

ORDER AND NOTICE OF ADJOURNMENT OF BOARD MEETING

The Guam Housing and Urban Renewal Authority hereby adjourns the regular meeting of the Board of Commissioners of February 26, 2021, at 12:00 P.M. and this meeting will recommence on March 4, 2021 at 12:00 PM in the GHURA main conference room. The agenda for the continued board meeting will remain the same.

For those who seek to attend the continued meeting virtually, please utilize the following call-in information:

Topic: GHURA BOC Meeting-Continued from Feb.26, 2021

Time: Mar 4, 2021 12:00 PM Guam, Port Moresby

Join Zoom Meeting

<https://zoom.us/j/99710838106?pwd=bVVBT1NZSVZ2WGN3MGFJbWVsV1lWdz09>

Meeting ID: 997 1083 8106

Passcode: 107388

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Meeting ID: 997 1083 8106

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Find your local number: <https://zoom.us/j/99710838106>

This Notice will further be posted on the websites of the Office of the Attorney General of Guam and the Guam Housing and Urban Renewal Authority. Please contact Audrey Aguon at 475-1375 for questions or further information concerning this adjourned meeting.



BOARD OF COMMISSIONERS
(RECONVENED MEETING of February 26, 2021)
12:00 P.M., March 04, 2021
GHURA's Main Office (via Zoom)
1st floor, Conference Room, Sinajana
AGENDA

I. ROLL CALL

II. BOARD MEETING PUBLIC ANNOUNCEMENTS

1st Printing – Friday, February 19, 2021

2nd Printing – Wednesday, February 24, 2021

***COMPLETED**

III. APPROVAL OF PREVIOUS BOARD MINUTES – February 12, 2021

***COMPLETED**

PAGE (S)

IV. NEW BUSINESS

- | | |
|--|---------|
| 1. Intent of Award *COMPLETED
IFB#GHURA-COCC-021-001, Security Alarm Monitoring and
Roving Patrol Services | 1 - 2 |
| 2. Intent of Award *COMPLETED
IFB#GHURA-COCC-021-002, FY2021 Insurance Coverages for
Excess Liability, Automobile, and Workers Compensation | 3 - 8 |
| 3. Intent of Award
IFB#GHURA-COCC-021-003, Metrolan – Connectivity/
Internet/Telecom Bundled Services | 9 - 10 |
| 4. Intent of Award *COMPLETED
IFB#GHURA-01-11-2021-TRAN; Up-grade of Kitchen &
Bathroom on 8 Units at Guma Trankilidat in Tumon - Phase IV | 11 - 14 |
| 5. Intent of Award *COMPLETED
IFB#GHURA-01-12-2021-AMPSz 1, 2, 3 & 4; Renovation of
(11) Eleven Public housing Units at Various AMPs | 15 - 19 |
| 6. Resolution FY2021-008 *COMPLETED
Resolution approving above-step recruitment for the Deputy
Controller Position | 20 - 21 |

7. Resolution FY2021-009.....***COMPLETED**..... 22 - 23
Resolution approving above-step recruitment for the
Accountant II Position

V. OLD BUSINESS

1. Resolution FY2021-006 (A) 24 - 25
Resolution to approve the transfer of ownership of Lot 7,
Block 9, Tract 2025, Phase 2B-1, Asan to Guam Waterworks
Authority (GWA) for the purpose of rehabilitating and
maintaining the Asan Springs Water Supply Facility to provide
safe drinking water to the residents of Asan and Piti.
(REF: Resolution FY2021-006, MINUTE #131/20 & 132/20)

VI. GENERAL DISCUSSION / ANNOUNCEMENTS

- ~~1. Next proposed scheduled Board Meeting: Friday, March 12th @ 12:00 p.m.~~
New proposed scheduled Board Meeting: Friday, March 26th @ 12:00 p.m.

VII. EXECUTIVE SESSION

VIII. ADJOURNMENT



BOARD OF COMMISSIONERS
(RECONVENED MEETING of February 26, 2021)
12:00 P.M. March 4, 2021
GHURA's Main Office (via Zoom Video Conference)
1st floor, Conference Room, Sinajana
BOC MEETING MINUTES

I. ROLL CALL

After notice was duly given, pursuant to the Open Government Law of Guam and the Bylaws of the Authority, the Board of Commissioners' regularly scheduled board meeting was called to order at 12:00 P.M., Friday, March 4, 2021 at the GHURA Sinajana Main Office, 1st floor Conference room, by Chairman Flores. He indicated that 4 members of the Board of Commissioners were present, representing a quorum and that the meeting would proceed as scheduled. Chairman Flores stated that today's meeting is a continuance of the meeting that took place on February 26, 2021. He added that the meeting will be to address the remaining items of the February 26 agenda and the Executive Session.

<p>PRESENT: (VIA ZOOM VIDEO CONFERENCE) Sabino Flores, Chairman Monica Guzman, Vice Chairwoman George Pereda, Commissioner Frank Ishizaki, Commissioner</p> <p>ABSENT: Joseph Leon Guerrero, Resident Commissioner Anisia Delia, Commissioner</p> <p>LEGAL COUNSEL: Anthony Perez, Esq.</p>	<p>MANAGEMENT & STAFF: Ray Topasna, Executive Director Elizabeth Napoli, Deputy Director Audrey Aguon, Special Assistant Katherine Taitano, CPD/RP&E Manager Greta Balmeo, Buyer Supervisor Julie Lujan, MIS Manager</p> <p>PUBLIC: (VIA ZOOM VIDEO CONFERENCE) Mr. Gerry Partido Unidentified Participant (Tricia's ipad)</p>
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II. BOARD MEETING PUBLIC ANNOUNCEMENTS

1st Printing – Friday, February 19, 2021 via PDN

2nd Printing – Wednesday, February 21, 2021 via PDN

ACKNOWLEDGED. The Chairman also indicated that the agenda and announcement were posted on the Attorney General's website. COMPLETED ON FEBRUARY 26, 2021

III. APPROVAL OF PREVIOUS BOARD MINUTES

COMPLETED ON FEBRUARY 26, 2021

IV. NEW BUSINESS

1. Intent of Award-IFB#GHURA-COCC-021-001, Security Alarm Monitoring and Roving Patrol Services. COMPLETED ON FEBRUARY 26, 2021

2. Intent of Award- IFB#GHURA-COCC-021-002, FY2021 Insurance Coverages for Excess Liability, Automobile, and Workers Compensation. COMPLETED ON FEBRUARY 26, 2021

3. [035/21] Intent of Award IFB #GHURA-COCC-021—003, Metrolan Connectivity/Internet/Telecom Bundle Services

Director Topasna stated the following:

- Four vendors had expressed interest in this particular bid.
- Three vendors submitted bids: Docomo Pacific, Pacific Data Systems, and IT&E.
- MIS Division determined IT&E to be the lowest responsive and responsible bidder. Bid Item #1, Metrolan Connectivity- IT&E bid \$13,860. Bid Item #2, Internet Service- \$9,000. Bid Item #3, Voice Service- \$9,120.
- Director Topasna requested that the board award the amount of \$31,980.00 to the lowest responsive and responsible bidder, IT&E.

Mrs. Julie Lujan, MIS manager, indicated that PDS had been the sole source bidder for GHURA for many years and welcomed 3 other vendors in this round. She added that IT&E's bid amount was half the cost of PDS's cost. Mrs. Lujan stated that she received a FOIA from PDS as they had done a review of the other bidders. She anticipates a possible protest from PDS.

Commissioner Ishizaki asked that Mrs. Lujan elaborate on the deficiencies that PDS claims disqualifies IT&E. Miss Greta Balmeo stated that she drafted a Memo to File which will be included in the procurement record, attached the letter sent by PDS identifying deficiencies in IT&E's bid and sent them to legal counsel, Mr. Tony Perez. It was determined that the deficiencies were considered minor informalities. She added that in line with 2 GAR Section 3109, which is identified in the Memo to File, states "Insignificant mistakes and minor informalities can be waived or corrected without prejudice to other bidders and without any effect on price, quantity, quality, delivery or contractual condition." She added that the minor informalities discovered were regarding required documentation. The Bid Bond Form was missing a number on the date year. The Non Representation Condition form, which is the HUD form 5369C, did not indicate that there was no Representation. The Disclosure of Organizational Conflict of Interest was completed and submitted. She also indicated in the Memo to File, that Procurement addressed and recognized Board Commissioner Anisia Delia's employment with IT&E and that her position as the Organizational Development and Training Manager only encompasses Human Resource duties and has no involvement with IT&E's participation in GHURA's invitation of bid.

Mr. Tony Perez added that Commissioner Delia is completely out of the loop in this matter. With regard to the minor informalities, Mr. Perez stated that one such minor informality was that the certification regarding contingency representation was not marked. However, an affidavit was submitted regarding the contingency representation. They also did not check off on the WMBE form, where the business must indicate whether it is a Women, Small business, or a minority business. He added that all the minor informalities were easily corrected and did not affect the award or bid amount at all. He stated that PDS also had issues with how the Bid bond was filled out. It was clear. It was signed off by the principle insuror at 50% of the bid amount. Mr. Perez stated that he did not have any major issues with the insignificant mistakes being corrected or minor informalities being waived. However, should PDS not be happy with GHURA's response or board action, PDS may avail themselves with whatever legal remedies they choose.

Vice Chairwoman Guzman inquired about PDS's argument about the point to point vs. point to multi point technical design. Mrs. Lujan stated that PDS referenced the pre-bid meeting minutes that she wrote and which were abbreviated. She added that the design that IT&E submitted indicated point to point, not point to multi point. The point to multi point is not what GHURA wants. PDA had misquoted what was on the minutes.

Chairman Flores asked whether IT&E met the bid requirements. Mrs. Lujan confirmed that IT&E did meet the bid requirements. The same format that PDS provided is the same format that IT&E is proposing.

Vice Chairwoman Guzman stated there may be a possibility of a protest if the board approved the award to IT&E. Mr. Tony Perez stated that PDS did submit a version of why they believe the other bids were not responsive or responsible, but disagreed with their contentions and found no merit with their contentions. He did agree with the Vice Chairman that there is a potential of a protest by PDS.

Commissioner Ishizaki inquired on whether the FOIA request was addressed. Mr. Tony Perez indicated that responsive documents were provided. As to a specific response to the letters sent by PDS, GHURA did not formally respond to their interpretation of how some of the bids were deficient. He indicated that the Memo to File is still under review before being formalized and made as a memo to file.

Chairman Flores stated that until the board takes action there will be no award, but until there is an award, there will be no protest. Commissioner Ishizaki agreed with the Chairman and stated that he would be more comfortable if Mr. Tony Perez finalized his review of the Memo to File.

Mr. Tony Perez stated that the Memo to File is simply to memorialize what had transpired. Issues were raised by PDS which GHURA had found to be meritless. Therefore, GHURA is comfortable with recommending the award to IT&E based upon the determination of being the most responsive, responsible and the lowest bidder.

Chairman Flores inquired about whether it was improper for an unsuccessful bidder to FOIA a bid document when the bids are still being evaluated. Mr. Perez stated that once the bids are submitted and opened in public, they are subject to review. It is a part of

public record. This is further clarified with the OPA. He added that once bids are turned in and there is a public opening of them, it becomes a public record open to inspection and review, apart from matters in the bids that are marked as confidential.

There were no further questions or discussions.

[036/21] Chairman Flores made a motion to approve the Intent of Award IFB #GHURA-COCC-021-003, Metrolan Connectivity/Internet/Telecom Bundle Services. Commissioner Pereda seconded the motion. There were no objections. The motion was passed.

4. Intent of Award IFB#GHURA-01-11-2021-TRAN; Up-grade of Kitchen & Bathroom on 8 Units at Guma Trankilidad in Tumon-Phase IV- COMPLETED ON FEBRUARY 26, 2021

5. Intent of Award-IFB#GHURA-01-12-2021-AMPs 1, 2, 3, & 4; Renovation of (11) Eleven Public housing Units at various AMPs- COMPLETED ON FEBRUARY 26, 2021

6. Resolution FY2021-008 approving the above-step recruitment for the Deputy Controller position. COMPLETED ON FEBRUARY 26, 2021

7. Resolution FY2021-009 approving the above-step recruitment for the Accountant II Position. COMPLETED ON FEBRUARY 26, 2021

V. OLD BUSINESS

1. Resolution FY2021-006 (A)

Resolution to approve the transfer of ownership of Lot 7, Block 9, Tract 2025, Phase 2B-1, Asan to Guam Waterworks Authority (GWA) for the purpose of rehabilitating and maintaining the Asan Springs Water Supply Facility to provide safe drinking water to the residents of Asan and Piti. (REF: Resolution FY2021-006, MINUTE #131/20 & 132/20)

[037/21] Director Topasna deferred the presentation to Ms. Katherine Taitano to talk more on the differences between the two resolutions. Ms. Taitano stated that the only changes made to the amended resolution was the language that included that the property be reverted back to GHURA should Guam Waterworks Authority no longer require the property for the intended purposes of serving the community.

There were no further discussions.

[038/21] Vice Chairwoman Guzman made a motion to approve Resolution FY2021- 006 (A) to approve the transfer of ownership of Lot 7, Block 9, Tract 2025, Phase 2B-1, Asan to Guam Waterworks Authority (GWA). Commissioner Pereda seconded the motion. There were no objections. The motion was approved.

VI. GENERAL DISCUSSION / ANNOUNCEMENTS

[039/21] Next proposed scheduled Board Meeting: Friday, March 26, 2021 at 12:00 P.M.

There were no objections to the next BOC meeting date and time.

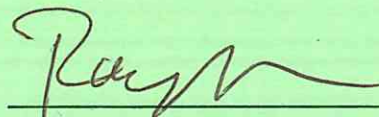
VII. EXECUTIVE SESSION

[040/21] Chairman Flores made a motion to recess the regularly scheduled board meeting to go into Executive Session. Vice Chairwoman Guzman seconded the motion. There were no objections. The motion was passed. Chairman Flores reminded all the participants of the regularly scheduled board meeting that upon the conclusion of the Executive Session, he would resume the regularly scheduled board meeting simply to adjourn the March 4, 2021 meeting.

VII. ADJOURNMENT

[041/21] With no further discussions, Vice Chairwoman Guzman moved to adjourn. Commissioner Pereda seconded the motion. There were no objections. Motion passed at 1:08PM.

SEAL



RAY S. TOPASNA

Board Secretary / Executive Director

**GUAM HOUSING AND URBAN RENEWAL AUTHORITY
ATURIDAT GINIMA YAN RINUEBAN SIUDAT**

MEMORANDUM

TO: Board of Commissioners

FROM: Ray Topasna, Executive Director



**SUBJECT: Intent of Award for IFB#GHURA-COCC-021-003
Metrolan – Connectivity/Internet/Telecom Bundled Services**

GHURA issued the Metrolan Invitation for Bid on January 5, 2021. A total of 4 vendors had submitted their interest in the bid. The IFB closed on February 12, 2021 and 3 of the 4 companies had submitted bids. Below are the results of the bid submissions:

Bidder	Bid item #1 Metrolan Connectivity	Bid item #2 Internet service	Bid item #3 Voice service	Total
Docomo Pacific	\$24,024.00	\$14,700.00	\$17,020.32	\$55,744.32
Pacific Data Systems	\$19,980.00	\$20,880.00	\$19,344.00	\$60,204.00
IT&E	\$13,860.00	\$9,000.00	\$9,120.00	\$31,980.00

Upon GHURA's MIS' team review of the bid submissions, all vendors were responsive and met the IFB specifications. GHURA is requesting for the Board of Commissioners approval for an award to IT&E as the lowest, responsive, responsible bidder.

Attachment: Bid Tabulation

At the Regular Board Meeting of March 04, 2021, a motion was made by Chairman Flores and seconded by Commissioner Pereda to approve the Intent of Award for IFB#GHURA-COCC-021-003, Metrolan–Connectivity/Internet/Telecom Bundled Services to IT&E as the lowest, responsive, responsible bidder. Without any further discussion and objection, the motion was approved.



**GUAM HOUSING AND URBAN RENEWAL AUTHORITY
BOARD OF COMMISSIONERS
RESOLUTION NO. FY2021-006 (A)**

Moved By: MONICA O. GUZMAN

Seconded By: GEORGE F. PEREDA

RESOLUTION TO APPROVE THE TRANSFER OF OWNERSHIP OF LOT 7, BLOCK 9, TRACT 2025, PHASE 2B-1, ASAN TO GUAM WATERWORKS AUTHORITY (GWA) FOR THE PURPOSE OF REHABILITATING AND MAINTAINING THE ASAN SPRINGS WATER SUPPLY FACILITY TO PROVIDE SAFE DRINKING WATER TO THE RESIDENTS OF ASAN AND PITI.

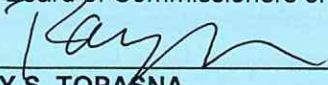
- WHEREAS,** The Board of Commissioners of the Guam Housing and Urban Renewal Authority (GHURA) is empowered by 12 Guam Code Annotated (GCA) Ch.5 §5104 to adopt rules and regulations providing for the internal organization and management of the Authority; and
- WHEREAS,** The GHURA Board of Commissioners is empowered by 12 GCA Ch.5 §5104(l) to transfer real property for purposes authorized and keeping with the objectives of GHURA; and
- WHEREAS,** GHURA is part owner of Lot 7, Block 9, Tract 2025 Phase 2B-1, Asan, as confirmed by a Ownership and Encumbrance Report dated April 26, 2018 as a result of the Asan Community Redevelopment Plan; and
- WHEREAS,** 12 GCA Ch.14 §14505 declares all surface water and ground water an asset to be held in trust by the government of Guam, for which first priority is assigned to the GWA for use or resale to "households, bonafide farmers, plant nurseries, aquaculture, ranches and other bonafide agricultural uses"; and
- WHEREAS,** GWA has identified underground utility lines and drainage items running center through Lot 7, Block 9, Tract 2025 Phase 2B-1 which service the Asan Springs Water Supply Facility. GWA is requesting ownership of said parcel to rehabilitate and maintain the systems for the facility in order to provide additional water service;
- WHEREAS,** GHURA has determined the location of the infrastructure has rendered this parcel to be undevelopable and supports the conveyance to GWA for the maintenance of the system as the highest and best use of the property. GHURA desires to transfer ownership of Lot 7, Block 9, Tract 2025 Phase 2B-1, Asan to GWA in support of rehabilitating the Asan Springs Water Facility to benefit the communities; now therefore, be it
- RESOLVED,** GHURA's Board of Commissioners approves the transfer of ownership for Lot 7, Block 9 Tract 2025, Phase 2B-1, Asan to GWA. This approval is conditional upon a reversionary clause to be stated in the deed of transfer to ensure the intent of this approval.

**IN A SCHEDULED BOARD MEETING, SINAJANA, GUAM – MARCH 04, 2021
PASSED BY THE FOLLOWING VOTES:**

AYES: Sabino Flores, Monica Guzman, George Pereda, Frank Ishizaki
NAYS: NONE
ABSENT: Anisia Delia, Joseph Leon Guerrero
ABSTAINED: NONE

(S E A L)

I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted by the Guam Housing and Urban Renewal Authority Board of Commissioners on **March 04, 2021**.



RAY S. TOPASNA
Secretary/Executive Director

**GUAM HOUSING AND URBAN RENEWAL AUTHORITY
BOARD OF COMMISSIONERS**

RESOLUTION NO. FY2021-006

Moved By: MONICA O. GUZMAN

Seconded By: GEORGE F. PEREDA

RESOLUTION TO APPROVE THE TRANSFER OF OWNERSHIP OF LOT 7, BLOCK 9, TRACT 2025, PHASE 2B-1, ASAN TO GUAM WATERWORKS AUTHORITY (GWA) FOR THE PURPOSE OF REHABILITATING AND MAINTAINING THE ASAN SPRINGS WATER SUPPLY FACILITY TO PROVIDE SAFE DRINKING WATER TO THE RESIDENTS OF ASAN AND PITI.

WHEREAS, The Board of Commissioners of the Guam Housing and Urban Renewal Authority (GHURA) is empowered by 12 Guam Code Annotated (GCA) Ch.5 §5104(e) to adopt rules and regulations providing for the internal organization and management of the Authority; and

WHEREAS, The GHURA Board of Commissioners is empowered by 12 GCA Ch.5 §5104(l) to transfer real property for purposes authorized and keeping with the objectives of GHURA; and

WHEREAS, GHURA is part owner of Lot 7, Block 9, Tract 2025 Phase 2B-1, Asan, as confirmed by a Ownership and Encumbrance Report dated April 26, 2018 as a result of the Asan Community Redevelopment Plan; and

WHEREAS, 12 GCA Ch.14 §14104 declares all surface water and ground water an asset to be held in trust by the government of Guam, for which first priority is assigned to the GWA for use or resale to "households, bonafide farmers, plant nurseries, aquaculture, ranches and other bonafide agricultural uses"; and

WHEREAS, GWA has identified underground utility lines and drainage items on Lot 7, Block 9, Tract 2025 Phase 2B-1 which service the Asan Springs Water Supply Facility. GWA is requesting ownership of said parcel to rehabilitate and maintain the systems for the facility in order to provide additional water service;

WHEREAS, GHURA desires to transfer ownership of Lot 7, Block 9, Tract 2025 Phase 2B-1, Asan to GWA in support of rehabilitating the Asan Springs Water Facility to benefit the communities; now therefore, be it

RESOLVED, GHURA's Board of Commissioners approves the transfer of ownership of Lot 7, Block 9 Tract 2025, Phase 2B-1, Asan to GWA.

IN A SCHEDULED BOARD MEETING, SINAJANA, GUAM – DECEMBER 18, 2020

PASSED BY THE FOLLOWING VOTES:

AYES: Sabino Flores, Monica Guzman, George Pereda, Frank Ishizaki, Anisia Delia

NAYS: NONE

ABSENT: Joseph Leon Guerrero

ABSTAINED: NONE

I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted by the Guam Housing and Urban Renewal Authority Board of Commissioners on December 18, 2020.

(S E A L)


RAY S. TOPASNA

Secretary/Executive Director