTO LOOP/BLAS STREET)
WATERLINE REPLACEMENT PROJECT)

INTRODUCTION

1. This matter comes before the Guam Public Utilities Commission [“PUC”] upon the Petition of the Guam Waterworks Authority [“GWA”] for approval of the Bid and Proposed Contract with Giant Construction Corporation for the Tai Road/S13 and Canada-Toto Loop/Blas Street Waterline Replacement Project.¹
2. GWA indicates that there has been an increasing frequency of water outages in the Canada-Toto Loop area. To remedy this issue, GWA has put together this fast-track replacement CIP procurement.²
3. Due to the exigent nature of the work to be performed, GWA filed its petition and requested a hearing for this month’s PUC Meeting.³

BACKGROUND

4. On January 7, 2021, GWA advertised the Invitation for Bid IFB-02-ENG-2021 for the Tai Road/S13 and Canada-Toto Loop/Blas Street Waterline replacement.⁴

¹ GWA Petition for Approval of the Bid and Proposed Contract with Giant Construction Corporation for the Tai Road/S13 and Canada-Toto Loop/Blas Street Waterline Replacement Project, GWA Docket 21-03, filed April 14, 2021.

² Letter from GWA General Counsel Kelly Clark to PUC ALJ Fred Horecky, dated April 13, 2021.

³ Id.

5. The IFB solicited bid proposals to provide construction service lateral upgrade and replacement of approximately 5,720 LF of existing 2-inch and 6-inch asbestos cement pipe (ACP), with new polyvinyl chloride (PVC) pipes ranging from 6-inch to 12-inch diameter and disconnection from an existing 6-inch ACP, and reconnect to an existing 12-inch PVC waterline along Canada-Toto Loop.⁵
6. On February 26, 2021, GWA received a total of four (4) bid proposals. However, after a voluntary declination of the project by the lowest bidder ("MEGA United"), and the disqualification of the second lowest bidder ("Infra Tech International"), GWA determined that the bid proposal submitted by Giant Construction Corporation was the lowest responsive and responsible bid, meeting all the bid requirements set forth by GWA.⁶
7. The total bid of Giant Construction is the amount of \$1,945,720.00, which includes the Base Bid, an additive Bid No. 1, and additive Bid No. 2.⁷
8. GWA has added a ten percent (10%) contingency of \$194,572.00 to the Contract, bringing the total authorized funding amount to \$2,140,292.00. The pricing proposal of Giant Construction (Exhibit D to GWA's Petition) is attached to the ALJ Report hereto as Exhibit "1".
9. The ALJ filed his Report herein dated April 19, 2021. The PUC adopts the conclusions and recommendations therein.

⁴ GWA Petition, Id., at p. 1.

⁵ Id., at pgs. 1-2.

⁶ Id., at p. 2.

⁷ Id.

DETERMINATIONS

10. As GWA states, the Contract with Giant Construction Corporation must have prior PUC approval because its total price exceeds \$1,000,000.00.⁸

11. GWA indicates that, to resolve the recurring waterline breaks along the Tai Road, S13 and Canada-Toto Loop/Blas Street, the existing meters will need to be disconnected from an existing 6-inch asbestos cement pipe (ACP) and then reconnected to the existing 12-inch PVC waterline. This project will also replace old and persistently leaking 2-inch and 6-inch ACP with new polyvinyl chloride (PVC) pipe ranging from 6-inches to 12-inches in diameter, including upgrade of service laterals of various lengths, along Tai Road, S13, and Blas Street.⁹

12. GWA has established that the increasing frequency of water outages in the Canada-Toto Loop area has caused a "serious issue" to the customers in that area. Expeditious action, in the form of the contract with Giant Construction Corporation, is necessary and prudent.

13. The PUC should approve GWA's bid and Proposed Contract for the Waterline Replacement Project so that these serious issues can be addressed as soon as possible.

⁸ Contract Review Protocol for Guam Waterworks Authority, Docket 00-04, dated October 27, 2005 at par. 1(a).

⁹ Id., at pgs. 2-3.

14. This project is consistent with GWA's waterline replacement program, which seeks to reduce the non-revenue water rate, as well as to improve the system where service delivery has been below standard.¹⁰

ORDERING PROVISIONS

Upon consideration of the record herein, the Petition of GWA, the ALJ Report, and for good cause shown, on motion duly made, seconded, and carried by the affirmative vote of the undersigned Commissioners, the Commission hereby **ORDERS** that:

1. Invitation for Bid IFB-02-ENG-2021 for the Tai Road/S13 and Canada-Toto Loop/Blas Street Waterline Replacement and the Contract with Giant Construction Corporation for the Tai Road/S13 and Canada-Toto Loop/Blas Street Waterline Replacement Project are approved.
2. GWA is authorized to expend up to the amount of \$2,140,292.00 for the Contract with Giant Construction Corporation.
3. GWA should file the final Contract with PUC.
4. GWA is ordered to pay the Commission's regulatory fees and expenses, including, without limitation, consulting and counsel fees and the fees and expenses of conducting the hearing proceedings. Assessment of PUC's regulatory fees and expenses is authorized pursuant to 12 GCA §§12103(b) and 12125(b), and Rule 40 of the Rules of Practice and Procedure before the Public Utilities Commission.

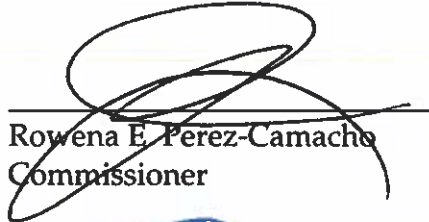
¹⁰Id., at p. 3.

Order
Approval for Water Replacement Project
With Giant Construction Corporation
GWA Docket 21-03
April 29, 2021

Dated this 29th day of April 2021.



Jeffrey C. Johnson
Chairman



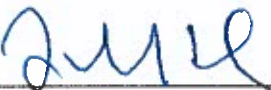
Rowena E. Perez-Camacho
Commissioner



Joseph M. McDonald
Commissioner



Michael A. Pangelinan
Commissioner



Peter Montinola
Commissioner



Doris Flores Brooks
Commissioner



Pedro S.N. Guerrero
Commissioner



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-FY2023

RELATIVE TO AN INCREASE IN FUNDING AND SCOPE OF WORK FOR THE TAI ROAD/S-13 AND CANADA-TOTO LOOP/BLAS STREET WATERLINE REPLACEMENT PROJECT; GWA PROJECT NO. M19-001-BND

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 intends to continue the waterline replacement program as part of GWA’s efforts to reduce non-revenue water and make improvements to the system where service delivery should be improved; and

WHEREAS, GWA issued an Invitation for Bid (IFB-02-ENG2021) soliciting bid proposals from experienced, responsible, and responsive bidders to construct the Tai Road/S-13 and Canada-Toto Loop/Blas Street Waterline Replacement project to upgrade and replace existing old and leaking waterlines of various diameters, lengths, and locations to reduce water loss in the water distribution system; and

WHEREAS, Resolution 19-FY2021 (See Exhibit A) and PUC Docket 21-03 (Exhibit B) approved GWA management to enter into contract with Giant Construction Corporation to construct the Base, Additive No. 1 and Additive No. 2 items in the amount of One Million Nine Hundred Forty-Five Thousand Seven Hundred Twenty Dollars (\$1,945,720.00), along with a ten percent (10%) contingency of One Hundred Ninety-Four Thousand Five Hundred Seventy-Two Dollars (\$194,572.00) to bring the total authorized funding amount to Two Million One Hundred Forty Thousand Two Hundred Ninety-Two Dollars (\$2,140,292.00); and

1 **WHEREAS**, Change Order No. 1 in the amount of Sixteen Thousand Three Hundred
2 Eighteen Dollars (\$16,318.00) was issued to include archaeological services required by the
3 State Historic Preservation Officer (SHPO), Department of Parks and Recreation; and
4

5 **WHEREAS**, Resolution 03-FY2022 (see Exhibit C) approved GWA to execute
6 Change Order No. 2 in the amount of Five Hundred Fifty-Eight Thousand One Hundred
7 Thirty-Five Dollars (\$558,135.00) to include the replacement of additional 1,052 LF of new
8 waterline for Taison Rd., and increased the total authorized amount to Two Million Five
9 Hundred Twenty Thousand One Hundred Seventy-Three Dollars (\$2,520,173.00); and
10

11 **WHEREAS**, PUC Docket 22-04 (see Exhibit D) approved a 20% contingency to
12 Change Order No. 2 in the amount of One Hundred Eleven Thousand Six Hundred Twenty-
13 Seven Dollar (\$111,627.00), to bring the total authorized amount to Two Million Six Hundred
14 Thirty-One Thousand Eight Hundred Dollars (\$2,631,800.00); and
15

16 **WHEREAS**, GWA issued Change Order No. 2 in the amount of Five Hundred
17 Seventy-Two Thousand Nine Hundred Ninety-Seven Dollars and Eighty-Nine Cents
18 (\$572,997.89) to bring the total contract to Two Million Five Hundred Thirty Five Thousand
19 Thirty Five Dollars and Eighty-Nine Cents (\$2,535,035.89), which exceeded the total
20 authorized amount in Resolution 03-FY2022 by Fourteen Thousand Eight Hundred Sixty-Two
21 Dollars and Eighty-Nine Cents (\$14,862.89), but remained under PUC Docket 22-04 total
22 authorized amount of Two Million Six Hundred Thirty-One Thousand Eight Hundred Dollars
23 (\$2,631,800.00); and
24

25 **WHEREAS**, GWA seeks to issue a contract modification with Giant Construction
26 Corporation for additional work in the Change Order No. 3 as described below (See Exhibit E):
27

- 28 1. Installation of additional blowoff valve and air release valve (ARV) on Tai Rd.;
29 and
- 30 2. Installation of additional ARV, removal/abandonment of old hydrant, and
31 change of connection fittings and increase of new line at Blas St. due to actual
32 site conditions differing from plans/contract documents; and

- 1 3. Installation of new 12" gate valve (GV) and additional seven new meter
- 2 connections to 12" waterline on Toto Canada Loop Rd.; and
- 3 4. Additional increase of cost for upgrades along Taison Rd. not covered in
- 4 Change Order 2; and
- 5 5. GRT/ Overhead for Archeological Monitoring Plan not covered in change order
- 6 no. 1; and
- 7 6. SEARCH Archeological Monitoring Services required by SHPO at Tai St. and
- 8 Blas St.; and
- 9

10 **WHEREAS**, GWA seeks additional funding to rectify Change Order No. 2's

11 exceedance of the CCU-authorized amount and for the additional Change Order No. 3 work

12 stated above; and

13

14 **WHEREAS**, GWA seeks to increase the contract amount by One Hundred Seventy-

15 Eight Thousand Three Hundred Ninety-One Dollars and Forty-Three Cents (\$178,391.43), to

16 bring the total contract amount to Two Million Seven Hundred Thirteen Thousand Four

17 Hundred Twenty-Seven Dollars and Thirty-Two Cents (2,713,427.32); and

18

19 **WHEREAS**, GWA further seeks to increase the total authorized funding to include

20 10% contingency in the amount Two Hundred Seventy-One Thousand Three Hundred Forty-

21 Two Dollars and Seventy-Three Cents (\$271,342.73), bringing the total authorized funding

22 amount under this resolution to Two Million Nine Hundred Eighty-Four Thousand Seven

23 Hundred Seventy Dollars and Five Cents (\$2,984,770.05); and

24

25 **WHEREAS**, GWA Management seeks CCU approval to petition the Public Utilities

26 Commission approval to increase the total authorized amount from Two Million Six Hundred

27 Thirty-One Thousand Eight Hundred Dollars (\$2,631,800.00) to Two Million Nine Hundred

28 Eighty-Four Thousand Seven Hundred Seventy Dollars and Five Cents (\$2,984,770.05); and

29

30 **WHEREAS**, funding shall be from the following sources:

31

- 32 1. MP-PW-Pipe 12 Rehabilitation and Replacement Program

- 1 2. MP-PW-Pipe 13 2-inch Pipe Replacement Program
- 2 3. PW 09-03 Water Distribution System Pipe Replacement and Upgrades
- 3 4. IFCIP

4

5 **NOW BE IT THEREFORE RESOLVED**, the Consolidated Commission on Utilities
6 does hereby approve and authorize the following:

- 7
- 8 1. The recitals set forth above hereby constitute the findings of the CCU.
 - 9 2. The CCU finds that the terms of the conditions set by GWA relative to
10 commencement of subsequent work activities are fair and reasonable.
 - 11 3. The CCU hereby authorizes the management of GWA to increase the total
12 authorized funding to include 10% contingency in the amount Two Hundred
13 Seventy-One Thousand Three Hundred Forty-Two Dollars and Seventy-
14 Three Cents (\$271,342.73), bringing the total authorized funding amount
15 under this resolution to Two Million Nine Hundred Eighty-Four Thousand
16 Seven Hundred Seventy Dollars and Five Cents (\$2,984,770.05).
 - 17 4. The CCU hereby approves the use of the following sources (Exhibit E):
 - 18 a. MP-PW-Pipe 12 Rehabilitation and Replacement Program
 - 19 b. MP-PW-Pipe 13 2-inch Pipe Replacement Program
 - 20 c. PW 09-03 Water Distribution System Pipe Replacement and
21 Upgrades
 - 22 d. IFCIP
 - 23 5. The CCU hereby approves GWA Management to petition the Public
24 Utilities Commission approval to increase the total authorized amount from
25 Two Million Six Hundred Thirty-One Thousand Eight Hundred Dollars
26 (\$2,631,800.00) to Two Million Nine Hundred Eighty-Four Thousand Seven
27 Hundred Seventy Dollars and Five Cents (\$2,984,770.05).

28 **RESOLVED**, that the Chairman certified and the Board Secretary attests to the
29 adoption of this Resolution.

30

31 //

32

1 **DULY AND REGULARLY ADOPTED**, this 29th day of November 2022.

2
3 Certified by:

Attested by:

4
5 
6 **JOSEPH T. DUENAS**
7 Chairperson

8 
9 **PEDRO ROY MARTINEZ**
10 Secretary

11 **SECRETARY'S CERTIFICATE**

12 I, Pedro Roy Martinez, Board Secretary of the Consolidated Commission on Utilities as
13 evidenced by my signature above do hereby certify as follows:

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

18 AYES:

19 4

20 NAYS:

21 0

22 ABSENT:

23 0

24 ABSTAIN:

25 0



26 ///

27 ///

28 ///

29 ///

30 ///

31
32


GUAM WATERWORKS AUTHORITY
 Gloria B. Nelson Public Service Building
 688 Route 15, Mangilao, Guam 96913

CHANGE ORDER NO. 04

Project Title: TAI ROAD/S-13 AND CANADA-TOTO LOOP/BLAS STREET WATERLINE REPLACEMENT
Project No.: M19-001-BND **ORIGINAL CONTRACT APPROVAL:** May 12, 2021
Contractor: Giant Construction Corporation **NTP Date:** May 17, 2021

TO: Giant Construction Corporation

You are directed to make changes noted below in the subject contract. The changes are accepted by:

<p><u>CHUNG, IN-CHUL</u> Contractor Representative (PRINT)</p> <p> Contractor Representative (SIGNATURE)</p> <p><u>KENNETH M. REKDAHL, P.E.</u> Dueñas, Camacho & Associates Inc. Construction Manager</p>	<p>PREPARED BY :</p> <p>REVIEWED BY :</p> <p>RECOMMEND APPROVAL :</p>	<p><u>Jessey Mendiola</u> Digitally signed by Jessey Mendiola Date: 2023.05.09 16:06:35 +10'00'</p> <p>Jessey Mendiola Project Manager, GWA</p> <p><u>Brett Bailey</u> Digitally signed by Brett Bailey Date: 2023.05.10 13:35:30 +10'00'</p> <p>Brett Bailey, P.E. Senior Engineer Supervisor, GWA</p> <p><u>Mauryn McDonald</u> Digitally signed by Mauryn McDonald Date: 2023.05.10 15:43:38 +10'00'</p> <p>Mauryn McDonald, P.E. Assistant General Manager- Engineering, GWA</p>
<p>MAY 10, 2023 Date</p> <p>5/10/23 Date</p>		<p>Date</p> <p>Date</p> <p>Date</p>

NATURE OF CHANGES:

1. Tai Rd. additional asphalt repair
2. Chapel Rd. waterline connection revisions due to site conditions differing from plans
3. SEARCH Archeological Services for two months as required by SHPO
4. Chalan Sabana additional work/ materials required to repair and install 2" waterline
5. Disconnection of 12" tee found at Rt. 10 x Tai Rd.
6. Additional 2" waterline connection at the end of S-13
7. Deductive work at Talsan Rd. for 6" waterline and connections
8. Additive work for 2" waterline, 1 & 1.5" service connections, and meter connections/ relocations at Tai Rd and Tolo Canada Lp.

Please see attached Change Order No. 4 recommendation letter and CCR documentation for full scope and cost breakdown.

THE CHANGES RESULT IN THE FOLLOWING ADJUSTMENT OF CONTRACT PRICE:

Contract price prior to this Change Order	\$ 2,713,427.32
Net INCREASE from this Change Order	\$ 252,922.89
Revised contract price after this Change Order	\$ 2,966,350.21

THE CHANGES RESULT IN THE FOLLOWING ADJUSTMENT OF CONTRACT TIME:



Contract time prior to this Change Order, with breakdown given below	705	Calendar Days
Net INCREASE from this Change Order	0	Calendar Days
Revised contract time after this Change Order	705	Calendar Days
Revised Contract Expiration Date after this Change Order	Monday, May 22, 2023	

CERTIFIED FUNDS AVAILABLE:

Vendor No.: 22557
 Contract No.: 3008 OS
 Funding Source: Bond 2020 MP-PW-Pipe-12
 G.L. NO.:
 Amount:

Taling M Taitano Digitally signed by Taling M Taitano
Date: 2023.07.11 15:32:49 +10'00'

Taling M. Taitano, CPA, CGFM, CGMA Date

 2023.07.03 12:19:02 +10'00' GWA Certifying Officer  2023.07.03 11:58:24 +10'00'

APPROVED AS TO FORM:

Theresa G. Rojas Digitally signed by Theresa G. Rojas
Date: 2023.05.31 13:49:43 +10'00'

Theresa G. Rojas, Esq Date
 GWA Legal Counsel

APPROVED:

 Digitally signed by Thomas Cruz
Date: 2023.07.11 16:13:09 +10'00'

Miguel C. Bordallo, P.E Date
 GWA General Manager