

**PUBLIC UTILITIES COMMISSION
OF GUAM**

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Lourdes R. Palomo
Administrator

RESOLUTION NO. 12-01

Whereas, the Guam Public Utilities Commission (“PUC”) is an autonomous instrumentality within the Government of Guam;

Whereas, the PUC has the authority to retain consultants;

Whereas, the PUC, similar to other autonomous instrumentalities in the Government of Guam, follows the Guam Procurement Laws when retaining consultants and other professional services;

Whereas, Title 5 Guam Code Annotated Section 5030(k) expressly states that the Procurement Laws of Guam shall apply to a “Commission”;

Whereas, Title 5 Guam Code Annotated Section 5004(b) expressly states that the Procurement Laws of Guam “shall apply to every expenditure by any governmental body of public funds irrespective of their source”;

Whereas, Title 5 Guam Code Annotated Section 5125 expressly states that it is “the intent *I Liheslaturan Guahan* [the Legislature] to require all Executive Branch governmental bodies, including autonomous agencies, and other above-named bodies, to be governed to the maximum extent practicable” by the Procurement Laws of Guam;

Whereas, the PUC finds that it is in the public interest to retain consultants in a transparent and fair manner pursuant to the established procedures in the Procurement Laws of Guam;

Whereas, the Guam Solid Waste Authority has been placed under the regulatory supervisory and rate setting authority of the PUC pursuant to 10 GCA Chapter 51, Solid Waste Management and Litter Control ;

Whereas, the PUC has a need to retain the services of a professional consultant to provide it with advice and other consulting services with regard to regulation of the Guam Solid Waste Authority and rate setting for solid waste collection, disposal, and other services;

NOW THEREFORE, in due consideration of the above recitals and for good cause shown, the PUC hereby resolves that:

1. PUC Counsel is authorized to cause the preparation and publication of procurement documents for the retention of consultants to advise the PUC and provide other services regarding its regulation of the Guam Solid Waste Authority;
2. PUC Counsel shall take steps to prepare and publish these procurement documents;
3. Chairman Johnson and Board Members Perez, McDonald, Cantoria Pangelinan, and Montinola [if sworn in] shall form a Committee to follow the procedures set forth in Title 2 Guam Administrative Rules and Regulations Section 3114, et seq., for evaluating potential consultants;
4. The Committee shall then select and negotiate with the highest ranking offerors;
5. At the next scheduled meeting of the PUC after proposals are received by potential offerors to serve as PUC Consultants, the Committee shall make recommendations to the PUC regarding awards to the selected consultants;
6. The PUC may then adopt, reject or amend the recommendations of the Committee.

Dated: July 30, 2012

JEFFREY C. JOHNSON
Chairman

Dated: July 30, 2012

JOSEPH M. MCDONALD
Commissioner

Dated: July 30, 2012

FILOMENA M. CANTORIA
Commissioner

Dated: July 30, 2012

ROWENA E. PEREZ

Commissioner

Dated: July 30, 2012

MICHAEL A. PANGELINAN
Commissioner