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3 **Guam Power Authority**
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8 **BEFORE THE GUAM PUBLIC UTILITIES COMMISSION**

9 **IN THE MATTER OF:**) **GPA DOCKET NO. 21-13**
10 The Application of the Guam Power Authority)
11 Requesting Approval of the Procurement of) **PETITION FOR CONTRACT REVIEW**
12 Engineering Consulting Services.)
13 _____)

14 **COMES NOW**, the GUAM POWER AUTHORITY (GPA), by and through its counsel
15 of record, D. GRAHAM BOTHA, ESQ., and hereby files GPA's Petition for the Public Utilities
16 Commission of Guam to review and approve GPA's request for approval of the Procurement of
17 Engineering Consulting Services, as follows:

18 **BACKGROUND**

19 The Guam Power Authority has determined that there is a need for assistance with
20 engineering consulting services for implementing the USEPA compliance plan. RFP-17-001 for
21 Engineering, Procurement and Construction Management Contract (EPCM) was awarded to
22 Stanley Consultants, Inc. from March 2, 2017 to March 2, 2022, and there are no additional
23 contract extensions. GPA requests approval to solicit engineering and technical services through
24 an RFP for a contract with a base period of three (3) years with an option to extend for an
25 additional two one-year (1) terms, to be funded through revenue funds.

26 **DISCUSSION**

27 GPA hereby petitions the PUC, pursuant to the Contract Review Protocol for the Guam
28 Power Authority, approved by the PUC, to review and approve the procurement of Engineering
Consulting Services. In support of this Petition, GPA hereby provides the PUC with

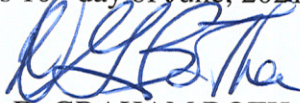
ORIGINAL

1 Consolidated Commission on Utilities (CCU) Resolution No. 2021-14, which authorizes the
2 General Manager to proceed with the procurement of Engineering Consulting Services. Said
3 resolution and its exhibits are attached herein as Exhibit A, and incorporated by reference herein
4 as if fully set forth.

5 **CONCLUSION**

6 The PUC should approve GPA's request to proceed with the procurement of Engineering
7 Consulting Services. This procurement is necessary to assist GPA with consulting services
8 regarding the construction and commissioning of the new power plant, and to develop
9 procurement for the infrastructure required to receive LNG for the new power plant. The
10 procurement of Engineering Consulting Services is reasonable, prudent, and necessary.

11 **RESPECTFULLY SUBMITTED** this 10th day of June, 2021.

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13 D. GRAHAM BOTHA, ESQ.
14 GPA General Counsel
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RESOLUTION NO. 2021-14

RESOLUTION RELATIVE TO THE APPROVAL OF CONSULTING SERVICES FOR IMPLEMENTING USEPA COMPLIANCE PLAN

WHEREAS, in March 2015 the CCU authorized GPA to petition the PUC for approval of Consulting Services for implementing USEPA Compliance Plan¹; and

WHEREAS, upon PUC approval in October 2016² GPA issued RFP-17-001 for Engineering, Procurement and Construction Management Contract (EPCM) for the procurement development of an Independent Power Producer (IPP) contract for new generation capacity and to represent GPA as Owner's engineer support in the construction of the new power plant; and

WHEREAS, the EPCM contract was awarded to Stanley Consultants, Inc. and the contracted effective date was March 2, 2017 for a base term of 3 years and two one-year optional extensions; and

WHEREAS, during the contract term Stanley Consultants have:

- Developed the procurement documents and contract for the new power plant to address compliance requirements for the Cabras 1&2 Power Plant
- Supported the evaluation and selection of IPP for new power plant
- Provided contract negotiations support for IPP
- Provided technical assistance for permitting discussions of new power plant
- Evaluated and advised on new power plant schedule and progress
- Provided environmental and cultural study support; and

WHEREAS, the Stanley Consultants, Inc. contract amount was approved up to \$5,795,450 and total costs thru May total \$3,883,537; and

WHEREAS, the Stanley Consultants, Inc. contract expires on March 1, 2022 with no additional contract extensions.

WHEREAS, GPA still requires consulting support for the new power plant contract for Owner's Engineer support and other technical assistance for the construction and commissioning of the new

¹ CCU Resolution No 2015-21 for approval of Consulting Services for implementing USEPA Compliance Plan was approved on March 24, 2015. GPA submitted its petition to PUC on April 9, 2015 under Docket 15-05.

² PUC Docket 15-05 dated October 27, 2016 authorizes GPA to procure EPCM contractor.



CONSOLIDATED COMMISSION ON UTILITIES

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power plant targeted for completion by end of 2023 and no later than April 2024, which is beyond the expiration of the Stanley Consultants' contract term; and

WHEREAS, the Ukudu Power Plant is to be designed for ultralow sulfur fuel and natural gas firing, as a dual fuel fired plant with natural gas lines to be installed by Guam Ukudu Power; and

WHEREAS, the operating costs for the Ukudu Power Plant significantly reduces when using natural gas for fuel; and

WHEREAS, GPA requires consulting services to assist in the developing and supporting the procurement for the infrastructure required to receive Liquefied Natural Gas to Guam and to supply natural gas to the new power plant.

NOW THEREFORE, BE IT RESOLVED, by the Consolidated Commission on Utilities, subject to the review and approval of the Public Utilities Commission, as follows:

1. The CCU authorizes the GPA General Manager to petition the PUC for approval of procurement documents for engineering and technical consulting services to support implementing the compliance plan which includes contract management, construction and commissioning support for Ukudu Power Plant and for developing procurement for natural gas supply for the new power plant.

RESOLVED, that the Chairman of the Commission certifies and the Secretary of the Commission attests the adoption of this Resolution.

DULY AND REGULARLY ADOPTED AND APPROVED THIS 25th DAY OF MAY 2021.

Certified by:

Attested by:

A handwritten signature in black ink, appearing to read "J. T. Duenas", written over a horizontal line.

JOSEPH T. DUENAS

Chairperson

Consolidated Commission on Utilities

A handwritten signature in black ink, appearing to read "Michael T. Limtiaco", written over a horizontal line.

MICHAEL T. LIMTIACO

Secretary

Consolidated Commission on Utilities



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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: 4

Nays: 0

Absent: 1

Abstain: 0

