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BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

IN THE MATTER OF:

The Application of the Guam Solid
Waste Authority for Review and
Approval of the Award and Contract
to Pacific Unlimited, Inc. dba Fleet
Services for Fleet Repair Services

GSWA DOCKET NO. 23-01

**PETITION FOR CONTRACT
REVIEW AND APPROVAL**

INTRODUCTION

COMES NOW the **GUAM SOLID WASTE AUTHORITY (GSWA)** and respectfully petitions the **GUAM PUBLIC UTILITIES COMMISSION (PUC)** to review and approve the contract entered into between GSWA and Pacific Unlimited, Inc. dba Fleet Services for fleet repair services.

BACKGROUND

On August 23, 2022, GSWA issued **Invitation for Bid (IFB) No. GSWA 0008-22** soliciting for the qualified companies to provide maintenance and repair services for GSWA's light, medium, and heavy vehicles and equipment.

Three prospective bidders acquired a bid package, and two bidders responded. The two bidders were Pacific Unlimited Inc., dba Fleet Services (Fleet Services) and Triple J. Express Tire & Lube Inc., dba Triple J Commercial Tire.

On September 8, 2022, the two bids were opened publicly. Fleet Services was determined to be the lowest responsive and responsible bidder, having submitted a bid that offered to provide fleet repair services at the lowest price.

The total contract amount for five years as offered by Fleet Services and agreed upon by GSWA is estimated to be approximately One Million One Hundred Thousand Dollars (\$1,100,000.00) for the first year, plus an additional Four Million Four Hundred Thousand Dollars (\$4,400,000.00) for four additional 1-year periods (or \$1.1 Million per fiscal year), subject to the mutual agreement of the parties and the availability of funds.

On September 14, 2022, GSWA issued a Notice of Intent to Award the contract to Fleet Services. The award was approved by the GSWA Board of Directors on September 22, 2022 in its **Resolution No. 2022-012**. Said Resolution is attached herein as **Exhibit 1** and incorporated in full by this reference.

No protest of the award to Fleet Services was or has been made, and the period for filing a protest under 5 GCA § 5425(a) ended on September 28 (i.e., 14 days after the notice of intent to award was given to Fleet Services on September 14).

DISCUSSION

The PUC has jurisdiction and authority to hear this Petition pursuant to 12 GCA § 12105 and the Order establishing a *Contract Review Protocol for GSWA*. See, GSWA DOCKET 19-02 & ADMINISTRATIVE DOCKET dated July 25, 2019.

GSWA's entire operation as an agency is grounded in its mission to provide Guam with a safe, efficient and effective solid waste disposal system that protects the health, safety, and welfare of Guam and the public, while also protecting the environment. A key factor in the success of this mission is the reliability of the equipment and the fleet of refuse trucks and vehicles that are necessary to collect, dispose, and recycle the waste.

At all times, the fleet must consistently be maintained and kept in good working order so that GSWA can perform its duty to provide waste disposal services, otherwise the public's health will be threatened. Moreover, the equipment and the fleet represent costly investments made with public funds. It is critical that each vehicle be kept safe, reliable and can stay on the road for the optimum amount of time.

CONCLUSION

The contract with Fleet Services to maintain and repair GSWA's light, medium, and heavy vehicles and equipment is essential to the operations of GSWA and in the best interests of the Guam and its residents. The terms and cost of the contract are fair and reasonable to all concerned, and the procurement was made in compliance with Guam law. *For all the foregoing reasons*, GSWA submits that the instant petition for the PUC to review and approve the award of a contract to Pacific Unlimited Inc. dba Fleet Services for the provision of fleet repair services should be GRANTED. Respectfully submitted this 14th day of October, 2022.

OFFICE OF THE ATTORNEY GENERAL
Leevin Taitano Camacho, Attorney General

By: _____



SANDRA C. MILLER

Assistant Attorney General (smiller@oagguam.org)

EXHIBIT 1

GSWA Board Resolution No. 2022-012

**Relative to Petitioning the PUC for the Approval
of the Award to Pacific Unlimited, Inc. *dba* Fleet
Services for Fleet Repair Services**



GUAM SOLID WASTE AUTHORITY

LOURDES A. LEON GUERRERO
Governor of Guam

JOSHUA F. TENORIO
Lt. Governor of Guam

IRVIN L. SLIKE
General Manager



GSWA BOARD RESOLUTION NO.2022-012

GSWA Board Resolution No. 2022-012

RELATIVE TO PETITIONING THE PUBLIC UTILITIES COMMISSION (PUC) FOR THE APPROVAL OF THE AWARD TO PACIFIC UNLIMITED, INC. dba FLEET SERVICES FOR FLEET REPAIR SERVICES.

WHEREAS, on Tuesday, August 23, 2022, the Guam Solid Waste Authority (GSWA) issued an Invitation for Bid (IFB) No. GSWA008-22 to solicit qualified companies to provide Fleet Repair Services for all of GSWA's light, medium, and heavy vehicles and equipment; and

WHEREAS, the Authority had received three (3) prospective bidders that acquired bid documents, but only two (2) were submitted by the submission deadline of September 8, 2022 at 10:00 a.m.; and

WHEREAS, bids were publicly opened on Thursday, September 8, 2022 at the GSWA Conference room; and

WHEREAS, Pacific Unlimited dba Fleet Services was the only company that submitted a bid offer for Fleet Repairs (Item 1.0), while Triple J Express Tire & Lube, Inc. dba Triple J Commercial Tire submitted a "No Bid" for Fleet Repairs (Item 1.0) ; and

WHEREAS, Pacific Unlimited dba Fleet Services met the requirements of the bid and offered the lowest cost bid of \$73.50 per hour for In-Shop Fixed Rate and \$105.00 for Out-of-Shop Fixed Rate; and

WHEREAS, the total contract amount for the Fleet Repair Services at the prices offered are estimated to be approximately One Million One Hundred Thousand Dollars (\$1,100,000.00) for the first year, and an additional Four Million Four Hundred Thousand Dollars (\$4,400,000.00) for four (4) additional 1-year periods subject to availability of funds.

WHEREAS, GSWA issued Notice of Intent to Award to Pacific Unlimited dba Fleet Services on September 14, 2022; and

WHEREAS, funding for this contract will be from GSWA Operations Fund; and

THEREFORE, BE IT HEREBY RESOLVED by the Board of Directors as the Governing Body of the Guam Solid Waste Authority authorizes Management to petition the Public Utilities Commission (PUC) to review and approve the award to Pacific Unlimited dba Fleet Services for Fleet Repair Services (Item 1.0), in accordance with the Contract Review Protocol for the Guam Solid Waste Authority.

Ayes: 5

Nays: 0

Absent: 0

Abstain: 0



GUAM SOLID WASTE AUTHORITY

LOURDES A. LEON GUERRERO
Governor of Guam

JOSHUA F. TENORIO
Lt. Governor of Guam

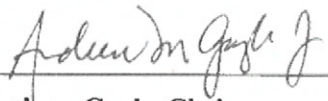
IRVIN L. SLIKE
General Manager



GSWA BOARD RESOLUTION NO 2022-012

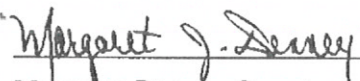
Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Guam Solid Waste Authority, Guam, on the 22nd day of September 2022.

**GUAM SOLID WASTE AUTHORITY
BOARD OF DIRECTORS**


Andrew Gayle, Chairman

**ATTEST:
ALICIA FEJERAN, CLERK**

BY: 


Margaret Denney, Secretary