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7 **BEFORE THE GUAM PUBLIC UTILITIES COMMISSION**

9 IN THE MATTER OF:

10 **THE PETITION OF THE GUAM**
11 **WATERWORKS AUTHORITY**
12 **TO APPROVE IDIQ CONTRACT**
13 **AMENDMENT NO.3, TO**
14 **EXECUTE TASK ORDER NO. 8,**
15 **WITH BROWN AND**
16 **CALDWELL TO COMPLETE**
17 **THE INTERIM WATER**
18 **RESOURCE MASTER PLAN**
19 **UPDATE: GWA PROJECT NO.**
20 **M19-003-BND.**

) **GWA DOCKET NO. 22-01**

) **PETITION FOR PUC REVIEW TO**
) **APPROVE IDIQ CONTRACT**
) **AMENDMENT NO. 3, TO EXECUTE**
) **TASK ORDER NO. 8, WITH BROWN**
) **AND CALDWELL TO COMPLETE**
) **THE INTERIM WATER RESOURCE**
) **MASTER PLAN UPDATE**

21 **COMES NOW**, the GUAM WATERWORKS AUTHORITY ("GWA"), by and through
22 its counsel of record, THERESA G. ROJAS, ESQ., and hereby files its Petition for PUC Review
23 to Approve Indefinite Delivery Indefinite Quantity ("IDIQ") Contract Amendment No. 3, to
24 Execute Task Order No. 8, with Brown and Caldwell to Complete the Interim Water Resource
25 Master Plan Update ("WRMP").

26 **BACKGROUND**

27 Guam Waterworks Authority awarded an IDIQ contract for Project Management and
28 Construction Management ("PM/CM") services to Brown and Caldwell in the amount of
\$750,000.00. The contract was later amended by GWA under GWA Resolutions 21-FY2020,

28-FY2020, and 36-FY2020 to increase the maximum contract amount to \$1,934,954.00 to execute seven (7) previous task orders. Of the seven task orders, Task Orders 2, 3, and 4 were paid by USEPA grants totaling \$942,585.00. Task Orders 1, 5, 6, 7, and now 8 are funded by bond monies totaling \$1,354,210.00 raising the new total contract amount to \$2,296,795.00. The instant Amendment No. 3, to execute Task Order No. 8, increases bond funded payments by \$361,841.00 (if approved) from \$992,369.00 to \$1,354,210.00, exceeding one million dollars (\$1,000,000.00). As a result, PUC approval is now required since the amount of the IDIQ contract funded by non-USEPA grant funds exceeds the PUC protocol limit of \$1,000,000.00.

REQUEST FOR APPROVAL

GWA now requests to amend the existing contract with Amendment No. 3, to execute Task Order No. 8, to complete the Interim Water Resources Master Plan Update; and more specifically to complete an interim status update to the 2018 Water Resources Master Plan (“WRMP”).¹ The amount required for Task Order No. 8 (Amendment No. 3) is \$328,946.00 with a ten (10%) contingency of \$32,895.000 increasing the Brown and Caldwell PM/CM IDIQ contract by \$361,841.00. Approving Task Order No. 8 (Amendment No. 3) creates a new *total* contract amount of \$2,296,795.00; of which 60% of this amount shall be paid from bond monies and 40% paid from USEPA grants, to date. The source of funding for Amendment No. 3 is GWA bond funds applicable to the project and other funding sources.

GWA hereby petitions the PUC, pursuant to the Contract Review Protocol for the Guam Waterworks Authority, to review and approve GWA’s IDIQ PM/CM Contract Amendment No. 3 with Brown and Caldwell. Under the specific Amendment No. 3, executing Task Order No. 8, it is anticipated the update to the three-volume 2018 WRMP will be a single summary volume incorporating GWA’s general water and wastewater system progress since 2018. In support of this Petition, the Guam Consolidated Commission on Utilities has approved Amendment No. 3

¹ GWA’s Water Resource Master Plan (WRMP) is a “living document” and is intended to be updated at regular intervals to record progress and document the needs of GWA as new information becomes available and as external factors change. Major updates are to be completed every five (5) years and interim status updates are to be completed between major updates. The WRMP provides a review of current and future requirements of GWA’s water and wastewater systems. Brown and Caldwell, 2018 WRMP at p1-1, p1-5.

1 in the amount of \$361,841.00, in GWA Resolution No. 22-FY2021. Said resolution and its
2 supporting exhibits providing sufficient detail on project scope, timelines for action, and prior
3 plus current amendment costs, are attached herein as Exhibit A, and are incorporated by
4 reference herein as if fully set forth.

5 **CONCLUSION**

6 Based on the foregoing, GWA requests the PUC approve GWA's Indefinite
7 Delivery/Indefinite Quantity Professional Project/Construction Management Services Contract
8 Amendment No. 3, to execute Task Order No. 8, with Brown and Caldwell in the additional
9 amount of \$361,841.00, for a total contract amount of \$2,296,795.00, to complete the interim
10 Water Resource Master Plan Update as it is reasonable, prudent, and necessary.

11 **RESPECTFULLY SUBMITTED** this 18th day of October, 2021.

12
13
14 By: Theresa G. Digitally signed by Theresa
G. Rojas
Date: 2021.10.19 12:18:08
+10'00'
15 **THERESA G. ROJAS**
16 **GWA General Counsel**
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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. 22-FY2021

**RELATIVE TO APPROVAL OF AMENDMENT FOR THE INDEFINITE
DELIVERY/INDEFINITE QUANTITY PROFESSIONAL PROJECT/CONSTRUCTION
MANAGEMENT SERVICES CONTRACT**

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 is a Guam Public Corporation established and existing under the laws of Guam; and

WHEREAS, GWA awarded an indefinite Delivery – Indefinite Quantity (IDIQ) contract to Brown and Caldwell for Project Management/Construction Management services in the maximum amount of Seven Hundred and Fifty Thousand Dollars (\$750,000.00); and

WHEREAS, GWA amended the Brown and Caldwell IDIQ for Project Management/Construction Management services under Resolutions 21-FY2020, 28-FY2020 and 36-FY2020 to increase the maximum amount to One Million Nine Hundred Thirty-Four Thousand Nine Hundred Fifty-Four Dollars (\$1,934,954.00) to execute seven (7) Task Orders; and

WHEREAS, GWA desires to complete an interim status update of the 2018 Water Resources Master Plan (WRMP) to review progress made on system recommendations and capital improvement projects, as scheduled in the WRMP; and

WHEREAS, GWA anticipates that the work conducted to update the WRMP will include certain tasks necessary to support the requirements of the potential Consent Decree being negotiated with the U.S. Environmental Protection Agency (EPA); and

1 **WHEREAS**, GWA management seeks CCU approval to IDIQ Contract Amendment
2 No.3 (Attached as Exhibit No. 1) to execute Task Order No. 8 (Attached as Exhibit No. 2) with
3 Brown and Caldwell and to increase funding accordingly to obtain the necessary technical
4 assistance to complete the Interim Water Resources Master Plan Update; and
5

6 **WHEREAS**, the amount required for Task Order No. 8 is Three Hundred Twenty-Eight
7 Thousand Nine Hundred Forty-Six Dollars (\$328,946.00); and
8

9 **WHEREAS**, the total amount authorized for the PM/CM IDIQ under Resolutions 21-
10 FY2020, 28-FY2020 and 36-FY2020 is One Million Nine Hundred Thirty-Four Thousand Nine
11 Hundred Fifty-Four Dollars (\$1,934,954.00); and
12

13 **WHEREAS**, GWA Management is seeking approval to issue Task Order 8 to Brown and
14 Caldwell in the amount of Three Hundred Twenty-Eight Thousand Nine Hundred Forty-Six
15 Dollars (\$328,946.00) and includes a ten percent (10%) contingency in the funding amount of
16 Thirty-Two Thousand Eight Hundred Ninety-Five Dollars (\$32,895.00) to increase the
17 maximum PM/CM IDIQ contract by Three Hundred Sixty-One Thousand Eight Hundred Forty-
18 One Dollars (\$361,841.00), for a new total contract amount of Two Million Two Hundred
19 Ninety-Six Thousand Seven Hundred Ninety-Five Dollars (\$2,296,795.00); and
20

21 **WHEREAS**, funding for the Task Order No. 8 will be from GWA Bond funds as
22 applicable, from Internally Funded Capital Improvement Project funds or other funding sources
23 as they become available.
24

25 **NOW BE IT THEREFORE RESOLVED**, that the Consolidated Commission on
26 Utilities does hereby approve the following:

- 27 1. The recitals set forth above hereby constitute the findings of the CCU.
- 28 2. The CCU finds that the Task Order 8 is required as part of GWA's continuing
29 commitment to improve GWA operations, effectively manage the CIP and
30 improve customer service.
- 31 3. The CCU hereby approves the amount for this Task Order 8 of Three Hundred
32 Twenty-Eight Thousand Nine Hundred Forty-Six Dollars (\$328,946.00) (Exhibit

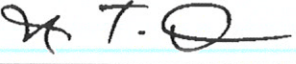
1 2) with a ten percent (10%) contingency of Thirty-Two Thousand Eight Hundred
2 Ninety-Five Dollars (\$32,895.00).

- 3 4. The CCU hereby approves IDIQ Contract Amendment No.3 (Attached as Exhibit
4 No. 1) with a funding increase of Three Hundred Sixty-One Thousand Eight
5 Hundred Forty-One Dollars (\$361,841.00), for a new total contract amount of
6 Two Million Two Hundred Ninety-Six Thousand Seven Hundred Ninety-Five
7 Dollars (\$2,296,795.00).
8 5. The CCU hereby further approves the funding for the IDIQ Contract Amendment
9 No.3 from GWA Bond funds applicable to the project and other funding sources
10 as they become available.
11 6. GWA Management is hereby authorized to seek PUC approval with respect to the
12 IDIQ Contract Amendment No.3 as the since the amount of the IDIQ Contract
13 now funded by non-USEPA grant funds exceeds One Million Dollars
14 (\$1,000,000.00) as required by Docket 00-04.

15
16 **RESOLVED**, that the Chairman certified and the Board Secretary attests to the adoption
17 of this Resolution.

18
19 **DULY AND REGULARLY ADOPTED**, this 25th day of May, 2021.

20
21 Certified by:

22 
23 _____
24 **JOSEPH T. DUENAS**
25 Chairperson

26 Attested by:

27 
28 _____
29 **MICHAEL T. LIMTIACO**
30 Secretary

31 //

32 //

1
2
3 **SECRETARY'S CERTIFICATE**
4

5 I, Michael T. Limtiaco, Board Secretary of the Consolidated Commission on Utilities as
6 evidenced by my signature above do hereby certify as follows:
7

8 The foregoing is a full, true and accurate copy of the resolution duly adopted at a regular
9 meeting by the members of the Guam Consolidated Commission on Utilities, duly and
10 legally held at a place properly noticed and advertised at which meeting a quorum was
11 present and the members who were present voted as follows:
12

13 AYES: 4

14 NAYS: 0

15 ABSENT: 1

16 ABSTAIN: 0



EXHIBIT 1

This is **EXHIBIT K**, consisting of 3 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services – Task Order Edition** dated June 27, 2019.

Amendment to Owner-Engineer Agreement No. 3

1. Background Data:

- a. Effective Date of Task Order: June 17, 2019
- b. Owner: Guam Waterworks Authority
- c. Engineer: Brown and Caldwell
- d. Specific Project: Indefinite Delivery/Indefinite Quantity (IDIQ) for Professional Project/Construction Management Services GWA Project No. M19-003-BND

2. Nature of Amendment

During the contract, GWA identified needs for services under this contract that have totaled \$1,934,954 through seven Task Orders (nos.1-7) and subsequent respective change orders. By Resolution 36-FY2020 the CCU authorized increasing the Owner-Engineer Agreement to \$1,934,954 as covered in Amendment No.2 to the Owner-Engineer Agreement

This Amendment No.3 to the IDIQ Owner-Engineer Agreement contract will increase contract funding in the amount of \$361,841 to allow for Task Order 8 to be executed and completed. The total contract amount is, therefore, \$2,296,795 through this Amendment No.3 to the IDIQ.

3. Task Order Summary (Reference only)

During the execution of this IDIQ contract, GWA issued the following Task Orders (and Change Orders to the Task Orders as noted) for the work described below.

- 1. Task Order No.1 – Consulting Engineer’s Report
 - a. Change Order No.1 – Clarification relative to the Municipal Advisor Disclosure
 - b. Change Order No.2 – Increase in scope for additional draft reports, updating financial projections, and evaluation of COVID-19 impacts on the financial projections.
 - c. Change Order No.3 – Increase in scope to address continuing development of changes required to the financial plan to adequately address the COVID-19 impacts, additional financial analysis and report modifications.
 - d. Change Order No.4 – Increase in scope to add task for assistance with and attendance at the individual investor meetings.
- 2. Task Order No.2 – Project/Contract Management for Rt.4 Sewer Rehabilitation
 - a. Change Order No.1 – Extension of performance time and associated increase in total fee due to construction period extensions.
- 3. Task Order No.3 – Project/Contract Management for Rt.1 Sewer Rehabilitation

Exhibit K – Amendment to Task Order

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EXHIBIT A-05

- a. Change Order No.1 – Extension of performance time and associated increase in total fee due to construction period extensions; plus increasing the scope to provide PM/CM for construction of the Adelup to Hagatna section.
4. Task Order No.4 – Project/Construction Management for SSES phase 2 Hyundai Subdivision Lift Station
 - a. Change Order No.1 - Extension of performance time and associated increase in total fee due to construction delays; plus adding archaeological services to the scope of work.
5. Task Order No.5 - Cost of Service Study (PUC Stipulation)
6. Task Order No.6 – Water Meter Technical Assistance
7. Task Order No.7 – Consent Decree and Hydraulic Modeling Assistance
8. Task Order No. 8 – Water Resources Master Plan Interim Update

Summary of Costs

Task Order No.1	\$188,490
Change Order No.1	\$0
Change Order No.2	\$86,065
Change Order No.3	\$13,084
Change Order No.4	\$3,836
Subtotal	\$291,475
Task Order No.2	\$148,348
Change Order No.1	\$48,959
Subtotal	\$197,307
Task Order No.3	\$209,780
Change Order No.1	\$266,270
Subtotal	\$476,050
Task Order No.4	\$181,924
Change Order No.1	\$87,304
Subtotal	\$269,228
Task Order No.5	\$318,343
Task Order No.6	\$24,226
Task Order No.7	\$358,325
Task Order No. 8	<u>\$361,841</u>
Total	\$2,296,795

4. Agreement Summary

<u>IDIQ Contract Amount</u>		
a.	Original Agreement amount:	\$ 750,000
b.	Net change for Amendment No.1:	\$ 992,860
b.	Net change for Amendment No.2:	\$ 192,094
c.	Net change for Amendment No.3:	<u>\$ 361,841</u>
d.	Total Amount for Original Contract plus Amendments No.1-3:	\$2,296,795

The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is **May 14, 2021**

OWNER:

By: Miguel C. Bordallo, P.E.

Title: General Manager

Date
Signed: _____

ENGINEER:

By: _____

Title: Senior Vice President

Date
Signed: May 14, 2021

Certified Funds:

Taling M. Taitano, CPA, CGFM, CGMA
Chief Financial Officer

EXHIBIT 2

TASK ORDER FORM

This is Task Order No. 8,
consisting of 8 pages.

Task Order

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services, dated June 17, 2019 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: May 2021
- b. Owner: Guam Waterworks Authority
- c. Engineer: Brown and Caldwell
- d. Specific Project (title): Indefinite Delivery/Indefinite Quantity (ID/IQ) for Professional Project/Construction Management Services
- e. Specific Project (description): Guam Water Resources Master Plan – Interim Update

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:

SCOPE OF WORK

This task will be performed by Brown and Caldwell under the GWA ID/IQ Project Management/Construction Management contract herein referred to as "Engineer".

Under this Task the Engineer will provide a general status update of the last GWA Water Resources Master Plan Update (WRMPU) dated August 2018. It is anticipated that this update will be a single summary volume incorporating the general, water system, and wastewater system progress since 2018, as described herein.

The scope of work is based on the following:

- This update will cover the same period as the 2018 WRMPU – through the year 2037 – and will not extend the planning horizon.
- The update will include a summary of the financial planning work recently completed including the 2020 Consulting Engineer's Report and the PUC Analytical Studies. As GWA is in the progress of completing a comprehensive financial review and update for a 2022 rate application, no additional financial planning work will be included in this Interim Update. The Engineer will work with the

Task Order Form

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EXHIBIT A-08

Galardi Rothstein Group (GRG) through GRG's contract with GWA and include a summary update of the PUC Comprehensive review and update and rate application.

- The last comprehensive update of the water system hydraulic model was completed in 2015/2016. Because it has been approximately 5 years since the last update, a comprehensive update of the water model will be included in this Task Order.
- The wastewater system hydraulic models were updated for the 2018 WRMPU. At that time, there were still gaps in the Central basin model that needed to be addressed. GWA has a project in place to update the Central wastewater system model, but the required wet weather data has not been completed at this time. If that Central model and the corresponding analysis are completed in time for this Interim Update, that analysis will be incorporated in this update. Otherwise, updates to the Central basin will not be included in this Interim Update.
- The Consent Decree negotiations are in progress, but it is unknown when the final Consent Decree will be signed and in effect. An optional task is included in the Task Order to incorporate a review of the Consent Decree and comment on its impact on the Master Plan projects and schedules and note possible changes to the Master Plan CIP and CIP Schedules that could be needed to meet the Consent Decree requirements.

Task 1: Task Management

Approach: Engineer staff will manage the scope, schedule, and budget associated with the work described in this Task Order to ensure that this work is managed in a manner that meets contract requirements. This includes, but is not limited to, management of documents, change, risk, and quality assurance and control. This task shall include regular progress conference calls or meetings between Engineer and GWA personnel to review project progress, issues to be resolved, early results, etc. This task covers efforts associated with the internal quality control and technical review process. Specifically, the Engineer will conduct internal QA/QC meetings and follow-up with technical experts as necessary during the course of the project. Internal checking or peer review of all deliverables will also be performed.

Engineer Responsibilities: Engineer staff will manage the scope, schedule, and budget.

GWA Responsibilities: GWA staff will attend meetings, review progress reports, and assist as necessary towards the Interim Update completion.

Task 2: Overview and Fundamentals Update

Approach: Under this task, the Engineer will review updates to the GWA organization and operations and progress made on the components covered in 2018 WRMPU Volume 1, Overview and Fundamentals. The update will reflect progress and improvements made since 2018.

This task will include a summary of the financial planning work recently completed including the 2020 Consulting Engineer's Report and the PUC Analytical Studies. As noted above, the Engineer will work with GRG through GRG's contract with GWA and include a summary update of the PUC Comprehensive review and update and rate application.

The scope of work included section by section is:

1.0	Overview and Fundamentals Update	
1.1	Introduction	Overall Interim Update introduction
1.2	System Accomplishments 2018 –2021	Add new projects completed since 2018 WRMPU
1.3	Levels of Service	Review progress based on interviews with GWA staff
1.4	2016 Guam Population and Water Demand Projections	Review progress and update with 2020 Census if available. Review and update planned developments
1.5	Source Water	Update based on new data, WERI reports, and on-site disposal system elimination plans Review recommendations and progress
1.6	Enterprise Environmental Factors	Review progress with respect to court order work, future consent decree, and military relocation
1.7	Asset Management	Review progress and recommendations based on interviews with GWA staff
1.8	GIS Program	Review progress and recommendations based on interviews with GWA staff
1.9	SCADA Program	Review progress and recommendations based on interviews with GWA staff
1.10	Recommended Projects	Update recommended projects by reviewing project status and removing completed projects
1.11	Overall Capital Improvements Summary	Update summary of projects
1.12	Financial Planning	Work with GWA's Financial Consultant, GRG to include a summary update of financial work completed since 2018 and the recent PUC Rate Application

Engineer Team Responsibilities: Engineer staff will request and review available reports, plans, permits, agreements, CIP, budgets, and other pertinent documentation. Engineer staff will conduct interviews with GWA management and staff to discuss progress and changes since 2018.

GWA Responsibilities: Provide requested information, assist with scheduling, and participate in GWA interviews. Coordinate with GWA's Financial Consultant as needed.

Task 3: Water System Update

Approach: Under this task, the Engineer will review updates to the GWA water system and progress made on the components covered in 2018 WRMPU Volume 2, Water System. The update will include a hydraulic model update, review of planned projects and reflect progress and improvements made since 2018.

The scope of work included section by section is:

2.0	Water System Update	
2.1	Introduction	Discuss updates since last MP
2.2	Existing Water Distribution System	Discuss updates since last MP
2.3	Existing Water Supply Description	Discuss updates since last MP

2.4	Hydraulic Model Development	Update model with latest piping and demands
2.5	Supply Evaluation	Discuss updates to wells, Ugum, etc.
2.6	Storage Evaluation	Update with new tanks and update storage analysis
2.7	Booster Pump Station Evaluation	Update with new BPSs and update plan to latest GWA plans
2.8	Distribution System Evaluation	Update analysis and recommendations using updated model
2.9	Water Loss Control	Recommendation's review and update
2.10	Fire Hydrants	Provide status update on recommendations and implementation
2.11	General System Recommendations	Update recommended projects by adding any new projects and removing completed projects
2.12	Recommended Project Sheets	Update project sheets with any new projects

Water Model Update

The water model will be updated using the following steps:

- Information request. The Engineer will submit a list of information to be provided by GWA, including water system GIS layers, the current water model, water utility billing data, water production data, the water loss reduction study report, etc.
- Model piping. Model piping will be updated to match the latest water system GIS.
- Model demands. Water demands will be updated using the water billing and water production data. Model demands may be updated to reflect pre-COVID demands.
- Model facilities. The Engineer will conduct interviews with GWA staff to obtain information on the pump stations, valves, wells, and storage tanks that have been constructed, removed, or modified since the previous model update. That information will be used to update model facilities.
- Interviews. The Engineer will conduct interviews with GWA water operators and other personnel familiar with the water distribution system to collect any new information on the operation and maintenance of the system and ongoing deficiencies.
- Field work. The Engineer will rent pressure loggers and place the loggers throughout the water system for several weeks. GWA will provide any available recorded tank levels or flows during that period.
- Model calibration. The model will be calibrated using the collected field data.

The calibrated model will then be used to analyze the water system. Deficiencies will be identified and recommendations for improvements will be developed. Recommended improvements from the 2018 WRMPU will be updated with these new model recommendations. Recommendations will include an update to the pressure zone realignment and storage tank replacement plans.

Engineer Team Responsibilities: The Engineer will review and update the water system hydraulic model to reflect changes, improvements, and new data regarding the water system. Engineer staff will request and review available reports, data, and other pertinent documentation from GWA engineering and operations to complete the status and model updates. Engineer will provide an updated water system hydraulic model.

GWA Responsibilities: Provide requested information, assist with scheduling, and participate in GWA interviews, obtain requested field data.

Task 4: Wastewater System Update

Approach: Under this task, the Engineer will review updates to the GWA wastewater system and progress made on the components covered in 2018 WRMPU Volume 3, Wastewater System. The update will reflect progress and improvements made since 2018.

Under this task, the Engineer will review and update the information and recommendations in the 2018 WRMPU to reflect changes, improvements, and new data regarding the wastewater system. Hydraulic model updates from other projects will be included if they are ready for this update. Otherwise, those updates will be included in the next comprehensive update.

The scope of work included section by section is:

3.0	Wastewater System Update	
3.1	Introduction	Discuss updates since last MP
3.2	Existing Wastewater System	Discuss updates since last MP
3.3	Hydraulic Model Development	Discuss model updates being done with other task orders
3.4	Gravity Piping Evaluation	Discuss updates since last MP
3.5	Force Main Evaluation	Discuss updates since last MP
3.6	Lift Station Evaluation	Discuss updates since last MP
3.7	Wastewater Treatment Evaluation	Discuss updates since last MP
3.8	Solids Management Plan	Discuss updates since last MP
3.9	SSES Evaluation	Include SSES Update data available from GWA
3.10	General System Recommendations	Update recommended projects by adding any new projects and removing completed projects
3.11	Recommended Project Sheets	Update project sheets with any new projects
3.12	Consent Decree Evaluation	This new section will be added if the consent decree is issued

Engineer Team Responsibilities: The Engineer will request and review available reports, data, and other pertinent documentation for improvements and changes regarding the wastewater system.

GWA Responsibilities: Provide requested information, assist with scheduling, and participate in GWA interviews.

Task 5: Report Update

Approach: Under this task, the Engineer will prepare two drafts and one final WRMPU – Interim Update. The report is envisioned to be contained in one volume with major sections following the three volumes of the 2018 WRMPU as outlined above. The report will include a report card on projects recommended in the 2018 WRMPU and a summary of the work done in Tasks 2, 3, and 4.

Engineer Team Responsibilities: Prepare draft and final reports and deliver them to GWA.

GWA Responsibilities: Review draft updates, provide collective GWA comments on up to two draft reports, participate in conference calls, and attend meetings.

Products: Up to two draft and one final WRMPU interim update reports. Draft copies will be provided in electronic pdf format. The final report will be provided in electronic pdf format and 5 printed copies. One updated water system hydraulic model.

Task 6 (Optional): Consent Decree Impacts on WRMPU

Approach: Under this task, the Engineer will review the upcoming Consent Decree and the impact it will have on the projects, project schedules, and other requirements presented in the 2018 WRMPU. This work would be incorporated as an added section in the report as described under Task 4. This work would be an additional task and only completed when authorized by GWA.

Engineer Team Responsibilities: Review final EPA Consent Decree and request any supplemental data needed to evaluate the work needed under the Consent Decree.

GWA Responsibilities: Provide requested information.

- A. Resident Project Representative (RPR) Services (Excluded)
- B. Designing to a Construction Cost Limit (Excluded)
- C. Other Services (Excluded)
- D. All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order.

3. Additional Services

- A. Additional Services that may be authorized or necessary under this Task Order are:
 - o Task No. 6 - Consent Decree Impacts on WRMPU

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B.

5. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule:

<u>Party</u>	<u>Action</u>	<u>Schedule</u>	<u>Calendar Date Deadline</u>
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Task Order Form

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EXHIBIT A-13

Engineer	Furnish [1] electronic (pdf) review copy of the first draft Report to Owner.	Within [X] days of the Effective Date of the Task Order.	Based on Task Order Date
Owner	Submit comments regarding first draft Report and other Study and Report Phase deliverables to Engineer.	Within [7] days of the receipt of first draft Report from Engineer.	Based on Task Order Date
Engineer	Furnish [1] electronic (pdf) copy of the second draft Report to Owner.	Within [21] days of the receipt of Owner's comments regarding the first draft Report.	Based on Task Order Date
Owner	Submit comments regarding second draft Report and other Study and Report Phase deliverables to Engineer.	Within [7] days of the receipt of second draft Report from Engineer.	Based on Task Order Date
Engineer	Furnish specified copies of the FINAL Report to Owner.	Within [15] days of the receipt of Owner's comments regarding the second draft Report.	Based on Task Order Date

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Basic Services (Section 2.A above)		
a. Task 1 – Task Management	\$26,190	Lump Sum
b. Task 2 – Overview and Fundamentals Update	\$45,370	Lump Sum
c. Task 3 – Water System Update	\$126,454	Lump Sum
d. Task 4 – Wastewater System Update	\$44,370	Lump Sum
e. Task 5 – Report Update	\$37,146	Lump Sum
f. Expenses	\$11,665	Lump Sum
g. GRT	\$15,326	Lump Sum
TOTAL COMPENSATION (lines 1.a-g)	\$306,521	
2. Additional Services		
a. Task 6 – Consent Decree Impacts on WRMPU	\$21,304	Lump Sum
b. GRT for Additional Services	\$1,121	Lump Sum
TOTAL COMPENSATION (lines 1.a-g and 2.a-b)	\$328,946	

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EXHIBIT A-14

Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered, but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.

- B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. Consultants retained as of the Effective Date of the Task Order: None

8. Other Modifications to Agreement and Exhibits: None

9. Attachments: None

10. Other Documents Incorporated by Reference: None

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is May 2021.

OWNER:

ENGINEER:

By: _____

By: _____

Print Name: Miguel C. Bordallo, PE

Print Name: Raymond N. Matasci

Title: General Manager

Title: Senior Vice President

Engineer License or Firm's
Certificate No. (if
required): _____
State of: _____

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: _____

Name: Kurt Bilz

Title: _____

Title: Project Manager

Task Order Form

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EXHIBIT A-15

Address: _____

E-Mail
Address: _____

Phone: _____

Address: 414 West Soledad, No. 602
Hagatna, GU 96910

E-Mail
Address: kbilz@brwncald.com

Phone: (671) 300-4221

DRAFT