



PORT OF GUAM
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Lourdes A. Leon Guerrero
Governor of Guam
Joshua F. Tenorio
Lieutenant Governor

January 28, 2021

Dr. Jeffrey C. Johnson
Chairman, Guam Public Utilities Commission
Suite 207 GCIC Building
414 West Soledad Avenue
Hagatna, Guam 96910

Hafa Adai Chairman Johnson:

Buenas! On behalf of the Port Authority of Guam (PAG), I am writing to file PAG's petition humbly requesting the Public Utilities Commission of Guam to review and approve the Request for Proposal (RFP) procurement contract award to **GHD for the Construction Management Services for the Rehabilitation of H-Wharf and Highway 11 Roadway Reconstruction, RFP-PAG-020-002.**

This project is funded by Port Revenue Bonds. PAG is in need of a Construction Manager for the reconstruction of H-Wharf and Highway 11, to ensure quality control measures are in place in order to meet construction deadlines and to stay within the budgeted amount. The Port believes this can be accomplished should the PUC find our contract review and approval request favorable.

BACKGROUND:

On Friday, March 6, 2020, a Request for Proposal (RFP) was issued and advertised in the Guam Daily Post soliciting the Professional Engineering Service for ***Construction Management Services (CMS) for the Rehabilitation of H-Wharf and Highway 11 Roadway Reconstruction RFP-PAG-020-002.*** Twenty-Two (22) individuals/firms registered and picked up RFP packets online through the Port's website. While seven (7) individuals/firms submitted on or before the established deadline of May 7, 2020 at 4:00pm.

An evaluation committee was established on May 19, 2020. The evaluation committee executed their non-disclosures on May 27th and 29th, 2020. And conducted their evaluation in a fair and transparent manner and in the best interest of the Port. All seven (7) proposals were found to be responsive and the proposers to be responsible. A Notice of Intent to Award was sent to the Best Qualified offeror (**GHD**) on June 22, 2020 requesting that they submit a cost proposal of their rates and fees.

The Port's cost negotiations team was established on June 22, 2020. The cost negotiation members signed their sworn non-disclosure forms on June 29, 2020. The Port's cost negotiations team reviewed GHD's cost proposal which included the review of the scope of services, the professional engineering disciplines proposed, the hourly rates of the personnel identified and the hours allotted for each phase of the construction project. GHD's initial proposal came in at **Two-Million Five**

Hundred Fifty-One Thousand Eight Hundred Nine Dollars and Nineteen Cents (\$2,551,809.19). After many meetings and four (4) amendments to GHD's initial proposal, the Port and GHD have agreed to a fair and reasonable rates and fees. Both the Port and GHD have agreed to ***Two-Million Two Hundred Forty-Nine Thousand Nine Hundred Forty-Five Dollars and Fifty-Four Cents (\$2,249,945.54)*** which is a cost saving to the Port and the People of Guam in the amount of ***Three Hundred and One Thousand Eight-Hundred Sixty-Three Dollars and Sixty-Five Cents. (\$301,863.65)***. On December 15, 2020 a Letter of Acceptance was issued summarizing all cost negotiations, rates and fees, and terms of the contract agreement. Both the Port and GHD have signed the Letter of Acceptance.

In view of the above and pursuant to 12 G.C.A. § 12004, and the PUC Contract Review Protocol (PAG DOCKET 09-01) and the reporting requirements for Port Revenue Bond funded projects, the Port Authority of Guam humbly request a review and approval of the contract award to **GHD for the Construction Management Services for the Rehabilitation of H-Wharf and Highway 11 Roadway Reconstruction.**

We hope you find our request favorable. We look forward to working with you, and the PUC's consultants on any questions or information regarding this matter.

Respectfully,

RORY J. RESPICIO
General Manager

Encl: Copy of PAG Procurement file

cc: Attorney Fred Horecky
Legal Counsel - Guam PUC
Lou Palomo - PUC Secretary