1 D GRAHAM BOTHA, ESQ. General Counsel 2 **Guam Power Authority** 688 Route 16, Suite 302 3 Mangilao, Guam 96913 Ph: (671) 648-3203/3002 Fax: (671) 648-3290 5 BEFORE THE GUAM PUBLIC UTILITIES COMMISSION 6 7 IN THE MATTER OF: 8 **DOCKET NO. 19-02** The Application of the Guam Power Authority 9 Requesting Approval of the Contract for a PETITION FOR CONTRACT REVIEW 10 New ULSD Pipeline. 11 12 13 COMES NOW, the GUAM POWER AUTHORITY (GPA), by and through its counsel 14 of record, D. GRAHAM BOTHA, ESQ., and hereby files GPA's Petition for the Public Utilities 15 Commission of Guam to review and approve GPA's request for approval of the contract for a 16 New ULSD Pipeline, as follows: 17 BACKGROUND 18 The Guam Power Authority will build a new ULSD pipeline to supply ULSD to the Piti 19 Tank Farm, Piti Power Plants 7, 8 and 9. The USEPA requires GPA to use Ultra Low Sulfur 20 Diesel (ULSD) to fuel its power plants by 2021. The funding for this project will come from the 21 Cabras 3 &4 insurance proceeds. The CCU in Resolution 2018-21 approved GPA's request for 22 approval of the procurement for a New ULSD Pipeline. The CCU in Resolution 2019-06 23 approved the selection of AYM International, Inc. as the lowest responsive bidder at a cost of 24 \$3,495,944.00.

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DISCUSSION

GPA hereby petitions the PUC, pursuant to the Contract Review Protocol for the Guam Power Authority, approved by the PUC, to review and approve the contract for a New ULSD Pipeline. In support of this Petition, GPA hereby provides the PUC with Consolidated

Commission on Utilities (CCU) Resolution No. 2019-06, which authorizes the General Manager to proceed with the contract for a New ULSD Pipeline with AYM International, Inc. in the amount of \$3,495,944.00. Said resolution and its exhibits are attached herein as Exhibit A, and incorporated by reference herein as if fully set forth. CONCLUSION The PUC should approve GPA's request to proceed with the contract for a New ULSD Pipeline with AYM International, Inc. in the amount of \$3,495,944.00. The pipeline is necessary to comply with USEPA requirements, and is reasonable, prudent, and necessary. RESPECTFULLY SUBMITTED this 13th day of June, 2019. M BOTHA, ESQ. GPA General Counsel



CONSOLIDATED COMMISSION ON UTILITIES

Guam Power Authority | Guam Waterworks Authority P.O. Box 2977 Hagatna, Guam 96932 | (671)649-3002 | guamccu.org

GPA RESOLUTION NO. 2019 - 06

3	RELATIVE TO AUTHORIZING	EX
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PENDITURE FOR THE TANK FARM NEW ULSD PIPELINE SYSTEM (DESIGN - BUILD)

WHEREAS, the Guam Power Authority (GPA) is mandated by United States 6 Environmental Protection Agency (USEPA) to significantly reduce power plant emissions; and 7 WHEREAS, GPA seeks to comply with the USEPA requirement through the use of Ultra 8 Low Sulfur Diesel (ULSD) oil to fuel power plants; and 9

WHEREAS, GPA intends to build and use a pipeline system to supply ULSD oil to the Piti Tank Farm and Power Plants TEMES 7, MEC 8 and MEC 9; and

WHEREAS, the ULSD pipeline system consists of 8-inch, 12-inch, and 24-inch diameter pipes with supports/pedestals, pipe manifolds, valves, and pumping station to include motor, pumps, concrete roof, berms and pads; and

WHEREAS, the 24-inch ULSD pipeline will be interconnected from the US Navy tie-in to tanks 1934 and 1935, the 12-inch pipeline will be interconnected from tanks 1934 and 1935 to pumping station and the 6-inch pipeline will be interconnected from pumping station to the Power Plants TEMES 7, MEC 8 and MEC 9; and

WHEREAS, the ULSD pipeline system will be operated and maintained under USEPA, GEPA and American Petroleum Institute (API) guidelines and regulations; and

WHEREAS, the Procurement Officer has provided adequate public announcement for the Design-Build of GPA Tank Farm New ULSD Pipeline System through Bid Invitation No. GPA-027-19; and,

WHEREAS, three (3) qualified bidders submitted bids for GPA's consideration (Attached Exhibit "A"); and

WHEREAS, GPA's Evaluation Committee has determined AYM International, Inc. to be the lowest responsive bidder at a cost of \$3,495,944.00.

WHEREAS, the award of the Purchase Order to AYM International, Inc. has been made pursuant to a written finding by the Procurement Officer that the AYM International, Inc.'s offer meets the requirements of GPA and has been determined to be fair and reasonable.

1	WHEREAS, GPA has allocated \$5.9M fro	om GPA's proceeds from the Cabras 3&4
2	Insurance Settlement to fund this expenditure; and	
3	WHEREAS, the total cost exceeds the \$ 1.5	iM threshold requiring GPA to seek contract
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5	WHEREAS, GPA is requesting the approval	of the CCU to petition the PUC for approval
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8	NOW, THEREFORE, BE IT RESOLVED, by	the Consolidated Commission on Utilities,
9	subject to the review and approval of the Public Ut	
10		the Tank Farm New ULSD Pipeline System is
11	reasonable and prudent.	
12	2. GPA is authorized to petition the Public	Utilities Commission for approval to issue a
13		5,944.00 for the design and construction of
14		m utilizing Cabras 3&4 Insurance Proceeds.
15		ger is hereby authorized obligating authority
16	of \$3,495,944 for the purpose of secu	ing design-build services for the GPA Tank
17	Farm New ULSD Pipeline System.	
18		
19	RESOLVED, that the Chairman certifies and	the Board Secretary attests the adoption of
20	this Resolution.	
21	DULY AND REGULARLY ADOPTED AND APPI	ROVED THIS 28th DAY OF MAY, 2019.
22		
23	Certified by:	Attested by:
24		
25		
26 27	470	
28	JOSEPH T. DUENAS	MICHAEL T. LIMTIACO
29	Chairperson	Secretary
30	Consolidated Commission on Utilities	Consolidated Commission on Utilities
21		The second secon

SECRETARY'S CERTIFICATE

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

The foregoing is a full, true, and accurate copy of the resolution duly adopted at a regular meeting of the members of 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

Absent: 0

Abstain: 0



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