



PORT OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
1026 Cabras Highway, Suite 201, Piti, Guam 96925
Telephone: 671-477-5931/35 Facsimile: 671-477-2689/4445
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Lourdes A. Leon Guerrero
Governor of Guam
Joshua F. Tenorio
Lieutenant Governor

REGULAR MEETING OF THE BOARD OF DIRECTORS
Jose D. Leon Guerrero Commercial Port
Thursday, February 24, 2022
Virtual Board Meeting
3:00 p.m.

A G E N D A

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES
 1. January 20, 2022 – Regular Board Meeting
- III. PUBLIC COMMENTS:
 - a. Public Comments
 - b. Employee Comments
 - c. PAGGMA Association
- IV. GENERAL MANAGER’S REPORT (deferred to Old/New Business Items)
- V. OLD BUSINESS
- VI. NEW BUSINESS
 1. IFB-PAG-CIP-021-005 Waterline Replacement Project
 2. Resolution No. 2022-04 Relative to petitioning the Public Utilities Commission for approval of award for the Waterline Replacement Project
 3. IFB-PAG-CIP-021-007 Replacement of Existing 125 Each Reefer Outlets
 4. IFB-PAG-CIP-021-010 EQMR Building Repair & Upgrades
 5. Resolution No. 2022-05 Relative to petitioning the Public Utilities Commission for approval of award for the EQMR Building Repair & Upgrades
 6. Resolution No. 2022-06 Relative to providing notice to the public that fishing is permissible throughout certain areas under the jurisdiction of the Jose D. Leon Guerrero Commercial Port on Cabras Island and Route 18
 7. Request for Creation of Position of Port Terminal Supervisor
 8. Request for Creation of Position of Port Terminal Worker
- VII. ADJOURNMENT



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**MINUTES OF THE
REGULAR MEETING OF THE BOARD OF DIRECTORS
Thursday, January 20, 2022**

I. CALL TO ORDER

There being a quorum, the regular meeting of the Board of Directors was called to order at 3:14 p.m., Thursday, January 20, 2022. Present at the meeting were:

Francisco G. Santos, Chairman
Nathan T. Taimanglo, Vice Chairman
Dorothy P. Harris, Board Member
Dr. Judith P. Guthertz, Board Member
Rory J. Respicio, General Manager
Dominic G. Muna, Deputy General Manager, Operations
Luis R. Baza, Deputy General Manager, Admin/Finance
Atty. Christine K. Claveria, Port Counsel

Absent was Board Secretary Isa Marie C. Koki. Present was Senator Mary Torres and Port Staff.

II. ELECTION OF OFFICERS

Director Harris made motion to retain the existing officers of the Port Authority of Guam Board as follows: Mr. Francisco G. Santos as Chairman, Mr. Nathan T. Taimanglo as Vice Chairman and Ms. Isa Marie C. Koki as the Board Secretary. Motion was seconded by Director Guthertz and was unanimously approved.

III. APPROVAL OF MINUTES

a. **December 23, 2021 – Regular Board Meeting:** The Vice Chairman made motion to approve the minutes of December 23, 2021, subject to correction. The motion was seconded by Director Guthertz and was unanimously passed.

IV. PUBLIC COMMENTS

- a. **Public Comments:** None.
- b. **Employee Comments:** None.
- c. **PAGGMA Association:** PAGGMA Vice President Steve Muna announced that the association election of officers took place on December 28, 2021 to serve a two-year term. He was pleased to announce that there are 270 members and welcomes anyone who wish to

V. GENERAL MANAGER'S REPORT

1. Port's COVID-19 vaccination Dashboard

- Fully vaccinated: 367 or 100% of Port employees
- Booster vaccination: 89 or 24% of 367 Port employees

2. **COVID-19 Vaccination Outreach Clinic.** On January 14, 2022, the Port Authority of Guam hosted a Vaccination Clinic for all employees, port users and members of the public. The Vaccination Clinic was held from 9:00am until 11:00am in front of the former Port Clinic. The vaccines were available for anyone who is eligible and the booster shots were available based on the eligibility criteria established by DPHSS. Special thanks to Governor Lou Leon Guerrero, Lt. Governor Josh Tenorio, the Guam National Guard and the Department of Public Health and Social Services for making this drive through clinic a reality. There were 34 port employees who received their booster shots on this day.

3. **Port Employees Positive for Covid-19.** Just like the rest of our island, the Port is experiencing a surge of cases of COVID-19. In the past 2 weeks we have had 22 confirmed positive cases. Overall since the pandemic began in 2020 we have had a total of 56 positive cases so the recent 22 cases represent 39.29% of all of our cases and they have occurred in the past 2 weeks. More than half of these recent cases – 54.55% to be exact – were identified by our Port Contact Tracing Team. Out of the 22 recent cases - 81.82% - of these employees do not have their booster shots. We are working hard to address this as we recently held a drive-through vaccine clinic and we are constantly encouraging our employees to receive their booster shots. We also are continuing to deep clean our facilities, mandate masks and social distancing and we are providing our employees with hand sanitizer, antibacterial wipes and masks.

PAG Omicron Surge Statistics

Our Omicron surge began on January 6, 2022

22	22 cases total since surge began
56	56 total since August 2020
39.29%	This is the total percentage of ALL our COVID cases over the past 17 months that have happened in the last 2 weeks.

Surge Specifics January 6, 2022 to present

22	Total Cases
81.82%	Percentage of these employees who do not have their booster
18.18%	Percentage of these employees who do have their booster
54.55%	Percentage of the positive cases since January 6, 2022 who were tested as a close contact identified by our contact tracing team - facility spread
135	Number of close contacts identified and either tested or scheduled for testing since January 6, 2022.

4. **Organizational Climate Survey.** The Port employees were invited once again to anonymously speak their truths in an organizational survey. The organizational climate survey was conducted earlier this month by the agency's Human Resources Division. The survey provided employees an opportunity to anonymously rate different levels of our agency. It assessed what they value most in their employment and provided them an opportunity to make positive suggestions for improvement.
5. **General Manager's Notes for YTD Finances, as of December 31, 2021.** We are providing the following summary:

REVENUES AND CARGO THROUGHPUT:

- The Port's Total YTD Operating revenue for **December** 2021 is \$15.2 million, 9.2% or \$1.3 million higher than the YTD **December** FY22 budget projection of \$13.9M.
- The total number of containers handled as of **December** 2021 is 23,312, which is 7.2% or 1,559 containers higher than last year's **December** 2020 total of 21,753.

OPERATING EXPENSES:

- Overall YTD Operating expense, as of **December** 31, 2021 is \$12.2M, which is 6.1% or \$790K lower than the YTD budget as of **December** of \$12.9M, or \$576K in YTD cost avoidances.

OVERTIME EXPENSE AND DIRECT LABOR REVENUE:

- Overtime YTD for Divisions involved in Operations is \$464,304, which is 41.6% or \$136K higher than YTD overtime budget of \$327,918. The OT for the month of December is \$138K, which is 16% or \$26K lower than the overtime for the month of November.

Direct Labor reimbursement is \$1.1 million, which is 31% or \$258K higher than the FY21 budget of \$826K. Here is the breakdown:

Direct Labor Revenue:	\$1,084,080
Operations Overtime:	<u>\$ 464,304</u>
Variance:	\$ 619,776

YTD OPERATING REVENUES MINUS YTD EXPENSES

- Operating revenues minus operating expenses resulted in an operating income of \$3.1 million. The final result for the month of December is a net income of \$964K, after deducting net of Other Income/Expense totaling to a -\$2.1M. The December Net

Income is higher by 66% or \$384K as compared to the net income projection in the FY22 Budget.

Note: -\$2.1M is a net balance of Other Income and Expense which is composed of Interest Income, Interest Expense, Federal Reimbursements, Federal Expenses, Retirees COLA, Supplemental, Medical and Dental, and Other NonOperating Income & Expenses.

Other Financial Highlights, as of December 31, 2021:

- The debt service ratio as of December 31, 2021 is 2.28. This is 83% higher than the Bond Indenture Debt service ratio requirement of 1.25.
- Days Cash on Hand is 892 days, which is 78% or 392 days higher than the 500 days requirement of Moody’s Rating agency.

DEBT SERVICE RATIO - DECEMBER 2021

Projected Annual Debt Service Coverage	2.28
Debt Service Coverage Requirement	1.25
Variance	2.06
% Above the Indenture Requirement	83%

6. **Grant Awards and Ongoing Grant Submissions:**

- **Fuel Pipeline Connectivity Project.** SHPO's guidance on the project indicates the need for a HABS/HAER Level I document prior to construction. Strategic Planning Division is coordinating this process with SHPO. EDA held a virtual meeting with PAG staff on January 7, 2022 to introduce new Project Officer. PAG transmitted A/E Design scope of work and other documents to new Project Officer for informal review and comments.

Project Cost Estimate: \$3,016,363.00
 Grant Award: \$2,413,091.00 (80% Cost Share)
 PAG Share: \$603,272.00 (20% Cost Share)

- **Department of Agriculture Grant (DoAG).**

- **Harbor of Refuge (HOR).** Planning Division has coordinated with the Procurement Division for the issuance of the IFB. Anticipated announcement –February 3, 2022.

Grant Award: \$776,684.50
 FWS Share: \$621,347.60 (75% Cost Share)
 PAG Share: \$155,336.90 (25% Cost Share)

- **Agat Marina Dock B and Public Boat Ramp Repairs.** Procurement Planning meeting with PAG stakeholders pending A.G. and SAAG review/comment period scheduled during calendar year 1st quarter with the tentative issuance of an IFB during the 2nd quarter. Status Quo

Grant Award: \$512,759.00 (Dock B Repairs)
\$40,000.00 (Agat Marina's Boat Ramp Bumpers Repair)

- **Gantry Crane Acquisition.**
 - **USDA Direct Loan.** RFP for Banking Services coordination meeting with Finance Division has been postponed and anticipated to be rescheduled during the 2nd quarter FY22.
 - **EDA Grant.** The Port's STS Gantry Crane revised grant application to EDA is anticipated to be submitted on 2nd quarter FY22
 - **MARAD Marine Highway Program.** The Operations and Maintenance Division provided Planning with their equipment priority listing for the upcoming funding request in preparation for the FY2022 Marine Highway Program's NOFO. Work continues on the equipment acquisition market research and specifications.
 - **Office of Local Defense Community Cooperation (Formerly Office of Economic Adjustment – OEA Task Order #10 & #10S.** The 2020 Master Plan update continues to progress. Task Order #11 services have commenced with WSP's review and compilation of responses to RFIs on the H-Wharf Rehabilitation Project.
 - **EPA Diesel Emissions Reduction Act (DERA) Program.** MOU/Contract was certified on December 14, 2021 and document was registered with DOA's division of accounts on January 19, 2022. PAG team to work with GEPA to move forward with the procurement process.
7. **Port Revenue Bonds Project Status.** As of January 13, 2022, the attachment provides information on the status of the revenue bond projects that consist of rehabilitation of hotel wharf, golf pier repairs and improvements, waterline replacement/relocation, EQMR building, and warehouse 1 repair/upgrades, new admin annex building, and other priority projects.

VI. OLD BUSINESS

There were no old business discussed.

VII. NEW BUSINESS

1. **IFB-PAG-022-002 Ultra-Low Sulfur Diesel (Resolution No. 2022-03 relative to petitioning Public Utilities Commission for approval).** The General Manager presented executive summary IFB-PAG-022-002 wherein four (4) firms obtained IFB packets, while only two (2) companies participated in the bid opening. After opening of all sealed bids and determining that all bidders were determined to have met the standards of responsibility and responsiveness as outlined in the Guam Procurement Rules and Regulations, South Pacific Petroleum Corporation was the lowest bidder with a bid amount of approximately \$470,000.00 per year. This procurement bid process has been reviewed by Port counsel and is now being brought before the Board for contract award approval.

Director Guthertz made motion to approve the award to South Pacific Petroleum Corporation for IFB-PAG-022-002 for the Ultra-Low Sulfur Diesel for a period of three years with two additional one-year options to renew upon the availability of funds, and not to exceed a total of five consecutive years. Motion was seconded by Director Harris and was unanimously approved.

2. **Resolution No. 2022-01.** For purposes of discussion, Director Guthertz made motion to support Resolution No. 2022-01 as presented, seconded by the Vice Chairman. Discussion followed, and Director Guthertz stated that:

“Dear Colleagues, dear Port Management and port employees. As an observer from outside the Port, I have seen this circumstance come up over and over again over the last couple of years and I took the time over the last two weeks in particular, to delve into this circumstance more deeply. I did that because I was new to the Board and I at some point knew this would be coming up again and I wanted to make sure that whatever my personal position would be on this matter that it would be an educated decision on my part.

In reading through all of the supporting documents, including the letter from the Public Auditor expressing his concurrence on the proposed action plan, I want to say a few things. First – I think it’s very important for us to stress to everybody watching the proceedings of this minute through island media and social media, that there was no overpayment made to any of the seven wrongfully terminated employees. And the reason I use the word ‘wrongfully’ is not to find blame on anyone’s part, but to basically emphasis that the process was not followed. Two - In reading the Public Auditor’s concerns, if there had been a board policy in place to mirror the actions taken by management to reconstruct these back wages, I believe there wouldn’t be any claim that overpayments were made.

So in this resolution, we are being asked to ratify these actions and provide a board policy, which specifically will provide the following: First - that the salary increment for back wages of reinstated employees found to be wrongfully terminated in a judgement or order from the Civil Service Commission or the Courts of Guam shall be based on the average ratings of the employee’s last three years employment at the Port; and second - If for whatever reason the

employee's performance evaluation or increment certification was unsigned or somehow delayed, and a letter from the General Manager rejecting the performance evaluation or increment certification was not submitted at the time the employee's performance or evaluation was submitted to Human Resources, then the incumbent General Manager so shall accept such submission of the performance evaluation for purposes of reconstructing the employee's back wages; and third – That all salary increments and performance appraisals for reinstated employees shall be approved and signed by the incumbent General Manager who approves the corresponding personnel action. In addition, and because there was no board policy at the time all of this administrative, including board action, was taken, the Public Auditor concluded that the Port violated its own Personnel Rules and Regulations.

I get it, Mr. Chairman - This is not a fair conclusion, but I can see how such a conclusion is being made. How much longer are all of those who were terminated originally our seven Port employees, how much longer have they to endure all of this. We are going on 10 years and millions of dollars spent to fight these people. We must end all of this misconception, and in so doing, make sure that clarifications are made for the record purposes. Resolution 2022-01, with all of its supporting documents, provides the clarity to frame the real story and exactly what happened.

As the newest board member here, I can see how these actions to reconstruct these back wages could have been misinterpreted to make the kind of suggestions resulting from these audit findings. Also, as the newest board member, I want to stress that had I been a member of this board at the time, Mr. Chairman, you and our colleagues made the very difficult decision to instruct the Deputy General Manager to honor the judgement and orders by the Civil Service Commission, the Superior Court of Guam and the Supreme Court, I would have also voted yes at that time had I been a member as well. I would have voted yes to give the Port's Controller his certification authority, reconstruct his salary per the Supreme Court's order to restore him as though he never left, and rightfully rebuild the finance division. It's unfortunate that after the Supreme Court order twice that this individual be restored to the Port as if though he never left, it took the former General Manager almost 6 months to bring him back to the Port – although at a salary he left 7 years prior and then it took another six months for the present administration to come in and notify the board of all the difficulties that surround this circumstance. The same can be said of the other 6 employees who were terminated. Port employees and all the legal maneuverings that took place after that to block justice from factoring into the equation. Mr. Chairman, thankfully you, and the Vice Chairman acted without any hesitation when you were informed of what had happened to this individual. I also want to express support for Director Koki for realizing that it just didn't make any dollars and cents to keep fighting a losing battle. And, Director Harris having been the former Port Chief Planner, would have I believe also joined the three of you in ensuring that justice prevailed for all those employees who under Civil Service review, Court review were determined to have been terminated improperly. And after all of this travesty befallen on these seven individuals and their families, including a former General Manager Senator Torres and her family, and the millions of dollars spent by the Port over the years on legal battles, I strongly believe that Resolution 2022-01 is the one thing that will put an end to all of this, and provide a remedy for what I am sure none of us will ever want

to see ever happen again to anyone in our government. Please let me also call attention to the letter from our Public Auditor, responding favorably to Resolution 2022-01. I want to thank Public Auditor BJ Cruz and his audit team for their work and all of the guidance that they have provided in these audits.

Ratification of management's action when following these orders and judgements and board directives means that if the policy being proposed was a policy at the time the action was actually taken, then we as a board agree with such actions. For the record, I do agree with the actions taken, and I support this resolution which also adopts the policy set out as Board Policy 2022-01. I hope Mr. Chairman and colleagues and employees at the Port that all of us who have a vote in this matter would vote yes on this resolution. As we move forward, if this resolution does pass, I look forward to building relationships with all those that this Port interact with, and network with in the interest of the people of Guam. I call upon all of you to join me in respecting honest differences of opinion and to try and work together to correct this matter once and for all. We have too much work before us to ensure that the people of Guam are given the services that they are entitled to from the Port Authority. And that ranges from and among every single employee in this organization ensuring that our businesses receive their goods quickly, ensuring that our employees are safe as they come to work every day on behalf of the people of Guam, ensuring that this Port does not lose money, but generates enough revenue to cover all of its operations, plus expansion which is definitely needed to accommodate all the changes that would be occurring on our island in the next few years. So I ask all of you to join me in working with our elected officials in the executive branch, in the legislative branch, and ensuring that whatever we do here, we do it right. I think a lot of what happened may have not happened had proper discussion, interaction, heartfelt decision making and fairness would have guided this process. That's what I expect from our management. We have procedures to follow. We have to follow the procedures. And we have to make sure that when there's a need for discipline – we discipline fairly and progressively. And when there isn't a need, we don't spend millions of dollars unnecessarily. Thank you Mr. Chairman."

Director Harris thanked Director Guthertz for her eloquent comments and astute analysis. She mentioned that Director Guthertz's area of expertise is Public Administration and the application of government rules and laws which direct this Board's actions as public servants. She thanked Director Guthertz for putting into clear perspective the measures required to satisfy the recommendations of the OPA for ratification via the approval of Resolution No. 2022-01. The Vice Chairman echoed the comments made by Director's Guthertz and Harris.

Director Guthertz made motion to approve Resolution No. 2022-01 relative to adopting the recommendations made by the Office of Public Accountability (OPA) in its performance audits (OPA Report No. 21-03 and OPA Report No. 21-09), specifically the ratification of back wages provided for seven (7) recently reinstated Port employees, as recommended by the OPA, and ratifying such action specifying legal remedies; i.e., compensation of total back wages, interest, and legal fees and costs, and to further providing herein a structure establishing uniformity and consistency in how Port management will prospectively address these personnel matters. Motion was seconded by the Vice Chairman and was unanimously approved.

3. **Resolution No. 2022-02 Relative to the approval of Cementon Micronesia, LLC's request to pledge its leasehold interest in Parcel 3-1.** Director Guthertz made motion to approve Resolution No. 2022-02 relative to the approval of Cementon Micronesia, LLC's request to pledge its leasehold in Parcel 3-1, seconded by Director Harris. Motion was unanimously approved.

4. **Performance Evaluation of General Manager and Deputy General Managers.** The General Manager presented the performance evaluations to the Board and recommended an exceptional performance for both Deputy General Managers. He further mentioned that after having been evaluated by the Chairman, that the Chairman had recommended an exceptional performance on his evaluation as well.

The Chairman commented that he is pleased with the General Manager's performance and also appreciates the work performed by the Deputy General Managers. The Chairman is confident that Management will continue to perform well with port projects and taking good care of the Port, especially during these trying times of the pandemic. He reminded the Board that Port management has performed outstandingly without any salary increments for the past years and appreciates them for still continuing to do an outstanding job.

Director Harris congratulated Port management for an outstanding evaluation that is well deserved. She mentioned that since compensation and hiring of the General Manager and Deputy General Manager falls under the responsibility of this Board, she made contact with Port Human Resources division regarding her prior employment as Chief Planner and at that time, also inquired with Mr. Shawn Cepeda, Acting Personnel Services Administrator on what was the methodology used to migrate the past General Managers and Deputy General Managers into the Port Classification & Compensation Plan. Mr. Cepeda provided a response by way of memorandum dated January 19, 2022 and would like for this memorandum to be made part of this meeting record. Director Harris mentioned that the explanation to her question from Mr. Cepeda was that this methodology was not used when the current General Manager and Deputy General Manager was hired. He provided his analysis as to where the General Manager and Deputy General Managers would be slotted into the Port Compensation Plan. She pointed out that his analysis showed that the current management is below the allotted pay grade and steps based on the methodology used. She said Mr. Cepeda also provided an analysis on what the salaries would be for the current Management had salary increments been granted. As mentioned earlier by the Chairman, Director Harris said it has been a few years where no salary increments for the current Management are occurring. She thanked the Chairman for giving her the opportunity to set the record straight in terms of how the General Manager and Deputy General Managers were not slotted in the same manner as previous management.

Director Harris made motion to accept the performance evaluations of General Manager Rory J. Respicio, Deputy General Manager Dominic G. Muna, and Deputy General Manager Luis R. Baza, subject to Messrs. Respicio, Muna and Baza not receiving a salary increment at this time. Motion was seconded by the Vice Chairman and was unanimously approved.

Director Harris noted for the record that this will be the third time that this Board is denying increment to Messrs. Respicio and Muna; and the second time for Mr. Baza who are being compensated much less from where the Port's policy pay plan should have placed them. She expressed much appreciation for all their progress and results achieved with the unconditional support given by our port employees, this Board and Governor Lou Leon Guerrero and Lt. Governor Josh Tenorio.

VIII. ADJOURNMENT

There being no further business to discuss, it was moved by Director Harris and seconded by the Vice Chairman to adjourn the meeting at 4:35 p.m. The motion was unanimously passed.



Digitally signed by Isa Koki
Date: 2022.02.24 15:36:25
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ISA MARIE C. KOKI, Board Secretary
Board of Directors

APPROVED BY:



FRANCISCO G. SANTOS, Chairman
Board of Directors





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Joshua F. Tenorio

Lieutenant Governor

General Manager's Report for Board of Directors
February 24, 2022

1. Port's COVID-19 vaccination Dashboard

- Fully vaccinated: 373 or 100% of Port employees
- Booster vaccination: 140 or 38% of 373 Port employees

2. Port Owners/Agent Engineer - WSP. The Port's OAE Consultant is on-island this week to continue gathering information on our efforts to update the Port's 2013 Master Plan. WSP has been meeting with PAG Management and Staff, as well as shipping agents/carriers, Guam Customs, Piti Mayor, Community Defense Liaison Office, Guam Visitors Bureau, Tristar, Guam Power Authority, South Pacific Petroleum Corporation, Cementon Micronesia, Hansen Cement, Office of Local Defense Community Cooperation, Joint Region Marianas, and NAVFAC Marianas. Various topics addressed with each stakeholder, respectively, include the following:

- New Owners/Agent Engineer Contract
- Environmental, Health & Safety
- Information Technology Master Plan
- Tariff Simplification
- Customs Container Facility Plans/Funding Status
- Land Use Plans
- Facility & Equipment Maintenance
- Capital Improvement Programs
- Tourism Update and Future Outlook
- Marinas and Harbor of Refuge
- Fuel Pier Status
- Solar Power, LNG
- STS Gantry Crane Procurement
- Cement Cargo Forecast
- Financial Analysis
- Navigation, Dredging

3. **Erden Eruç's Voyage Makes a Stop on Guam.** Erden Eruç was welcomed on Guam on February 12, 2022, at the Marianas Yacht Club during his journey to becoming the first person in history to row from North America to Asia across the Pacific Ocean. The very small sendoff event was held February 21, 2022 at the Marianas Yacht Club with Governor Lou Leon Guerrero and First Gentleman Jeff Cook, Vice Speaker Tina Muna Barnes, Senators Amanda Shelton and Joe San Agustin as well as myself, Deputy GMs Dominic Muna, and Luis Baza. Prior to his arrival on the island, Eruç was launched by rowboat from California on June 22, 2022, of last year, to reach Hong Kong nonstop, ETA March 2022. However, he chose to stop at Waikiki in Hawaii, thus making landfall on September 10, 2022, to address minor repairs and to time his crossing with the typhoon season. His journey from Hawaii to Guam took 128 days. Throughout his ocean crossing, he intends to raise awareness about plastic problems in our oceans in collaboration with Ocean Recovery Alliance and collect ambient sound data for NOAA in identifying beaked whales and other species.
4. **Port Police Investigate Diving Incident.** On February 14, 2022, the Port Authority of Guam Port Police Division investigated an incident on February 11 at Outhouse Beach. According to Port Police, a 39-year-old man entered the water at 4:30 pm with three other friends to go diving. The man was in about 10 feet of water when he signaled to his friends that he was having issues with his equipment and would be returning to shore. His friends continued to dive, and when they returned to shore about 55 minutes later, they discovered him floating and called 911. The man was pronounced dead on arrival at Naval Hospital. Port Police have forwarded a copy of their report to the Guam Police Department, and autopsy results are pending. The case has been classified as an "injured person" report. Indeed, we extend our deepest condolences to this Individual's family.
5. **General Manager's Notes for YTD Finances, as of January 31, 2022.** We are providing the following summary:

REVENUES AND CARGO THROUGHPUT:

- The Port's Total YTD Operating revenue for **January 31, 2022** is \$19.3 million, 3.7% or \$688K higher than the YTD **January** FY22 budget projection of \$18.4M.
- The total number of containers handled as of **January 2021** is 28,936, which is 3.1% or 858 containers higher than last year's **January 2020** total of 28,078.

OPERATING EXPENSES:

- Overall YTD Operating expense, as of **January 31, 2022** is \$16.3M, which is 5.7% lower than the YTD budget as of **January** of \$17.3M, or \$983K in YTD cost avoidances.

OVERTIME EXPENSE AND DIRECT LABOR REVENUE:

- Overtime YTD for Divisions involved in Operations is \$601,204, which is 37.5% or \$164K higher than YTD overtime budget of \$437,224. The OT for the month of January is \$136.8K, which is 1% or \$963 lower than the overtime for the month of December.

Direct Labor reimbursement is \$1.4 million, which is 25% or \$275K higher than the FY22 budget of \$1.1M.

Here is the breakdown:

Direct Labor Revenue:	\$1,377,026
Operations Overtime:	<u>\$ 601,204</u>
Variance:	\$ 775,822

YTD OPERATING REVENUES MINUS YTD EXPENSES

- Operating revenues minus operating expenses resulted in an operating income of \$3.0 million. The final result for the month of January is a net income of \$228K, after deducting net of Other Income/Expense totaling to a -\$3.0M.

Note: -\$3.0M is a net balance of Other Income and Expense which is composed of Interest Income, Interest Expense, Federal Reimbursements, Federal Expenses, Retirees COLA, Supplemental, Medical and Dental, and Other Non-Operating Income & Expenses.

Other Financial Highlights, as of January 31, 2022:

- The debt service ratio as of January 31, 2022 is 2.03. This is 62% higher than the Bond Indenture Debt service ratio requirement of 1.25.

- Days Cash on Hand is 899 days, which is 80% or 399 days higher than the 500 days requirement of Moody's Rating agency.

DEBT SERVICE RATIO - JANUARY 2022

Projected Annual Debt Service Coverage	2.03
Debt Service Coverage Requirement	1.25
Variance	.78
% Above the Indenture Requirement	62%

6. Grant Awards and Ongoing Grant Submissions:

- **Fuel Pipeline Connectivity Project.**

- SHPO's guidance on the project indicates the need for a HABS/HAER Level I document before construction. Strategic Planning Division is coordinating this process with SHPO.
- PAG transmitted A/E Design scope of work and other documents to the new Project Officer for informal review and comments.
- EDA Project Officer conducted a site visit on February 18, 2022. PAG is currently awaiting receipt of comments/approval from the Project Officer regarding A/E Design scope of services.

Project Cost Estimate: \$3,016,363.00

Grant Award: \$2,413,091.00 (80% Cost Share)

PAG Share: \$603,272.00 (20% Cost Share)

- **Department of Agriculture Grant (DoAG).**

- **Harbor of Refuge (HOR).**

- IFB No. PAG-CIP-022-001 issued 12/01/2021
- Pre-bid conference was scheduled on 12/10/2021, at 10:00 am, a site visit to the project immediately followed.

- Questions & Concerns (Q&C) deadline was on 12/17/2021, at 4:00 P.M.
- Bid submittal AMENDED from Tuesday, 01/04/2022, Thursday, 02/03/2022, 02/18/2022, TO NOW READ *Friday, 02/25/2022.*

Grant Award: \$776,684.50

FWS Share: \$621,347.60 (75% Cost Share)

PAG Share: \$155,336.90 (25% Cost Share)

○ **Agat Marina Public Boat Ramp Repairs.**

- Bid opening was held on Monday, 02/14/2022 at the PAG Board Room. PAG received two (2) packages. Procurement will review before selection and award of the successful bidder.

○ **Agat Marina Dock B and Public Boat Ramp Repairs.**

- The procurement Planning Meeting was held on 02/15/2022. The Procurement Division will finalize their review of the bid package and subject for review by SAGG
- Issuance of IFB, Tentative timeline - Q2 FY2022.

Grant Award: \$512,759.00 (Dock B Repairs)

\$40,000.00 (Agat Marina's Boat Ramp Bumpers Repair)

● **Gantry Crane Acquisition.**

- **USDA Direct Loan.** RFP for Banking Services coordination meeting with Finance Division has been postponed and anticipated to be rescheduled during the 2nd quarter FY22.
 - The Planning and Finance Divisions will continue to work on finalizing the formal loan application package for submission to the USDA
- **EDA Grant.** The Port's STS Gantry Crane revised grant application to EDA is anticipated to be submitted on the 2nd quarter FY22.
 - The Planning Division anticipates the submission of its application on or before March 31, 2022

- **MARAD Marine Highway Program.** The Operations and Maintenance Division provided Planning with their equipment priority listing for the upcoming funding request in preparation for the FY2022 Marine Highway Program's NOFO. Work continues on the equipment acquisition market research and specifications. *Status Quo*
 - **Office of Local Defense Community Cooperation (Formerly Office of Economic Adjustment – OEA)**
 - Task Order #10 & #10S. The 2020 Master Plan update continues to progress.
 - Task Order #11 services have commenced with WSP's review and compilation of responses to RFIs on the H-Wharf Rehabilitation Project.
 - WSP is on Guam from February 21-25, 2022, conducting site visits and meetings with the various PAG divisions and stakeholders for the Master Plan.
 - **EPA Diesel Emissions Reduction Act (DERA) Program.**
 - PAG team continues to work with GEPA to move the project forward
 - Equipment requisition was entered on February 8, 2022, and the project is currently in the procurement process.
 - **US DOT Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program**
 - The Port received over \$17 Million for its Wharves Service Life Extension – Hardening of F1 Pier and wharves F2 to F6 project
7. **Port Revenue Bonds Project Status.** As of February 21, 2022, the attachment provides information on the status of the revenue bond projects that consist of rehabilitation of hotel wharf, golf pier repairs and improvements, waterline replacement/relocation, EQMR building, and warehouse 1 repair/upgrades, new admin annex building, and other priority projects.

Respectfully submitted,


Rory J. Respicio
General Manager

2018 Port Revenue Bonds Status Report
As of February 21, 2022

Bond Project	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCUREMENT IFB/RFP/PO Number	Status
Rehabilitation of "H" Wharf (Federal Share & Port Share)	\$10,000,000.00 \$13,774,255.00	\$0.00 \$1,009,949.58	\$10,000,000.00 \$12,764,305.42	PO No. 17093-OF for \$2,249,945.54 awarded to GHD Inc. Change Order No. 1 PO No. 17159-OF for \$198,140.16 Approval of Change Order No. 2 on 10/07/2021, PO No. 17416-OS for \$18,670.13 Approval of Change Order No. 3 on 10/21/2021, PO No. 17545-OS for \$15,414.88 Approval of Change Orders No. 4, No. 5, and No. 6 on 12/07/2021, PO No. 17585-OS for \$63,110.20 Approval of Change Orders No. 7 and 8 on 12/10/2021, PO No. 17696-OS and 17696-OS for \$52,706.83 Approval of Change Order 9 on 02/21/2022 for \$11,492.77	Rebid opening was held on Friday, 01/28/2022 at the PAG Board Room. Bid packet currently under review and preview by the Procurement Division. A meeting has been scheduled between PAG and Sumitomo to discuss bid packet.
Golf Pier Repairs and Improvements	\$2,000,000.00	\$357,876.53	\$1,642,123.47	RFP No. 2019-02: A&E Design for \$484,000.17 awarded to NC Macario	Bid was cancelled. The project will be re-bid at a later date pending the review of the current Scope of Work and Specifications.
Waterline Replacement and Relocation	\$6,000,000.00	\$308,668.56	\$5,691,331.44	RFP No. 2019-03: A&E Design for \$1,406,427.48 awarded to NC Macario	Pending PUC approval.
EQMR Building Repairs and Upgrades	\$3,628,800.00	\$439,259.10	\$3,189,540.90	RFP No. 2019-03: A&E Design for \$1,406,427.48 awarded to NC Macario	Pending Board of Directors and PUC approval.
Warehouse 1 Repairs	\$2,000,000.00	\$439,259.10	\$1,560,740.90	RFP No. 2019-03: A&E Design for \$1,406,427.48 awarded to NC Macario	Bid opening held on 11/19/2021 at 2:00 P.M. Four (4) vendors submitted proposals. All bids were rejected due to High Price/Change in Scope of Work. PAG will re-bid at a later date.
Other Priority Projects - Repair of F-1 Fuel Pier - Repair of F-3, F-4, F-5, and F-6 waterfront facilities - Upgrade of the Port's IT system and integration of TOS	\$4,980,745.00	\$0.00	\$4,980,745.00		1. The PAG was awarded \$17,941,997.00 toward the total project cost of \$22,427,495.00 as part of the MARAD RAISE grant program. This project seeks to make structural repairs to enhance the capacity of the existing berths from F1 - F6. The PAG was notified on November 21, 2021 of the award and awaits further guidance from MARAD on the next steps for this project. Because of PAG's familiarity with U.S. DOT Cooperative Agreement for the Guam Commercial Port Improvement Program and TIGER Grant for the Rehabilitation of Hotel Wharf, a kick-off meeting was not necessary according to U.S. DOT MARAD's Senior Grants Manager. A meeting was held between PAG and MARAD's Director of Environmental Compliance for all things NEPA-related, Section 106 of the NHPA must be completed prior to finalizing NEPA, and that NEPA must be completed prior to the execution of the grant agreement. PAG's OAE will be performing the services and NEPA-related studies on behalf of PAG. Estimated timeline and deliverables: 5-18 months.
Other Priority Projects - EnterpriseOne Financial Management System	\$2,500,000.00	\$1,871,194.37	\$628,805.63		2. TOS upgrade work anticipated to begin later this fiscal year. Work is ongoing to determine the appropriate maintenance and support solution. Status Quo.
New Admin. Annex Building	\$10,445,000.00	\$0.00	\$10,445,000.00		Job costing for CIP and Work Orders, ACH payments, and Properties/Assets <\$1,000 modules is ongoing. This is part of the EI Phase 2. Three draft layout options for the Admin Building has been completed by the PAG's OAE and is being reviewed by Management. No decision on which option has been selected as of this report. Status Quo.
Grand Total	\$55,328,800.00	\$4,426,207.24	\$50,902,592.76		



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

Port Authority of Guam
Board of Directors Regular Board Meeting
February 24, 2022

Executive Summary
Invitation to Bid IFB-PAG-CIP-021-005
Waterline Replacement Project

PURPOSE: Request the Board of Directors to approve the award to BME and Sons, Inc. for IFB-PAG-CIP-021-005 Waterline Replacement Project.

BACKGROUND:

On September 20, 2021 an Invitation for Bid (IFB) was issued and advertised in the Guam Pacific Daily News soliciting for relocation of the Port's main waterline via Invitation for Bid No. IFB-PAG-021-005 Waterline Replacement Project. Twenty-Four (24) individuals/firms registered and picked up IFB packets online through the Port's website. While Five (5) individuals/firms submitted on or before the established deadline of December 7, 2021 at 2:00pm.

During the bid opening process, a review of the required documents for bidding was reviewed for all bids submitted. It was determined that the responsible and responsive bidder with the lowest prices was BME and Son's Inc. with a submitted bid amount of Four Million Eight Hundred Fifty-Six Thousand Five Hundred Sixty-Eight Dollars and Ninety-One Cents (\$4,856,568.91). BME and Son's Inc. has provided their One Hundred percent (100%) Performance and Labor and Material Bonding for this project.

LEGAL REVIEW:

The necessary documents pertaining to this project have been forwarded for review, and has been approved to form by Port's Legal Counsel (SAAG). Upon Board's approval, the Port will subsequently petition the Public Utilities Commission for review and approval in accordance with PAG Docket 09-01 Contract Review Protocol; thereafter, the contract will be routed for all parties to sign. When contract is fully executed, a pre-construction meeting will be scheduled where the Purchase Order and Notice to Proceed will be issued.

FINANCE REVIEW:

The funding source for this project is made possible through Port Revenue Bond Funds.

RECOMMENDATION:

Management requests the Board of Directors' approval of this award to ***BME and Sons, Inc.*** for the ***Invitation for Bid No.: IFB-PAG-CIP-021-005 Waterline Replacement Project.*** BME and Sons, Inc. has been deemed to have met all the requirements and specifications set forth in the IFB, and is consistent with the Guam Procurement Regulations.

BOARD OF DIRECTORS
Francisco G. Santos, Chairman
Nathan T. Taimanglo, Vice Chairman
Isa Marie C. Koki, Board Secretary
Dorothy P. Harris, Member
Dr. Judith P. Guthertz, Member



Resolution No. 2022-04

**RELATIVE TO PETITIONING THE PUBLIC UTILITIES COMMISSION (PUC)
FOR THE APPROVAL OF THE AWARD TO BME AND SONS, INC.
FOR THE WATERLINE REPLACEMENT PROJECT**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PORT AUTHORITY OF GUAM:

WHEREAS, on September 20, 2021, the Port Authority of Guam (PAG) issued an Invitation for Bid IFB-PAG-CIP-021-005 for the replacement of the Port's main waterline; and

WHEREAS, a total of five (5) firms submitted their proposals before the deadline of December 7, 2021; and

WHEREAS, during the bid opening process, a review of the required documents for bidding was reviewed for all bids submitted. It was determined that the responsible and responsive bidder with the lowest price was BME and Son's Inc. with a submitted bid amount of Four Million Eight Hundred Fifty-Six Thousand Five Hundred Sixty-Eight Dollars and Ninety-One Cents (\$4,856,568.91). BME and Son's Inc. has provided their One Hundred percent (100%) Performance and Labor and Material Bonding for this project; and

WHEREAS, this project is made possible through the Port Revenue Bond Funds; and

WHEREAS, the Port Authority Board of Directors at its regular meeting of February 24, 2022 approved the contract award to BME and Son's Inc. for the Invitation for Bid No. IFB-PAG-CIP-021-005 for the Waterline Replacement Project of the Port's main waterline; now therefore be it

RESOLVED, the Port Authority Board of Directors authorizes Management to petition the Public Utilities Commission (PUC) to review and approve the contract award to BME and Son's Inc. in accordance with the PAG Docket 09-01 Contract Review Protocol for the Port Authority of Guam; and be it further

RESOLVED, the Chairman certify to, and the Secretary attest to, the adoption hereof and that a copy of this resolution be sent to the Public Utilities Commission.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 24th DAY OF FEBRUARY, 2022.**

FRANCISCO G. SANTOS
CHAIRMAN, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM

ISA MARIE C. KOKI
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM

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PORT OF GUAM

ATURIDAT / PUETTON GUAHAN

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Lourdes A. Leon Guerrero

Governor of Guam

Joshua F. Tenorio

Lieutenant Governor

**Port Authority of Guam
Board of Directors Regular Board Meeting
February 24, 2022**

**Executive Summary
Invitation to Bid IFB-PAG-CIP-021-007
Replacement of Existing 125 each Reefer Outlets**

PURPOSE: Request the Board of Directors to approve the award to ProPacific Builder's Corp. for **IFB-PAG-CIP-021-007 Replacement of Existing 125 each Reefer Outlets.**

BACKGROUND:

On July 15, 2021, an Invitation for Bid (IFB) was issued and published in the Guam Daily Post. The IFB was to solicit qualified companies/firms to provide services to the Port by Replacing the Existing 125 each Reefer Outlets. Fourteen (14) Companies registered and downloaded IFB packets from the port's website, while only one (1) company participated in the bid opening. The bid opening date for the above referenced bid was August 18, 2021, in the Port Authority Board Conference Room.

During the bid opening, the required documents for bidding were reviewed and inspected by procurement officials for the only bid submitted. It was deemed that the only bidder (ProPacific Builder's Corp.) was responsible and responsive with a submitted sealed bid price of Six Hundred Forty-Three Thousand Sixty-Five Dollars and Zero Cents (\$643,065.00).

After discussions with the Ports legal counsel, and in accordance with 2GAR, Div. 4, Chapter 3, § 3102 (c)(1)(C) the Port rejected the bid offer and elected to use the Sole Source method of procurement, allowing both parties to negotiate pricing. On October 5, 2021, both parties officially agreed to negotiate pricing. On November 30, 2021 both the Port and ProPacific Builders Corp. engaged in cost negotiations and both parties agreed to a fair and reasonable price of Six Hundred Thousand Dollars and Zero Cents (\$600,000.00). On December 9, 2021 both parties officially signed the letter of acceptance and agreed to compensation, terms and conditions, specifications and scope of work. A Notice of Intent to Award (NOIA) was sent to ProPacific Builders Corp. informing them to provide their 100% Performance Bonding and Labor and Material Bond for this project by or before the notice to proceed issuance.

LEGAL REVIEW:

The Port's Legal Counsel (SAAG) has been in communication with the Attorney General's office as this project exceeds the \$500k threshold. The Port's Legal Counsel has been involved in every step of the procurement process once the Port was aware of the bid amount. A contract has been drafted, reviewed and approved by the Ports Legal Counsel and upon Board's approval, the contract will be routed for all parties to sign. When contract is fully executed, a pre-construction meeting will be scheduled where the Purchase Order and Notice to Proceed will be issued.

FINANCE REVIEW:

The funding source for this project is made possible through local funds of the Port Authority of Guam.

RECOMMENDATION:

Management requests the Board of Directors' approval of this award to ProPacific Builders Corp. for the Invitation for Bid No.: IFB-PAG-CIP-021-007 Replacement of Existing 125 each Reefer Outlets. ProPacific Builder's Corp. has been deemed to have met all the requirements and specifications set forth in the IFB, and is consistent with the Guam Procurement Regulations.



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Lourdes A. Leon Guerrero

Governor of Guam

Joshua F. Tenorio

Lieutenant Governor

Port Authority of Guam
Board of Director's Regular Board Meeting
February 24, 2022

Executive Summary

IFB-PAG-CIP-021-010
EQMR Building Repair and Upgrades

PURPOSE: Request the Board of Directors to approve the Invitation for Bid award to JJ Global Services for the repair and upgrade of the EQMR building (IFB-PAG-CIP-021-010).

BACKGROUND:

On November 3, 2021 an Invitation for Bid (IFB) was issued and advertised in The Guam Daily Post soliciting services for the construction of the Port's EQMR Building Repair and Upgrades (IFB-PAG-CIP-021-010). Ten (10) individual firms registered and picked up the IFB packet online through the Port's website. Two (2) firms submitted before the established deadline of January 3, 2022 at 2:00 PM.

The Port's engineering cost estimate for this project was projected at \$2.7 million. The lowest bid amount was submitted by JJ Global Services in the amount of Three Million Nine Hundred Eighty Thousand Dollars (\$3,980,000).

Upon further review of JJ Global Services' bid packet, the Port's Procurement Division confirmed that JJ Global Services complied with Title 5, Chapter 5 of the GCA, Guam Procurement Law and was subsequently determined by the Procurement Officer to be the lowest responsible and responsive bidder.

LEGAL REVIEW:

The Port's Legal Counsel (SAAG) has been involved in every phase of the procurement process as required by law as the project exceeds the \$500K threshold. A contract has been drafted for both parties to review and execute. Upon Board approval, the Port will also petition the PUC for review and approval. Once the PUC has approved this award, the contract will be routed for all parties to sign. Upon full execution of the contract, a pre-construction meeting will be scheduled where the purchase order and notice to proceed will be issued.

FINANCE REVIEW:

The funding source for this project is made possible through Port's Revenue Bond Funds.

RECOMMENDATION:

Management requests the Board of Directors' approval of this award to JJ Global Services for the Invitation for Bid No. IFB-PAG-021-010 EQMR Building Repair and Upgrade subject to the contractor obtaining the required performance and materials bonding. Upon receipt of the bonding, and subject to the BOD and PUC approval, the parties may fully execute the subject contract. JJ Global Services has been determined to have met all the requirements and specifications set forth in the IFB, and is consistent with the Guam Procurement Law and Regulations.

BOARD OF DIRECTORS
Francisco G. Santos, Chairman
Nathan T. Taimanglo, Vice Chairman
Isa Marie C. Koki, Board Secretary
Dorothy P. Harris, Member
Dr. Judith P. Guthertz, Member



Resolution No. 2022-05

**RELATIVE TO PETITIONING THE PUBLIC UTILITIES COMMISSION (PUC)
FOR THE APPROVAL OF THE AWARD TO JJ GLOBAL SERVICES
FOR THE EQMR BUILDING REPAIR AND UPGRADES**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PORT AUTHORITY OF GUAM:

WHEREAS, on November 3, 2021, the Port Authority of Guam (PAG) issued an Invitation for Bid IFB-PAG-CIP-021-010 for the repair and upgrade of the EQMR building; and

WHEREAS, a total of two (2) firms submitted their proposals before the deadline of January 3, 2022; and

WHEREAS, during the bid opening process, a review of the required documents for bidding was reviewed for all bids submitted. It was determined that the responsible and responsive bidder with the lowest price was JJ Global Services with a submitted bid amount of Three Million Nine Hundred Eighty Thousand Dollars and Zero Cents (\$3,980,000); and


WHEREAS, this project is made possible through the Port Revenue Bond Funds; and

WHEREAS, the Port Authority Board of Directors at its regular meeting of February 24, 2022 approved the contract award to JJ Global Services for the Invitation for Bid No. IFB-PAG-CIP-021-010 for the EQMR Building Repair and Upgrades; now therefore be it

RESOLVED, the Port Authority Board of Directors authorizes Management to petition the Public Utilities Commission (PUC) to review and approve the contract award to JJ Global Services in accordance with the PAG Docket 09-01 Contract Review Protocol for the Port Authority of Guam; and be it further

RESOLVED, the Chairman certify to, and the Secretary attest to, the adoption hereof and that a copy of this resolution be sent to the Public Utilities Commission.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 24th DAY OF FEBRUARY, 2022.**


FRANCISCO G. SANTOS
CHAIRMAN, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM


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ISA MARIE C. KOKI
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



BOARD OF DIRECTORS
Francisco G. Santos, Chairman
Nathan T. Taimanglo, Vice Chairman
Isa Marie C. Koki, Board Secretary
Dorothy P. Harris, Member
Dr. Judith P. Guthertz, Member



Resolution No. 2022-06

**RELATIVE TO PROVIDING NOTICE TO THE PUBLIC
THAT FISHING IS PERMISSIBLE THROUGHOUT CERTAIN AREAS
UNDER THE JURISDICTION OF THE JOSE D. LEON GUERRERO
COMMERCIAL PORT ON CABRAS ISLAND AND ROUTE 18**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PORT AUTHORITY OF GUAM:

WHEREAS, the Board of Directors understands the importance of identifying areas under the jurisdiction of the Jose D. Leon Guerrero Commercial Port where subsistence fishing can be used by individuals for personal consumption or traditional/ceremonial purposes; and

WHEREAS, the enabling act of the Jose D. Leon Guerrero Commercial Port states that the Authority is to ensure safe and efficient use of operations and navigation within all public ports, harbors, boat basins, marinas and recreational boating facilities within its jurisdiction; and

WHEREAS, inquiries have been received by the public on which areas angling, bottom fishing and cast net fishing are allowed along Routes 11 and 18 under the jurisdiction of the Port; and

WHEREAS, management is authorized to provide notice to the public areas where fishing is permissible; and

WHEREAS, such fishing is permissible alongside the Seawall on Route 11, the roadway from the Cabras Industrial Park, Family Beach, shoreline of Route 18 leading up to Port Beach and Port Beach; and

WHEREAS, the public shall be informed that such fishing activities is prohibited in 150 feet from berths, wharves, channels, fairways and quays and at all berths where vessel operations are being conducted; and


WHEREAS, management is to provide proper signage at these areas which will inform the public that "Fishing is at own risk"; now therefore be it

RESOLVED, that the Board of Directors approves the designation of areas under the jurisdiction of the Authority where angling, bottom fishing and cast net fishing is allowed; and be it further

RESOLVED, management is authorized to provide proper notification to the public and signage at these locations; and be it further

RESOLVED, the Chairman certify to, and the Secretary attest to, the adoption hereof.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 24th DAY OF FEBRUARY, 2022.**


FRANCISCO G. SANTOS
CHAIRMAN, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM


ISA MARIE C. KOKI
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM

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Lourdes A. Leon Guerrero

Governor of Guam


Joshua F. Tenorio

Lieutenant Governor

February 21, 2022

MEMORANDUM

To: Board of Directors

From: Rory J. Respicio, General Manager 

Subject: Request for Creation of Position – Port Terminal Supervisor

Hafa Adai! The justification to create the Port Terminal Supervisor position is two-fold:

- Succession Plan: In 2021, we saw departures of a Maintenance Manager and Equipment Maintenance Superintendent as a result of retirement with the Government of Guam. The retirements of these two top managers without a succession plan left a void in the leadership for the Maintenance Department and Equipment Maintenance Division. To ensure we continue to keep the Port 100% operational, the Operations Manager and one of the Managers for Equipment Support Services accepted to assume the duties and responsibilities of the Maintenance Manager and Equipment Maintenance Superintendent positions on a collateral basis without compensation. To prepare for situations of this nature, we reviewed the current staffing and identified critical managerial positions which incumbents occupying such positions could retire within the next year or two. We also reviewed past organizational structures and observed that under the Terminal Division, there was a Terminal Supervisor who assisted the Superintendent on the day-to-day activities, however, the position was not included in the 1985 Port Compensation & Classification Plan. Reviewing the organizational structure of the Stevedoring and Transportation, there is a supervisor who assists the Superintendents in the day-to-day activities, with the exception of the Terminal Division.
- Military Build-up & Rehabilitation Projects: In the 2013 Master Plan Update, it was stated the containers are projected to increase to 265,000 TEUs during the peak military build-up starting in 2022 and decreasing after the peak to 204,000 TEUs in 2024. It was stated the Port will continue to see over 200,000 TEUs up to 2033. The TEUs received at the Port for Fiscal Year 2020 was 151,508 and in Fiscal Year 2021 was 155,582. In the upcoming year, the Port will be embarking on major renovation and enhancement of its wharves, buildings, and infrastructure and container yard to prepare for the demands of increased cargo movement as a result of the military build-up. To prepare for the increase, the Port would need to manage the movement of cargoes in a safe, efficient, economical and timely manner. Once renovation work begins, every space available within the terminal facilities to stage containers with chassis, stack grounded containers and store breakbulk cargoes, as well as, traffic flow within the yard must be smooth to ensure there is no bottleneck in the services provided to our customers.

Based on the above justification, to establish a Port Terminal Supervisor position within the Port's Classification and Compensation Plan will assist the Terminal Superintendent in managing the day-to-day activities of the division. By employing an individual to occupy this position will allow the Terminal Superintendent to focus on coordinating with the other Operations divisions and stakeholders the layout of the terminal facilities and staging of cargoes. The position will also perform the duties of the Terminal Superintendent in his absence.

We are attaching classification report and analysis justifying the need to create a Port Terminal Supervisor position in the classified service under the Port Classification and Compensation Plan.

Public Law 30-43 adopted the Port's Personnel Rules and Regulations which authorizes the Board of Directors to create positions in the classified service in accordance with Title 4, Guam Code Annotated, Section 6303(d). Rule 5.015 of the Personnel Rules and Regulations stipulates that the General Manager shall petition the Board to create new positions or classes of positions when necessary for the efficient performance of the duties and functions of the Port. The petition shall include:

1. The justification for the new position;
2. The essential details concerning the creation of the position;
3. An analysis of the similarities and differences between the position to be created and the positions listed pursuant to Title 4, GCA, Section 4101.1(d);
4. The position description;
5. The proposed pay range and demonstration of compliance with Section 6301 of Title 4, GCA; and
6. A fiscal note as that term is described in Title 2, GCA, Section 9101 *et seq.*; and any other pertinent information.

If the Board agrees to establish the Port Attorney position, Rule 5.016 of the Personnel Rules and Regulations would need to be complied with regarding transparency and disclosure. The requirements of this Rule are as follows:

1. The petition for request for creation is posted on the Port's website for 10 days (Saturdays, Sundays and Government of Guam holidays excepted);
2. Notices of the postings are provided to each newspaper of general circulation and broadcasting station which airs a regular local news program within Guam.

After the transparency process has been completed, this office shall forward the petition, along with evidence of compliance to the Board. If the Board is satisfied that all requirements have been met, the petition for creation of positions is approved by resolution, which copies is transmitted to the Director of Administration and Guam Legislative Secretary.

Upon meeting the above requirements, the Port can fill the position once 30 days have elapsed from the date of filing with the Legislative Secretary. However, if the Port does not comply with the requirements, such creation of position shall be voided.

To ensure that transparency and disclosure is provided to all parties concerned, the following processes and estimated timeframes are to be followed:

PROCESS	ESTIMATED TIMELINE
Request to be submitted to the Board for their initial review and approval to proceed with the transparency process for the creation of the position, i.e., posting such request on the Port's website.	February 24, 2022
If Board agrees to proceed with the creation, the request will be transmitted to the division heads for review and comments.	February 25, 2022
Posting of proposed creation of position on Port's website.	February 25 to March 11, 2022
Notification to be provided by way of electronic and written media outlets of the Port's request, its availability on the website; and possible Board meeting date the request may be approved.	February 25, 2022
Request to be re-submitted to the Board for final approval and adoption by resolution.	March 24, 2022
Creation of position documents transmitted to the Director of Administration and Guam Legislative Secretary.	March 25, 2022
Process job announcement for positions and/or effective date of reallocation of positions.	March 28, 2022

In light of the above, we are transmitting our request to create the Port Terminal Supervisor position in the classified service for your initial review and approval to begin the transparency and disclosure process for the creation.

Your kind approval of the above is greatly appreciated.

Attachments

Cc: Deputy General Manager, Administration & Finance
Deputy General Manager, Operations & Maintenance
Corporate Services Manager
Acting Personnel Services Administrator

PORT AUTHORITY OF GUAM
Jose D. Leon Guerrero Commercial Port
Piti, Guam

**PETITION FOR
CREATION OF POSITION – PORT TERMINAL SUPERVISOR POSITION**

REQUEST:

The General Manager requested the Human Resources Division to review the Port's current organizational structure and establish a Port Terminal Supervisor position.

AUTHORITY:

Public Law 30-43 adopted the Port's Personnel Rules and Regulations which authorizes the Board of Directors to create positions in the classified service. Rule 5.015, *Creation of New Positions and Classes of Positions*, of the Personnel Rules and Regulations stipulates:

- A. *Pursuant to Section 6303(d), Title 4, GCA, the General Manager shall petition the Board to create new positions or classes of positions when necessary for the efficient performance of duties and functions of the Port.*
- B. *The petition shall include:*
 1. *the justification for the new position;*
 2. *the essential details concerning the creation of the position;*
 3. *the analysis of the similarities and differences between the position to be created and the positions listed pursuant to Title 4, GCA, Section 4101.1(d);*
 4. *the position description;*
 5. *the proposed pay range and demonstration of compliance with Section 6301 of Title 4, GCA; and*
 6. *a fiscal note as that term is described in Title 2, GCA, Section 9101 et seq.; and any other pertinent information.*
- C. *The petition shall be posted on the Port's website for ten (10) days (Saturdays, Sundays and Government of Guam holidays excepted). After the posting, the General Manager shall forward the petition, along with evidence of his compliance with Title 5, GCA, Section 6303.1(a) to the Board who, if they approve the same, shall approve the petition by resolution and file the petition and resolution for record with the Director of Administration and the Legislative Secretary.*
- D. *No new position may be filled until after compliance of the provisions of this Section and thirty (30) days have elapsed from the date of filing with the Legislative Secretary.*

In line with this Rule 5.016, *Transparency and Disclosure of Creation of New Positions or Classes of Positions*, states:

- A. *Prompt notice of the postings required by Title 4, GCA, Sections 6205 and 6303 shall be provided to each newspaper of general circulation and broadcasting station which airs a regular local news program within Guam.*
- B. *The petitions required by Title 4, GCA, Sections 6205 and 6303 are public documents for the purposes of Title 5, GCA, Chapter 10, Article 1 (The Sunshine Law).*
- C. *Any attempted creation of a position or above-step recruitment are not in compliance with provisions of Title 4, GCA, Sections 6205, 6303 and 6303.1(a) are void.*

References of Compliance:

2 GCA §9101, Restrictions Against Unfunded Appropriations, *“All bills that have an effect upon the revenues or the expenditure of any funds of the Government of Guam shall identify a specific funding source for which funds are, in fact, available....”*

4 GCA §4105(a) Departmental Rules *“Rules subject to criteria established by this Chapter governing the selection, promotion, performance, evaluation, demotion, suspension and other disciplinary action of classified employees shall be adopted by the Board of Directors of the...Jose D. Leon Guerrero Commercial Port...with respect to personnel matters within their respective Branches, agencies, public corporations or departments, and by the Director of Administration as to all other Executive Branch employment.”*

4 GCA §4101.1(d). Responsibilities of the Director of Administration Regarding Personnel Policy of the Government. *“The Director of Administration shall perform the following functions... (d) Maintain, post and keep current on the Department’s website a list of all classified and unclassified positions in the executive branch, including autonomous agencies and public corporations, showing the job description and pay range assigned to each position....”*

4 GCA §6301. Compensation Policy.

- “(a) Employee compensation shall be based on internal equity and external competitiveness.*
- (b) To the extent practical, compensation will be targeted at the U.S. National Average levels compared to the appropriate labor markets and account taken of the relevant economic factors.*
- (c) Internal equity shall be reviewed annually and external competitiveness at least every three (3) years.*
- (d) Compensation structures and administrative policies should also recognize and reward individual employees commensurate with performance.*
- (e) All aspects of compensation (base salaries, benefits, pay differentials, and other factors) will be considered as a total reward and incentive package for employees and shall be consistent and uniformly administered through the government.*
- (f) A program of ongoing communications and training shall be a critical component of compensation administration.”*

AGENCY BACKGROUND:

Public Law 13-87 created the Port Authority of Guam as a public corporation and an autonomous instrumentality of the Government of Guam. The Agency is mandated to provide for the needs of ocean commerce, shipping recreational, commercial/boating and navigation of the Territory of Guam. Its enabling act provides that it must be entirely self-supporting. Its financial obligations and administrative operating costs must be paid by monies generated from the use of its facilities and services in accordance with the provisions of the Port terminal tariff. The Board of Directors is comprised of five (5) non-salaried members appointed by the Governor with the consent and advice of the Guam Legislature. The Board provides and establishes policies and directives pertaining to the planning, promotion, development, construction, operation and maintenance of the Port facilities.

JUSTIFICATION: The justification to create the Port Terminal Supervisor position is two-fold:

- **Succession Plan:** In 2021, we saw departures of a Maintenance Manager and Equipment Maintenance Superintendent as a result of retirement with the Government of Guam. The retirements of these two top managers without a succession plan left a void in the leadership for the Maintenance Department and Equipment Maintenance Division. To ensure we continue to keep the Port 100% operational, the Operations Manager and one of the Managers for Equipment Support Services accepted to assume the duties and responsibilities of the Maintenance Manager and Equipment Maintenance Superintendent positions on a collateral basis without compensation. To prepare for situations of this nature, we reviewed the current staffing and identified critical managerial positions which incumbents occupying such positions could retire within the next year or two. We also reviewed past organizational structures and observed that under the Terminal Division, there was a Terminal Supervisor who assisted the Superintendent on the day-to-day activities, however, the position was not included in the 1985 Port Compensation & Classification Plan. Reviewing the organizational structure of the Stevedoring and Transportation, there is a supervisor who assists the Superintendents in the day-to-day activities, with the exception of the Terminal Division.
- **Military Build-up & Rehabilitation Projects:** In the 2013 Master Plan Update, it was stated the containers are projected to increase to 265,000 TEUs during the peak military build-up starting in 2022 and decreasing after the peak to 204,000 TEUs in 2024. It was stated the Port will continue to see over 200,000 TEUs up to 2033. The TEUs received at the Port for Fiscal Year 2020 was 151,508 and in Fiscal Year 2021 was 155,582. In the upcoming year, the Port will be embarking on major renovation and enhancement of its wharves, buildings, and infrastructure and container yard to prepare for the demands of increased cargo movement as a result of the military build-up. To prepare for the increase, the Port would need to manage the movement of cargoes in a safe, efficient, economical and timely manner. Once renovation work begins, every space available within the terminal facilities to stage containers with chassis, stack grounded containers and store breakbulk cargoes, as well as, traffic flow within the yard must be smooth to ensure there is no bottleneck in the services provided to our customers

The Terminal Superintendent will serve as one of the points of contacts with our stakeholders while the Port facilities and wharves are being renovated in order to operate efficiently and smoothly, with minimal delays, especially during the construction period.

Based on the above justification, to establish a Port Terminal Supervisor position within the Port's Classification and Compensation Plan will assist the Terminal Superintendent in managing the day-to-day activities of the division. By employing an individual to occupy this position will allow the Terminal Superintendent to focus on coordinating with the other Operations divisions and stakeholders the layout of the terminal facilities and staging of cargoes. The position will also perform the duties of the Terminal Superintendent in his absence.

METHODOLOGY:

Human Resources staff reviewed the duties and responsibilities of the proposed Port Terminal Supervisor position using the job evaluation systematic process for assessing the content, relative size and importance of the job within our organization using a total of 12 measurement factors. Each factor indicates a point rating and sum of all points representing the total "points" value for the job. Also provided were the organizational and functional charts.

In summary, the job evaluation provides:

1. A structured approach to assessing the relative worth of each job;
2. Measurement factors universally applicable across all sectors of industry, commerce, and government; and
3. Objectivity which is attained to avoid much of the irrational and/or emotional impact of personality conflicts and personal prejudices.

Part two of the methodology completes the evaluation of these positions in using the New Port Compensation structuring which is determined based on compensation comparison of Compensation trends of the Private Sector, State and Local Government on percentage changes in wages, salaries and benefits, including Market Percentiles, the determination of Certified/Technical and Professional Positions and regression analysis of base salaries.

CLASSIFICATION REVIEW:

The proposed Port Terminal Supervisor position will be responsible for assisting the Terminal Superintendent with the programs and activities of the Terminal Division. The position will assume the duties of the Terminal Superintendent in his absence.

The position requires knowledge of:

- The standard methods, practices, materials, tools and equipment used in seaport terminal operations;
- Hazards and safety practices of seaport terminal operations.

The position requires the ability to:

- Supervise the work of others;
- Interpret, apply and make decisions in accordance with laws, rules, regulations and other program guidelines;
- Estimate time and material costs of work projects;
- Evaluate operational effectiveness and recommend changes to enhance improvements;
- Make decisions in accordance with appropriate program guidelines;
- Apply and enforce work practices on the job;
- Communicate effectively, orally and in writing;
- Work effectively with the public and employees;
- Maintain records and prepare reports.

The position reports to the Terminal Superintendent.

Guidelines to be used by this position includes established laws, agency/division policies and the principles, methods, practices and techniques involved in maritime terminal activities, such as, movement of cargo, marine operations and other related activities.

The experience and training of the position requires five (5) years of experience of planning, organizing and coordinating seaport terminal operations, to include two (2) years as a direct supervisor responsible for direction and evaluation of staff. The minimum educational requirement of the position would be possession of a high school diploma or successful completion of a General Education Development (GED) Test.

The proposed position will be supervising the Cargo Checker Supervisors and Vessel Planners.

The job evaluation points process is based on twelve (12) job factors (i.e., education, experience, complexity, scope of work, problem solving, freedom to act/supervision received, work environment, physical demands, impact of discretionary decisions, human relations skills/contacts, authority exercised and supervisory/managerial responsibility. Additionally, a comparative analysis was conducted of the proposed position's counterparts within the organization. The factors in determining the pay grade allocation are attached.

ANALYSIS OF SIMILARITIES AND DIFFERENCES:

A review of the Government of Guam Classification Plan's Occupational Listing revealed that there are no positions established that is closely associated with the proposed Port Terminal Supervisor position.

As a result, it is recommended that Port Terminal Supervisor position be established under the Port's Classification and Compensation Plan.

FISCAL NOTE:

The full-time equivalency (FTE) and funding has been identified and approved by the Board.

RECOMMENDATION:

Our review has determined the following pay grade allocation for the Port Terminal Supervisor:

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
937	K-10B	\$78,508.00	K-11B	\$81,695.00

Based on the above and the attached analysis and documents, it is recommended that the Board of Directors approve the creation of the Port Terminal Supervisor position and the resultant pay grade allocation at the pay grade indicated above in the classified service.



SHAWN B. CEPEDA
Acting Personnel Services Administrator

PORT TERMINAL SUPERVISOR

NATURE OF WORK:

Assists the Terminal Superintendent in the supervision of receiving, recording, storage, transfer, consignment and accountability of transit containerized and breakbulk cargoes within the terminal facilities and warehouses and vessel planning activities.

ILLUSTRATIVE EXAMPLES OF DUTIES: (These examples do not include the duties and responsibilities which may be assigned; nor do the examples cover all the duties which may be performed.)

Supervises the programs, operations and activities of cargo accounting records, inventory control, consignment, storage and distribution of containerized and breakbulk cargoes within the terminal facilities and warehouse.

Supervises the vessel planning activities prior to the ship arriving to Port; ensure the load and discharge is accurately and timely; and preparation of corresponding documents and reports for expenses chargeable to the carrier and for other billing purposes.

Analyzes staffing requirements and workload distributions and develops and implement staffing plan to optimize the performance of each section within the division.

Assists in the formulation of the division's budget and assists in the identification of budget priorities.

Communicates and implements safety rules, policies and procedures in support of the Authority's safety vision and goals and maintains accountability for the safety performance of all subordinate employees.

Works closely with Port Operations supervisors to ensure cargo traffic is handled by the Port in a timely manner.

Interacts with shipping agents and trucking companies to facilitate the timely delivery of containerized and breakbulk cargoes.

Maintains records and prepare reports.

Skill in the safe operation of a forklift.

Performs related duties as required.

MINIMUM KNOWLEDGE, ABILITIES AND SKILLS:

Knowledge of:

- The standard methods, practices, tools and equipment used in seaport terminal operations.
- Hazards and safety practices of seaport terminal operations.

Ability to:

- Supervise the work of others.
- Interpret, apply and make decisions in accordance with laws, rules, regulations and other program guidelines;
- Estimate time and material costs of work projects;
- Evaluate operational effectiveness and recommend changes to enhance improvements;
- Make decisions in accordance with appropriate program guidelines;
- Apply and enforce work practices on the job;
- Communicate effectively, orally and in writing;
- Work effectively with the public and employees;
- Maintain records and prepare reports.

MINIMUM EXPERIENCE AND TRAINING:

- A. Five (5) years of experience of planning, organizing and coordinating seaport terminal operations, to include two (2) years as a direct supervisor responsible for direction and evaluation of staff; or
- B. Any equivalent combination of experience and training which provides the minimum knowledge, abilities and skills.

NECESSARY SPECIAL QUALIFICATION:

- A. Graduation from high school or successful completion of a General Education Development (GED) Test; and
- B. Possession of a valid operator's license

**Fiscal Year 2022
FUNCTIONAL STATEMENT FOR
TERMINAL DIVISION**

INTRODUCTION

The Jose D. Leon Guerrero Commercial Port is established by Public Law 13-87, as a public corporation and an autonomous instrumentality of the Government of Guam. The Agency is mandated to provide for the needs of ocean commerce, shipping, recreational, commercial/boating and navigation of the Territory of Guam.

The enabling act provides that the Port must be entirely self-supporting, i.e., it must raise capital funds for construction projects by borrowing money on its own credit. Its financial obligations and administrative operating costs must be paid by monies generated from the use of its facilities and services in accordance with the provisions of the Port terminal tariff.

BOARD OF DIRECTORS

The Board of Directors is composed of five (5) non-salaried members, appointed by the Governor with the consent and advice of the Guam Legislature. The Board provides and establishes policies and directives pertaining to the planning, promotion, development, construction, operation and maintenance of the Port facilities.

GENERAL MANAGER

The General Manager, under the general direction of the Board of Directors, serves as Chief Executive Officer for the Authority. The General Manager has charge and control of the planning, organization, staffing, direction and coordination of the Authority's operations and business affairs. The General Manager is hired and employed at the pleasure of the Board.

DEPUTY GENERAL MANAGER, OPERATIONS & MAINTENANCE

The Deputy General Manager, Operations & Maintenance is under the general supervision of the General Manager. In the absence of the General Manager, may serve as Acting General Manager. The position is hired and employed under the terms and conditions fixed by and at the pleasure of the Board of Directors. The Deputy General Manager for Operations & Maintenance is responsible for the overall operations and administration of Compliance/Control, Operations and Maintenance departments.

OPERATIONS DEPARTMENT

The Operations Manager is under the general supervision of the Deputy General Manager of Operations & Maintenance. The position is responsible for the day-to-day operations and administration of the Transportation, Terminal, and Stevedoring divisions.

TERMINAL DIVISION

The division administers the programs, projects and activities functionally charged with the responsibility for receiving, recording, storage, transfer, consignment and accountability of transit containerized and breakbulk cargoes within the terminal facilities and warehouses.

Cargo Control Section: The section accounts and issues containers received from vessel/customers; maintains control of container movements; records/verifies container locations; operates and accounts for receiving, storage, and issuing breakbulk cargoes in the transit warehouses. The section processes and physically inspects all transit vehicles or equipment prior to its issuance or export to consignees. The section is responsible for the vessel planning activities prior to the ship arriving to port; ensures the load and discharge activities are performed accurately and timely; and prepares documents and reports for expenses chargeable to the carrier and other billing purposes.

JOB EVALUATION
For
PORT TERMINAL SUPERVISOR

Factors	Points	Comments
Education	I 132	Requires 4-5 years high schooling plus highly technical training or advanced practical courses of study at a more advanced level. Training relates to and emphasizes specific technical training towards a specific trade or profession rather than generalized management training. Application – may also apply to certification in technological or para-professional occupations. Indicative qualification level: qualified/certified/journeyman/trade certificate/associate degree (various disciplines)
Experience	I 132	The job requires advanced/specialized experience in a technical, scientific or professional field often gained through the attainment of additional relevant qualifications and/or post qualification practical experience. It may also be necessary to work in harmony with conflicting and diverse activities and this may involve the control of resources and people, e.g., 5 – 7 years related experience
Complexity	D 50 264 132.0	Whilst the end results are still generally defined the means of achieving them are becoming unspecified and as a result more complex to that outlined in “C” above. The need to balance continuous conflicting demands (often from diverse sources) together with an increasing level of unpredictability is encountered.
Scope of Work	C 15 264 39.6	Supervision of others is required and/or coordination of resources and processes (human/physical/financial) in order to achieve significant outcomes for the organization are positions which are non-supervisory but have a high degree of influence across the organization.
Problem Solving	E 100	Problems contain unexpected and unusual elements not previously encountered. Extensive research may be required. Corporate policies and available expertise will not necessarily provide a complete answer to the problem.
Freedom to Act/Supervision Received	E 100	Jobholder is expected to work with a large degree of independence within the organization’s plans, policies and reporting requirements. Overall guidance and objectives are discussed initially and progress is reviewed intermittently and informally.
Work Environment	B2 25	Work usually performed indoors in favorable working conditions but with occasional exposure to unpleasant environmental influences, e.g., as noise, heat, dirt, cold, dampness, etc.

PORT TERMINAL SUPERVISOR
 Job Evaluation Rating Factors
 Page 2

Factors	Points	Comments
Physical Demands	B2 33	Work is primarily performed standing and/or walking with little opportunity for sitting.
Impact of Discretionary Decisions	C1 43	Direct impact of a single decision causes a significant impact which can be expressed in dollars terms of thousand dollars of: \$1,001 - \$3,000
Human Relations Skills/Contacts	D3 57	Considerable contact with staff either in a supervisory/middle management role requiring good human relations skills or as an advisor in sensitive areas.
Authority Exercised	F1 100	Approves routine expenditures within budgetary limits and is accountable for an O&M budget \$200,000 - \$ 2 million
Supervisory & Managerial Responsibility	D1 43	Has full supervisory/managerial responsibility of 30 – 99 staff
TOTAL POINTS	937	

PAY GRADE ALLOCATION

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
937	K-10B	\$78,508.00	K-11B	\$81,695.00

PORT AUTHORITY OF GUAM



POSITION DESCRIPTION

1.0 IDENTIFICATION

POSITION TITLE	Port Terminal Supervisor
POSITION NUMBER	
NAME OF EMPLOYEE	
NAME OF DIRECT SUPERVISOR	Jose A. Ulloa, Jr.
TITLE OF DIRECT SUPERVISOR	Terminal Superintendent
JOB LOCATION (Department / Agency)	Port Authority of Guam
DIVISION	Terminal
DEPARTMENT	Operations
SECTION / UNIT	
FLSA	
CLASSIFICATION	<input checked="" type="checkbox"/> Classified <input type="checkbox"/> Unclassified <input type="checkbox"/> Vacant
JOB EVALUATION POINTS	
PAY GRADE	
POSITION DESCRIPTION (Reviewed)	

2.0 DESCRIPTION OF DUTIES

Assists the Terminal Superintendent in administering programs, operations and activities involved in the maintenance of cargo accounting records, inventory control, consignment, storage, and distribution of containerized and breakbulk cargoes at the docks or warehouses. Oversees the Vessel Planners to ensure all billable moves are capture in the TOS system. Reviews, develops and implements policies, procedures and other program requirements and guidelines to ensure safety, efficiency and effectiveness of the terminal operations and activities. Inspects cargo movements in warehouse or at dock sites; expedites cargo delivery and prevents bottleneck in warehouse and dock traffic; check stuffing/re-palletizing of a large variety of cargoes. Responsible for the preparation of cargo sorting and location list and the consolidation, file, and custody of all cargo documents. Studies ship’s manifest and formulates cargo storage plan; confers with appropriate personnel and ship’s agent for more effective traffic control. Maintains records and prepares reports. Performs related duties as required.

2.1 ESSESNTIAL FUNCTIONS

Organize and list duties and/or responsibilities that must be performed using one of the formats below:

- a) Daily work assignments, beginning with the first duty and ending with the last duty of the day
- b) Percentage of time. Show % for each duty and/or responsibility (Note: total % should equal 100%)
- c) Order of importance, beginning with the most important

Mark with an [X] one format only: a) b) c)

Duty No or % of Time	Duties and/or Responsibilities
	Ensure all personnel within the division are in compliance with: <ul style="list-style-type: none"> • Division’s SOPs (Standard Operating Procedures) • Port’s Personnel Rules and Regulations • Safety and OSHA (Occupational Safety Health Agency) Policies • CFR 29-Equipment; CFR 33-Facility; CFR 49-Transportation (Code of Federal Regulation) • All directive procedures, memorandum and policies otherwise imposed
	Prepare Division budget for personnel, equipment and supplies to ensure that division does not experience any shortages during the FY which may cause delays in operations.
	Prepare Daily work schedules ensuring that there are adequate personnel assigned for smooth operations on the docks, warehouse and at the gatehouse.
	Maintain accountability of all personnel and inventory of assigned properties.
	Ensure personnel are properly trained, current with certifications (HAZMAT and Forklift) and equipped with PPEs and modes of communication to perform their duties.
	Ensure personnel are paid accordingly and in a timely manner
	Prepare and submit justification for OT request and follow up with actual OT hours worked at the end of each pay period ending.
	Ensure personnel: <ul style="list-style-type: none"> • Are properly trained, current with certifications (HAZMAT, Safety and Forklift) • Meet all mandatory requirements, to include annual Physical Exams, Maritime Security Level Training, initial enrolment and renewal of TWIC cards (Transportation Workers Identification Credential) • Receive PPEs annually and as needed to be in compliance with Safety regulations • Are kept abreast of current events, changes and future plans
	Counsel personnel; prepare, rate and discuss annual Performance Evaluations with personnel
	Provide daily guidance, training, and supervision to all personnel.
	Monitor personnel job performance and attendance.
	Promote and support personnel morale and welfare.
	Allow personnel the opportunity to avail of Port Authority’s awards or incentive programs.

	Submit disciplinary or adverse actions on personnel not in compliance with the regulations and policies to superiors.
	Conduct biweekly meeting with personnel to discuss operations highs and lows and any concerns
	Observe proper time management for maximum results and cost savings without compromising safety.
	Manage the Gatehouse, Yard, Warehouse and Dockside.
	Oversee vessel planning to ensure that everything is in order and that proper protocols are in place prior to vessels' call to the Port.
	Ensure all required documentation is received prior to vessel operation. Documents include EDI, Manifest, DCM, and Stow Plan)
	Ensure vessel and yard are properly prepared prior to vessel arrival. This includes manifesting and staging areas for both inbound and outbound cargoes.
	Ensure chassis count and empties count are recorded and submitted for billing purposes.
	Ensure all hazardous cargo is in compliance with the hazardous segregation chart.
	Submit permit request and accompanying documents to the USCG to handle CDC (Certain Dangerous Cargo). Follow up on permit request and upon receipt of approval, disseminate document to all parties involved in operation of CDC
	Ensure all services rendered are recorded and charged.
	Monitor, account and record all cargo and equipment movement.
	Ensure that all billings are submitted in a timely manner to Tarriff
	Ensure monthly throughput and productivity report are submitted.
	Coordinating with other division in support of special handling cargoes (Over dimensional cargoes).
	Ensure an inventory is conducted for all cargo in the yard and warehouse and that a 30-day and a 60 - day Report is submitted.
	Ensure the integrity of the GTS system is not compromised.
	Ensure any incident, big or small, is reported to Safety and FSO.
	Approve or disapprove supply requisitions.
	Ensure all sections maintain vessel and cargo documentation and have an accurate filing system.
	Ensure that appropriate agencies are informed about any discrepancies during operation.
	Ensure tower personnel reconcile with agencies on a weekly basis.
	Prepare reports for management.
	Provide quality services to all ports' users.
	Interviews and prepares all necessary documents for the contact tracing team.

2.2 NON-ESSENTIAL OR ADDITIONAL FUNCTIONS

List duties and responsibilities not listed above that may be performed, as assigned:

Duty No or % of Time	Duties and/or Responsibilities
	Actively participate in the Accident Review Board committee.
	Conduct Truckers Meeting
	Attend Port Users' Meeting
	Attend Board of Directors Meeting
	Attend Pre-Operation Meeting
	Provide services as a Tour guide
	Conduct research and assist Claims Officer on claims received
	Community Liaison for the IT RFP
	All other duties assigned and requested from management

3.0 CONTACTS

Departments, agencies and/or individuals you deal with during the course of your daily activities:
Operations Manager, Transportation & Stevedore Superintendent, Shipping Agencies, Trucking Companies.

3.1 WITHIN DEPARTMENT / AGENCY

Mark one correct response below with an [X]

	None
	Up to 15% of total working hours
	15 - 50% of total working hours
X	Over 50% of total working hours

3.2 OUTSIDE DEPARTMENT / AGENCY

Mark one correct response below with an [X]

	None
X	Up to 15% of total working hours
	15 - 50% of total working hours
	Over 50% of total working hours

4.0 SUPERVISION RECEIVED

How closely is the employee / job holder's work reviewed by their direct Supervisor.
Mark one correct response below with an [X]

	Detailed and specific instructions / procedures received or followed for each assignment
X	General Supervision - Routine duties are performed with minimal supervision. Standard practices or procedures allow employee to function alone at routine work. Supervisor makes occasional check of work while in progress. Work is reviewed upon completion.
	Direction - Receives guidance about general objectives in most of the tasks and projects assigned; determines methods, work sequence, scheduling and how to achieve objectives of assignments; operates within policy guidelines. (Generally applicable to skilled professionals, managers and supervisors.)
	General Direction - Receives very general guidance about overall objectives; work is usually quite independent of others; operates within division or department policy guidelines, using independent judgment in achieving assigned objectives. (Generally applicable to managers / administrators in large and complex organizations and to department / agency heads and their first assistants.)

5.0 SUPERVISION EXERCISED

The employee / job holder supervises other employees. List the number of employees supervised, their position titles and a brief description of their responsibilities.

If the employee has no supervisory responsibility mark [X] in this box

No Supervised	Position Title	Description of Responsibilities
1	Clerk III	Data entry, compose letters and other clerical duties
1	Planner III	Gather data and statistics and prepares reports
2	Planner Work Coordinator	Vessel /Yard planning
4	Cargo Checker Supervisor	Supervise cargo checkers at the gatehouse, yard, warehouse, and dockside during vessel operations
1	Cargo Checker Leader	Conducts supports to cargo checkers
25	Cargo Checkers	Discharge/Load cargoes; receive/issue cargoes

6.0 EQUIPMENT

List the equipment (pickup truck, welder, crane, etc.), office machines (word processor, calculator, copying machine, etc.), or any other machines, tools or devices that are used on a regular and continuing basis. Show what percentage of the regular workday is spent using each.

%	Tools / Equipment
	Computers
	Printers
	Calculator
	Copier
	I-Connect
	Telephone
	The above are used 100% of the time on any given day and cannot be singled out by percentage

7.0 JOB REQUIREMENTS

Mark [X] in this box if the job holder is unable to complete this section. The direct Supervisor will then complete this section for the job holder.

Knowledge of the standard method, techniques, practice, materials, tools and equipment used in seaport terminal operations; Knowledge of the hazards and safety practices of seaport terminal operations; Ability to administer seaport terminal operations, programs and activities; Ability to interpret, apply and make decisions in accordance with laws, rules, regulations and other program guidelines; Ability to evaluate operational effectiveness and initiate/recommend appropriate changes to enhance improvement; Ability to formulate and implement policies, procedure and other program guidelines and requirements for the safety, efficiency and effectiveness of the terminal operations and activities; Ability to work effectively with employees and the public; Ability to communicate effectively, orally and in writing; Ability to maintain records and prepare reports.

7.1 MINIMUM QUALIFICATION REQUIREMENTS

Identify below the minimum experience and training a qualified applicant must have before employment. Five years of experience in seaport terminal operations, two years of which must have been in supervisory capacity; or any equivalent combination of experience and training which provides the minimum knowledge, ability and skills.

7.1.1 WORK EXPERIENCE

List the general, specialized and/or supervisory / management work experience needed and how much (in months and/or years). If none, mark an [X] in box a) "No work experience required."

a) No work experience required

b) General Years Months

Use of office equipment and basic clerical functions	1	

c) Specialized Years Months

Cargo handling procedures, techniques and methods	3	

d) Supervisor / Management Years Months

Supervisory /Management	6	

If no work experience is required, list the knowledge, abilities and skills a qualified applicant needs before employment to perform the essential job functions.

Years Months

7.1.2 FORMAL EDUCATION OR TRAINING

Mark an [X] in the box that indicates the most applicable education level required :

Below High School. Show number of years :

High School Graduation / GED

Vocational / Technical School. Detail below the specific training that is required by this position :

Maritime terminal operations; forklift operation; handling and stowage of hazardous cargo in terminal facilities and vessel

Some College. Show number of Semester Hours, or

Quarter Hours

Detail below specific courses required by the essential functions of this position :

College Degree. Show major area of study required :

Associates :	
Bachelors :	
Masters :	
Beyond Masters :	

7.1.3 CRITICAL SKILLS / EXPERTISE

List specialized skills or specialization needed to perform essential functions :

7.1.4 LICENCE / REGISTRATION OR CERTIFICATION

List possession of required license, professional registration/certification needed to perform essential functions:

7.2 MENTAL / VISUAL / PHYSICAL & ENVIRONMENTAL JOB REQUIREMENTS

7.2.1 PHYSICAL REQUIREMENTS

Mark with an [X] below the most appropriate physical requirement(s) for the job.

X	Sitting	The job requires the employee to sit in a comfortable position most of the time. The employee can move about.
	Sitting	Employee is required to sit for extended periods or time without being able to leave the work area.
X	Sitting/Standing/Walking	The employee is required to sit, stand, walk most of the time.
	Climbing	Employee is required to climb ladders or scaffolding or to climb and work in overhead areas.
	Lifting	Employee is required to raise or lower objects from one level to another regularly.
	Pulling and/or Pushing	The job requires exerting force up to _____ pounds on a regular basis to move the object to or away from the employee.
	Carrying	The employee is required, on a regular basis, to carry objects in his or her arms or on the shoulder(s).
X	Reaching	The employee is regularly required to use the hands and arms to reach for objects.
	Stooping and Crouching	The employee is regularly required to bend forward by bending at the waist or by bending legs and spine.
	Crawling	Employee is required to work in a confined space and/or to crawl and move about on his or her hands and knees.
X	Speaking	The job requires expressing ideas by the spoken word.
X	Listening	The job requires the perception of speech or the nature of sounds in the air.
	Other	See description below

Describe any other physical job requirements below :

7.2.2 MENTAL / VISUAL REQUIREMENTS

Mark with an [X] below the most appropriate mental / visual requirement for the job.

- General Intelligence (typical requirement for machine operators, office staff, etc.)
- Motor Coordination Skills (typical for automotive mechanic, painter, etc.)
- Coordination of Eyes, Hands, and Feet (e.g. tractor trailer driver, fire fighter, line electrician, etc.)
- Verbal Intelligence (typical for counsellors, customer service representatives, etc.)
- Numerical Intelligence (typical for an accounting clerk, cargo checker, etc.)
- Other (outline below)

7.2.3 WORK ENVIRONMENT & WEATHER EXPOSURE

Selecting one response only show what percent of a typical workday is spent :

- %
- 90 Indoors in a comfortable temperature-controlled environment (for instance, in an office)
 - Indoors in a non-temperature-controlled environment (e.g. storerooms and warehouses, etc.)
 - Outdoors exposed to changing weather conditions (for instance, rain, sun, wind, etc.)
 - Outdoors but in an enclosed vehicle protected from extreme weather conditions.

7.2.4 OTHER PHYSICAL WORKING CONDITIONS

X Mark an [X] in the box if none of the following is applicable

Show what percent of a typical workday this position is exposed to:

- %
- 5 Air contamination (i.e., dust, fumes, smoke, toxic conditions, disagreeable odours).
 - Vibration (i.e., operating jackhammer, impact wrench).
 - Noise (Exposure at a level enough to cause hearing loss or fatigue).
 - An improperly illuminated or awkward and confining work space.
 - Working above ground level where the chance of falling exists (e.g. ladders, bucket trucks etc)
 - Lifting or carrying items or objects. Describe item/object and weight:

 Heat. Describe source and degree of high temperature.

 Cold. Describe source and degree of cold temperature:

--

Other hazards. Describe:

7.2.5 IRREGULAR / UNUSUAL JOB REQUIREMENTS

Describe the working conditions that are irregular or unusual for the job and show frequency of exposure.

Mark an [X] in the box if not applicable

Condition	Frequency of Exposure

7.3 WORK SCHEDULE / HOURS

Work Schedule/Hours – Mark an [X] the most appropriate work schedule/hours for the job.

- Regular - Standard Eight (8) hours daily, Monday - Friday
- Irregular - Shift work - A 24-hour work operation.
- Regular / Irregular - Overtime hours with overtime pay entitlement

State purpose and average total hours required per pay period:

- Regular / Irregular - Overtime hours without overtime pay entitlement

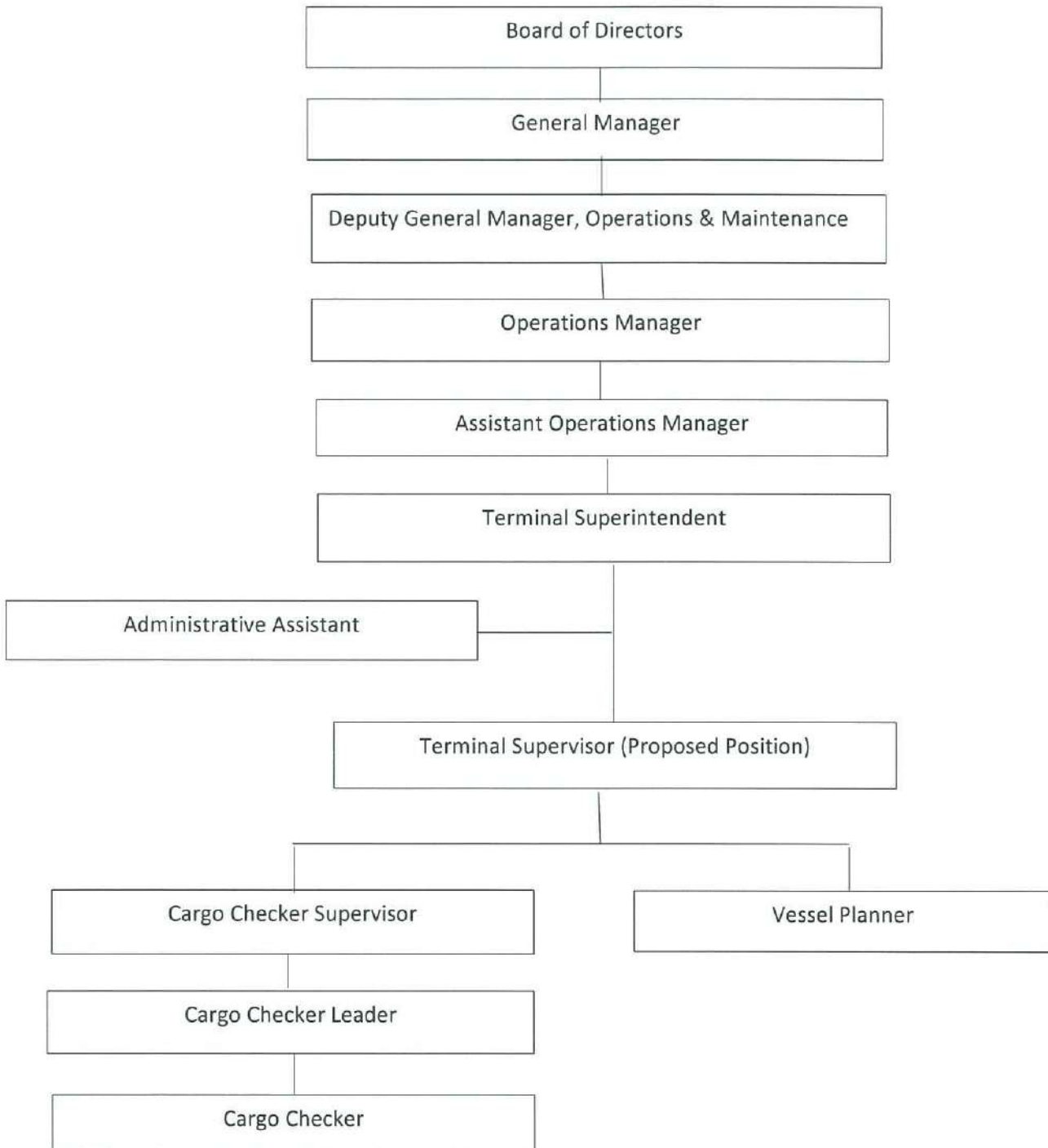
State purpose and average total hours required per pay period:

The information given on this position is complete and correct.

Signature of Employee

Date

TERMINAL DIVISION



FISCAL NOTE

1. A. Fiscal effect: Identify the fiscal effect on the agency appropriations compared to funding levels and appropriations anticipated under current Budget.

	FY 2022				FY 2023			
	General	Crane Surcharge	FMF	Marinas	General	Crane Surcharge	FMF	Marinas
Revenues								
Expenditures	\$68,338				\$115,378			
Budget								

2. A. Fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact*

The Port is in the process of petitioning the creation of a Port Terminal Supervisor and Port Terminal Worker under the Port’s Classification and Compensation Plan. The salaries and benefits for the positions has also been identified. The following are different levels recommended for the Port Terminal Supervisor and Port Terminal Worker positions and their corresponding salary ranges.

Port Terminal Supervisor:

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
937	K-10B	\$78,508.00	K-11B	\$81,695.00

Port Terminal Worker:

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
425	F-9-C	\$36,870	F-10-C	\$38,367

- B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The General Manager will be presenting to the Board on February 24, 2022, (2) two creation of positions – Port Terminal Supervisor and Port Terminal Worker. The funding for the two positions will come from the Vacancy Pool.

3. Fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues:

B. Expenditures:

If the Port decides to hire based on the minimum salary for both positions starting March 1, 2022, the total pro-rated amount for FY 2022 is \$68,338. The hiring of the two new positions will increase the salary for FY 2023 to \$115,378.

C. Budget: *Explain the appropriations amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The appropriations for the two new position creations will come from the Vacancy Pool budget based on the YTD for FY 2022. The expenditures for FY 2022 and FY 2023 are indicated in section 1A.

Name: Jose B. Guevara III, Financial Affairs Controller
Division: Finance Division
Telephone: (671) 477-5931
Date Prepared: 2/22/2022



PORT OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
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Telephone: 671-477-5931/35 Facsimile: 671-477-2689/4445
Website: www.portguam.com




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

February 21, 2022

MEMORANDUM

To: Board of Directors

From: Rory J. Respicio, General Manager 

Subject: Request for Creation of Position – Port Terminal Worker

Hafa Adai! To prepare for the anticipated increase in cargo as a result of the military build-up which is expected to begin this year and peaking in 2023 to 2026, as well as, meeting the ongoing demands from the island's organic growth, we have conducted manpower assessments to determine the Port's human resources requirements. The Port has hired individuals as Stevedores (Casuals) and assigned them to other Operations divisions to assist in their workload for vessel or special service request operations if they possess the necessary special requirements for the positions. We have also looked at different classifications within the Operations divisions to allow the Port to be flexible in assigning employees who meet the qualification requirements for positions, such as, equipment operators, stevedores, and cargo checkers, which there are none.

To establish a Port Terminal Worker position within the Port's Classification and Compensation Plan will assist the Operations Department in ensuring that vessel operations, stowage of cargoes within the terminal yard, issuance of cargoes to customers and other cargo handling services are not disrupted. By employing individuals to occupy this position will allow management the flexibility to assign them to areas where there is no bottleneck in servicing our customers and the public, especially, during the military-build up peak.

We are attaching classification report and analysis justifying the need to create a Port Terminal Worker position in the classified service under the Port Classification and Compensation Plan.

Public Law 30-43 adopted the Port's Personnel Rules and Regulations which authorizes the Board of Directors to create positions in the classified service in accordance with Title 4, Guam Code Annotated, Section 6303(d). Rule 5.015 of the Personnel Rules and Regulations stipulates that the General Manager shall petition the Board to create new positions or classes of positions when necessary for the efficient performance of the duties and functions of the Port. The petition shall include:

1. The justification for the new position;
2. The essential details concerning the creation of the position;
3. An analysis of the similarities and differences between the position to be created and the positions listed pursuant to Title 4, GCA, Section 4101.1(d);
4. The position description;
5. The proposed pay range and demonstration of compliance with Section 6301 of Title 4, GCA; and
6. A fiscal note as that term is described in Title 2, GCA, Section 9101 *et seq.*; and any other pertinent information.

If the Board agrees to establish the Port Terminal Worker position, Rule 5.016 of the Personnel Rules and Regulations would need to be complied with regarding transparency and disclosure. The requirements of this Rule are as follows:

1. The petition for request for creation is posted on the Port’s website for 10 days (Saturdays, Sundays and Government of Guam holidays excepted);
2. Notices of the postings are provided to each newspaper of general circulation and broadcasting station which airs a regular local news program within Guam.

After the transparency process has been completed, this office shall forward the petition, along with evidence of compliance to the Board. If the Board is satisfied that all requirements have been met, the petition for creation of positions is approved by resolution, which copies is transmitted to the Director of Administration and Guam Legislative Secretary.

Upon meeting the above requirements, the Port can fill the position once 30 days have elapsed from the date of filing with the Legislative Secretary. However, if the Port does not comply with the requirements, such creation of position shall be voided.

To ensure that transparency and disclosure is provided to all parties concerned, the following processes and estimated timeframes are to be followed:

PROCESS	ESTIMATED TIMELINE
Request to be submitted to the Board for their initial review and approval to proceed with the transparency process for the creation of the position, i.e., posting such request on the Port’s website.	February 24, 2022
If Board agrees to proceed with the creation, the request will be transmitted to the division heads for review and comments.	February 25, 2022
Posting of proposed creation of position on Port’s website.	February 25 to March 11, 2022
Notification to be provided by way of electronic and written media outlets of the Port’s request, its availability on the website; and possible Board meeting date the request may be approved.	February 25, 2022
Request to be re-submitted to the Board for final approval and adoption by resolution.	March 24, 2022
Creation of position documents transmitted to the Director of Administration and Guam Legislative Secretary.	March 25, 2022
Process job announcement for positions and/or effective date of reallocation of positions.	March 28, 2022

Subject: Request for Creation of Position – Port Terminal Worker
Page 3

In light of the above, we are transmitting our request to create the Port Terminal Worker position in the classified service for your initial review and approval to begin the transparency and disclosure process for the creation.

Your kind approval of the above is greatly appreciated.

Attachments

Cc: Deputy General Manager, Administration & Finance
Deputy General Manager, Operations & Maintenance
Corporate Services Manager
Acting Personnel Services Administrator

PORT AUTHORITY OF GUAM
Jose D. Leon Guerrero Commercial Port
Piti, Guam

**PETITION FOR
CREATION OF POSITION – PORT TERMINAL WORKER POSITION**

REQUEST:

The General Manager requested the Human Resources Division to review the Port's current organizational structure and establish a Port Terminal Worker position.

AUTHORITY:

Public Law 30-43 adopted the Port's Personnel Rules and Regulations which authorizes the Board of Directors to create positions in the classified service. Rule 5.015, *Creation of New Positions and Classes of Positions*, of the Personnel Rules and Regulations stipulates:

- A. *Pursuant to Section 6303(d), Title 4, GCA, the General Manager shall petition the Board to create new positions or classes of positions when necessary for the efficient performance of duties and functions of the Port.*
- B. *The petition shall include:*
 1. *the justification for the new position;*
 2. *the essential details concerning the creation of the position;*
 3. *the analysis of the similarities and differences between the position to be created and the positions listed pursuant to Title 4, GCA, Section 4101.1(d);*
 4. *the position description;*
 5. *the proposed pay range and demonstration of compliance with Section 6301 of Title 4, GCA; and*
 6. *a fiscal note as that term is described in Title 2, GCA, Section 9101 et seq.; and any other pertinent information.*
- C. *The petition shall be posted on the Port's website for ten (10) days (Saturdays, Sundays and Government of Guam holidays excepted). After the posting, the General Manager shall forward the petition, along with evidence of his compliance with Title 5, GCA, Section 6303.1(a) to the Board who, if they approve the same, shall approve the petition by resolution and file the petition and resolution for record with the Director of Administration and the Legislative Secretary.*
- D. *No new position may be filled until after compliance of the provisions of this Section and thirty (30) days have elapsed from the date of filing with the Legislative Secretary.*

In line with this Rule 5.016, *Transparency and Disclosure of Creation of New Positions or Classes of Positions*, states:

- A. *Prompt notice of the postings required by Title 4, GCA, Sections 6205 and 6303 shall be provided to each newspaper of general circulation and broadcasting station which airs a regular local news program within Guam.*
- B. *The petitions required by Title 4, GCA, Sections 6205 and 6303 are public documents for the purposes of Title 5, GCA, Chapter 10, Article 1 (The Sunshine Law).*
- C. *Any attempted creation of a position or above-step recruitment are not in compliance with provisions of Title 4, GCA, Sections 6205, 6303 and 6303.1(a) are void.*

References of Compliance:

2 GCA §9101, Restrictions Against Unfunded Appropriations, *“All bills that have an effect upon the revenues or the expenditure of any funds of the Government of Guam shall identify a specific funding source for which funds are, in fact, available....”*

4 GCA §4105(a) Departmental Rules *“Rules subject to criteria established by this Chapter governing the selection, promotion, performance, evaluation, demotion, suspension and other disciplinary action of classified employees shall be adopted by the Board of Directors of the...Jose D. Leon Guerrero Commercial Port...with respect to personnel matters within their respective Branches, agencies, public corporations or departments, and by the Director of Administration as to all other Executive Branch employment.”*

4 GCA §4101.1(d). Responsibilities of the Director of Administration Regarding Personnel Policy of the Government. *“The Director of Administration shall perform the following functions... (d) Maintain, post and keep current on the Department’s website a list of all classified and unclassified positions in the executive branch, including autonomous agencies and public corporations, showing the job description and pay range assigned to each position....”*

4 GCA §6301. Compensation Policy.

- “(a) Employee compensation shall be based on internal equity and external competitiveness.*
- (b) To the extent practical, compensation will be targeted at the U.S. National Average levels compared to the appropriate labor markets and account taken of the relevant economic factors.*
- (c) Internal equity shall be reviewed annually and external competitiveness at least every three (3) years.*
- (d) Compensation structures and administrative policies should also recognize and reward individual employees commensurate with performance.*
- (e) All aspects of compensation (base salaries, benefits, pay differentials, and other factors) will be considered as a total reward and incentive package for employees and shall be consistent and uniformly administered through the government.*
- (f) A program of ongoing communications and training shall be a critical component of compensation administration.”*

AGENCY BACKGROUND:

Public Law 13-87 created the Port Authority of Guam as a public corporation and an autonomous instrumentality of the Government of Guam. The Agency is mandated to provide for the needs of ocean commerce, shipping recreational, commercial/boating and navigation of the Territory of Guam. Its enabling act provides that it must be entirely self-supporting. Its financial obligations and administrative operating costs must be paid by monies generated from the use of its facilities and services in accordance with the provisions of the Port terminal tariff. The Board of Directors is comprised of five (5) non-salaried members appointed by the Governor with the consent and advice of the Guam Legislature. The Board provides and establishes policies and directives pertaining to the planning, promotion, development, construction, operation and maintenance of the Port facilities.

JUSTIFICATION:

To prepare for the anticipated increase in cargo as a result of the military build-up which is expected to begin this year and peaking in 2023 to 2026, as well as, meeting the ongoing demands from the island's organic growth, we have conducted manpower assessments to determine the Port's human resources requirements. The Port has hired individuals as Stevedores (Casuals) and assigned them to other Operations divisions to assist in their workload for vessel or special service request operations if they possess the necessary special requirements for the positions. We have also looked at different classifications within the Operations divisions to allow the Port to be flexible in assigning employees who meet the qualification requirements for positions, such as, equipment operators, stevedores, and cargo checkers, which there are none.

To establish a Port Terminal Worker position within the Port's Classification and Compensation Plan will assist the Operations Department in ensuring that vessel operations, stowage of cargoes within the terminal yard, issuance of cargoes to customers and other cargo handling services are not disrupted. By employing individuals to occupy this position will allow management the flexibility to assign them to areas where there is no bottlenecks in servicing our customers and the public, especially, during the military-build up peak.

The Port Terminal Worker will be used under the three (3) divisions of Operations, e.g., Stevedoring, Transportation and Terminal and will report to the respective supervisors under these divisions.

METHODOLOGY:

Human Resources staff reviewed the duties and responsibilities of the proposed Port Terminal Worker position using the job evaluation systematic process for assessing the content, relative size and importance of the job within our organization using a total of 12 measurement factors. Each factor indicates a point rating and sum of all points representing the total "points" value for the job. Also provided were the organizational and functional charts.

In summary, the job evaluation provides:

1. A structured approach to assessing the relative worth of each job;

2. Measurement factors universally applicable across all sectors of industry, commerce, and government; and
3. Objectivity which is attained to avoid much of the irrational and/or emotional impact of personality conflicts and personal prejudices.

Part two of the methodology completes the evaluation of these positions in using the New Port Compensation structuring which is determined based on compensation comparison of Compensation trends of the Private Sector, State and Local Government on percentage changes in wages, salaries and benefits, including Market Percentiles, the determination of Certified/Technical and Professional Positions and regression analysis of base salaries.

CLASSIFICATION REVIEW:

The duties and responsibilities of the proposed Port Terminal Worker position will be loading and unloading cargoes from vessels; operates material handling equipment to transfer cargo into or from the hold of vessels and around dock area; directs stevedores and operators as to where cargo is to be staged within the terminal yard or onto the vessel and hatches; inspects cargoes upon discharge and records seal numbers and condition of such cargoes; conducts inventory of containers stowed in the terminal yard; and issue and receive cargoes to and from trucking companies.

The position requires knowledge of:

- The methods, techniques and equipment used in seaport cargo handling operations.
- Traffic laws, regulations and safe driving practices in the operation of material handling equipment;

The position requires the ability to:

- Apply safe work practices on the job;
- Work in high places;
- Work effectively with public and employees;
- Understand and follow oral and written instructions;
- Maintain records and prepare reports.

Skill in the safe operation of a material handling equipment.

The position reports to either a Stevedore Supervisor, Cargo Checker Supervisor or Transportation Supervisor. The position will be assigned to a leader who will provide guidance and instructions regarding the work tasks being provided.

Guidelines to be used by this position includes established standard operating procedures and policies on the seaport cargo handling operations and the operation of cargo handling equipment.

The experience and training of the position requires 1 year of experience in the transportation field and graduation from high school or successful completion of a General Education Development (GED) Test.

The job evaluation points process is based on twelve (12) job factors (i.e., education, experience, complexity, scope of work, problem solving, freedom to act/supervision received, work environment, physical demands, impact of discretionary decisions, human relations skills/contacts, authority exercised and supervisory/managerial responsibility. Additionally, a comparative analysis was conducted of the proposed position's counterparts within the organization. The factors in determining the pay grade allocation are attached.

ANALYSIS OF SIMILARITIES AND DIFFERENCES:

A review of the Port's Classification Plan's Occupational Listing revealed that there are no positions established that is closely associated with the proposed Port Terminal Worker position.

As a result, it is recommended that Port Terminal Worker position be established under the Port's Classification and Compensation Plan.

FISCAL NOTE:

The full-time equivalency (FTE) and funding has been identified and approved by the Board.

RECOMMENDATION:

Our review has determined the following pay grade allocation for the Port Terminal Worker:

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
425	F-9-C	\$36,870	F-10C	\$38,367

Based on the above and the attached analysis and documents, it is recommended that the Board of Directors approve the creation of the Port Terminal Worker position and the resultant pay grade allocation at the pay grade indicated above in the classified service.



SHAWN B. CEPEDA
Acting Personnel Services Administrator

PORT TERMINAL WORKER

NATURE OF WORK:

Performs routine work in the loading, unloading and storage of containerized and breakbulk cargoes between vessels and Port terminal facilities; or receive, issue, inspect and record cargoes from vessels and Port terminal facilities; or operate material cargo handling equipment within the Port terminal facilities.

ILLUSTRATIVE EXAMPLES OF DUTIES: (These examples do not include the duties and responsibilities which may be assigned; nor do the examples cover all the duties which may be performed.)

Loads and unloads cargoes from vessels; lashes and unlashes cargoes; palletizes breakbulk cargoes; braces and piles and sorts cargoes.

Inspects discharged containerized and breakbulk cargoes for damages or irregularities; informs operators and vessel planners as to where cargoes are to be staged.

Records all containers and breakbulk cargoes to be loaded onto vessel and verifies such numbers and stowage of cargoes onto vessel with vessel planners.

Operates cargo handling equipment, such as, forklifts and similar equipment.

Maintains records and prepare reports.

Skill in the safe operation of a forklift and similar equipment.

Performs related duties as required.

MINIMUM KNOWLEDGE, ABILITIES AND SKILLS:

Knowledge of:

- The methods, techniques and equipment used in seaport cargo handling operations.
- Traffic laws, regulations and safe driving practices in the operation of material handling equipment;

Ability to:

- Apply safe work practices on the job;
- Work in high places;
- Work effectively with public and employees;
- Understand and follow oral and written instructions;
- Maintain records and prepare reports.

Skill in the operation of a forklift and/or similar equipment.

MINIMUM EXPERIENCE AND TRAINING:

- A. One (1) year of experience in the transportation field, including operation of material cargo handling equipment; or
- B. Any equivalent combination of experience which provides the minimum knowledge, abilities and skills.

NECESSARY SPECIAL QUALIFICATION:

- A. Graduation from high school or successful completion of a General Education Development (GED) Test; and
- B. Possession of a valid operator's license.

**Fiscal Year 2022
FUNCTIONAL STATEMENT FOR
OPERATIONS DEPARTMENT**

INTRODUCTION

The Jose D. Leon Guerrero Commercial Port is established by Public Law 13-87, as a public corporation and an autonomous instrumentality of the Government of Guam. The Agency is mandated to provide for the needs of ocean commerce, shipping, recreational, commercial/boating and navigation of the Territory of Guam.

The enabling act provides that the Port must be entirely self-supporting, i.e., it must raise capital funds for construction projects by borrowing money on its own credit. Its financial obligations and administrative operating costs must be paid by monies generated from the use of its facilities and services in accordance with the provisions of the Port terminal tariff.

BOARD OF DIRECTORS

The Board of Directors is composed of five (5) non-salaried members, appointed by the Governor with the consent and advice of the Guam Legislature. The Board provides and establishes policies and directives pertaining to the planning, promotion, development, construction, operation and maintenance of the Port facilities.

GENERAL MANAGER

The General Manager, under the general direction of the Board of Directors, serves as Chief Executive Officer for the Authority. The General Manager has charge and control of the planning, organization, staffing, direction and coordination of the Authority's operations and business affairs. The General Manager is hired and employed at the pleasure of the Board.

DEPUTY GENERAL MANAGER, OPERATIONS & MAINTENANCE

The Deputy General Manager, Operations & Maintenance is under the general supervision of the General Manager. In the absence of the General Manager, may serve as Acting General Manager. The position is hired and employed under the terms and conditions fixed by and at the pleasure of the Board of Directors. The Deputy General Manager for Operations & Maintenance is responsible for the overall operations and administration of Compliance/Control, Operations and Maintenance departments.

OPERATIONS DEPARTMENT

The Operations Manager is under the general supervision of the Deputy General Manager of Operations & Maintenance. The position is responsible for the day-to-day operations and administration of the Transportation, Terminal, and Stevedoring divisions.

TERMINAL DIVISION

The division administers the programs, projects and activities functionally charged with the responsibility for receiving, recording, storage, transfer, consignment and accountability of transit containerized and breakbulk cargoes within the terminal facilities and warehouses.

Cargo Control Section: The section accounts and issues containers received from vessel/customers; maintains control of container movements; records/verifies container locations; operates and accounts for receiving, storage, and issuing breakbulk cargoes in the transit warehouses. The section processes and physically inspects all transit vehicles or equipment prior to its issuance or export to consignees. The section is responsible for the vessel planning activities prior to the ship arriving to port; ensures the load and discharge activities are performed accurately and timely; and prepares documents and reports for expenses chargeable to the carrier and other billing purposes.

STEVEDORING DIVISION

The division administers the operations, programs and activities involved in providing vessel operations with the necessary manpower, such as, lashing and unlashings of containers, loading and unloading of containerized and breakbulk cargoes, and stuffing and devanning of containers. The division manufactures and repairs a variety of rigging equipment and devices.

Cargo Handling Section: Provides all manual work for vessel operations, such as, lashing activities, rigging of cargoes, stuffing and devanning of containers, etc. and operates vessel winches to load and unload cargoes.

Rigging Section: Manufactures, repairs and operates a variety of rigging equipment and devices, as well as, stocks up and provides necessary rigging equipment and devices for all vessel and special cargo handling operations.

TRANSPORTATION DIVISION

The division administers the programs, projects and activities involved in the operation of cargo handling equipment, such as, gantry cranes, top loaders, side loaders, forklifts, tractors and other similar equipment for vessel operations and special service requests.

Dispatcher Section: Charged with the responsibility of dispatching personnel and equipment assigned to vessel operations; relaying and recording messages; and the maintenance of records of activities of the division.

Equipment Operator Section: Responsible for operating tractors, top lifters, forklifts and other related cargo handling equipment involved in the movement and storage of containerized and breakbulk cargoes during vessel and normal operations.

Crane Operator Section: Responsible for operating gantry and stick cranes for the loading and unloading of containerized and breakbulk cargoes during vessel and normal operations.

JOB EVALUATION
For
PORT TERMINAL WORKER

Factors	Points	Comments
Education	G 66	Secondary: Requires 4 – 5 years of high school or training at a more advanced level than Occupational education. Has the ability to prepare reports and perform more complex calculations or has received training at a more advanced level. Has gained occupational skills to a high level of competence through school or full/part-time occupational courses.
Experience	F 57	Semi-Skilled (Low): The job requires semi-skilled experience in a technical, scientific or professional field. This is still relatively short-term experience but predominately focused on acquiring the specific job skills required of the position, e.g., 1-2 years related experience.
Complexity	C 30 123 36.9	Defined: The end results are defined and general policies and procedures specified, however, some independent thought is required in order to coordinate conflicting demands and optimize efficiency. The term “conflicting demands” means that an awareness of the cause and effect of each decision exists.
Scope of Work	A 5 123. 6.2	Highly Specific: Performance of specific tasks and activities that do not involved supervision or close liaison with others. Note: Teamwork is not part of the job requirement. The job holder is able to perform the required tasks without dependence or reliance on others. There is no supervision of others.
Problem Solving	B 38	Routine: Problems are minor although some individual judgement is required to interpret rules and instructions. Note: Solutions may be found after a quick perusal of a procedures manual or set of instructions. Some interpretation of instructions may be involved but generally the answer is readily accessible. Problems which cannot be solve din this way or by the application of straightforward common sense tend to be referred to a higher authority.
Freedom to Act/Supervision Received	C 38	Procedures: The work conforms to specified procedures and the results are clearly defined. Work is subject to in-progress review and guidance and assistance is readily available. Note: the end results are clearly defined, but how the tasks and activities are to be carried out is not necessarily stated in the form of detailed instructions. Guidance and assistance from others exists, even though the jobholder seldom refers to it.

Factors	Points	Comments
Work Environment	D2 57	Work is primarily performed outdoors but not required to remain in extreme adverse weather conditions.
Physical Demand	D3 76	Work frequently involves stooping, kneeling, bending or climbing
Impact of Discretionary Decisions	B1 25	Direct impact of a single decision causes some impact which can be expressed in dollar terms of hundreds of dollars: \$101 to \$300
Human Relations Skills/Contacts	B2 25	Routine: Discusses work with employees and communications information to other personnel External contacts: medium
Authority Exercised	A0 0	No authority to commit capital expenditure, approve loans, extend credit or incur routine expenditure
Supervisory & Managerial Responsibility	A1 0	Controls no staff. At the middle and upper levels, there may be a requirement to allocate tasks to others, possibly with limited supervisory responsibility and perhaps on a rotational team leader basis or with some involvement in training/guiding staff within the organization or project management.
TOTAL POINTS	425	

PAY GRADE ALLOCATION

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
425	F-9C	\$36,870	F-10-C	\$38,367

PORT AUTHORITY OF GUAM



POSITION DESCRIPTION

1.0 IDENTIFICATION

POSITION TITLE	Port Terminal Worker
POSITION NUMBER	
NAME OF EMPLOYEE	New
NAME OF DIRECT SUPERVISOR	
TITLE OF DIRECT SUPERVISOR	Cargo Checker Supervisor, Stevedore Supervisor or Transportation Supervisor
JOB LOCATION (Department / Agency)	Port Authority of Guam
DIVISION	Terminal, Stevedoring and Transportation
DEPARTMENT	Operations
SECTION / UNIT	
FLSA	
CLASSIFICATION	<input checked="" type="checkbox"/> Classified <input type="checkbox"/> Unclassified <input type="checkbox"/> Vacant
JOB EVALUATION POINTS	425
PAY GRADE	F-9-C
POSITION DESCRIPTION (Reviewed)	

Duty No or % of Time	Duties and/or Responsibilities

3.0 CONTACTS

Departments, agencies and/or individuals you deal with during the course of your daily activities:

3.1 WITHIN DEPARTMENT / AGENCY

Mark one correct response below with an [X]

	None
	Up to 15% of total working hours
	15 - 50% of total working hours
X	Over 50% of total working hours

3.2 OUTSIDE DEPARTMENT / AGENCY

Mark one correct response below with an [X]

	None
X	Up to 15% of total working hours
	15 - 50% of total working hours
	Over 50% of total working hours

4.0 SUPERVISION RECEIVED

How closely is the employee / job holder's work reviewed by their direct Supervisor.

Mark one correct response below with an [X]

	Detailed and specific instructions / procedures received or followed for each assignment
	General Supervision - Routine duties are performed with minimal supervision. Standard practices or procedures allow employee to function alone at routine work. Supervisor makes occasional check of work while in progress. Work is reviewed upon completion.
X	Direction - Receives guidance about general objectives in most of the tasks and projects assigned; determines methods, work sequence, scheduling and how to achieve objectives of assignments; operates within policy guidelines. (Generally applicable to skilled professionals, managers and supervisors.
	General Direction - Receives very general guidance about overall objectives; work is usually quite independent of others; operates within division or department policy guidelines, using independent judgment in achieving assigned objectives. (Generally applicable to managers / administrators in large and complex organizations and to department / agency heads and their first assistants.)

5.0 SUPERVISION EXERCISED

The employee / job holder supervises other employees. List the number of employees supervised, their position titles and a brief description of their responsibilities.

If the employee has no supervisory responsibility mark [X] in this box

No Supervised	Position Title	Description of Responsibilities

6.0 EQUIPMENT

List the equipment (pickup truck, welder, crane, etc.), office machines (word processor, calculator, copying machine, etc.), or any other machines, tools or devices that are used on a regular and continuing basis. Show what percentage of the regular workday is spent using each.

%	Tools / Equipment
	Forklifts
	Tractor trailers
	Vehicles
	Hand Held Radio or Communication device

7.0 JOB REQUIREMENTS

Mark [X] in this box if the job holder is unable to complete this section. The direct Supervisor will then complete this section for the job holder.

7.1 MINIMUM QUALIFICATION REQUIREMENTS

Identify below the minimum experience and training a qualified applicant must have before employment.

7.1.1 WORK EXPERIENCE

List the general, specialized and/or supervisory / management work experience needed and how much (in months and/or years). If none, mark an [X] in box a) "No work experience required."

a) No work experience required

b) General Years Months

Transportation field including operation of material cargo handling equipment	1	

c) Specialized Years Months

d) Supervisor / Management Years Months

If no work experience is required, list the knowledge, abilities and skills a qualified applicant needs before employment to perform the essential job functions.

Years Months

7.1.2 FORMAL EDUCATION OR TRAINING

Mark an [X] in the box that indicates the most applicable education level required:

Below High School. Show number of years :

High School Graduation / GED

Vocational / Technical School. Detail below the specific training that is required by this position :

Some College. Show number of Semester Hours, or
 Quarter Hours

Detail below specific courses required by the essential functions of this position:

College Degree. Show major area of study required :

Associates :	
Bachelors :	
Masters :	
Beyond Masters :	

7.1.3 CRITICAL SKILLS / EXPERTISE

List specialized skills or specialization needed to perform essential functions:

Skill in the operation of material cargo handling equipment (forklift)

7.1.4 LICENCE / REGISTRATION OR CERTIFICATION

List possession of required license, professional registration/certification needed to perform essential functions:

Possession of a valid operator's license

7.2 MENTAL / VISUAL / PHYSICAL & ENVIRONMENTAL JOB REQUIREMENTS

7.2.1 PHYSICAL REQUIREMENTS

Mark with an [X] below the most appropriate physical requirement(s) for the job.

	Sitting	The job requires the employee to sit in a comfortable position most of the time. The employee can move about.
	Sitting	Employee is required to sit for extended periods or time without being able to leave the work area.
X	Sitting/Standing/Walking	The employee is required to sit, stand, walk most of the time.
X	Climbing	Employee is required to climb ladders or scaffolding or to climb and work in overhead areas.
X	Lifting	Employee is required to raise or lower objects from one level to another regularly.
	Pulling and/or Pushing	The job requires exerting force up to ____ pounds on a regular basis to move the object to or away from the employee.
	Carrying	The employee is required, on a regular basis, to carry objects in his or her arms or on the shoulder(s).
	Reaching	The employee is regularly required to use the hands and arms to reach for objects.
	Stooping and Crouching	The employee is regularly required to bend forward by bending at the waist or by bending legs and spine.
	Crawling	Employee is required to work in a confined space and/or to crawl and move about on his or her hands and knees.
X	Speaking	The job requires expressing ideas by the spoken word.
X	Listening	The job requires the perception of speech or the nature of sounds in the air.
	Other	See description below

Describe any other physical job requirements below:

7.2.2 MENTAL / VISUAL REQUIREMENTS

Mark with an [X] below the most appropriate mental / visual requirement for the job.

- General Intelligence (typical requirement for machine operators, office staff, etc.)
- Motor Coordination Skills (typical for automotive mechanic, painter, etc.)
- Coordination of Eyes, Hands, and Feet (e.g. tractor trailer driver, fire fighter, line electrician, etc.)
- Verbal Intelligence (typical for counsellors, customer service representatives, etc.)
- Numerical Intelligence (typical for an accounting clerk, cargo checker, etc.)
- Other (outline below)

7.2.3 WORK ENVIRONMENT & WEATHER EXPOSURE

Selecting one response only show what percent of a typical workday is spent:

- %
 Indoors in a comfortable temperature-controlled environment (for instance, in an office)
- Indoors in a non-temperature-controlled environment (e.g. storerooms and warehouses, etc.)
- 90 Outdoors exposed to changing weather conditions (for instance, rain, sun, wind, etc.)
- 10 Outdoors but in an enclosed vehicle protected from extreme weather conditions.

7.2.4 OTHER PHYSICAL WORKING CONDITIONS

Mark an [X] in the box if none of the following is applicable

Show what percent of a typical workday this position is exposed to:

- %
 80 Air contamination (i.e., dust, fumes, smoke, toxic conditions, disagreeable odours).
- Vibration (i.e., operating jackhammer, impact wrench).
- Noise (Exposure at a level enough to cause hearing loss or fatigue).
- An improperly illuminated or awkward and confining work space.
- 10 Working above ground level where the chance of falling exists (e.g. ladders, bucket trucks etc)
- 10 Lifting or carrying items or objects. Describe item/object and weight:

Lashing road

Heat. Describe source and degree of high temperature.

Cold. Describe source and degree of cold temperature:

Other hazards. Describe:

Unstable foundation – vessels (rocking back and forth as a result of wave activity)

7.2.5 IRREGULAR / UNUSUAL JOB REQUIREMENTS

Describe the working conditions that are irregular or unusual for the job and show frequency of exposure.

Mark an [X] in the box if not applicable

Condition	Frequency of Exposure
Dirty Pay	90

7.3 WORK SCHEDULE / HOURS

Work Schedule/Hours – Mark an [X] the most appropriate work schedule/hours for the job.

- Regular - Standard Eight (8) hours daily, Monday - Friday
- Irregular - Shift work - A 24-hour work operation.
- Regular / Irregular - Overtime hours with overtime pay entitlement

State purpose and average total hours required per pay period:

- Regular / Irregular - Overtime hours without overtime pay entitlement

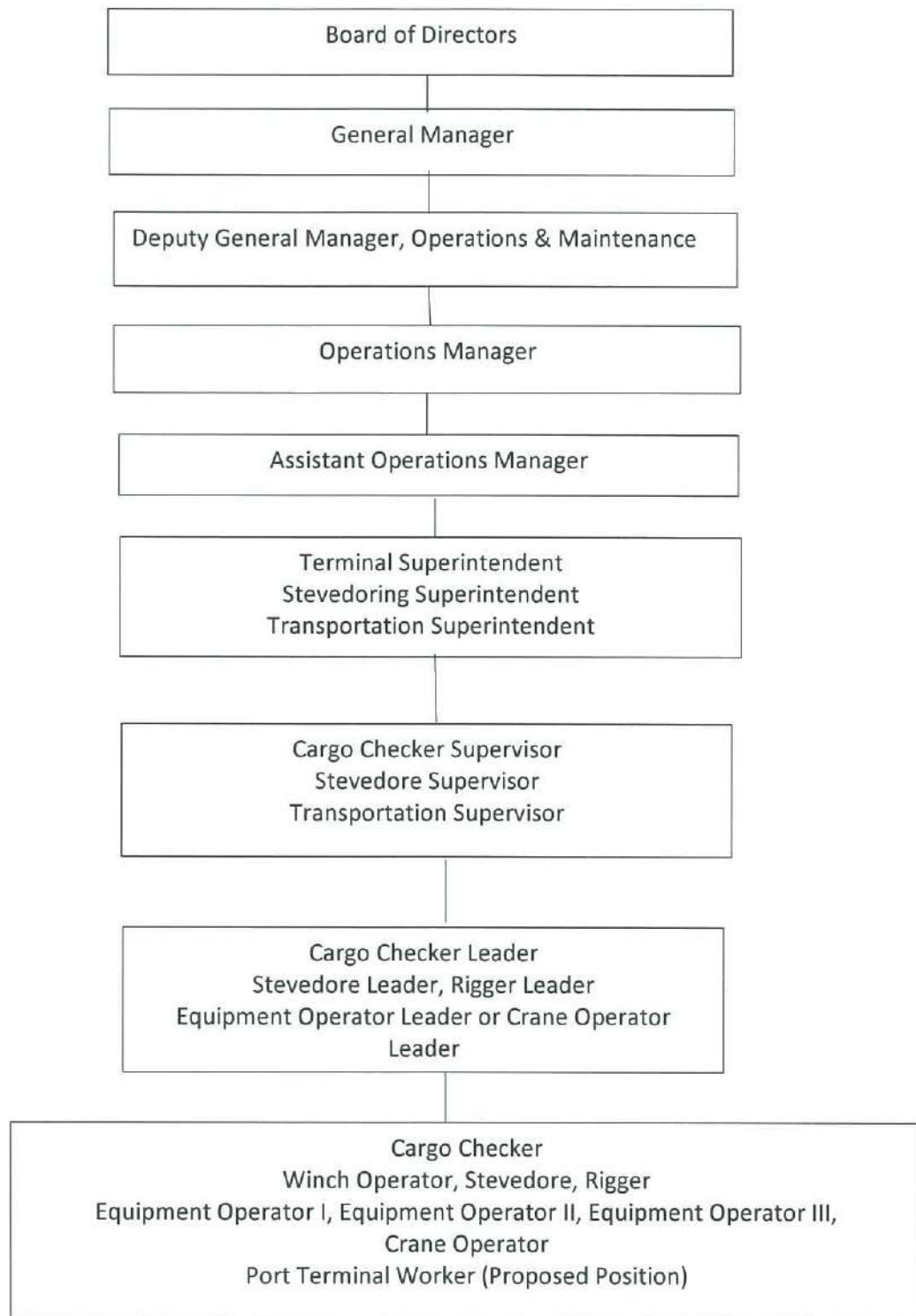
State purpose and average total hours required per pay period:

The information given on this position is complete and correct.

Signature of Employee

Date

OPERATIONS DEPARTMENT



FISCAL NOTE

1. A. Fiscal effect: Identify the fiscal effect on the agency appropriations compared to funding levels and appropriations anticipated under current Budget.

	FY 2022				FY 2023			
	General	Crane Surcharge	FMF	Marinas	General	Crane Surcharge	FMF	Marinas
Revenues								
Expenditures	\$68,338				\$115,378			
Budget								

2. A. Fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact*

The Port is in the process of petitioning the creation of a Port Terminal Supervisor and Port Terminal Worker under the Port's Classification and Compensation Plan. The salaries and benefits for the positions has also been identified. The following are different levels recommended for the Port Terminal Supervisor and Port Terminal Worker positions and their corresponding salary ranges.

Port Terminal Supervisor:

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
937	K-10B	\$78,508.00	K-11B	\$81,695.00

Port Terminal Worker:

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
425	F-9-C	\$36,870	F-10-C	\$38,367

- B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The General Manager will be presenting to the Board on February 24, 2022, (2) two creation of positions – Port Terminal Supervisor and Port Terminal Worker. The funding for the two positions will come from the Vacancy Pool.

3. Fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues:

B. Expenditures:

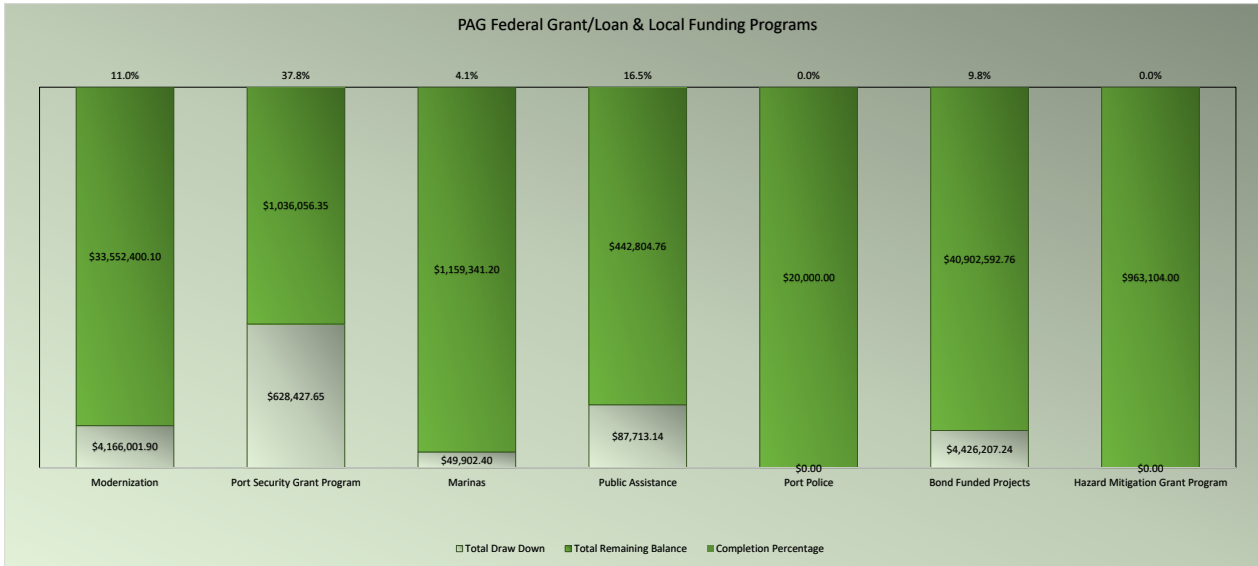
If the Port decides to hire based on the minimum salary for both positions starting March 1, 2022, the total pro-rated amount for FY 2022 is \$68,338. The hiring of the two new positions will increase the salary for FY 2023 to \$115,378.

C. Budget: *Explain the appropriations amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The appropriations for the two new position creations will come from the Vacancy Pool budget based on the YTD for FY 2022. The expenditures for FY 2022 and FY 2023 are indicated in section 1A.

Name: Jose B. Guevara III, Financial Affairs Controller
Division: Finance Division
Telephone: (671) 477-5931
Date Prepared: 2/22/2022

**FY 2022 Port Modernization Plan
Grant/Bond Strategy - Monthly Update
As of February 21, 2022**



Grant Program	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCUREMENT IFB/RFP/PO Number	Status
Modernization	\$37,718,402.00	\$4,166,001.90	\$33,552,400.10		
DTMA91G1600007 - Rehabilitation of "H" Wharf	\$10,000,000.00	\$0.00	\$10,000,000.00	PO No. 17043-OF for \$2,249,945.54 awarded to GHD Inc. Change Order No. 1 PO No. 17159-OF for \$198,140.16 Approval of Change Order No. 2 on 10/07/2021, PO No. 17416-OS for \$18,670.13 Approval of Change Order No. 3 on 10/21/2021, PO No. 17545-OS for \$15,414.88 Approval of Change Orders No. 4, No. 5, and No. 6 on 12/07/2021, PO No. 17585-OS for \$63,110.20 Approval of Change Orders No. 7 and 8 on 12/10/2021, PO No. 17696-OS and 17696-OS for \$52,706.83 Approval of Change Order 9 on 02/21/2022 for \$11,492.77	Rebid opening was held on Friday, 01/28/2022 at the PAG Board Room. Bid packet currently under review and preview by the Procurement Division. A meeting has been scheduled between PAG and Sumitomo to discuss bid packet.
GR882-18-01 - Owner's Agent Engineer Support Services	\$900,000.00	\$899,933.63	\$66.37		Close out report submitted to the Community Defense Liason Office on December 30, 2021
GR882-19-04 - 2020 Master Plan Update	\$1,600,000.00	\$1,094,547.72	\$505,452.28		WSP conducted site visits/meetings on Guam from August 2-5, 2021. The 2020 Master Plan update continues to progress through the collaboration between Management, Port Division Heads, and the Port's OAE on the following initiatives: 1) Completion of the draft Customs Inspection Facility Feasibility Study, 2) RSM Study - goal is information integration between and amongst carriers, the PUGG, Customs, and the PAG, 3) Tariff Simplification - streamlining and refining PAG rates and services, 4) STS Crane Procurement Support, 5) PAG/GPA collaboration on proposed Liquefied Natural Gas (LNG) capability at the Port, 6) Crane Demolition - removing of Gantries 2 and 3, Mobile Harbor Crane and Rubber Tyred Gantry (RTG) cranes, and 7) Solar Power Feasibility Study - PAG effort to utilize solar energy to reduce PAG dependence on GPA island power.
GR882-20-06 - OAE Supplemental Support Services					
GR882-21-08 - PAG Construction Technical Oversight Services	\$1,500,000.00	\$0.00	\$1,500,000.00	P.O. No. 17424-OS for \$1,500,000.00	PUC approval obtained on September 30, 2021 meeting. Randall Urusaki, WSP USA, Inc. signed contract agreement on October 20, 2021. Purchase Order signed on November 10, 2021. Task Order #11 services have commenced with WSP's review and compilation of responses to RFIs on the H Wharf Rehabilitation Project.

**FY 2022 Port Modernization Plan
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Grant Program	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCUREMENT IFB/RFP/PO Number	Status
Port Enterprise Fund - Port of Guam Construction Deficiencies and Equipment Purchases	\$2,844,530.00	\$2,171,520.55	\$673,009.45	<p>Project 1 - PO No. 1557-OF for \$139,449.00 awarded to American Builder LLC</p> <p>Project 2 - PO No. 15589-OF for \$82,940.00 awarded to Highway Safety Services LLC</p> <p>Project 3 - PO No. 15449-OF for \$10,311 awarded to AB Mer Construction</p> <p>Project 4 - PO No. 15213-OS for \$1,639,976 awarded to Morrico Equipment LLC</p> <p>Project 5 - PO No. 16866-OF for \$195,844.55 awarded to ProPacific Builder Corp. Change Order No. 1 PO No. 17034-OF for \$25,000.00 Change Order No. 2 PO No. 17157-OF for \$78,000.00 Total Project 5 - \$298,844.55</p> <p>Project 6 & 7 - The Purchase Orders were separated by funding source. The POs are as follows: PO No. 17509OS for \$703,934.19 - MARAD - \$673,009.45 & PAG Share - \$30,924.74 PO No.17510OS for \$209,739.81 - PSGP - 150,146.08 & PAG Share - \$59,593.73 PO No. 17511OS for \$307,744.00 - PAG Share Total - \$1,221,418.00</p>	<p>Project 6 - Acquisition of Additional Digital Cameras - Interior camera replacement has been completed. Replacement of exterior cameras will commence once additional materials are received. CalPac will apply for a DPW permit the week of February 21, 2022. This permit process is estimated to take 2 weeks. Once complete, trenching for new conduits will begin. CalPac submitted their first invoice for \$215,243.08.</p> <p>Project 7 - Upgrade Port's KANTECH Access Control and Web-Ready Security Management System - See Project 6.</p>
07-79-07614 - F1 Pier to Golf Pier Fuel Connectivity Project	\$2,413,091.00	\$0.00	\$2,413,091.00		SHPO's guidance on the project indicates the need for a HABS/HAER Level I document prior to construction. Strategic Planning Division is coordinating this process with SHPO. EDA held a virtual meeting with PAG staff on January 7, 2022 to introduce new Project Officer. PAG transmitted A/E Design scope of services and other documents to new Project Officer for informal review and comments. EDA Project Officer conducted a site visit on February 18, 2022. PAG currently awaiting receipt of comments/approval from Project Officer regarding A/E Design scope of services.
D20AP00136 - Phase 1: Port Authority of Guam - Welding Shop	\$240,325.00	\$0.00	\$240,325.00		The PAG is finalizing the Categorical Exclusion for the Welding Shop Project. Once complete, the OIA will issue an ATP. Once received, the process for a HABS review will begin.
D21AP10142 - Phase 2: Port Authority of Guam - Welding Shop	\$151,850.00	\$0.00	\$151,850.00		See above line item.
98T27101 - Diesel Emissions Reduction Act (DERA) - Tractor Replacement	\$126,609.00	\$0.00	\$126,609.00		PAG signed MOA on October 15, 2021 and routed to GEPA. On October 25, 2021, PAG provided additional vehicle information requested by US EPA. PAG signed Intra - Government of Guam Work Request on October 26, 2021; GEPA picked up document on October 27, 2021. January 19, 2022, GEPA transmitted certified MOU/Contract, along with processed Intra Government of Guam Work Request. Requisition was entered February 8, 2022; project is currently in procurement process.

**FY 2022 Port Modernization Plan
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Grant Program	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCUREMENT IFB/RFP/PO Number	Status
MARAD RAISE - Wharves Service Life Extension Hardening of Wharves F1-F6	\$17,941,997.00	\$0.00	\$17,941,997.00		The PAG was awarded \$17,941,997.00 toward the total project cost of \$22,427,496.00 as part of the MARAD RAISE grant program. This project seeks to make structural repairs to enhance the capacity of the existing berths from F1 - F6. The PAG was notified on November 21, 2021 of the award and awaits further guidance from MARAD on the next steps for this project. Because of PAG's familiarity with U.S. DOT Cooperative Agreement for the Guam Commercial Port Improvement Program and TIGER Grant for the Rehabilitation of Hotel Wharf, a kick-off meeting was not necessary according to U.S. DOT MARAD's Senior Grants Manager. A meeting was held between PAG and MARAD's Director of Environmental Compliance for all things NEPA-related, Section 106 of the NHPA must be completed prior to finalizing NEPA, and that NEPA must be completed prior to the execution of the grant agreement. PAG's OAE will be performing the services and NEPA-related studies on behalf of PAG. Estimated timeline and deliverables: 5-18 months.
Marinas	\$1,209,243.60	\$49,902.40	\$1,159,341.20		
F14AP00191 - Harbor of Refuge Repairs - 1. Repair Plan of Mooring System and Anchor Block - 2. Wastewater Ejector Pump Station and Storage Facility	\$56,484.60	\$14,765.40	\$41,719.20		IFB No. PAG-CIP-022-001 issued 12/01/2021 Pre-bid conference was scheduled on 12/10/2021, at 10:00 A.M., site visit to project immediately followed. Deadline for Questions & Concerns (Q&C) was on 12/17/2021, at 4:00 P.M. Bid submittal AMENDED from Tuesday, 01/04/2022, Thursday, 02/03/2022, 02/18/2022, TO NOW READ Friday, 02/25/2022.
F16AP00261 - Harbor of Refuge Moorage Repairs	\$200,000.00	\$11,895.00	\$188,105.00		See above line item.
F17AP00486 - Harbor of Refuge Moorage Repairs	\$200,000.00	\$13,194.00	\$186,806.00		See above line item.
F19AP00334 - Harbor of Refuge Moorage Repairs	\$200,000.00	\$10,048.00	\$189,952.00		See above line item.
F19AF01199 - Guam Fisheries Development: Construction of Agat Marina's Dock B	\$512,759.00	\$0.00	\$512,759.00		The MOU was concurred by the Honorable Governor of Guam on September 6, 2021. Conditional Notice to Proceed approved by U.S. FWS and DOAg on September 16, 2021. Next Steps: 1) A Procurement Planning Meeting was held on 02/15/2022. The Procurement Division will finalize their review of bid package and subject for review by SAGG and AG's Office. 2) Issuance of IFB, Tentative timeline - Q2 FY2022.
F19AF01210 - Repair of Agat Marina's Boat Ramp Bumpers	\$40,000.00	\$0.00	\$40,000.00		Bid opening was held on Monday, 02/14/2022 at the PAG Board Room. There were two (2) packages received by PAG and the bid package will be under review and preview of the Procurement Division prior to selection and award of the successful bidder.
Port Security Grant Program	\$1,664,484.00	\$628,427.65	\$1,036,056.35		
EMW-2017-PU-00177-S01 - Maintenance and Sustainment Contract for Prime Power Generators	\$179,550.00	\$80,720.10	\$98,829.90	Year 1 - PO No. 16208-OS for \$75,207.00 Pacific Unlimited Inc. Year 2 - PO No. 16988-OS for \$75,207.00 Pacific Unlimited Inc. Year 3 - PO No. 17686-OS (federal funds); PO No. 17687-OS (PAG funds) Pacific Unlimited Inc.	Project ongoing. Third year option exercised. Because of May 31, 2022 grant POP end date, Jan-May 2022 services are funded by grant; June-Dec 2022 services are funded by PAG.
EMW-2017-PU-00177-S01 - Refurbishment and Hardening of Load Center Buildings Housing Prime Power Generators	\$384,469.00	\$306,948.80	\$77,520.20	PO No. 16150-OF for \$314,450.00 to Murphy Enterprises Inc.	Project completed on January 31, 2021. PAG submitted a budget modification request to FEMA for use of remaining grant funds toward the overall sustainment of the Port's generators and acquisition of critical parts for repair/replacement of generator components. Approved 01/19/2022. Procurement preparing packages and validating quotes.
EMW-2017-PU-00177-S01 - US Coast Guard Multi Agency National Association of State Boating Law Administrators (NASBLA) Training for Port Police	\$56,250.00	\$54,749.00	\$1,501.00		Project completed on August 2018. PAG submitted a budget modification request to FEMA for use of remaining grant funds toward the overall sustainment of the Port's generators and acquisition of critical parts for repair/replacement of generator components. Pending approval.

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EMW-2018-PU-00441-S01 - IDEN Technology Redundant Interoperable Communications System Monthly Service	\$94,944.00	\$79,954.28	\$14,989.72		iConnect sold all its assets to ITE. ITE is now the service provider and support entity for the Port's IDEN Technology push to talk radios. Grant award funded 3-year contract (2018-2021). PAG submitted request to use remaining project balance to fund additional 6 months of service (Mar-Aug 2022)
EMW-2018-PU-00441-S01 - Maintenance and Sustainment Contract for FEMA-acquired AS&E ZBV Backscatter X-Ray Van	\$195,669.00	\$95,334.55	\$100,334.45	PO No. 17626-OS - American Science & Engineering 70,724.04.	Year 3 services has been executed and Purchase Order issued to AS&E. Request for 1-year extension submitted to allow completion of third year services.
EMW-2018-PU-00441-S01 - Replacement CCTV System Existing Analog Cameras with Digital IP Cameras	\$160,867.00	\$10,720.92	\$150,146.08	IFB-PAG-003-21	See Port Enterprise Fund - Project 6.
EMW-2019-PU-00295-S01 - Acquisition & Installation of Prime Power Generator & Components for Load Center 3	\$226,484.00	\$0.00	\$226,484.00	PO No. 17097-OS - Caterpillar, Inc. \$208,607.00 PO No. 17492OS - Bagley Enterprises, Inc. - \$21,811.39 PO No. 17493OS - Triple B Forwarders - \$1,570.00	Generator arrived on Oct. 7, 2021. Pending delivery of Automatic Transfer Switch (ATS) and Above-ground Storage Tank. Purchase Order for Installation Services processed. Awarded vendor - Top Builders, LLC. Pending arrival of components and NTP.
EMW-2021-PU-00230-S01 - Aquisition of Vessel Tracking/Radar Intrusion System	\$201,250.00	\$0.00	\$201,250.00		An Environmental and Historical Preservation (EHP) Review for the project has been completed by FEMA. PAG account established. Scope of Work currently being developed.
EMW-2021-PU-00230-S01 - Aquisition of Transportation Worker Identification Credentialing (TWIC) System	\$165,001.00	\$0.00	\$165,001.00		An Environmental and Historical Preservation (EHP) Review for the project has been completed by FEMA. The Port received a copy of the clearance on Dec. 16, 2021. PAG account established. PAG account established. Scope of Work currently being developed.
Public Assistance	\$530,517.90	\$87,713.14	\$442,804.76		
4398DR - Typhoon Mangkhut #66352	\$530,517.90	\$87,713.14	\$442,804.76		Project is ongoing. Request for extension to October 1, 2022 has been approved by the Guam Homeland Security Advisor.
Hazard Mitigation Grant Program	\$963,104.00	\$0.00	\$963,104.00		
Fendering System Hardening Project	\$603,689.00	\$0.00	\$603,689.00		Notification of Award received by the PAG on Dec. 28, 2021. Received and submitted subgrantee award acceptance documents to Guam Homeland Security on 02/18/2022. Pending establishment of account with the Dept. of Administration.
Warehouse 1 Hardening Project	\$359,415.00	\$0.00	\$359,415.00		Notification of Award received by the PAG on Dec. 30, 2021. Pending subgrantee award acceptance documents from Guam Homeland Security and establishment of account with Dept. of Administration. Scope of Work currently being reviewed to coincide with bond-funded WHSE I Building Repairs.
Port Police	\$20,000.00	\$0.00	\$20,000.00		
PT22-03-03PPD - Operation A'dai He'Hao	\$20,000.00	\$0.00	\$20,000.00		PAG received an ATP from the OHS on February 10, 2022. The ATP released \$5,000 for Travel and \$5,000 for OT. This is a partial release on funds for OT. The remainder is pending release from Congress as per the OHS.
Bond Funded Projects	\$45,328,800.00	\$4,426,207.24	\$40,902,592.76		
New Administration Building	\$10,445,000.00	\$0.00	\$10,445,000.00		Three draft layout options for the Admin Building has been completed by the PAG's OAE and is being reviewed by Management. No decision on which option has been selected as of this report. Status Quo.
Waterline Replacement and Relocation	\$6,000,000.00	\$308,668.56	\$5,691,331.44	RFP No. 2019-03 - A&E Design awarded to NC Macario	Pending PUC approval.
EQMR Building Repairs and Upgrades	\$3,628,800.00	\$439,259.10	\$3,189,540.90	RFP No. 2019-03 - A&E Design awarded to NC Macario	Pending Board of Directors and PUC approval.
Warehouse 1 Repairs and Upgrades	\$2,000,000.00	\$439,259.10	\$1,560,740.90	RFP No. 2019-03 - A&E Design awarded to NC Macario	Bid opening held on 11/19/2021 at 2:00 P.M. Four (4) vendors submitted proposals. All bids were rejected due to High Price/Change in Scope of Work. PAG will rebid at a later date.
Golf Pier Repairs and Improvements	\$2,000,000.00	\$357,876.53	\$1,642,123.47	RFP No. 2019-02 - A&E design for \$484,000 awarded to NC Macario	Bid was cancelled. The project will be re-bid at a later date pending the review of the current Scope of Work and Specifications.

**FY 2022 Port Modernization Plan
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Grant Program	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCUREMENT IFB/RFP/PO Number	Status
Rehabilitation of "H" Wharf (Port Share)	\$13,774,255.00	\$1,009,949.58	\$12,764,305.42	PO No. 17043-OF for \$2,249,945.54 awarded to GHD Inc. Change Order No. 1 PO No. 17159-OF for \$198,140.16 Approval of Change Order No. 2 on 10/07/2021, PO No. 17416-OS for \$18,670.13 Approval of Change Order No. 3 on 10/21/2021, PO No. 17545-OS for \$15,414.88 Approval of Change Orders No. 4, No. 5, and No. 6 on 12/07/2021, PO No. 17585-OS for \$63,110.20 Approval of Change Orders No. 7 and 8 on 12/10/2021, PO No. 17696-OS and 17696-OS for \$52,706.83 Approval of Change Order 9 on 02/21/2022 for \$11,492.77	Rebid opening was held on Friday, 01/28/2022 at the PAG Board Room. Bid packet currently under review and preview by the Procurement Division. A meeting has been scheduled between PAG and Sumitomo to discuss bid packet.
Other Priority Projects	\$4,980,745.00	\$0.00	\$4,980,745.00		<p>1. Please refer to MARAD RAISE - Wharves Service Life Extension Hardening of Wharves F1-F6 for more information.</p> <p>2. TOS upgrade work anticipated to begin later this fiscal year. Work is ongoing to determine the appropriate maintenance and support solution. Status Quo.</p>
Other Priority Projects - EnterpriseOne Financial Management System	\$2,500,000.00	\$1,871,194.37	\$628,805.63		Job costing for CIP and Work Orders, ACH payments, and Properties/Assets <\$1,000 modules is ongoing. This is part of the E1 Phase 2.
Grand Total	\$87,434,551.50	\$9,358,252.33	\$78,076,299.17		

PORT AUTHORITY OF GUAM
CONTRACT SUMMARY UPDATE

No.	Consultant/Vendor	Type of Service	Solicitation Method Reference No.	Division	Contract Term	Initial Term	Expiration After Options	Next Renewal Due Date	Annual Amount (Commitments / Notes)
PROFESSIONAL SERVICES									
1	A1 - Guam WEBZ	Web Development, Hosting, Support and Maintenance Svcs	IFB-002-20	IT	3 years w/2 1 yr options	04/01/2020 to 03/31/2023 w/ 2 1yr options	03/31/25	03/31/23	Fees based on rates
2	AM Insurance	Insurance Coverages	GSA/PAG-020-17	Finance	5 years	10/01/2017 to 09/30/2022	09/30/22	09/30/21	Premium based
3	AM Insurance	Workers Compensation Coverages	IFB-PAG-008-19	Finance/Safety	3-years	3/20/20 to 3/19/23	03/19/23	03/19/23	
4	Matson	PMC for Gantry Cranes	RFP-020-005	EQ/IR	5 years with options to 20 years	11/05/21 to 11/05/26		11/05/26	\$200K per annum
5	Bank of Guam	Banking Services	RFP 020-004	Finance	5 years	5/14/21 to 5/13/26	05/14/26	05/14/26	
6	Mobil Oil Guam	Management and Operations of Golf Pier	RFP-PAG-021-002	Commercial	5 years				Currently under cost negotiations
7	OMEGA Safety	OSHA Training & Certification Services for Maritime Terminal Operations	RFP-017-003	Human Resources	3yr w/ 2-1yr options NTE 5 years	8/13/2018 to 8/13/2021	08/13/23	08/13/22	
8	Pacific Human Resources, Inc.	Drug Free Workplace Program	RFP-020-003	Human Resources	Initial 3yr term with 2 add'l one year options, not to exceed 5 yrs	06/15/20 to 6/14/2023	06/15/25	06/15/23	
9	Milo Appraisals	Real Estate Appraisal Services	RFP-021--004	Commercial	3yrs w/ 2 option	10/06/21 to 10/05/24	10/05/26	10/05/24	Task Order based
10	TakeCare dba: FHP	Medical Examination Services	RFP-017-002	Human Resources	3 yr. w/ 2 options NTE 5 years	9/21/17 to 9/20/20	09/20/22	09/20/22	
11	Trident Cross LLC.	Underwater Assessment & Inspection Services	IFB/PAG-006-20	Harbor/Mstr	1 Year	08/20/20 to 08/19/21	08/19/21	IDIQ - Indefinite Quantity Bid	\$24,894.00
12	Tristar Terminal Guam	M & O of F-1 Fuel Pier Facility	RFP-019-004	Commercial	5 years	04/01/21 to 03/31/26	04/01/21	03/31/26	
13									
14	Deloitte & Touche	Annual Independent Audit Services	RFP-018-003	Fiscal	FY18, FY19, FY20, w/ 1yr Option	FY18, FY19, FY20, w/ 1yr Option	12/31/2022	12/31/2021	Final Contract year
15	WSP USA Inc.	OAE - Owner Agent Engineer	RFP-021-003	Planning	2 yr w/ 3 options NTE 5 yrs	10/22/21 to 10/21/23	10/22/26	10/21/23	\$1.5M
16	N.C. Macario & Associates	A/E Design and Consulting Services Golf Pier	RFP 019-002	Engineering	3 years w/2 1 yr options	11/20/19 to 11/19/22	11/19/2024	11/20/2022	\$484K

PORT AUTHORITY OF GUAM
CONTRACT SUMMARY UPDATE

No.	Consultant/Vendor	Type of Service	Solicitation Method Reference No.	Division	Contract Term	Initial Term	Expiration After Options	Next Renewal Date	Annual Amount (Comments / Notes)
17	N.C. Macario & Associates	A/E Design and Consulting Services EQMR, Warehouse No.1, Waterline Relocation	RFP 019-003	Engineering	3 years w/2 1 yr options	02/05/20 to 02/04/23	2/5/2025	2/5/2023	\$1,406,427.48
18	GHD	Construction Management Services	RFP 020-002	Engineering	Initial 2 years with 3 add'l One year options not to exceed 5 yrs	3/15/21 to 3/14/23	3/15/2025	3/15/2023	Contract signed 3/15/2021
CONSTRUCTION CONTRACTS									
No.	Consultant/Vendor	Type of Service	Solicitation Method Reference No.	Division	Contract Term	Initial Term	Expiration After Options	Next Renewal Date	Annual Amount (Comments / Notes)
1	Propacific Builders	Repairs Crack and Spalling at CFS Building	IFB -21-004	CIP	180 days from NTP	currently ongoing 80 days extension			new completion date Mar. 31, 2022
2	Guam Shipyard	Design Demolition of 5 inoperable Port Cranes and One Barge at F-6	MS IFB 021-002	CIP/EQMR	100% Performance, Labor and material Bonding received, PO and NTP issued 9/10/21	410 calendar days			\$2,573,155.00
3	Guam Shipyard	Supply and install of Fendering system at F-3	IFB 021-001	CIP	243 calendar days from NTP				\$297K NTP was issued
4	Cal Pac	Installation of CCTV Surveillance sys and ACS control replacement	IFB 003-21	Planning/CIP		210 days from NTP			\$1.2 million
5	Pro Pacific Builders Corp.	Replacement of 125 each Reefer Receptacles	IFB -21-007	CIP	PAG Board approval and review 2/24/22				\$600,000.00
6	Pacific Federal Management Inc.	Design Build and Replacement Of 3 Metal Gatebooths	IFB-0021-11	CIP		275 days from NTP			\$157,557.00
7	ProPacific Builders Inc.	Warehouse No.1 Upgrades	IFB -021-009	CIP	Cancelled for revise SOW				\$4.8M
8	BME and Sons	Waterline Replacement Project	IFB -021-005	CIP	PAG Board review and approval 2/24/22				\$4.8M
9	SPPC	Ultra Low Sulfur Diesel Fuel Bid	IFB-022-002	Trans/Ops	3 years with 2 option	For PUC review and approval 2/24/22			\$470K approx.

**Port Authority of Guam
Active Project Status
Engineering Division**

As of February 22, 2022

Fact Sheet No. 112

Project:	A/E Services for Golf Pier Repair
Project No.:	RFP-PAG-019-002
Project Amount:	\$484,017.13
Amount Paid to date	\$354,876.53 remaining balance of \$129,140.00 is to be paid as post design services.
Funding Source:	PAG Bonded Project
Designer:	N.C. Macario and Associates
Construction Manager:	TBD
Notice to Proceed to Designer	January 6, 2020
Design Completion:	Performed within 6 months (July 5, 2020)
Work Status:	Related documents such as Drawings, Specifications, Scope, Bid Schedule, Requisition Process, Determination of Need Letter were completed and were submitted to the Procurement as IFB Documentation.

Project	Golf Pier Repair and Improvements (Construction Phase)
Project No.:	IFB –PAG-CIP-021-006
Project Amount:	TBD
Amount Paid to date:	None
Funding Source:	PAG Bonded Project
Contractor:	TBD.
Designer:	N.C. Macario and Associates
Construction Manager:	PAG CIP/Engineering Division
Notice to Proceed:	TBD
Project Completion:	TDB.
Work Status:	Scheduled Bid openings so far have not produced any bidders (no Contractors participation).At this juncture, the Engineering Division suggests a two-step Design-Build Procurement approach involving several contractors.

Project:	A/E Services EQMR, WH I, Bldgs. & Relocation of PAG Water Line (Design Phase)
Project No.:	RFP-PAG-019-003
Project Design Fees:	\$1,406,427.48
Amount Paid to date:	\$1,187,186.76, Remaining Balance of \$219,240.72 is to be paid as post design services for all three design projects.
Funding Source:	PAG Bonded Projects
Designer:	N.C. Macario and Associates
Construction Manager:	TBD
Notice to Proceed to Designer:	February 17, 2020
Project Completion:	8 months (October 16,2020 was the initial deadline. However, due to COVID, POP was extended to December 4, 2020) Project design was completed by December 4, 2020.
Work Status:	when the bid documents including drawings, specifications, summary scope of work, determination of need, bid schedule, and the cost estimate were submitted to the Procurement Division.

Project	Warehouse I Building Upgrades (Construction Phase)
Project No.:	IFB-PAG-CIP-021-009
Project Amount:	TBD
Amount Paid to date:	None
Funding Source:	PAG Bonded Project
Contractor:	TBD.
Designer:	N.C. Macario and Associates
Construction Manager:	PAG CIP/Engineering Division
Notice to Proceed:	TBD
Project Completion:	TDB.
Work Status:	On January 18, 2022. PAG Management issued a rejection of Bids to all contractors participated in the Invitation for Bid no. IFB-PAG-CIP-021-009.

Project	EQMR Building Upgrades (Construction Phase)
Project No.:	IFB-PAG-CIP-021-010
Project Amount:	\$3,980,000.00
Amount Paid to date:	None
Funding Source:	PAG Bonded Project
Contractor:	JJ.Global Services
Designer:	N.C. Macario and Associates
Construction Manager:	PAG CIP/Engineering Division
Notice to Proceed:	TBD
Project Completion:	TBD
Work Status:	Bid Opening was conducted by Procurement Division on January 3, 2022 at 2:00 P.M. Two Contractors submitted their bid proposal, JJ Global Services is the lowest bidder in the amount of \$3,980,000.00. PAG Management approved request for supplemental budget for the project to cover the shortfall and move forward. Currently, PAG awaits for the Board of Directors and Public Utility Commission approvals prior to issuance of the project contract agreement, purchase order and the official notice to proceed.

Project	PAG Waterline Replacements (Construction Phase)
Project No.:	IFB-PAG-CIP-021-005
Project Amount:	\$4,856,568.91
Amount Paid to date:	None
Funding Source:	PAG Bonded Project
Contractor:	BME and Son's
Designer:	N.C. Macario and Associates
Construction Manager:	PAG Engineering CIP/Engineering Division
Notice to Proceed:	TBD
Project Completion:	TBD
Work Status:	On December 7, 2021 at 2:00 P.M. Procurement conducted the bid opening and five bidders submitted their bids with the lowest bidder at \$4,856,568.91. Procurement Division is currently awaiting approval from the PAG Board of Directors and Public Utility Commission prior to issuance of the contract agreement, purchase order and the official Notice to Proceed.

Project:	New Administration Building
Project No.:	TBD
Project Amount:	TBD
Amount Paid to date:	None
Funding Source:	PAG Bonded Project-Pending
Contractor:	TBD
Construction Manager:	TBD
Notice to Proceed:	TBD
Project Completion:	TBD
Work Status:	Pending funding source.

Project:	Supply and Installation of New 24 Ea. Cylindrical Fendering System at F-3 and 10 Ea. New Rubber Leg Arch Fender at Wharf F-4 thru F-6
Project No.:	IFB. -PAG-CIP – 021-001
Project Amount:	\$298,259.00
Amount Paid to date:	None
Funding Source:	FEMA and PAG
Contractor:	Guam ShipYard (Guam Industrial Services Inc.)
Construction Manager:	PAG Engineering/CIP Division
Notice to Proceed:	June 10, 2021
Project Completion:	June 2022
Work Status:	As of February 8, 2022, according to the contractor the required fendering materials have not yet arrived on the island. Timely completion of this project using originally earmarked funds is becoming more challenging as the FEMA Grant portion has to be extended.

Projects:	Harbor of Refuge Pump Station and Installation of Wastewater Ejector Pump and Harbor of Refuge Installation of Mooring Blocks
Project No.:	IFB-PAG-CIP-022-001
Project Amount:	TBD
Amount Paid to date:	N/A
Funding Source:	Dept. of Agriculture Fish and Wildlife Boating Infrastructure Grant
Contractor:	TBD
Construction Manager:	PAG Engineering/CIP Division
Notice to Proceed:	TBD
Project Completion:	TBD
Work Status:	Bid Opening scheduled for February 18, 2022 produced no bidders. Engineering suggests that in the rebid documents the responsibility of movement of the current vessels in the area be handled by the Harbor Master and the Commercial Divisions for the bidders show interest in this project.

Project:	Rehabilitation of H-Wharf and Access Road (Construction Phase IFB)
Project No.:	Rebid IFB-PAG-022-002
Project Amount:	\$23,000,000
Amount Paid to date:	N/A
Funding Source:	Tiger Grant and PAG Revenue Bond
Contractor:	TBD
Construction Manager (CM):	GHD Engineering
Notice to Proceed:	TBD

Project Completion: TBD
Work Status: Three bid openings were conducted by the Procurement Division, two of which produced no bid. However, the third bid opened on January 28, 2022. Produced one bid by the Sumitomo Construction in the amount \$59,683,065. Bid submittal is currently under review by PAG Procurement and Legal Divisions

Project: **Repair of Concrete Spalling in CFS Building**
Project No.: IFB-PAG-CIP-021-004
Project Amount: \$197,700 + Approved Change Order in the amount \$163,585.80
Amount Paid to date: \$165,896.64
Funding Source: PAG 2021 Budget
Contractor: ProPacific Builders Corporation (PPBC)
Construction Manager: PAG Engineering/CIP Division
Notice to Proceed: July 14, 2021
Project Completion: New completion date is March 31, 2022.
Work Status: On January 28, ProPacific Builders Corporation submitted a change order for an additional spalls and cracks quantity in the amount of \$163,585.80 that was not included in the original bid quantity. PAG Management approved this change order and the project is proceeding as planned.

Project: **Installation of Dock "B" Agat Marina**
Project No.: TBD
Project Amount: TBD
Amount Paid to date: N/A
Funding Source: Dept. of Interior, Dept. of Agri. Fish and Wildlife, DOA/WR and PAG 2021 Budget Share
Contractor: TBD
Construction Manager: PAG Engineering/CIP Division
Notice to Proceed: TBD
Project Completion: TBD
Work Status: A coordination meeting was held on February 15, 2022 between Procurement, Planning, CIP/Engineering and PAG Legal Divisions for the preparation and review of invitation for Bid Packet prior to the advertisement by the Procurement Division.

Project: **Installation of Canopy Fronting Building Maintenance Bay**
Project No.: IFB No. PAG-CIP-021-008
Project Amount: \$92,000.00
Amount Paid to date: N/A
Funding Source: PAG Budget 2021
Contractor: Pro Pacific Builders
Construction Manager: PAG Engineering,
Notice to Proceed: August 31, 2021
Project Completion: March 2, 2022
Work Status: Contractor (PPBC) is in the process of obtaining the building permit from DPW and other local government of Guam agencies.

Project: Replacement of 125 Each Reefer Outlets Receptacles
Project No.: IFB No. PAG-CIP-021-007
Project Amount: \$600,000.00
Amount Paid to date: N/A
Funding Source: PAG Budget 2021 and FY-2022 Budget
Contractor: PRO PACIFIC BUILDERS
Construction Manager: PAG Engineering
Notice to Proceed: TBD
Project Completion: TBD
Work Status: PAG Procurement, CIP/Engineering, Facility Maintenance Division and PAG Management entered into negotiation with the Pro Pacific Builders Corp. (PPBC). The project bid amount of \$643,065.00 was reduced to \$600,000.00. In addition, Project has received its supplemental budgetary approval and was entered into E1 Requisition. Procurement Division is currently awaiting approval from the PAG Board of Directors prior to issuing the official Notice to Proceed.

Project: Remove/Replace 3 Each Metal Gate Booths with Reinforced Concrete Structures
Project No.: IFB-PAG-CIP-021-011
Project Amount: \$159,557.00
Amount Paid to date: 00.00
Funding Source: PAG CIP Internally Funded Projects
Contractor: Pacific Federal Management
Construction Manager: PAG Engineering/CIP Division
Notice to Proceed: December 6, 2021
Project Completion: 243 calendar days is the POP from the NTP date.
Work Status: On February 15, 2022 Pacific Federal Management submitted a presumably 100% design drawing for final review and comments by PAG CIP/Engineering Division. Several comments that were made at the 65% submittal have not yet been incorporated into the design drawings. On February 22, 2022, a site visit has been requested by PFM and their Engineer of record in order to correct the final design drawings.

Project: Installation of the 569 KVA Generator, ATS and Fuel Storage Tank at LC-3
Project No.: TBD
Project Amount: TBD
Amount Paid to date: N/A
Funding Source: 2019 FEMA Port Security Grant Program
Contractor: TBD
Construction Manager: PAG Engineering/CIP Division
Notice to Proceed: TBD
Project Completion: Project POP is 45 calendar days due to its sensitivity
Work Status: As of January 12, 2022, Engineering/Planning/Facility awaits arrival of the ATS and the Fuel Storage Tank and according to the Procurement Division, the ETA for the above equipment is unknown at this time. Procurement Division is currently considering top builders as the lowest responsive/ responsible bidder.

Project: **Design-Build Repair the Northside Catwalk by the Agat Marina Boat Ramp**
Project No.: IFB-PAG-CIP-022-003
Project Amount: TBD
Amount Paid to date: N/A
Funding Source: PAG Budget 2022
Contractor: TBD
Construction Manager: Port Engineering/CIP Division
Notice to Proceed: TBD
Project Completion: 180 Calendar Days
Work Status: On February 14, 2022, Planning, CIP/Engineering Division and Procurement Division conducted a Bid Opening of the Project. The lowest bidder is the ProPacific Builders in the amount of \$80,000. As of this date procurement division is conducting evaluation of the bid submittal and it is pending intent to award.

Project: **Design, Demolition, Removal & Proper Disposal of 5 Inoperable Cranes and Optional Removal/Disposal of one Barge YFN 816**
Project No.: IFB. -PAG-CIP - 021-002
Project Amount: \$2,573,155
Funding Source: PAG
Contractor: Guam Ship Yard "GSY" (Guam Industrial Services Inc.)
Construction Manager: PAG
Notice to Proceed: Februar, 2022
Project Completion: October, 2023
Work Status: On February 8, 2022, PAG Management Team and Guam Shipyard conducted a meeting of the Project. GSY submitted a Gantt Chart/Project Schedule and after review by the PAG Engineering it was determined that revisions are needed to this schedule. No field activities by GSY have occurred to date.

Project: **Devanning Concrete Ramp Repair (Adjacent to the Old Weighing Scale)**
Project No.: IFB
Project Amount: TBD
Amount Paid to date: N/A
Funding Source: PAG Budget 2022
Contractor: TBD
Construction Manager: Port Engineering/CIP Division
Notice to Proceed: TBD
Project Completion: 60 Calendar Days
Work Status: A site visit was conducted on February 21, 2022.

Project: **Harbor Master Roof and Miscellaneous Repair**
Project No.: RFQ
Project Amount: TBD
Amount Paid to date: N/A
Funding Source: PAG Budget 2022
Contractor: TBD
Construction Manager: Port Engineering/CIP Division
Notice to Proceed: TBD
Project Completion: 122 Calendar Days
Work Status: The RFQ bid submittal is due on February 22, 2022.

Project:	Hagatna Marina Installation of Two (2) Gates in Dock A, B and Dry Dock Concrete Repair
Project No.:	RFQ
Project Amount:	TBD
Amount Paid to date:	N/A
Funding Source:	PAG Budget 2022
Contractor:	TBD
Construction Manager:	Port CIP/Engineering Division
Notice to Proceed:	TBD
Project Completion:	60 Calendar Days
Work Status:	On February 14, 2022. A site visit was conducted by the Procurement, Commercial and PAG CIP/Engineering Divisions. Four (4) prospective bidders attended this site visit Deadline to submit request for information is February 23, 2022 at 5:00 P.M.

Project:	Painting of Exterior, Interior and Roof Coating of CFS Building
Project No.:	In-House
Project Amount:	N/A
Amount Paid to date:	N/A
Funding Source:	PAG Budget FY 2022
Contractor:	TBD
Construction Manager:	Port CIP/Engineering Division
Notice to Proceed:	TBD
Project Completion:	180 Calendar Days
Work Status:	Engineering received the returned request Memo for the project account number by Finance Division that the complete painting of the subject project will be performed by the Port In-House Facility Maintenance Section due to lack of funding. Prompt and complete coating of the CFS Building following the ongoing major spall and crack repairs will be performed in-house. Any delays in performing the coating work shall result in premature development of new spalls and cracks.

Port Authority of Guam
Operations Division Report
January 2022

I. **OVERVIEW**

Vessel Calls	19
Cans Handled	5,844
Special Service(s)	77

a. **Productivity**

Vessel Op	Avg NMPH	TOP GANG	M/Hr
Matson			
Domestics	25.7	1	33.5
Feeder			
MSA			
Barges	22.1	4	26.2
Kyowa, Candor	19.2	6	23.4
Ambyth			
Mariana/Triton	17.1	3 & 5	20.0
MELL			
Kotas	19.4	1	22.6
APL			
Herodote/Saipan	21.9	4	25.0

b. **Equipment Status**

	ON			
As of: 01/31/2022	HAND	UP	RM	Repair
GANTRYs	3	3		
TOP LIFTERS	9	4		5
20T FORKLIFT	2	2		
10T FORKLIFT	4	0		4
5T FORKLIFT	8	7		1
TRACTORS	23	13		10

II. **YEAR TO DATE**

a. **Vessels_YTD** 79

b. **Can_Cnt YTD**

January	FY21		FY22		Variance	
	I	E	I	E	I	E
Local	10912	10885	11608	10979	6%	1%
TS	2066	2238	2005	2098	-3%	-6%
TSMT	972	1005	1124	1122	16%	12%
TTL	13950	14128	14737	14199	6%	1%

FY-22 WORK INJURY REPORT
(01/01/22 to 12/31/22)

<u>Divisions</u>	<u>*Lost-time</u>	<u>**Recordable</u>	<u>*** Refused Treatment</u>
Stevedoring	0	0	0
Transportation	0	0	1
Terminal	0	0	0
EQMR	0	0	0
Port Police	0	0	0
Admin	1	0	0
Total:	0	0	0

Work Injury Summary for this reporting period: 2/17/2022

Total Injuries for FY-22 to date: -2-Injury

1-- Lost-time

0- Recordable

1- Refused Medical Attention

Last disabling work injury was on: 02/15/22

Number of days since last disabling work injury: 2-days

Note: PAG best record was 222 days or 7 months w/o a disabling work injury

***Lost-time** = If an employee was injured on the job and medical doctor sent him/her home, his/her injury is considered a lost-time.

****Recordable** = If an employee was injured on the job and medical doctor treated him/her and released him/her back to work on the same day (Recordable because of medical charges).

*****Refused Medical Attention:** Filed WC Forms 201 & 202 for record purposes only.
