



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, September 28, 2023
Virtual Board Meeting
3:00 p.m.

A G E N D A

- I. **CALL TO ORDER**
- II. **APPROVAL OF MINUTES**
 1. August 31, 2023 – 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**
 1. Request authorization to create the position of Assistant Procurement & Supply Manager.
- VI. **NEW BUSINESS**
 1. Request for \$5K; ATOSSCOM 48th Annual Conference, November 27-30, 2023, Pohnpei, FSM.
 2. Adoption of Resolution Nos. 2023-08 thru 2023-14 Relative to commending and congratulating the named port retirees on their retirement with the Jose D. Leon Guerrero Commercial Port.
 3. Adoption of Resolution No. 2023-15 Relative to authorizing the General Manager to proceed with realignment of the Port Authority of Guam's organizational structure and to amend classified job specifications and to retire vacant, obsolete positions to streamline roles and responsibilities and optimize organizational effectiveness.
- VII. **ADJOURNMENT**



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**MINUTES OF THE
REGULAR MEETING OF THE BOARD OF DIRECTORS
Thursday, August 31, 2023**

I. CALL TO ORDER

The Acting Chairperson called the regular meeting of the Board of Directors to order at 3:03 p.m., Thursday, August 31, 2023. Present at the meeting were:

Dorothy P. Harris, Vice Chairperson
Dr. Judith P. Guthertz, Board Secretary
Conchita S.N. Taitano, Board Member
Rory J. Respicio, General Manager
Dominic G. Muna, Deputy General Manager, Operations
Pacifico R. Martir, Deputy General Manager, Admin/Finance
Atty. Jamie L. Canto, Port Staff Attorney
Atty. Jessica Toft, Port Staff Attorney

Also present was Port Staff and Ernest & Young Representatives: Rizalito Paglingayen, Olyca Llanes, James Whitt, Claudine Rom.

II. APPROVAL OF MINUTES

a. **July 6, 2023 – Regular Board Meeting:** Director Guthertz made motion to approve the minutes of July 6, 2023, subject to correction. The motion was seconded by Director Taitano and was unanimously passed.

III. PUBLIC COMMENTS

- a. **Public Comments:** None.
- b. **Employee Comments:** None.
- c. **PAGGMA Association:** PAGGMA Vice President Steve Muna mentioned that the association has assisted with the planning and preparation of the GovGuam Labor Day picnic for the Port Authority. He extended an invite to the Board of Directors, family and friends to join in on the celebration scheduled on September 3, 2023 at the Ypao beach. He also mentioned that the Atoscom Executive Committee decided to hold the 48th Annual Conference on November 27-30, 2023 in Pohnpei, FSM.

At this time, the General Manager recommended to first entertain item 1 under new business. This way, E&Y representatives may be excused from the meeting. The members had no objections.

1. **Presentation of Fiscal Year 2022 Audit.** E&Y Rizalito Paglingayen thanked the members and presented the following:

- Port was issued a clean or an unmodified opinion on its financial statements.
- Report on compliance for each major federal program; report on internal control over compliance and report on schedule of expenditures of federal awards required by the Uniform Guidance. The Port was issued an unmodified opinion. There were also no findings on one major program which was the covid-19 state and local fiscal recovery funds.
- There were no findings on the report on internal control over financial reporting and on compliance and other matters.
- Management letter comments. These are comments that did not rise to a significant deficiency or material weakness that could impact the financial statements; however, it is believed to warrant the Port's attention:
 - Census Data. Recommendation is to periodically verify if there are any differences between what is in the retirement plan's file versus what is in the Port's file to ensure that the correct allocation is being made to the Port Authority.
 - General Reserve Fund Account. Recommendation is to revisit any items identified or classified as restriction and verify that it meets the definition of restricted assets when preparing its financial statements.
- Debt service ratio – required 1.25. Based on the audit performed, the debt service ratio is at 1.40, therefore there were no issues in meeting the debt service ratio.
- Implementation of GASB 87, Leases. Operating leases meeting the definition requirement as well as greater than a year should be recorded on the statement of net position. Also, recommendation is to communicate the impact of applying GASB 87 to Bond counsel to determine whether there is any clarification in the calculations of the debt service ratio in accordance with the covenant.

The members thanked Ernest & Young for the audit presentation.

IV. GENERAL MANAGER'S REPORT

1. **Presentation to Pacific Islands Forum.** On August 9, 2023, I presented a PowerPoint presentation to the Pacific Island Forum Delegation from Tonga - Mr. Paula Ma'u, Chief Secretary and Secretary to the Cabinet Prime Ministers office, and Mr. Teanuanua Nicole, Political Governance Officer Pacific Islands Forum. This delegation was on the island to assess Guam to bring the island from an observer to an Associate status member in the Pacific Islands Forum. The presentation consisted of Guam's Associate Member application rationale, the significance of the Port to the Pacific Islands Forum and the Region, an overview of the Port and our current capacity, federal partners, and funding resources.

2. **Congressman James Moylan Visits Port Authority.** On August 10, 2023, Congressman James Moylan visited the Port. During the visit, we had the opportunity to brief Congressman Moylan on the 2023 Port master plan, ongoing capital improvement projects, and priority CIPs that consist of STS cranes, fuel piers, wharves, and Area A. Also included in the discussion was the Port's readiness plan OLDCC \$1.4M grant funding for the resiliency and feasibility study. A tour of port facilities followed after that. A follow-up office visit was held on August 30 with Congressman Moylan's Policy Team – Mr. Chris Lukas and Mr. Matt Steil. The discussion focused on the specific needs of the Port and Community Project Funding and other potential options for FY 2024.
3. **Meeting with Rear Admiral Gregory Huffman.** On August 10, 2023, Chief Planner Joe Javellana, CIP Manager Clarence Lagutang, and I met with Rear Admiral Gregory Huffman. In this meeting, we had an opportunity to present the Port's 2023 Master Plan on our near-term and long-term goals to improve the port by maintaining fiscally sustainable operations and promoting increased awareness of its approach to all stakeholders. We emphasized that the Navy's involvement is critical to improving the Port's development as per the Quitclaim Deed that conveyed the Commercial Port properties to the Government of Guam. And that the master plan does not change the land use designation but instead provides for gantry crane replacement, rehabilitation of Area A fuel storage facility, in-water infrastructure study, wharves, and fuel piers long-term replacement, financial management system, Guam Customs inspection facility, solar power study, tariff simplification, terminal operating system, information technology study, port users group initiative for system integration, financial feasibility analysis, and economic impact. Throughout our progress on the Port's master plan of 1981, 1990, 1999, 2007, 2013, and now 2023, the Navy's participation is valuable information towards developing our master plans.
4. **Port Officials meet with FEMA on the Mawar Resilience Project.** On August 10, 2023, we met with FEMA Janet Yocum, PMP, Operations Planner of the Response Division of FEMA's Region IX Pacific Area Office, and officials from the U.S. Army Corps of Engineers. Discussions involved FEMA's Typhoon Mawar Resilience Project and the needs of the Port. Through the Mawar Resilience Project, FEMA is working with many subject matter experts to do comprehensive site inspections of physical and non-physical components of Critical Infrastructure identified by the federal interagency and the Government of Guam. Under this project, FEMA inspection of Critical Infrastructure is not limited to storm-damaged areas. FEMA-completed inspections will be elevated to the federal interagency to explore all avenues of funding that may be applied (not only FEMA or DHS Port money) to build a more resilient Guam. Discussions also centered on leveraging military construction (MilCon) projects to include work related to the Port. Yocum said they were impressed with how the Port secured for the typhoon and how quickly the agency became fully operational only three days after the storm passed. The discussion shifted to how FEMA can leverage its funding projects with the needs of the Port, including the updated 2023 Port Modernization Program.

The Port has provided FEMA with relevant Port data that will allow FEMA engineers to review, validate, and recommend funding solutions and opportunities for Port priority initiatives that will enhance infrastructure and equipment resiliency, improve operational capabilities and capacity, bolster supply chain sustainability, and protect the Port IT/TOS/FMS systems from cyberattacks. The Port also provided FEMA with a copy of the 2023 Port Master Plan update and condition assessments and reports supporting the Port's most pressing challenge, including STS gantry crane acquisition, fuel piers and wharves upgrades, and container yard equipment needs.

5. **Port Modernization Program \$50M Close-Out.** On August 25, 2023, we had the privilege of hosting representatives from USDOT Maritime Administration. The purpose of the visit was for MARAD's Grant Project Management/Engineering Team (Mr. David Bohnet – Grant Management Supervisor, and Mr. Gustavo Vecino – Civil Engineer) to programmatically close out the \$50 Million Port Modernization Program (PMP), which included the Guam Commercial Port Improvement (GCPI) Project and the Construction Deficiencies and Equipment Procurement grant agreement. The MARAD Team also visited different Port sites to validate the completion of the projects.

Later in the afternoon, a meeting was held with Governor Lou Leon Guerrero by MARAD Deputy Associate Administrator Tretha Chromey, Mid-Pacific Gateway Region Director Gus Hein, Chief Planner Joe Javellana, and myself. Discussion topics included:

- Criticality of the Port's STS Gantry Cranes: Governor Lou emphasized the Port's significance to DOD INDOPACOM's Pacific Deterrence Initiative and ongoing military buildup and that its aging cranes require replacement;
- Importance of the Port's resiliency and sustainability initiatives that included replacing aging and damaged fuel piers and rehabilitating its wharves and infrastructure;
- Build America, Buy America Act (BABAA) Waiver impact to Guam and the territories;
- Seeking advocacy and support for establishing and adopting MARAD block grants that are currently unavailable. Under the US DOT, FAA (air) and FHWA (land) are funded annually with a set amount that does not require the submission of a competitive grant application and
- Improve PAG/MARAD collaboration on priority resilience and sustainability projects.

6. **Legislative Confirmation Hearing for PAG Board.** A legislative confirmation hearing is scheduled for September 8, 2023, for the re-appointment of Ms. Dorothy Harris and Dr. Judith Guthertz to serve on the Port Authority Board.

7. **Port Achieves 4th Consecutive Year Designation as a Low-Risk Auditee.** The Port has once again achieved low-risk auditee status with a net position growth of \$12.6M. This is the fourth consecutive year in a row that the Port got this designation. Independent auditors Ernst & Young (EY) rendered the unmodified (clean) opinion of the Port for FY 2022 financial statements and compliance over major federal programs. Also, the auditors identified no material weaknesses or significant deficiencies in internal controls.

A message from Public Auditor Benjamin J.F. Cruz: “These clean, low-risk status audits for the past four years demonstrate strong leadership and management from the GM and his team of dedicated, qualified, and Port-strong employees. The Port’s level of professionalism and attention to the Rule of Law, transparency, and accountability is admirable.”

8. General Manager’s Notes for YTD Finances. We are providing the following summary for July 31, 2023:

REVENUES AND CARGO THROUGHPUT:

- The Port's Total YTD Operating revenue for July 31, 2023, is \$48.7 million, 5.0% or \$2.5M lower than the YTD July FY 23 budget projection of \$51.3M.
- The total number of containers handled as of July 31, 2023, is 70,725, 1.7% or 1,244 containers lower than last year's July 2022 YTD total of 71,969.

OPERATING EXPENSES:

- Overall Operating expenses, as of July 31, 2023, is \$45.3M, which is 2.4% or \$1.0M higher than the YTD budget for February with a total of \$44.2M. The current total expense as of July is 85% of the total approved FY2023 Budget in the amount of \$53.1M.

OVERTIME EXPENSE AND DIRECT LABOR REVENUE:

- YTD Overtime for Divisions involved in Operations is \$1.6M, 24% or \$303K higher than the overtime budget for YTD July at \$1.3M. The OT for the month of July is \$155K which is 39% or \$98K lower than June’s number of \$253K.
- Direct Labor reimbursement is \$3.1M, 5.5% or \$181K lower than the FY23 budget of \$3.3M.

Here is the breakdown:

Direct Labor Revenue:	\$ 3,131,944
Operations Overtime:	<u>\$ 1,567,308</u>
Variance:	\$ 1,564,636

YTD OPERATING REVENUES MINUS YTD EXPENSES:

- Operating revenues minus operating expenses resulted in an operating income of \$3.4M. The final result for July is a net income of \$4.4M, after adding the net of Other Income/Expenses totaling \$1.0M.

Note: \$1.0M is a net balance of Other Income and Expense 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 July 31, 2023:

- The debt service ratio as of July 31, 2023, is 1.78. This is 4% lower than the Bond Indenture Debt service ratio requirement of 1.25.
- Days Cash on Hand is 900 days, 80% or 400 days higher than the 500 days requirement of Moody's Rating agency.

Projected Annual Debt Service Coverage	1.78
Debt Service Coverage Requirement	1.25
Variance	0.53
% Above the Indenture Requirement	42%

9. Grant Awards and Ongoing Grant Submissions

- **U.S. Economic Development Administration (EDA) Fuel Pipeline Connectivity Project.** A/E Design kick-off meeting was held on July 19, 2023, attended by Amorient and sub-consultants, PAG staff, and representatives from Golf and F1 Pier managers. During the follow-up meeting held on August 24, 2023, Amorient and their sub-consultants updated PAG staff and EDA Project Officer, indicating the following ongoing tasks: geotechnical investigations, topographic survey, 30% design, and environmental permits. The anticipated delivery date of the 30% Design Submittal is November 13, 2023.
- **Department of Agriculture Grant (DOAg)**
 - **Agat Marina Dock B Construction.** AIC International, the contractor, will be scheduling a pre-inspection of the site as instructed by Guam EPA before commencing construction of the nine (9) steel piles. As AIC is currently waiting on necessary supplies, they have requested a 45-day extension, with an anticipated completion date now projected for late October. Work in progress: Ground assembly fully completed, in-water assembly reached 90%, and plumbing stood at 80% completion.
 - To account for potential delays, PAG requested a no-cost six-month grant performance extension to the schedule, pending approval from the Fish and Wildlife Service (FWS) and the Department of Agriculture (DOAg).
- **Harbor of Refuge Repairs. Status Update:** The final closeout report for this project was submitted to DOAg on July 18, 2023. The overall cost of the project was \$870K (grant \$621K, PAG \$249K).

- **Gantry Crane Acquisition.**
 - **Acquisition of an STS Gantry Crane by the PAG.** A US DOT MEGA Grant Program grant application was submitted on August 21, 2023, to acquire three (3) gantry cranes.
 - **USDA Direct Loan.** PAG Finance was assigned to develop a request for proposal to select a lender to provide commercial loan financing for replacing the PAG's Ship-to-Shore Gantry Cranes and acquiring additional cargo handling equipment, e.g., Tractors, Telescopic 150 Ton Crane, Top lifters, and Forklifts. PAG will be guided by the USDA Communities Facilities Rural Development Leadership, PAG Legal Counsel, and PAG Procurement Team moving forward. *Status Update:* Status quo.
- **MARAD Marine Highway Program.** The Grant Agreement for MARAD FY 2022 America's Marine Highway (AMH) was effectuated on August 4, 2023. PAG Procurement Division issued purchase orders for two (2) 40-ton loaded container handlers and three (3) 10-ton empty container handlers on August 4, 2023, and stipulated delivery by September 5, 2023.
- **Office of Local Defense Community Cooperation. The Port awarded a \$1.2 Million OLDCC grant** for a comprehensive two-phase in-water infrastructure feasibility study and a military support assessment for Area A and Hotel Wharf. Notice to Proceed was issued on October 31, 2022. *Status Update:* PAG received Grant Award notification on August 1, 2023, for \$1,450,000.00 for the Port's Owner Agent Engineer Services. This new grant's performance period is from June 1, 2023 - November 30, 2024. The Planning division is working with the Port Staff Attorney and the Office of the Governor on the Memorandum of Agreement.
- **EPA Diesel Emissions Reduction Act (DERA) Program.** A purchase order for four (4) terminal yard tractors was issued to American Material Handling, Inc. on May 2, 2023. Delivery: 330 Days or April 2024.
- **US DOT Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program.** *Status Update:* The PAG's Owner Agents Engineer (OAE) is currently engaging with a local environmental consultant who will be charged with creating environmental assessment documentation as mandated by NEPA. OAE has developed a comprehensive Statement of Work (SOW) for the local ecological consultant's consideration. Following this, the NEPA process would initiate, marking the start of an expanded study phase focusing on Wharves F1 - F6.
- **Office of Insular Affairs Maintenance Assistance Program (MAP).** The Port Welding Shop Phase 1 & 2 project (awarded in 2020 & 2021) is pending the HABS/HAER report before construction. *Status Update:* The Port submitted the Determination of Eligibility (DOE) as part of the SHPO's HABS requirement on April 28, 2023. Pending response from SHPO.

- **Office of Insular Affairs Maintenance Assistance Program (MAP).** PAG was awarded the FY22 MAP grant for the Generator Maintenance Program on June 29, 2022. Hawthorne Pacific Corporation signed the purchase order on May 8, 2023. On June 28, 2023, Requisitions were entered into the system and are currently procuring generator parts. *Status Quo.*

10. **Port Revenue Bonds Project Status.** As of August 25, 2023, the attachment provides information on the status of the revenue bond projects that consist of rehabilitation of the hotel wharf, golf pier repairs, and improvements, waterline replacement/ relocation, EQMR building, and warehouse one repair/upgrades, new admin annex building, and other priority projects.

V. OLD BUSINESS

There were no old business discussed.

VI. NEW BUSINESS

2. **Approval of Fiscal Year 2024 Proposed Budget.** Without objections, Mr. Jose B. Guevara, PAG Chief Financial Officer thanked the members and presented the following:

- Historical revenue projections and actuals comparison for the past 12 years (FY2012-FY2023 YTD June 2023). FY2019 was less than 1%. FY2020 was less than 3% due to covid that impacted cargo throughput. FY2021 was at an increase of 2.3%. FY2022 was at an increase of 3.5%. FY2023 showing a decrease of 5.1% due to federal reimbursement expecting to commence in fiscal year 2023.
- Operating Revenues YTD July 2023 Actuals.
 - cargo throughput revenues - \$21.7M
 - other cargo related revenues - \$18M
 - operating revenues - \$39.7M
 - non-operating revenues - \$8.9M
 - total revenues - \$48.7M
- Methodology. Three-Point Estimate – Optimistic, Pessimistic, Most Likely. Resulted in a FY2024 projection of 90,012 container count which is an increase of 2.5% in container revenue.
- FY2024 Total Revenue Projection Proposed. Cargo revenues \$41.4M + non-cargo revenues \$11M = total revenues at \$52.4M.
- Income and Expense Summary.
 - Total revenues - \$52.4M
 - Grand total expense: \$51.1M
 - Operating income/loss - \$1.2M
 - Total other income/expense - \$426K
 - Net income/loss - \$1.7M
- Debt service coverage ratio projected – 1.514
- Federal Funded CIP Projects. Federal share \$29M, Port share \$11M

- Port Funded CIP Projects. \$7.9M ongoing and priority projects for FY2024.
- Bond Projects. Remaining balance \$34.8M bond projects on-going, to be rebid or no action.

Director Taitano asked that if the federal reimbursements for 2023 are received, what would be the change in the percentage. The Chief Financial Officer replied that it will improve on the 5.1% between actuals and projections and possibly result in meeting the revenue projection which will in turn support the ending balance. He added that if the federal reimbursements are received in FY2024, it will help the numbers as well for that fiscal year. The Vice Chairperson commented that the estimates for the cargo container/breakbulk projections may probably be conservative because in a couple months she anticipates numerous construction activity for repair work as a result of Typhoon Mawar.

For purposes of planning, the General Manager brought the Board's attention to the 'survivability clause' that is attached to the FY2024 proposed budget. Reasons as follows:

- Governor's Port Board nominees (Frank Santos and Luis Baza) is pending action from the Guam Legislature. Public Hearing was held on May 3, 2023.
- Governor's Port Board nominees of current members (Director Harris and Director Guthertz), a public hearing before the Guam Legislature is scheduled on September 8, 2023. It is unknown when the Guam Legislature will take action. So, the holdover provision for a member to continue serving is for a period of 90 calendar days plus three legislative days. The holdover period will start next month.

The General Manager stated that if in the event there is a delay with the Guam Legislature in giving the Port Authority a duly constituted Board in order to make a quorum, he requested for the 'survivability clause' to be attached to the budget. He said this means that Fiscal Year 2024 budget rolls over with authorization for the General Manager to exercise discretion to increase spending in any form over and above that provided by the FY2024 annual budget by an amount calculated at up to three percent (3%) compounded for each consecutive fiscal year subsequent to FY2024. The General Manager expressed that hopefully it does not get to this point, but this requires for a plan to be in place to ensure the day-to-day operations of the Port Authority continues. He further mentioned that the 'survivability clause' also provides: *"Correspondingly, during any period that the Port Board of Directors lacks a quorum due to an insufficient constitution of its members, and for which appointed potential members sufficient to attain a quorum are then pending legislative confirmation, the General Manager is henceforth authorized, without prior Board approval, to present to the Guam Public Utilities Commission any matter so required for presentment and PUC approval by 12 GCA § 12004 and PAG Docket Order 09-01."* The General Manager explained that the reason is PUC's protocol requires a Board resolution in order for Port Management to appear before the PUC to approve Port procurement purchases over \$1M. He assured the Board that if the Port gets a duly constituted quorum because the Governor's nominees have been confirmed by the Guam Legislature, then this 'survivability clause' is not necessary. The General Manager expressed that this provision only serves as a safeguard for the Port to continue with its operations based on those reasons

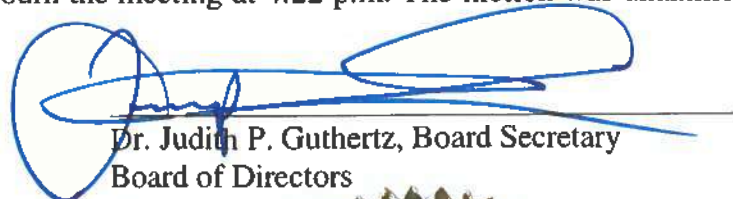
mentioned. The Vice Chairperson hopes that it does not come to this point, but appreciates the contingency measures Port Management is proposing. Director Guthertz commented that she is impressed with the vision, very strategic as it shows a great deal of planning to be able to anticipate possibilities which is important for the Port Authority. She asked Port Staff Attorney whether this option is within the law and within Port Board authority. Port Staff Attorney Canto replied that he had researched it thoroughly and is confident that there is no impediment given the powers and duties enumerated by statute to this Board and by operations to the General Manager as well. Director Guthertz thanked Port Staff Attorney Canto for the response and commended Port Management for developing this option, however, she hoped that it does not come to that point of applying this provision. But in the event this provision is needed, she expressed her support. Director Taitano expressed the same sentiments and supports the clause, providing flexibility to the General Manager, and the proposed budget being presented. Director Guthertz made motion to approve the Fiscal Year 2024 proposed budget as presented to include the survivability clause that is contained therein, seconded by Director Taitano. Motion was unanimously approved.

3. **Request for authorization to create the position of Assistant Procurement & Supply Manager.** The General Manager requested from the Board to authorize management to begin the creation of position for the Assistant Procurement & Supply Manager. If approved, the creation package will be presented to the Board for approval to begin the transparency process at its next meeting. Director Guthertz made motion to authorize management to begin the creation of position for the Assistant Procurement & Supply Manager, seconded by Director Taitano and was unanimously approved.

4. **Adoption of Resolution No. 2023-07 Designation of Signatories.** Director Guthertz made motion to approve Resolution No. 2023-07 relative to the designation of signatories for the Jose D. Leon Guerrero Commercial Port. Motion was seconded by Director Taitano and was unanimously approved.

VII. ADJOURNMENT

There being no further business to discuss, it was moved by Director Guthertz and seconded by Director Taitano to adjourn the meeting at 4:22 p.m. The motion was unanimously passed.


Dr. Judith P. Guthertz, Board Secretary
Board of Directors

APPROVED BY:



Dorothy P. Harris, Acting Chairperson
Board of Directors





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General Manager's Report for Board of Directors September 28, 2023

1. Acquisition of Container Handlers.

- **Empty Container Handler (Side Loaders).** I am proud to announce that on September 5, 2023, the Port Authority received two of three new Taylor-make Empty Container Handler cargo handling equipment. The estimated time of arrival of the third equipment is next month.
 - PAG Operators training was conducted on September 11, 12 & 15 for familiarization of the new asset and any updates to the systems.
 - PAG Mechanic orientation was held on September 11 for any updated manufacture changes in comparison to the old equipment.
- **Loaded Container Handler (Top Loader).** I am further proud to announce that on September 13, 2023, the Port Authority received two new Taylor-make Loaded Container Handler cargo handling equipment.
 - The first training and orientation for PAG Operators and Mechanics was held this morning for familiarization of the new equipment system in comparison to the old equipment.

This acquisition was made possible through the America's Marine Highway Program grant, US DOT Maritime Administration at a shared cost of \$5.7M AMH grant and PAG at \$3.6M. The AMH grant further provides for the purchase of five 5.5-ton forklifts; one 180-foot boom lift; nine container yard tractor trailers; and two 40-plug mobile reefer generators. This expands the Port's fleet of specialized container yard equipment. All equipment under this grant program are subject to the Build America, Buy America Act (BABAA) requirements.

2. **Port Owner's Agent/Engineering.** The Port's OAE Consultant – WSP, arrived on September 18-22, 2023 to continue discussions on the Port's Modernization Program. Discussions include: update on environmental assessment, capital improvement projects status update, facility maintenance, port security update, tariff simplification, terminal operating system update, Golf Pier and Pier F1 concepts, STS gantry cranes, HABS/HAER study update, master plan update, IT master plan, military readiness, and hotel wharf update.
3. **Property and Liability Insurance Coverage for Port Authority.** AM Insurance has provided the Port with the premium cost for Fiscal Year 2024 which is estimated at \$4,936,637.38—an increase of \$1,391,554.08 from last year's premium rate. The insurance policies which increased were the property insurance and automobile insurance—the remaining policies' premiums (marine liability, directors & officers' liability and crime insurance) remained status quo. The increase was due to the rise in values was by 13%. In the meantime, we have engaged with a real estate appraiser, Milo Appraisal, to conduct appraisals on the Port's properties—once this has been completed, we will discuss the results with AM Insurance to determine if in fact the Port's property insurance is insured at its appraised values.
4. **Legislative Confirmation Hearing for PAG Board.** A legislative confirmation hearing was held on September 8, 2023, for the Governor's re-appointment of Ms. Dorothy Harris and Dr. Judith Guthertz to serve on the Port Authority Board. Legislative action on the confirmation has yet to be determined.

Legislative Confirmation Hearing Concerns

During the recent Legislative Confirmation Hearing for our two Board of Directors nominees, numerous misstatements and allegations were made by a few lawmakers regarding the Port. I was not provided the opportunity to respond during the hearing so I would like to take this time to clear up the issues that were raised.

Allegation that the Port paid former Attorney General Leevin Camacho \$28,000:

ANSWER: The Port paid the \$28,000 to Mr. Camacho for work he did prior to becoming elected as Attorney General of Guam.

Allegation that the Port is only hiring Administration employees and not employees for operations:

ANSWER: After reviewing our recruitment records from January 2019 to present, our records do not reflect the statements made by Senator Brown. The Port's records indicate that majority of personnel hired were for the Operations and Maintenance Divisions. We continue to uphold the integrity and transparency of the Port Authority in regards to recruitment. During the fiscal year 2019, the Port hired a total of 13 Administrative positions for various divisions and 14 operation/maintenance positions. In Fiscal Year 2020 there were a total of 10 administrative positions and 10 operation/maintenance positions recruited. In the following year fiscal 2021, a total of 12 administrative positions were recruited, and 39 operation/maintenance positions. Fiscal Year 2022, 13 administrative positions and 42 operation/maintenance recruitment. In this fiscal Year 2023, a total of 9 administrative and 37 operation/maintenance positions were recruited.

The above numbers clearly indicate that the majority of the positions recruited from fiscal 2019 to the present have been for the operations/maintenance divisions. These divisions include Stevedoring, Transportation, Terminal, Facility, Equipment Maintenance, and Port Police Division.

Allegations that the Port's finances are not stable:

ANSWER: On August 28, 2023, the Port Authority of Guam once again achieved low-risk auditee status. This is the fourth consecutive year in a row that the Port got this designation since the time that it failed to get this designation in Fiscal Years 2017 and 2018. Independent auditors Ernst & Young (EY), rendered the unmodified (clean) opinion of the Port for FY 2022 financial statements and compliance over major federal programs. Also, no material weaknesses and significant deficiencies in internal controls were identified by the auditors. Furthermore, Public Auditor Benjamin J.F. Cruz said of the recent audit, "These clean, low risk status audits for the past four years demonstrate strong leadership and management from the GM and his team of dedicated, qualified, and Port-strong employees. The Port's level of professionalism and attention to the Rule of Law, transparency, and accountability is admirable."

PAG concluded FY 2022 with a net position of \$26.4 million (M), marking an increase of \$12.6M (or 91%), from FY 2021's net position of \$13.8M. PAG's operating revenues increased by \$2.6M, from \$55.1M in FY 2021 to \$57.7M in FY 2022. With regard to debt service, under the bond indenture agreement, the Port is required to maintain a

minimum debt service coverage ratio of 1.25. In Fiscal Year 2022, the Port's Annual Debt Service Coverage Ratio was 3.66.

Besides the positive results in the annual audit since Fiscal Year 2019, the Port's financial performance is annually reviewed by two of the Big 3 Credit Rating Agencies. They are Moody's Investor services and Standard and Poor's (S&P). Since 2021, the Port continues to maintain their investment grade rating of A and Baa2 from S & P and Moody's respectively. Both rating agency issued a stable outlook since 2021.

Moody's have indicated in their reports that the credit strengths of the Port are low leverage, solid liquidity and monopoly position as the sole commercial port in Guam. A lower financial leverage ratio is usually a mark of a financially responsible business with a steady revenue stream. Even if a company behind it is running significant debts, an exceptional financial leverage ratio tells potential shareholders and credit agencies that a business poses minimal risk and is likely worth an investment.

S&P's overall assessment of the authority's enterprise profile is strong, reflecting very strong economic fundamentals, an adequate market position, and strong governance. They further stated in their report that the authority's management and governance are considered strong, reflecting their view of the port's strategic positioning, risk and financial management, and organizational effectiveness. The authority has historically operated in a fiscally prudent manner, implementing tariff increases as needed, building and maintaining cash reserves, and obtaining grant funding that minimizes reliance on debt issuance to meet capital needs.

Allegations that the Port did not have the authority to waive storage fees for the GPA modules for the generators:

ANSWER: In the October 27, 2022 Board of Directors meeting, I reported on the arrival of 12 generator modules for the new Ukudo Power Plant. I stated the revenue tons for the modules range between 135.70 to 173.90 tons. Because of the special type of cargoes to be unloaded, the Port authorized the contractor to conduct "under the hook" operation which will allow the crew ship to operate the winches to off load the modules onto specialized trailers and transport such modules at a staging area in the terminal yard. To ensure that the container yard was not impacted as a result of the weight of the cargoes, the modules were staged on jacks and remained at the Port until permit was issued by Department of Public Works to transport the cargoes to the Dededo project site. The first DPW permit issuance occurred on February 4, 2023

and the last issuance was on June 16, 2023. I also stated at the board meeting that one of the biggest concerns regarding this cargo was the storage fees. According to the Port Terminal Tariff, the cargo has a free storage period of 5 days and afterwards storage fees will be assessed. If the Port qualified the storage fees, the Port may be collecting \$3.5 to \$4 million. However, if the Port were to collect such fees, it would have to be paid by GPA who in turn will likely transfer it to the rate payers. The decision to extend the storage fees was made in the best interest of all the ratepayers of Guam. *Please see attached letter to the contractor regarding the extension.*

It should be noted that the extension of the storage period was only for the 12 heavy modules and not for other components related to this project. All of the components were off-loaded and issued within the 5-day free storage period.

Allegations that Board members are being "compensated" for their work:

ANSWER: Board members are paid a stipend of \$50.00 per meeting. Vice Chairperson Dorothy P. Harris donates her monthly stipend to the Port's employee association which is called the Port Authority of Guam Goodwill and Morale Association (PAGGMA). The stipend for the Board members is established under Guam law and can be found at 12 GCA Chapter 10 §10103(d), "*Directors shall be paid Fifty Dollars (\$50.00) per meeting but not to exceed One Hundred Dollars (\$100.00) a month.*"

Allegations that information on board meetings – specifically January, March, May and June 2023 – was not on the website:

ANSWER: Information on all of the board meetings including notices, minutes, agendas, resolutions, quarterly reports, travel reports and live stream video is on the website and constantly updated. There were no meetings scheduled for January, March and June. There was a board meeting scheduled for May 25, 2023 and it was properly noticed on the website at <https://www.portofguam.com/about-us/board-directors/board-meeting-notices> and at https://go.opengovguam.com/meetings_list/port however that meeting was cancelled due to Typhoon Mawar.

Information on our Board of Directors can be found at the following locations on our website:

<https://www.portofguam.com/about-us/board-directors/board-resolutions>
<https://www.portofguam.com/about-us/board-directors/board-meeting-minutes>
<https://www.portofguam.com/about-us/board-directors/board-meeting-notices>
<https://www.portofguam.com/about-us/board-directors/board-members>
<https://www.portofguam.com/quarterly-board-directors-report>
<https://www.portofguam.com/travel-reports>

Furthermore, all of our board meetings are streamed live on our website and on Facebook and the links for the live streams are:

<https://portofguam.com/meetings-videos>

<https://www.facebook.com/portauthorityofguam>

Allegations from Senator Telo Taitague that she did not receive a copy of the correspondence from Vice Chairperson Dorothy P. Harris transmitted to lawmakers on July 7, 2023:

ANSWER: PAG Board Vice Chairperson Dorothy P. Harris wrote a letter with 67 pages of attachments to our oversight Chair Senator Amanda L. Shelton and all senators were copied on the correspondence. An email of the correspondence and attachments was transmitted to all senators – including Senator Telo Taitague – at 5:12 p.m. on July 7, 2023. Senator Telo Taitague received a copy of this correspondence and all attachments to her email at senatortelot@gmail.com. Speaker Therese M. Terlaje acknowledged receipt of the correspondence at 8:30 a.m. on July 8, 2023. *Please see attached the documents pertaining to the transmittal to Senator Taitague and acknowledgement by the Speaker.*

Allegations regarding the Training Assignment of the Port's Procurement & Supply Manager:

ANSWER: The Port's Procurement & Supply Manager was sent to the General Services Agency (GSA) of the Department of Administration to receive procurement training in order for her to be able to efficiently perform her duties and responsibilities as the Port's Procurement & Supply Manager. This type of Training Assignment is not unusual as the former General Manager assigned procurement staff to GSA for training as well and often their Training Assignments spanned a period of more than one year. *Please see attached the documents pertaining to this Training Assignment.*

5. **General Manager's Notes for YTD Finances. We are providing the following summary for August 31, 2023:**

REVENUES AND CARGO THROUGHPUT:

- The Port's Total YTD Operating revenue for August 31, 2023, is \$54.5 million, 3.4% or \$1.9M lower than the YTD August FY 23 budget projection of \$56.4M. As of August 31, the total Cargo revenues (Cargo throughput and other cargo related revenues) is \$44.4 million, which is higher by 1.0% or \$423K as compared to YTD August budget of \$44.0 million.

- The total number of containers handled as of August 31, 2023, is 78,410, 3.4% or 2,792 containers lower than last year's August 2022 YTD total of 81,202. The total tonnage for breakbulk cargos as of August is 191K revenue tonnage, which is 45% higher as compared to last year August total of 131K revenue tonnage.

OPERATING EXPENSES:

- Overall Operating expenses, as of August 31, 2023, is \$50.1M, which is 2.8% or \$1.3M higher than the YTD budget for August with a total of \$48.7M. The current total expense as of August is 94% of the total approved FY2023 Budget in the amount of \$53.1M. Typhoon related expenses that were incurred in May, June, July and August are included in the total expenses. These expenses are not part of the approved budget. Port is currently submitting labor, benefits and other related typhoon expenses to FEMA and Insurance for future reimbursement.

OVERTIME EXPENSE AND DIRECT LABOR REVENUE:

- YTD Overtime for Divisions involved in Operations is \$1.7M, 20% or \$280K higher than the overtime budget for YTD July at \$1.4M. The OT for the month of August is \$103K which is 33% or \$51K lower than July's number of \$155K. Note that some of the OT expenses are typhoon related expenses, that are being claimed for reimbursement to FEMA and Insurance.
- Direct Labor reimbursement is \$3.4M, 5.9% or \$216K lower than the FY23 budget of \$3.6M.

Here is the breakdown:

Direct Labor Revenue:	\$ 3,427,948
Operations Overtime:	<u>\$ 1,670,879</u>
Variance:	\$ 1,757,069

YTD OPERATING REVENUES MINUS YTD EXPENSES:

- Operating revenues minus operating expenses resulted in an operating income of \$4.4M. The final result for August is a net income of \$6.0M, after adding the net of Other Income/Expenses totaling \$1.5M.

Note: \$1.0M is a net balance of Other Income and Expense 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 August 31, 2023:

- The debt service ratio as of August 31, 2023, is 2.01. This is 61% higher than the Bond Indenture Debt service ratio requirement of 1.25.
- Days Cash on Hand is 900 days, 80% or 400 days higher than the 500 days requirement of Moody's Rating agency.

Debt Service Ratio – August 2023

Projected Annual Debt Service Coverage	2.01
Debt Service Coverage Requirement	1.25
Variance	0.76
% Above the Indenture Requirement	61%

6. Grant Awards and Ongoing Grant Submissions

- **USDHS/FEMA Port Security Grant Program.** The Port received \$124,779.00 from the 2023 PSGP that included the following Investment Justifications (projects):
 - Acquisition of Two (2) Port Police Boat Trailers
 - Acquisition of Port Police laptop and accessories
 - Acquisition of Port Police PPEs
- **U.S. Economic Development Administration (EDA) Fuel Pipeline Connectivity Project.**
 - A/E designer, AmOrient, and sub-consultants are currently working on the following ongoing tasks: geotechnical investigations; topographic survey; 30% design; and environmental permits.
 - Surveyor completed draft topographic survey and is currently verifying existing underground utilities.
 - Anticipated delivery date of the 30% Design Submittal is November 13, 2023.

- **Department of Agriculture Grant (DOAg)**
 - **Agat Marina Dock B Construction.** The Official NTP was issued to AIC International on August 4, 2022. Project completion is 243 calendar days from NTP issuance, including obtaining all permitting requirements.
 - During August 28 to September 16, 2023, the contractor (AIC) made significant progress on dock improvements and steel pile repairs as indicated: Installed gate security measures and conducted water line tests. Performed electrical maintenance and cabling work. Completed insulation tests and cable terminations on pedestals. Confirmed no water leaks in Hydrostatic Water Pipeline Test Reports. Prepared for steel pile repairs. Mobilized Trident Cross and received repair methodology. Replaced an old valve with a new brass gate valve. Assisted in cutting and removing existing steel piles (P-2 to P-7). Schedule extended to November 10, 2023, due to weather and design challenges.
 - PAG Engineers oversaw site activities, conducted inspections, and participated in testing procedures. Guam EPA reviewed Best Management Practices. Overall, progress is steady, ensuring project quality and integrity despite setbacks.
- **Gantry Crane Acquisition.**
 - **Acquisition of an STS Gantry Crane by the PAG.** A US DOT MEGA Grant Program grant application was submitted on August 21, 2023 with the aim of securing funding for the acquisition of three (3) gantry cranes. As of September 21st, the application has been retrieved by the Grantor agency and is now under review and consideration for Federal funding.
 - **USDA Direct Loan.** PAG Finance was assigned to develop a request for proposal to select a lender to provide commercial loan financing for replacing the PAG's Ship-to-Shore Gantry Cranes and acquiring additional cargo handling equipment, e.g., Tractors, Telescopic 150 Ton Crane, Top lifters, and Forklifts. PAG will be guided by the USDA Communities Facilities Rural Development Leadership, PAG Legal Counsel, and PAG Procurement Team moving forward. *Status Update:* Status quo.

- **MARAD Marine Highway Program.** The Grant Agreement for MARAD FY 2022 America's Marine Highway (AMH) was effectuated on August 4, 2023. PAG Procurement Division issued purchase orders for two (2) 40-ton loaded container handlers and three (3) 10-ton empty container handlers on August 4, 2023, and stipulated delivery by September 5, 2023.
- **Office of Local Defense Community Cooperation.** PAG received Grant Award notification on August 1, 2023, for \$1,450,000.00 for the Port's Owner Agent Engineer Services. Performance period is from June 1, 2023 - November 30, 2024. The MOA is currently being processed.
- **EPA Diesel Emissions Reduction Act (DERA) Program.** A purchase order for four (4) terminal yard tractors was issued to American Material Handling, Inc. on May 2, 2023. Delivery: 330 Days or April 2024. *Status Quo.*
- **US DOT Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program.** *Status Update:* The PAG's Owner Agents Engineer (OAE) is currently engaging with a local environmental consultant who will be charged with creating environmental assessment documentation as mandated by NEPA. OAE has developed a comprehensive Statement of Work (SOW) for the local ecological consultant's consideration. Following this, the NEPA process would initiate, marking the start of an expanded study phase focusing on Wharves F1 - F6. *Status Quo.*
- **Office of Insular Affairs Maintenance Assistance Program (MAP).** The Port Welding Shop Phase 1 & 2 project (awarded in 2020 & 2021) is pending the HABS/HAER report before construction. *Status Update:* SHPO is in the final stages of issuing a concurrence.
- **Office of Insular Affairs Maintenance Assistance Program (MAP).** PAG was awarded the FY22 MAP grant for the Generator Maintenance Program on June 29, 2022. Hawthorne Pacific Corporation signed the purchase order on May 8, 2023. On June 28, 2023, Requisitions were entered into the system and are currently procuring generator parts. *Status Quo.*

7. **Port Revenue Bonds Project Status.** As of September 27, 2023, the attachment provides information on the status of the revenue bond projects that consist of rehabilitation of the hotel wharf, golf pier repairs, and improvements, waterline replacement/ relocation, EQMR building, and warehouse one 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 September 27, 2023

Bond Project	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCUREMENT IFB/RFP/PO Number	Status
Rehabilitation of "H" Wharf	\$46,331,895.00	\$1,298,983.83	\$45,032,911.17	PO No. 17043-0F for \$2,249,945.54 awarded to GHD Inc. New Contract Amount: \$2,656,621.37 PO No. 18140-OS was issued to Sumitomo Mitsui Construction Company, Ltd. for \$46,331,895.00	On April 28, 2023, PAG submitted a grant application under the 2023 Port Infrastructure Development Program. The proposed project is for the Rehabilitation of H-Wharf to augment escalated construction cost due to inflation, Build America, Buy America (BABA) Act and if project is aligned with the merit criteria. The FY 2023 PIDP grant application process consists of an Intake Review Phase, a Technical Review Phase, and a Senior Review Phase. MARAD will announce projects selected for award by First Quarter of FY 2024.
Golf Pier Repairs and Improvements	\$2,000,000.00	\$372,147.93	\$1,627,852.07	RFP No. 2019-02: A&E Design for \$484,000.17 awarded to NC Macario	The PAG OAE completed a Condition Assessment and Feasibility Study Report that included a conceptual design and ROM.
Waterline Replacement and Relocation	\$6,000,000.00	\$1,433,613.59	\$4,566,386.41	PO No. 177900S for \$4,856,568.91 awarded to BME & Sons Inc.	Installation of the new waterline along Route 11 is ongoing. Slight adjustments to some pipeline locations are ongoing. Route 11 pipelines are currently being tested and buried. Status Quo.
EQMR Building Repairs and Upgrades	\$3,628,800.00	\$929,595.19	\$2,699,204.81	PO No. 180070S for \$3,980,000.00 awarded to JJ Global Service	Roof repairs are complete. Roof coating is pending punch items and spill repair is ongoing. Bathroom renovations are at 90%.
Warehouse 1 Repairs	\$2,000,000.00	\$447,013.13	\$1,552,986.87	RFP No. 2019-03: A&E Design for \$1,406,427.48 awarded to NC Macario	Procurement packet is being developed prior to PAG in-house legal review. Status Quo.
Other Priority Projects 1. Repair of F-1 Fuel Pier and wharves F-2, F-3, F-4, F-5, and F-6 waterfront facilities 2. Upgrade of the Port's IT system and integration of TOS	\$4,980,745.00	\$0.00	\$4,980,745.00	See status	1. Please refer to MARAD RAISE - Wharves Service Life Extension Hardening of Wharves F1-F6 for more information. 2. PAG reviewing Cargo Velocity recommendations on the TOS upgrade. The next step will be to develop the draft scope of work with the assistance the PAG OAE. Status Quo.
Other Priority Projects - EnterpriseOne Financial Management System	\$2,500,000.00	\$2,365,568.22	\$134,431.78	See status	Module updates are ongoing, including work on Job order modules for vessels and SSRs. Oracle has begun working on multifactor authentication. The PAG is also exploring additional applications such as content management for document retention.
New Admin. Annex Building	\$10,445,000.00	\$0.00	\$10,445,000.00	See status	Project is currently on hold pending Management decision.
Grand Total	\$77,886,440.00	\$6,846,921.89	\$71,039,518.11		



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

November 22, 2022

Mr. John Limtiaco
President
Pacific Unlimited Inc.
Post Office Box 10838
Tamuning, Guam 96911

Hafa Adai Mr. Limtiaco:

In response to your email dated November 10, 2022, Subject: Extended Free Time, it was agreed in the meeting held on October 24, 2022, with the Port Authority of Guam, Pacific Unlimited and Guam Power Authority's contractor, that the demurrage free time will be extended for the generator modules from the time the free storage had expired that was off-loaded from the UHL Faith vessel on November 2 to 4, 2022.

The Port will provide for an extension of free period up to 12 weeks, from November 15, 2022 thru January 31, 2023. This was determined necessary for the greater good of the Island community. However, as agreed, immediately after the twelve-week free period extension, demurrage charges will be assessed on February 1, 2023 in accordance with the Port Terminal Tariff.

You are asked to provide this office on a weekly basis the status of the permit with Department of Public Works and transit to Okudu construction project site.

Should you have any questions, please feel free to contact this office.

Si Yu'ps Ma'ase,

RORY J. RESPICIO
General Manager

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

Margret Duenas

From: Margret Duenas <mduenas@portofguam.com>
Sent: Friday, July 7, 2023 5:12 PM
To: 'Office of Senator Amanda L. Shelton'
Cc: 'Speaker Therese M. Terlaje'; 'senatormunabarnes@guamlegislature.org'; 'malafunkshun@guamlegislature.org'; 'Joe S. San Agustin'; 'office@senatorperez.org'; 'officeofsenatorquinata@guamlegislature.org'; 'senatorparkinson@guamlegislature.org'; 'senatorsannicolas@guamlegislature.org'; 'office@senatorfrankblas.com'; 'senatortelot@gmail.com'; 'senatorchrisduenas@gmail.com'; 'office@senatorjoannebrown.com'; 'Senator Jesse Lujan'; 'senatorfisher@guamlegislature.org'
Subject: Letter re PAG GM's Report dtd July 6, 2023 / PAG Board Nominations
Attachments: Letter to Senator Amanda Shelton re PAG GMs Report 070623.pdf

Hafa Adai Senator Amanda Shelton,

Please find attached letter with its attachments regarding PAG GM's Report dated July 6, 2023 and PAG Board Nominations.

Thank you for your time.

Regards - marge

Margret Duenas

From: Speaker Therese M. Terlaje <speaker@guamlegislature.org>
Sent: Saturday, July 8, 2023 8:30 AM
To: Margret Duenas
Subject: Re: Letter re PAG GM's Report dtd July 6, 2023 / PAG Board Nominations

Håfa Adai Margret,

This is to acknowledge receipt of your email.

Si Yu'os Ma'åse,

Marie Cruz
Community Relations Liaison

On Fri, Jul 7, 2023, 5:12 PM Margret Duenas <mduenas@portofguam.com> wrote:

Hafa Adai Senator Amanda Shelton,

Please find attached letter with its attachments regarding PAG GM's Report dated July 6, 2023 and PAG Board Nominations.

Thank you for your time.

Regards - marge



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

July 7, 2023

The Honorable Senator Amanda L. Shelton
Chairperson, Committee on Maritime Transportation
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Dear Senator Shelton,

Hafa Adai! This is to provide you with a copy of the General Manager's (GM) Report presented to the Board of Directors during the monthly meeting held on July 6, 2023. I am submitting this to you because in this report you will see that the GM addressed every single allegation raised by a few of your senatorial colleagues at the confirmation hearing that took place on May 3, 2023 for the Port Board nominations of Mr. Francisco Santos and Mr. Luis Baza. Unfortunately, the General Manager was not allowed to speak at that hearing and had to resort to clearing the record at our Board of Directors meeting held yesterday.

We are hopeful that all the allegations raised were thoroughly addressed and that this will advance the nominations of Messrs. Santos and Baza, and that you will bring their names to the floor for a vote.

Therefore, we are respectfully requesting that their nominations be reported out by your Committee. We are down to three Board members which is the minimum required for a quorum and it is not prudent to be in a situation where a meeting cannot be held due to lack of quorum.

Moreover, Board Secretary Dr. Judith P. Guthertz and my term expired on June 30, 2023 and we are in the process of being reappointed by Governor Lou Leon Guerrero. We thank you for the support that you are giving the Port as our Legislative Oversight Chair and trust that you will be able to provide for the needs of the Port in your legislative capacity.

Sincerely,

DOROTHY P. HARRIS
Vice Chairperson

Attachment

Cc: Governor Lourdes Leon Guerrero
Lt. Governor Joshua Tenorio
Speaker Therese Terlaje
All Senators
PAG Board of Directors
Rory J. Respicio, PAG General Manager



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

April 5, 2021

MEMORANDUM

TO: Chief Procurement Officer, General Services Agency
FROM: Rory J. Respicio, General Manager *Rory Respicio*
SUBJECT: Assignment

Hafa Adai! We discussed the training needed to be conducted with Mrs. JoyJean Arceo, Port's Procurement & Supply Manager as pointed out by her attorney. Her attorney informed us the Port did not provide Mrs. Arceo with a reasonable opportunity to correct inadequate performance, including specific training to improve the level of her job performance or correct unacceptable habits or practices. Based on our discussion, you agreed to have her assigned to General Services Agency.

To ensure that she receives the training required to efficiently perform her duties and responsibilities as a Procurement & Supply Manager, she has been advised that she will be assigned to the General Services Agency (GSA), Department of Administration effective Tuesday, April 6, 2021.

She will report to you, who will be supervising her work performance and attendance on a daily basis, and provide her with the expertise training in the Guam Procurement rules, regulations, policies and procedures.

During her assignment at GSA, she will not have any oversight responsibilities for the programs and activities of the Port Procurement & Supply Division, including the staff. She will be required to obtain permission from me should she wish to come to the Port Administration Building or Supply Division within the terminal yard.

Her assignment will terminate once you are of the opinion that her job performance satisfies your expectations that she is proficient in the Guam Procurement law and effectively perform her duties and responsibilities as the Procurement & Supply Manager for the Port.

Your cooperation is appreciated. *Si Yu'os Ma'ase.*

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

ACKNOWLEDGEMENT COPY

RECEIVE BY *[Signature]*
DATE 4/5/21 @ 10:49am



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

April 5, 2021

INTER-OFFICE MEMORANDUM

TO: JoyJean R. Arceo, Procurement & Supply Manager

FROM: Rory J. Respicio, General Manager *Rory Respicio*

SUBJECT: Assignment

Hafa Adai! In your response to the Notice of Proposed Adverse Action, your representative, Attorney Jaqueline Terlaje stated that the Port did not provide you a reasonable opportunity for you to correct inadequate performance, including specific training to improve the level of your job performance or correct unacceptable habits or practices.

To ensure that you will receive the training required for you to efficiently perform your duties and responsibilities as a Procurement & Supply Manager, you will be assigned to the General Services Agency (GSA), Department of Administration effective Tuesday, April 6, 2021.

You will report to Mrs. Claudia Acfalle, Chief Procurement Officer, who will be supervising your work performance and attendance on a daily basis and provide you with the expertise training in the Guam Procurement rules, regulations, policies and procedures.

During your assignment at GSA, you will not have any oversight responsibilities for the programs and activities of the Port Procurement & Supply Division, including the staff. You will be required to obtain permission from me should you wish to come to the Port Administration Building or Supply Division within the terminal yard.

Your assignment will terminate once Mrs. Acfalle is of the opinion that your job performance satisfies her expectations that you are proficient in the Guam Procurement law and effectively perform your duties and responsibilities as the Procurement & Supply Manager for the Port.

Your cooperation is appreciated. *Si Yu'os Ma'ase.*

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



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

September 26, 2023

MEMORANDUM

To: Board of Directors

From: Rory J. Respicio, General Manager 

Subject: Request for Creation of Position – Assistant Procurement & Supply Manager

Hafa Adai! The Port serves as the only commercial port on the island of Guam and serves as the primary transshipment hub for other islands in the Southwest Pacific region, such as, Commonwealth of the Northern Marianas Islands, Federated States of Micronesia, Republic of Marshall Islands and Palau. Citizens of Guam and neighboring islands depend on the Port to provide essential goods, most notably food products, medical supplies, building materials and fuel. Currently, more than 90 percent of the total volume of goods and supplies needed to support activities flow through the Port. In addition, the U.S. military relies on the Port to handle nearly all of the military cargo and equipment moving in and out of Guam to support Defense community's needs.

With over 90% of containerized and breakbulk commodities passing through its wharves and the lifeline between Guam, the region and the rest of the world, it is critically important that the Port invests in initiatives to upgrade its infrastructure, facilities, equipment to achieve resiliency, ensure supply chain sustainability and enhance operational capacity and services.

Over the past decade, the Port has grown and evolved into a world-class commercial port and has had significant success, evidenced with the recent successful completion of the \$50 million Port Modernization Program, the recent ground-breaking for Hotel Wharf Rehabilitation Projects, and federal funding to repair Golf Pier and F-1 and F-6 wharves. Moving forward, the Port continues to develop its maintenance and capital improvement projects with future development partnership with U.S. Department of Defense's Indo-Pacific Strategy and Pacific Deterrence Initiatives.

Typhoon Mawar hit Guam on May 24, 2023 and left behind a massive trail of destruction. Port employees worked tirelessly to get the Port back up and in three days the Agency was fully operational. Based on the assessment conducted by Engineering staff, it was determined that the estimated cost of \$9 million plus would be needed to repair or replace the Port facilities due to damages sustained.

To ensure the Port issues the necessary procurement solicitations required which will focus on making certain that future readiness and resiliency of the modernized port through hardening its assets and resources are done, there is a need to establish an Assistant Procurement & Supply Manager position within the Port's Classification and Compensation Plan. The proposed position will assist the Procurement and Supply Manager in managing the day-to-day activities of the division. By employing an individual to occupy this position will allow the Procurement and Supply Manager to collaborate with division heads and management and focus on ensuring the resiliency, reliability and supply chain is sustained for all Port users, the U.S. Department of Defense's mission on Guam and the local community are not jeopardized.

We are attaching classification report and analysis justifying the need to create an Assistant Procurement & Supply Manager 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 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.
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 Assistant Procurement & Supply Manager, 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.	September 28, 2023
If Board agrees to proceed with the creation, the request will be transmitted to the division heads for review and comments	September 29, 2023
Posting of proposed creation of position on Port's website.	September 29, 2023 to October 13, 2023
Notification to be provided to the 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.	September 29, 2023
Request to be re-submitted to the Board for final approval and adoption by resolution.	October 26, 2023
Creation of position documents transmitted to the Director of Administration and Guam Legislative Secretary.	October 27, 2023
Process job announcement for positions and/or effective date of reallocation of positions.	November 28, 2023

In light of the above, we are transmitting our request to create the Assistant Procurement & Supply Manager position in the classified service for your initial review and approval to begin the transparency and disclosure process for the creation.

Your 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 – ASSISTANT PROCUREMENT AND SUPPLY MANAGER
POSITION

REQUEST:

On August 31, 2023, the General Manager requested the Board of Directors to begin the transparency process to create the Assistant Procurement & Supply Manager position. Approval was granted by the Board of Directors and Human Resources Division was asked to review the Port's current organizational structure and establish an Assistant Procurement & Supply Manager 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 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 Port serves as the only commercial port on the island of Guam and serves as the primary transshipment hub for other islands in the Southwest Pacific region, such as, Commonwealth of the Northern Marianas Islands, Federated States of Micronesia, Republic of Marshall Islands and Palau. Citizens of Guam and neighboring islands depend on the Port to provide essential goods, most notably food products, medical supplies, building materials and fuel. Currently, more than 90 percent of the total volume of goods and supplies needed to support activities flow through the Port. In addition, the U.S. military relies on the Port to handle nearly all of the military cargo and equipment moving in and out of Guam to support Defense community needs.

With over 90% of containerized and breakbulk commodities passing through its wharves and the lifeline between Guam, the region and the rest of the world, it is critically important that the Port invests in initiatives to upgrade its infrastructure, facilities, equipment to achieve resiliency, ensure supply chain sustainability and enhance operational capacity and services.

Over the past decade, the Port has grown and evolved into a world-class commercial port and has had significant success, evidenced with the recent successful completion of the \$50 million Port Modernization Program, the recent ground-breaking for Hotel Wharf Rehabilitation Projects, and federal funding to repair Golf Pier and F-1 and F-6 wharves. Moving forward, the Port continues to develop its maintenance and capital improvement projects with future development partnership with U.S. Department of Defense's Indo-Pacific Strategy and Pacific Deterrence Initiatives.

Typhoon Mawar hit Guam on May 24, 2023 and left behind a massive trail of destruction. Port employees worked tirelessly to get the Port back up and in three days the Agency was fully operational. Based on the assessment conducted by Engineering staff, it was determined that the estimated cost of \$9 million plus would be needed to repair or replace the Port facilities due to damages sustained.

To ensure the Port issues the necessary procurement solicitations required which will focus on making certain that future readiness and resiliency of the modernized port through hardening its assets and resources are done, there is a need to establish an Assistant Procurement & Supply Manager position within the Port's Classification and Compensation Plan. The proposed position will assist the Procurement and Supply Manager in managing the day-to-day activities of the division. By employing an

individual to occupy this position will allow the Procurement and Supply Manager to collaborate with division heads and management and focus on ensuring the resiliency, reliability and supply chain is sustained for all Port users, the U.S. Department of Defense's mission on Guam and the local community are not jeopardized.

METHODOLOGY:

Human Resources staff reviewed the duties and responsibilities of the proposed Assistant Procurement & Supply Manager 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 Assistant Procurement & Supply Manager position will assist in directing the programs and activities of the Procurement & Supply Division. The position will assume the duties of the Procurement and Supply Manager in his/her absence.

The position requires knowledge of:

- Modern principles, practices and techniques of public procurement and supply administration
- Principles and practices of public administration

The position requires skill:

- Negotiating contracts
- Managing budget
- Writing reports and correspondence

The position requires ability to:

- Administer, coordinate and direct the work of subordinate staff.
- Interpret, apply and make decisions in accordance with applicable laws, policies, regulations and to other 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 will be assisting the Procurement & Supply Manager in the daily activities of the division and work products produced by the following staff:

- 1 Contracts Management Administrator
- 1 Buyer Supervisor
- 1 Buyer II
- 1 Buyer I
- 1 Inventory Management Administrator
- 1 Supply Supervisor
- 2 Supply Technician I
- 1 Administrative Officer
- 1 Administrative Assistant

The position reports to the Procurement & Supply Manager. The dimensions of the position are:

No. of Personnel:	10
Operating Budget:	\$1,209,454

Guidelines to be used by this position includes established laws, agency/division policies and the principles, methods, practices, and techniques involved in local and federal procurement.

The experience and training of the position requires possession of a Bachelor's degree in public or business administration and five (5) years of experience in the various phases of technical procurement and supply management work, including two (2) years in supervisory experience in public procurement and contract negotiations.

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 and other autonomous agencies staffing patterns reveal there are positions that are closely associated with the proposed Assistant Chief Procurement Officer position; however, those positions are subjected to the sole use of the line departments or autonomous agencies and cannot be used by the Port Authority of Guam.

As a result, it is recommended that an Assistant Procurement & Supply Manager 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 of Directors.

RECOMMENDATION:

Our review has determined the following pay grade allocation for the Assistant Procurement & Supply Manager:

Structural Adjustment – Minimum		Structural Adjustment – Maximum	
M-6A	\$86,774.00	M-7A	\$90,297.00

Based on the above and the attached analysis and documents, it is recommended that the Board of Directors approve the creation of the Assistant Procurement & Supply Manager position and the resultant pay grade allocations at the pay grades indicated above in the classified service.


SHAWN B. CEPEDA
Acting Personnel Services Administrator

ASSISTANT PROCUREMENT AND SUPPLY MANAGER

NATURE OF WORK:

Assists in directing the programs and activities of the Procurement & Supply Division of the Jose D. Leon Guerrero Commercial Port.

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.)

Assists in directing the procurement and supply program operations, including purchasing and contracting for materials and supplies, inventory management, surplus property, warehousing, distribution, competitive sealed bidding, and other legally authorized method, customer service including technical and research support for divisions and related activities with respect to supplies and services.

Coordinates and confers with division heads and employees regarding general and specific supply and services needs and problems. Coordinates the implementation of approved supply and services programs and procedures.

Evaluates operations, develops and modifies plans and procedures; works with management and supervisors to determine needs; plans program, interprets and recommends policies and procedures; recommends solution to problems.

Participates in preparing and administering division's budget and administrative policies for personnel, training and safety.

Disseminates and promotes understanding of the objectives and methods of the Authority's legal mandate among employees and division heads.

Maintains records and prepare reports.

Performs related duties as required.

MINIMUM KNOWLEDGE, ABILITIES AND SKILLS:

Knowledge of modern principles, practice sand techniques of public procurement and supply administration and operations.

Knowledge of the principles and practices of public administration.

Ability to administer the programs and activities of the various procurement and supply management functions an autonomous agency.

Ability to interpret, apply and make decisions in accordance with pertinent laws, policies, regulations and other program guidelines.

Ability to evaluate operational effectiveness and initiate/recommend changes in program requirements and operations to improve effectiveness.

Ability to work effectively with the public and employees.

Ability to communicate effectively, orally and in writing.

Ability to maintain records and prepare reports.

Skill in negotiating contracts; managing properties and budget and writing reports and correspondence.

MINIMUM EXPERIENCE AND TRAINING:

- A. Five (5) years of experience in the various phases of technical procurement and supply management work, including two (2) years in supervisory experience in public procurement and contract negotiations and possession of a Bachelor's degree in public or business administration and
- B. Any equivalent combination of experience and training which provides the minimum knowledge, abilities and skills.

JOB EVALUATION
For
ASSISTANT PROCUREMENT AND SUPPLY MANAGER

Factors	Points	Comments
Education	I 132	Tertiary/Journeyman: Requires e.g. 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 toward a specific trade or profession rather than generalized management training. Application may also apply to certification in technological or para-professional occupations or subsequent completion of undergraduate or higher professional certifications.
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 55 264 132.0	Involved: Whilst the end results are still generally defined the means of achieving them are becoming unspecified and as a result more complex. The need to balance continuous conflicting demands together with an increasing level of unpredictability is encountered.
Scope of Work	D 20 264	Managerial: Management of a significant operational or functional unit/department or division including the planning, directing and controlling of all activities and resources.
Problem Solving	E 115	Complex: 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 115	Guidance: Jobholder is expected to work with a large degree of independence within the organization's plans, policies and reporting requirements. Overall guidelines and objectives are discussed initially and progress is reviewed intermittently and informally.
Work Environment	A1 12	Work is performed indoors in office conditions with almost no unpleasant environmental influences.

Factors	Points	Comments
Physical Demands	A1 22	Work is usually performed sitting, with the opportunity to stand and walk freely.
Impact of Discretionary Decisions	D2 76	Direct impact of a single decision causes a major impact which can be expressed in dollar terms of tens of thousands of dollars.
Human Relations Skills/Contacts	E3 76	Sensitive/responsive: extensive contact with a large part of the organization and/or need to lead, motivate and direct staff in sensitive employee relations conditions.
Authority Exercised	F2 115	Approves routine expenditure within budgetary limits and is accountable for an O&M budget \$200,000 to \$2 million
Supervisory & Managerial Responsibility	B1 25	Has full supervisory/managerial responsibility for up to 10 staff to include allocation of work, accountability for the outputs, quality, etc. and appraisal of their performance.
TOTAL POINTS	1005	

PAY GRADE ALLOCATION

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
1005	M-6A	\$86,774	M-7A	\$90,297

Fiscal Year 2024
FUNCTIONAL STATEMENT FOR
PROCUREMENT & SUPPLY 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, ADMINISTRATION & FINANCE

The Deputy General Manager for Administration & Finance is responsible for the overall operations and administration of Marketing/Public Relations, Corporate Services, General Administration, Commercial, Human Resources, Information Technology, Procurement & Supply, and Finance Divisions.

PROCUREMENT AND SUPPLY DIVISION

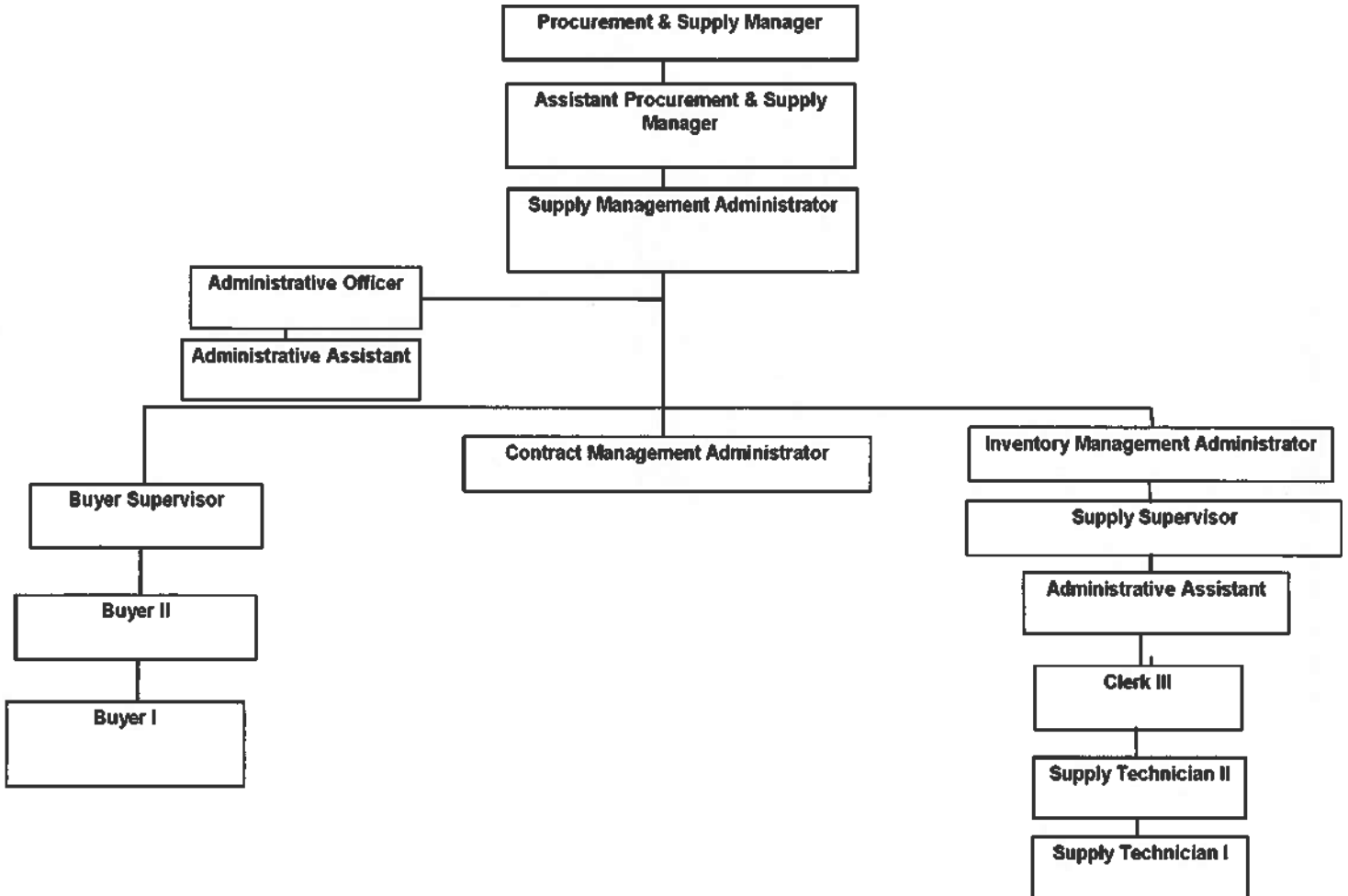
This division is responsible for the procurement and supply, inventory and surplus property programs for the Agency.

Procurement Section: This section is responsible for ensuring that the General Manager's delegation of procurement authority is safe guarded and ensures that all applicable federal and territorial procurement rules and regulations are adhered to.

Supply Section: This section is responsible for multi-million dollar parts/supplies inventories; operate and maintain the sole parts/supply warehouse for the entire Port Authority.

**JOSE D. LEON GUERRERO COMMERCIAL PORT
ORGANIZATIONAL CHART – FISCAL YEAR 2024**

PROCUREMENT AND SUPPLY DIVISION



PORT AUTHORITY OF GUAM



POSITION DESCRIPTION

1.0 IDENTIFICATION

POSITION TITLE	Assistant Procurement & Supply Manager
POSITION NUMBER	
NAME OF EMPLOYEE	New
NAME OF DIRECT SUPERVISOR	Pacifico Martir
TITLE OF DIRECT SUPERVISOR	Deputy General Manager, Administration & Finance
JOB LOCATION (Department / Agency)	Port Authority of Guam
DIVISION	Procurement & Supply
DEPARTMENT	Corporate Services
SECTION / UNIT	
FLSA	
CLASSIFICATION	<input checked="" type="checkbox"/> Classified <input type="checkbox"/> Unclassified <input type="checkbox"/> Vacant
JOB EVALUATION POINTS	1005
PAY GRADE	M-6A
POSITION DESCRIPTION (Reviewed)	

2.0 DESCRIPTION OF DUTIES

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
1	Assists the Procurement & Supply Manager in directing the procurement and supply programs for the Authority.
2	Coordinates and collaborates with division heads and end users regarding general and specific supply and services needs and problems.
3	Evaluates operations, develops and modifies plans and procedures. Works with management and supervisor to determine needs; plans, programs, interprets and recommends policies and procedures and recommends solution to problems.
4	Participates in preparing and administering division budgets and administrative policies for personnel, training and safety
5	Disseminates and promotes understanding of the objectives and methods of the Authority's' legal mandates among employees and division heads.
6	Maintains records and prepare reports.
7	Performs related duties as assigned.

2.2 NON-ESSESNTIAL 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
	None

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
	Up to 15% of total working hours
	15 - 50% of total working hours
X	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
1	Contracts Management Administrator	Monitors contracts for capital development and major maintenance projects to ensure contractor compliance.
1	Inventory Supply Administrator	Administers and monitors inventory management and control programs of all Port properties, materials, supplies equipment, furniture and furnishing.
1	Buyer Supervisor	Supervises procurement activities
1	Supply Supervisor	Supervises the operation of a storeroom
1	Administrative Officer	Complex administrative work in providing administrative and support services to the division

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
	Personal Computer

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

c) Specialized Years Months

Various phases of technical procurement and supply management work	5	0

d) Supervisor / Management Years Months

Two years in supervisory experience in public procurement and contract negotiations		

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	Public or business administration
Masters	
Beyond Masters	

7.1.3 CRITICAL SKILLS / EXPERTISE

List specialized skills or specialization needed to perform essential functions:

Skill in negotiating contracts, managing properties and budget and writing reports and correspondence
Modern principles, practices and techniques of public procurement and supply administration and operations
Administer programs and activities of the various procurement and supply management 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.

	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).
	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.)
- 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:

Position Description - Chief Engineer

Page 10

%

- 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

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 2023				FY 2024			
	General	Crane Surcharge	FMF	Marinas	General	Crane Surcharge	FMF	Marinas
Revenues								
Expenditures					\$90,297			
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 an Assistant Procurement & Supply Manager 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 Assistant Procurement & Supply Manager position and its corresponding salary range.

Assistant Procurement & Supply Manager

Job Evaluation Points	Pay Grade/Step & Sub-Step	Minimum Salary	Pay Grade/Step & Sub-Step	Maximum Salary
1005	M-6A	\$86,774	M-7A	\$90,297

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 September 28, 2023, the creation of position – Assistant Procurement & Supply Manager. The funding for this position 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 this position starting October 1, 2023 it will increase the salary for FY 2024 to \$86,774.
- 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 appropriation for the new position creation will come from the Vacancy Pool budget for FY 2024. The expenditures for FY 2024 are indicated in section 1A.

Name: Jose B. Guevara III, Chief Financial Officer
 Division: Finance Division
 Telephone: (671) 477-5931 ext. 211
 Date Prepared: 9/27/2023



PORT OF GUAM
ATURIDAT / 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
Website: www.portguam.com



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

September 27, 2023

MEMORANDUM

TO: Board of Directors

FROM: Rory J. Respicio, General Manager *Rory J. Respicio*

SUBJECT: Request for \$5K; ATOSSCOM 48th Annual Conference, November 27-30, 2023, Pohnpei, FSM

The Port Authority of Guam is a member of the Association of Terminal Operators, Stevedoring and Shipping Companies of Micronesia (Atosscom), and also serves as Secretary on the Atosscom Executive Committee. In its annual meeting held on August 2023, the Executive Committee agreed to hold its 48th Annual Conference on November 27-30, 2023 in Pohnpei, FSM. The host of the conference is Pohnpei Ports Authority, Federated Shipping Company, Ltd and Pohnpei Transfer and Storage, Inc. This year's theme is "***Building Stronger Ports and Supply Chains***".

In preparation of the conference, the Port Authority has been intimately involved in the discussions as well as providing the support and assistance where needed aimed towards a successful conference outcome. These include, but not limited to registration, logistics, printing conference materials, sponsorship and Guest speaker coordination, planning meetings, and administrative support.

In light of this, request is being made to provide sponsorship support in the amount of \$5,000 for the ATOSSCOM Association's annual conference expenses.

Your favorable approval is requested. I am available for any questions you may have.

BOARD OF DIRECTORS

*Dorothy P. Harris, Vice Chairperson
Dr. Judith P. Guthertz, Board Secretary
Conchita S.N. Taitano, Member*



Resolution No. 2023-08

**RELATIVE TO COMMENDING AND CONGRATULATING
MR. FRANKIE R.J. CRUZ ON HIS RETIREMENT WITH
THE JOSE D. LEON GUERRERO COMMERCIAL PORT**

**BE IT RESOLVED BY BOARD OF DIRECTORS OF THE JOSE D. LEON GUERRERO
COMMERCIAL PORT:**

WHEREAS, Mr. Frankie R.J. Cruz, an employee of the Jose D. Leon Guerrero Commercial Port retired July 14, 2023, after 36 years of government service; and

WHEREAS, Mr. Cruz started his employment at the Port on November 16, 1988 as an Equipment Operator II (Casual); and

WHEREAS, Mr. Cruz demonstrated exemplary performance and rose through the ranks as Equipment Operator II (Full-Time) in February 1990, Equipment Operator III in September 1990, Crane Operator in November 1992, and Equipment Operator Leader in June 2005; and

WHEREAS, Mr. Cruz displayed outstanding leadership skills and was promoted as Transportation Supervisor in March 2015; and

WHEREAS, throughout his career, Mr. Cruz received numerous letters of commendations for his service rendered to the community of Guam, including sick and service awards, Outstanding Work Center of the Quarter Award for the periods of October to December 2020, April to June 2022, October to December 2022 and January to March 2023; Employee of the Quarter Award for April to June 2005; and Supervisor of the Quarter Award for October to December 2023; and

WHEREAS, Mr. Cruz made valuable contributions towards the growth of this Agency, safeguarded the supply chain for the people of Guam and ensured that cargoes were off-loaded on a timely basis; and

WHEREAS, throughout his career with the Port, he upheld the highest level of integrity by carrying out his duties with respect and value for fellow employees, customers and constituents and performed his duties in an outstanding manner; and

WHEREAS, Mr. Cruz will be sorely missed, all concerned wish him the best on his retirement, now therefore be it

RESOLVED, that the Board of Directors on behalf of the employees and management recognize and congratulate Mr. Cruz on the occasion of his retirement after more than 36 years of outstanding public service; commend him for his immeasurable contributions to the Jose D. Leon Guerrero Commercial Port of Guam and the people of Guam and hope that his retirement will be a happy and fruitful period for him and his family; and be it further

RESOLVED, that the Chairman certify to, and the Secretary attest to, the adoption hereof and that copies of the same be thereafter transmitted to Mr. Frankie R.J. Cruz.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 28th DAY OF SEPTEMBER, 2023.**

**DOROTHY P. HARRIS
ACTING CHAIRPERSON, BOARD OF
PORT AUTHORITY OF GUAM**

**DR. JUDITH P. GUTHERTZ
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM**



Resolution No. 2023-09

**RELATIVE TO COMMENDING AND CONGRATULATING
MR. JERRY D. SANCHEZ ON HIS RETIREMENT WITH
THE JOSE D. LEON GUERRERO COMMERCIAL PORT**

BE IT RESOLVED BY BOARD OF DIRECTORS OF THE JOSE D. LEON GUERRERO COMMERCIAL PORT:

WHEREAS, Mr. Jerry D. Sanchez, an employee of the Jose D. Leon Guerrero Commercial Port retired March 3, 2023, after 30 years of government service; and

WHEREAS, Mr. Sanchez began his public servant career with the Port as a Security Guard (Armed) in November 1992 and promoted to a Port Police II in June 1995; and

WHEREAS, throughout his career, Mr. Sanchez received several awards for his professional service to Port customers and employees, as well as, awards including service and sick leave and Magnificent Seven Silver Star Medal in November 1991 and Employee of the Quarter for October to December 2003; and


WHEREAS, throughout his career with the Port, he upheld the highest level of integrity by carrying out his duties with respect and value for fellow employees, customers and constituents and performed his duties in a satisfactory manner; and

WHEREAS, Mr. Sanchez will be sorely missed, all concerned wish him the best on his retirement, now therefore be it

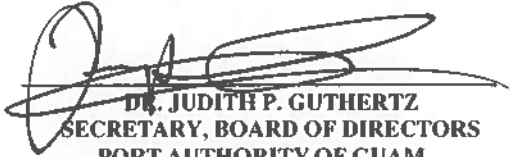
RESOLVED, that the Board of Directors on behalf of the employees and management of the Jose D. Leon Guerrero Commercial Port commend Mr. Jerry D. Sanchez, for his public service and hope that his retirement will be a happy and fruitful period for him and his family; and be it further

RESOLVED, that the Chairman certify to, and the Secretary attest to, the adoption hereof and that copies of the same be thereafter transmitted to Mr. Jerry D. Sanchez.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 28th DAY OF SEPTEMBER, 2023.**



DOROTHY P. HARRIS
ACTING CHAIRPERSON, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



DR. JUDITH P. GUTHERTZ
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



Resolution No. 2023-10

**RELATIVE TO COMMENDING AND CONGRATULATING
MR. GEORGE C. PECINA ON HIS RETIREMENT WITH
THE JOSE D. LEON GUERRERO COMMERCIAL PORT**

**BE IT RESOLVED BY BOARD OF DIRECTORS OF THE JOSE D. LEON GUERRERO
COMMERCIAL PORT:**

WHEREAS, Mr. George C. Pecina, an employee of the Jose D. Leon Guerrero Commercial Port retired January 1, 2017, after 25 years of government service; and

WHEREAS, Mr. Pecina began his public career with the Port as a Tariff Technician on July 28, 1997; and

WHEREAS, throughout his career as a public servant, he rose up the ranks as an Accounting Technician II in December 2001 and Accounting Technician III in September 2018; and

WHEREAS, throughout his career, Mr. Pecina received numerous awards for his dedication to the Port, as well as, awards, including service and sick leave, Outstanding Work Center of the Quarter for the periods April to May 2001, January to March 2002 and July to September 2002; Outstanding Work Center of the Year for the period of October 2000 to September 2001; and

WHEREAS, he upheld the highest level of integrity by carrying out his duties with respect and value for fellow employees, customers and constituents and performed his duties in a satisfactory manner; and

WHEREAS, Mr. Pecina will be sorely missed, all concerned wish him the best on his retirement, now therefore be it

RESOLVED, that the Board of Directors on behalf of the employees and management of the Jose D. Leon Guerrero Commercial Port commend Mr. George Pecina, for his public service and hope that his retirement will be a happy and fruitful period for him and his family; and be it further

RESOLVED, that the Chairman certify to, and the Secretary attest to, the adoption hereof and that copies of the same be thereafter transmitted to Mr. George C. Pecina.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 28th DAY OF SEPTEMBER, 2023.**



DOROTHY P. HARRIS
ACTING CHAIRPERSON, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



DR. JUDITH P. GUTHERTZ
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



Resolution No. 2023-11

**RELATIVE TO COMMENDING AND CONGRATULATING
MR. SIMON S. PINAULA ON HIS RETIREMENT WITH
THE JOSE D. LEON GUERRERO COMMERCIAL PORT**

**BE IT RESOLVED BY BOARD OF DIRECTORS OF THE JOSE D. LEON GUERRERO
COMMERCIAL PORT:**

WHEREAS, Mr. Simon S. Pinaula, an employee of the Jose D. Leon Guerrero Commercial Port retired October 31, 2022, after 29 years of government service; and

WHEREAS, Mr. Pinaula started his employment at the Port on November 24, 1992 as a Stevedore; and

WHEREAS, Mr. Pinaula demonstrated exemplary performance and rose through the ranks as a Stevedore Supervisor II in November 1995; and

WHEREAS, Mr. Pinaula continued to demonstrate his outstanding managerial skills and was promoted to Stevedoring Superintendent in December 1996 and was placed in an acting capacity for Operations Manager on numerous occasions; and

WHEREAS, throughout his career, Mr. Pinaula received numerous letters of commendations for his professional service he rendered to other Government of Guam agencies, including sick and service awards, Outstanding Work Center of the Quarter for the period January to March 1996; Outstanding Work Center of the Year for the period of October 1997 to September 1998; and

WHEREAS, Mr. Pinaula made valuable contributions towards the growth of this Agency, safeguarded the supply chain for the people of Guam and ensured that vessels were serviced in a timely manner and no disruption of distribution of cargoes occurred; and

WHEREAS, Mr. Pinaula upheld the highest level of integrity by carrying out his duties with respect and value for fellow employees, customers and constituents and performed his duties in an outstanding manner; and

WHEREAS, Mr. Pinaula will be sorely missed, all concerned wish him the best on his retirement, now therefore be it

RESOLVED, that the Board of Directors on behalf of the employees and management recognize and congratulate Mr. Pinaula on the occasion of his retirement after more than 29 years of outstanding public service; commend him for his immeasurable contributions to the Jose D. Leon Guerrero Commercial Port and the people of Guam and hope that his retirement will be a happy and fruitful period for him and his family; and be it further

RESOLVED, that the Chairman certify to, and the Secretary attest to, the adoption hereof and that copies of the same be thereafter transmitted to Mr. Simon S. Pinaula.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 28th DAY OF SEPTEMBER, 2023.**



DOROTHY P. HARRIS
ACTING CHAIRPERSON, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



DR. JUDITH P. GUTHERTZ
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



Resolution No. 2023-12

**RELATIVE TO COMMENDING AND CONGRATULATING
MR. WILFREDO B. ADONAY ON HIS RETIREMENT WITH
THE JOSE D. LEON GUERRERO COMMERCIAL PORT**

**BE IT RESOLVED BY BOARD OF DIRECTORS OF THE JOSE D. LEON GUERRERO
COMMERCIAL PORT:**

WHEREAS, Mr. Wilfredo B. Adonay, an employee of the Jose D. Leon Guerrero Commercial Port retired May 5, 2023, after 26 years of government service; and

WHEREAS, Mr. Adonay began his public servant career on September 9, 1996, as a Heavy Equipment Mechanic I and was promoted to Heavy Equipment Mechanic II in December 1999; and

WHEREAS, Mr. Adonay received several letters of appreciation for his professional service to the Port customers, as well as, awards, including sick leave and service, Outstanding Work Center of the Year for October 1997 to September 1998 and October 1998 to September 1999; and

WHEREAS, Mr. Adonay upheld the highest level of integrity by carrying out his duties with respect and value for fellow employees and Port customers and performed his duties in a highly satisfactory manner; and

WHEREAS, Mr. Adonay will be sorely missed, all concerned wish him the best on his retirement, now therefore be it


RESOLVED, that the Board of Directors on behalf of the employees and management of the Jose D. Leon Guerrero Commercial Port commend Mr. Wilfredo B. Adonay for his public service and hope that his retirement will be a happy and fruitful period for him and his family; and be it further

RESOLVED, that the Chairman certify to, and the Secretary attest to, the adoption hereof and that copies of the same be thereafter transmitted to Mr. Wilfredo B. Adonay.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 28th DAY OF SEPTEMBER, 2023.**



DOROTHY P. HARRIS
ACTING CHAIRPERSON, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



DR. JUDITH P. GUTHERTZ
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



Resolution No. 2023-13

**RELATIVE TO COMMENDING AND CONGRATULATING
MR. ANTONIO Q. UNTALAN ON HIS RETIREMENT WITH
THE JOSE D. LEON GUERRERO COMMERCIAL PORT**

**BE IT RESOLVED BY BOARD OF DIRECTORS OF THE JOSE D. LEON GUERRERO
COMMERCIAL PORT:**

WHEREAS, Mr. Antonio Q. Untalan, an employee of the Port Authority of Guam retired March 31, 2023, after 27 years of government service; and

WHEREAS, on December 14, 1995, Mr. Untalan began his public servant career with the Port as an Equipment Operator II; and

WHEREAS, throughout his career, Mr. Untalan received several letters of appreciation for his professional service to the Port customers, as well as, awards, including service and sick leave, Outstanding Work Center of the Quarter for the periods April to June 2022; Employee of the Quarter for July 2005 to September 2005; Good Housekeeping Work Center of the Year for October 2021 to September 2022; and

WHEREAS, Mr. Untalan upheld the highest level of integrity by carrying out his duties with respect and value for fellow employees and Port customers and performed his duties in a highly satisfactory manner; and

WHEREAS, Mr. Untalan will be sorely missed, all concerned wish him the best on his retirement, now therefore be it

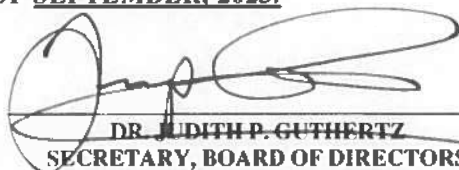
RESOLVED, that the Board of Directors on behalf of the employees and management of the Jose D. Leon Guerrero Commercial Port commend Mr. Antonio Q. Untalan for his public service and hope that his retirement will be a happy and fruitful period for him and his family; and be it further

RESOLVED, that the Chairman certify to, and the Secretary attest to, the adoption hereof and that copies of the same be thereafter transmitted to Mr. Antonio Q. Untalan.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 28th DAY OF SEPTEMBER, 2023.**



DOROTHY P. HARRIS
ACTING CHAIRPERSON, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



DR. JUDITH P. GUTHERTZ
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



Resolution No. 2023-14

**RELATIVE TO COMMENDING AND CONGRATULATING
MR. LUIS R. BAZA ON HIS RETIREMENT WITH
THE JOSE D. LEON GUERRERO COMMERCIAL PORT**

**BE IT RESOLVED BY BOARD OF DIRECTORS OF THE JOSE D. LEON GUERRERO
COMMERCIAL PORT:**

WHEREAS, Mr. Luis R. Baza, an employee of the Jose D. Leon Guerrero Commercial Port retired under the Defined Contribution Retirement Plan on December 31, 2023 with vested service with the Government of Guam; and

WHEREAS, Mr. Baza was appointed by the Board of Directors on December 13, 2019 as the Deputy General Manager for Administration and Finance; and

WHEREAS, with his infinite display of dedication and passion, Mr. Baza excelled in his position as Deputy General Manager and was able to achieve the performance goals and objectives given to him by the General Manager and Board of Directors; and

WHEREAS, during the two years of employment with the Port, he exemplified the qualities of a proven leader: dedicated, trustworthy, responsible, strong willed, courageous and confident; and

WHEREAS, Mr. Baza played a significant role in making critical decisions for the progress and betterment of the Agency, its employees and stakeholders despite those trying times and challenges, he stood strong, proud and continued to persevere putting the best interest of the Port and the community first; and

WHEREAS, Mr. Baza upheld the highest level of integrity by carrying out his duties with respect and value for fellow employees, customers and constituents; and

WHEREAS, Mr. Baza will affectionately be remembered by the Port Strong Family, going beyond his responsibility to assist and provide for all employees and division heads to help them shine and instilling a strong family organization attitude making the Port a shining star in the Government of Guam organization; and

WHEREAS, the Board of Directors, management and employees are most appreciative of Mr. Baza's services, giving them a voice and direction and inspiring others through his enthusiasm and commitment to the Jose D. Leon Guerrero Commercial Port; now therefore be it

RESOLVED, that it is the pleasure of the Board of Directors, Management and Employees to present this resolution to Mr. Luis R. Baza and thank him for his public service to the Jose D. Leon Guerrero Commercial Port and the people of Guam and hope that his retirement will be a happy and fruitful period for him and his family; and be it further

RESOLVED, that the Chairman certify to, and the Secretary attest to, the adoption hereof and that copies of the same be thereafter transmitted to Mr. Luis R. Baza.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 28th DAY OF SEPTEMBER, 2023.**



DOROTHY P. HARRIS
ACTING CHAIRPERSON, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



DR. JUDITH P. GUTHERTZ
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



BOARD OF DIRECTORS

*Dorothy P. Harris, Vice Chairperson
Dr. Judith P. Guthertz, Board Secretary
Conchita S.N. Taitano, Member*



Resolution No. 2023-15

RELATIVE TO AUTHORIZING THE GENERAL MANAGER TO PROCEED WITH REALIGNMENT OF THE PORT AUTHORITY OF GUAM'S ORGANIZATIONAL STRUCTURE AND TO AMEND CLASSIFIED JOB SPECIFICATIONS AND TO RETIRE VACANT, OBSOLETE POSITIONS TO STREAMLINE ROLES AND RESPONSIBILITIES AND OPTIMIZE ORGANIZATIONAL EFFECTIVENESS

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

WHEREAS, 12 GCA Section 10104(c) compels the Board of Directors to establish the Authority's internal organization and management and to adopt regulations for the administration of its operations and the conduct of its affairs; and

WHEREAS, 12 GCA Section 10111(a) also dictates that the Board of Directors establish and amend rules and regulations governing the selection, promotion, performance evaluation, demotion, suspension and other disciplinary action for employees of the Authority; and

WHEREAS, 12 GCA Section 10107 delineates the duties and responsibilities of the General Manager, of which Subsection (f) prescribes that he selects and appoint the employees of the Authority and plan, organize, coordinate and control the services of such employees;

WHEREAS, Public Law 30-43 was passed effective July 2, 2009, approving the Authority's Personnel Rules and Regulations and Compensation and Classification Plan for Maritime Related Positions Unique to Port Operations and Certified, Technical and Professional Positions for the Authority; and

WHEREAS, Chapter 2 of the Personnel Rules and Regulations outlines the responsibilities of the General Manager to include that he maintains the position classification and compensation plan; and

WHEREAS, the effectiveness of the Authority's organization depends on how well roles are designed, how clearly and appropriately the interrelationships of various positions are developed and how well practices for planning, decision-making and communication are established; and

WHEREAS, the current organizational structure, established in 2006, has its limitations, and therefore an organizational realignment would better enhance and promote teamwork between the divisions, increase resource visibility, and manifest an improved sense of self-governance by its employees; and

WHEREAS, in the latter part of 2021, the Port saw the departures of two senior managers as a result of retirement and no succession plan was in place which caused a void in the leadership for the Maintenance Department; and

WHEREAS, to ensure the administration of the day-to-day activities and programs for the Maintenance Department are not disrupted, we appointed the Operations Manager to assume the duties and responsibilities of the Maintenance Manager without compensation; and

WHEREAS, during the past two years we have seen the division heads, superintendents and leaders when asked accept positions in an acting capacity, in most cases willingly absorb additional duties and responsibilities without compensation, and proven to go above and beyond to ensure the Port's mission is fulfilled and the supply chain to the island is not disrupted; and

WHEREAS, in April 2021, Moody's Investors Service issued a report that removed the Port Authority from credit watch based on strong finances despite the COVID-19 pandemic and demonstrated good cost control for fiscal years 2020 and 2021; and

WHEREAS, in October 2022, S&P Global affirmed the "A" long-term rating on the Port's series 2018 Port Revenue Bonds and through its credit opinion stated *"Our overall assessment for the Authority's enterprise profile is strong, reflecting very strong economic fundamentals, an adequate market position and strong governance."*; and

WHEREAS, in August 2023, the Guam Public Auditor announced that the Port achieved low-risk auditee status for the fourth consecutive year (2019 to 2022) in a row and said *"These clean, low risk status audits for the past four years demonstrate strong leadership and management from the General Manager and his team of dedicated, qualified and Port-strong employees."*; and

WHEREAS, the affirmation by S&P Global of the Port's 2018 Revenue Bond, along with the Port's low-risk designation from Moody's Investors Service, would bring the Port the creditability needed to seek funding to replace the Port's aging gantry cranes, rehabilitation of the wharves to ensure resiliency and replacing our aging facilities, and would show a commitment that the Port does not become a choke point for discharging and deploying military assets and commodities, in addition to management's charge to keeping the Port 100% operational at all times; and

WHEREAS, to ensure that the Port maintains this commitment, it is recommended that the current organizational structure be realigned to merge Operations and Equipment Maintenance divisions into one division; establish Facility Maintenance as a separate division; merge Capital Improvement Projects and Engineering divisions into one division; and separate Occupational Safety and Environmental Compliance into two singular divisions; and



WHEREAS, such realignment will not displace any employees nor have any adverse effect upon any classified employees within the divisions; and

WHEREAS, in accordance with an organizational realignment, job specifications for several classified positions would need to be amended to streamline the roles and responsibilities, optimize organizational effectiveness, and reflect the duties and responsibilities expected of the positions; and

WHEREAS, such amendments of job specifications for classified positions would need to comply with the transparency and disclosure process as outlined in 4 GCA Sections 6303 and 6303.1(a) and Rule 4.200 of the Authority's Personnel Rules and Regulations; and

WHEREAS, as a result of recent creation of positions and once the transparency and disclosure process has been completed for the amendments of job specifications for classified positions, there will be a need to retire several established classified job specifications, such as, Financial Affairs Controller, Engineering Manager, Maintenance Manager, Equipment Operator Leader and other classified positions whose duties and responsibilities would be consolidated into the amended job specifications that would optimize organizational effectiveness; and

WHEREAS, the cost savings associated with the retirement of those identified positions stated above would be \$742,939 including benefits; and

WHEREAS, the Board of Directors supports the General Manager's capability to lead the Authority through strategic transitions to create the capacity needed for sustained strong performance, so that the end results forge the organization's long-term success; and

WHEREAS, in the event the Authority's Board of Directors lacks a quorum due to an insufficient constitution of its members because appointed potential members are pending legislative confirmation, now therefore be it

RESOLVED, that the General Manager is hereby authorized, without further Board approval, to proceed with realigning the Authority's organizational structure by merging Operations and Equipment Maintenance divisions into one division; establishing Facility Maintenance as a separate division; merging Capital Improvement Projects and Engineering divisions into one division; and separating Occupational Safety and Environmental Compliance into two singular divisions; and be it further

RESOLVED, that, accordingly, the General Manager undertake the required transparency and disclosure process for the amendment of job specifications for classified positions pursuant to applicable statutory law and the Personnel Rules and Regulations; and be it further

RESOLVED, that, accordingly, the General Manager proceed without any further Board action to implement the aforementioned organizational changes after the public posting pursuant to 4 GCA § 6303(c)(2) is completed; and be it further

RESOLVED, that, accordingly, the General Manager proceed without any further Board action to detail the current occupants of the managerial positions, whose duties and responsibilities are modified by the above-described realignment, to those amended positions pending the permanent filling of their respective amended positions, pursuant to 4 GCA §6303(c)(3); and be it further

RESOLVED, that the Chairperson certify to, and the Secretary attest to, the adoption hereof.

PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF DIRECTORS THIS 28th DAY OF SEPTEMBER, 2023.

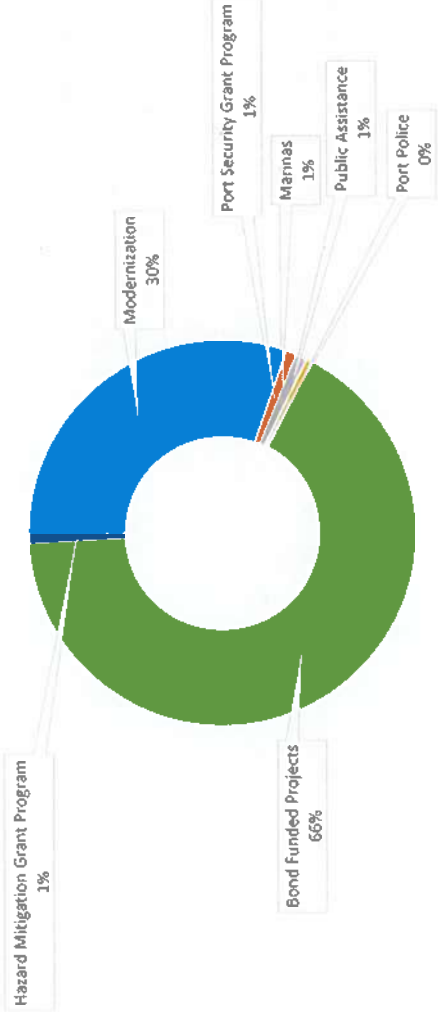
DOROTHY P. HARRIS
ACTING CHAIRPERSON, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM

DR. JUDITH P. GUTHERTZ
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM



FY 2023 Port Grant/Bond - Monthly Update
As of September 27, 2023

PAG Federal and Bond Funding Percentage



Grant Program	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCUREMENT IFB/RF/PO Number	Status
Modernization	\$35,973,337.00	\$7,321,350.98	\$28,265,986.02		
GR882-19-04 - 2020 Master Plan Update	\$1,600,000.00	\$1,550,780.58	\$49,219.42		Final invoices for these grants are currently being reviewed. PAG received the Final DRAFT of the Master Plan. Document will now go through the Public Hearing, Submission and Adoption process outlined in 5 G.C.A. §1205, 1205.1 and 1206.
GR882-20-06 - OAE Supplemental Support Services	\$1,500,000.00	\$969,380.91	\$530,619.09	P.O. No. 17424-OS for \$1,500,000.00	Continued professional and technical assistance is being provided by the PAG's Owner's Agent Engineer (OAE) WSP under Task Order 11. Grant period of performance has been extended to April 30, 2024.
GR882-21-08 - PAG Construction Technical Oversight Services	\$1,200,000.00	\$774,672.49	\$925,327.51		WSP and PAG coordination is ongoing for these services.
GR882-22-02 Growth Port Authority of Guam In-Water Infrastructure Study	\$1,450,000.00	\$0.00	\$1,450,000.00		Grant award notification was received on August 1, 2023. Grant period of performance is from June 1, 2023 - November 30, 2024 for PAG's Owner's Agent Engineer (OAE) WSP Services. MOA is currently being processed.
GR882-23-04 Port Owner's Agent Engineer Services	\$2,844,530.00	\$2,844,530.00	\$0.00		MARAD conducted a site visit on August 25, 2023. They are now in the process of finalizing the closure of this cooperative agreement.
Port Enterprise Fund - Port of Guam Construction Deficiencies and Equipment Purchases	\$2,413,091.00	\$0.00	\$2,413,091.00	RFP-PAG-022-003 - A&E DESIGN CONSULTING SERVICES For The Installation of a Fuel Pipeline System for F1 Pier and G01 Pier Connectivity	Ongoing tasks include geotechnical investigations; topographic survey; 30% design; and environmental permits. The surveyor submitted a draft topographic survey and is working to verify existing utilities. Anticipated delivery date of 30% Design Submittal is November 13, 2023.
07-79-07614 - F1 Pier to Golf Pier Fuel Connectivity Project	\$240,325.00	\$0.00	\$240,325.00		The SHPO is in the final stages of issuing a concurrence. See above line item.
D20AP00136 - Phase 1: Port Authority of Guam - Welding Shop	\$151,850.00	\$0.00	\$151,850.00		Grant award notification was received on June 29, 2022. POP: May 19, 2022 - September 30, 2025. Requisition #21032-ON was entered on Jan. 19, 2023.
D21AP01142 - Phase 2: Port Authority of Guam - Welding Shop	\$165,375.00	\$112.00	\$165,263.00		Purchase Order No. 18867-OS for the Generator Maintenance Services was routed to Hawthorne Pacific Corp. on May 4, 2023 and was signed on May 8, 2023. Facilities Maintenance & Equipment Maintenance is currently routing Requisitions #21382-ON for asset tags for procurement.
D22AP00124 - Port Authority of Guam's Generator Maintenance and Sustainment Program	\$376,609.00	\$0.00	\$376,609.00		PO# 18862-OS for the purchase of four (4) terminal yard tractors was issued to American Material Handling, Inc. on May 2, 2023. Delivery: 330 Days After Receipt of Order.
98727101/98734801 - Diesel Emissions Reduction Act (DERA) - Tractor Replacement	\$5,703,560.00	\$1,691,875.00	\$4,011,685.00		The Grant Agreement for MARAD FY 2022 America's Marine Highway (AMH) Procurement Division issued PO Nos. 19083-OS and 19084-OS for the purchase of two (2) 40-ton loaded container handlers and three (3) 10-ton empty container handlers on August 4, 2023. Two 10-ton empty container handlers arrived at the Port embowed the Watson Lurline on September 5, 2023 and were received by PAG Operations, Two 40-ton loaded container handlers arrived at the Port via the Watson Maroa on September 13, 2023. The vendor is finishing assembly on the loaded container handlers and will turn over to the Port upon completion.
MARAD AMHP - Acquisition of Specialized Container Yard Equipment	\$2,689,408.00	\$2,689,408.00	\$0.00	PO Nos. 19083/84-OS for \$2,689,408.00 and 1,295,723.00, respectively.	

**FY 2023 Port Grant/Bond - Monthly Update
As of September 27, 2023**

Grant Program	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCURMENT #B /RF/PO Number	Status
MARAD BASE - Wharves Service Life Extension Hardening of Wharves F1-F6	\$17,941,997.00	\$0.00	\$17,941,997.00	PAG's OAE Task Order 11, Subtask 11.9 - P.O. was issued to WSP to conduct the HABE/HABER Study mandated by State Historic Preservation Officer (SHPO).	The PAG's Owner Agents Engineer (OAE) is currently engaging with a knowledgeable local environmental consultant. This consultant's expertise lies in creating environmental assessment documentation as mandated by the National Environmental Policy Act (NEPA). The need for an Environmental Assessment (EA) is being considered for the project. The OAE has already developed a comprehensive Statement of Work (SOW) for the local environmental consultant, which will undergo their review for consideration. Following this, the NEPA process would initiate, marking the start of an expanded study phase focusing on Wharves F1 - F6.
Marinas	\$1,290,243.60	\$946,484.60	\$267,759.00		
F1A000131 - Harbor of Refuge Repairs - 1. Repair Plan of Mooring System and Anchor Block - 2. Dorsoped - Wastewater Ejector Pump Station and Storage Facility - 100%	\$56,484.60	\$56,484.60	\$0.00		The Harbor of Refuge Repairs project has reached a significant milestone with the submission of its final closeout report to the Department of Agriculture (DOAG) on July 18, 2023. The project has successfully secured grant reimbursements amounting to \$521,347.60, out of which \$248,652.40 represents the allocation from the PAG. The overall cost of the project was \$870,000.00. CLOSED
F16A00161 - Harbor of Refuge Moorage Repairs - 100%	\$200,000.00	\$200,000.00	\$0.00	See above line item.	See above line item.
F17A00486 - Harbor of Refuge Moorage Repairs - 100%	\$200,000.00	\$200,000.00	\$0.00	See above line item.	See above line item.
F19A00334 - Harbor of Refuge Moorage Repairs - 100%	\$200,000.00	\$200,000.00	\$0.00	See above line item.	See above line item.
F19A01199 - Guam Fisheries Development: Construction of Agat Marina's Dock B	\$572,752.00	\$250,000.00	\$262,752.00	P.O. No. 18123-05 was issued to AIC International, Inc. for \$1,494,750.00	During August 28 to September 16, 2023, the contractor (AIC) made significant progress on dock improvements and steel pile repairs as indicated: Installed gate security measures and conducted water line tests. Performed electrical maintenance and cabling work. Completed insulation tests and cable terminations on pedestals. Confirmed no water leaks in Hydrostatic Water Pipeline Test Reports. Prepared for steel pile repairs. Mobilized Trident Cross and received repair methodology. Replaced an old valve with a new brass gate valve. Assisted in cutting and removing existing steel piles (P-2 to P-7). Schedule extended to November 10, 2023, due to weather and design challenges. PAG Engineer's oversight site activities, conducted inspections, and participated in testing procedures. Guam EPA reviewed Best Management Practices. Overall, progress is steady, ensuring project quality and integrity despite setbacks.
Port Security Grant Program	\$40,000.00	\$40,000.00	\$0.00		CLOSED
EMW-2021-PU-00230-501 - Acquisition of Vessel Tracking/Radar Intrusion System	\$1,955,298.00	\$240,278.40	\$815,969.60	PO No. 1873005-645 Security System \$347,000.00	IFB-PAG-013-23 published on August 15, 2022. Bid opening held on 10/24/2022 with one (1) submission. A budget request to utilize portion of remaining U#2 funding to cover any shortfall of U#1 was reviewed and approved FEMA on 2/4/2023. Awarded to GAS Security Systems. Delivery 210 days. Ongoing work is being completed by GAS.
EMW-2021-PU-00230-501 - Acquisition of Transportation Worker Identification Credentialing (TWIC) System	\$201,250.00	\$180,251.90	\$20,998.10	PO No. 18212-05-Compacific 581,012.00	Award issued to Compacific and equipment was delivered on September 29, 2022. Project completed. A budget request to use remaining balance to purchase additional units was reviewed and approved by FEMA on 2/4/2023. On July 7, 2023 a second purchase order #1901905 was cut for 6 additional TWIC handsets and accessories as well as to cover the third year subscription service.
EMW-2022-PU-00149 - Acquisition of Unmanned Aerial Vehicles (UAV)	\$74,290.00	\$0.00	\$74,290.00		Grant was awarded on September 1, 2022. The Port Police division is currently working on the DRAFT UAV policy for submission to FEMA. This policy must be approved by FEMA prior to commencing the procurement process.
EMW-2022-PU-00149 - Primary Communications Replacement of Motorola Radio Units	\$405,478.00	\$0.00	\$405,478.00		Grant was awarded on September 1, 2022. On July 12, 2023 Procurement issued purchase order #1802205 to Motorola and Port Police is currently working with the vendor for the delivery of the units and accessories.
EMW-2022-PU-00149 - Integrated Digital Enhanced Network (IDEN) Technology Redundant Interoperable Communications System Service	\$84,450.00	\$9,361.00	\$75,089.00	PO No. 18297-05 NILE \$35,013.36	Grant was awarded on September 1, 2022. IDEN Services are ongoing provided by I&E (Period of October 1, 2022 - September 30, 2023.)
EMW-2023-PU-00798 - Acquisition of Two (2) Port Police Boat Trailers	\$42,003.00	\$0.00	\$42,003.00		Notice of award - August 25, 2023. Accounts have been established for procurement process.
EMW-2023-PU-00298 - Acquisition of Port Police Durabooks and Accessories	\$43,378.00	\$0.00	\$43,378.00		Notice of award - August 25, 2023. Accounts have been established for procurement process.
EMW-2023-PU-00298 - Port Police Division Acquisition of Personal Protection Equipment (PPE)	\$39,398.00	\$0.00	\$39,398.00		Notice of award - August 25, 2023. Accounts have been established for procurement process.

**FY 2023 Port Grant/Bond - Monthly Update
As of September 27, 2023**

Grant Program	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCUREMENT I18/RFP/PO Number	Status
Public Assistance 4398DR - Typhoon Mangkhit 066332	\$830,517.90 \$530,517.90	\$311,407.40 \$311,407.40	\$239,410.50 \$219,110.50		Fendering project was completed on September 30, 2022. Requested no-cost time extension for the Management & Admin project (CA1 Z) Project #89994 up to March 1, 2023. Pending the final reimbursement payment from GHS/OCD in the amount of \$211,083.41 and closeout.
Hazard Mitigation Grant Program Fendering System Hardening Project	\$989,864.00 \$603,689.00	\$174,324.24 \$117,083.16	\$815,239.76 \$491,605.84		IFB-PAG-CIP-022-008 posted on August 16, 2022. Pre-bid conference held on Sept. 7, 2022 and site visit conducted on Sept. 9, 2022. Bid opening held on Oct. 27, 2022, 2:00 pm. Contract awarded to Cabros Marine. Notice to Proceed was given to Cabros Marine on January 10, 2023. Grant Period of Performance end date is November 4, 2023. A no-cost time extension request was submitted to GHS/OCD to extend the POP from November 4, 2023 to November 4, 2025 (a two year extension).
Warehouse 1 Hardening Project	\$385,875.00	\$62,241.08	\$323,633.92		IFB-PAG-CIP-022-009 posted on Sept. 13, 2022. Pre-bid conference held on Sept. 20, 2022 and site visit scheduled for Sept. 23, 2022. Bid opening was completed on October 20, 2022. There were two (2) bid submissions received by the deadline. Both bids were opened and the documents were reviewed by the Port Staff Attorney as well as the Procurement and Engineering divisions. Meeting held on December 7, 2022 with lowest bidder to discuss submission and specifications. Awarded to IAN Corporation. Notice to Proceed was given to IAN Corp on April 16, 2023. Grant Period of Performance end date is November 4, 2023. Work is in progress.
Port Facilities PT23-03-03PO - Operation A'gai He' Hoo	\$30,000.00 \$30,000.00	\$10,761.30 \$10,761.30	\$19,238.70 \$19,238.70		Enforcement activities concluded on September 9, 2023. The project is the final reimbursement request and closeout.
Bond Funded Projects New Administration Building Waterside Replacement and Relocation	\$27,886,440.00 \$10,445,000.00 \$6,000,000.00	\$6,846,321.89 \$0.00 \$1,433,613.59	\$71,089,518.11 \$10,445,000.00 \$4,566,386.41		Project is currently on hold pending Management decision. Installation of the new waterline along Route 11 is ongoing. Slight adjustments to some pipeline locations are ongoing. Route 11 pipelines are currently being tested and banded. Status Quo. Roof repairs are complete. Roof coating is pending punch items and spill repair is ongoing. Bathroom renovations are at 90%.
ECMR Building Repairs and Upgrades Warehouse 1 Repairs and Upgrades Golf Pier Repairs and Improvements Rehabilitation of "H" Wharf	\$3,828,800.00 \$2,000,000.00 \$2,000,000.00 \$46,331,895.00	\$929,595.19 \$447,013.13 \$372,147.93 \$1,298,993.83	\$2,699,204.81 \$1,552,986.87 \$1,627,852.07 \$45,032,911.17		Procurement packet is being developed prior to PAG in-house legal review. Status Quo. The PAG O&E completed a Condition Assessment and Feasibility Study Report on April 28, 2023. PAG submitted a grant application under the 2023 Port Infrastructure Development Program. The proposed project is for the Rehabilitation of H Wharf to augment escalated construction cost due to inflation. Build America, Buy America (BABA) Act and if project is aligned with the merit criteria. The FY 2023 PDDP grant application process consists of an Intake Review Phase, a Technical Review Phase, and a Senior Review Phase. M88B40 will announce projects selected for award by First Quarter of FY 2024.
Other Priority Projects	\$4,980,745.00	\$0.00	\$4,980,745.00		1. Please refer to M88B40 RAISE - Wharves Service Life Extension Hardening of Wharves F1-F6 for more information. 2. Development of the draft scope of work for the TOS upgrade by Cargo Velocity is ongoing. Status Quo.
Other Priority Projects - EnterpriseOne Financial Management System	\$2,500,000.00	\$2,365,568.22	\$134,431.78		Module updates are ongoing, including work on job order modules for vessels and SSAs. Oracle has begun working on multifactor authentication. The PAG is also exploring additional applications such as content management for document retention.
Grand Total	\$117,289,350.50	\$15,851,528.81	\$101,436,821.69		

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 (Comments / 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	03/31/24	Fees based on rates
2	AM Insurance	Insurance Coverages	GSA/PAG-015-22	Finance	5 years	10/01/2022 to 09/30/2023	09/30/27	09/30/23	Premium Based/Annual renewal
3	AM Insurance	Workers Compensation Coverages	IFB-PAG-011-23	Finance/Safety	3-years				In cost negotiations
4	Matson	PMC for Gantry Cranes	RFP-020-005	EQMR	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 in cost negotiations
7		OSHA Training & Certification Services for Maritime Terminal Operations	RFP-023-001	Human Resources	3yr w/ 2- 1yr options NTE 5 years				Legal Review prior to solicitation
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	06/15/24	
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	International Health Providers IHP	Medical Examination Services	RFP-022-005	Human Resources	3 yr. w/ 2 options NTE 5 years				Contract being routed for signautres
11	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	
12	Ernst & Young	Annual Independent Audit Services	RFP 022-004	Fiscal	3 years w/2 1 yr option	FY22, FY23, FY24, (FY25 Option)	2025	2024	
13	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
14	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	did not renew

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 (Comments / Notes)
15	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	2/4/2024	\$1,406,427.48
16	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	3/14/2024	Contract signed 3/15/2021
17	AM Orient	A&E Design of Fuel Pipeline System	RFP 022-003	Planning/CIP					For Board approval
CONSTRUCTION CONTRACTS									
No.	Consultant/Vendor	Type of Service	Solicitation Method Reference No.	Division	Contract Term	Initial Term	Expiration After Options	Next Renewal Due Date	Annual Amount (Comments / Notes)
1	Sumitomo Mitsui Construction Company	Rebid of the Construction Rehabilitation of H-Wharf and Highway 11 Roadway Reconstruction	IFB-022-002	CIP/Planning	730 Calendar days from NTP				\$47M approx.
2	Guam Shipyard	Design Demolition of 5 inoperable Port Cranes and One Barge at F-6	MS IFB 021-002	CIP/EQMR	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	BME and Sons	Waterline Replacement Project	IFB -021-005	CIP	365 calendar days from NTP				\$4.8M
6	ART Construction	Renovation and Repairs of the Harbor of Refuge Phases 2 thru 5	IFB 022-001	CIP/Planning	180 from NTP				\$870,000.00
7	Pro Pacific	Design Build Agat Marina Bathrooms	IFB 022-006	CIP	360 calendar days from NTP				\$345,000.00
8	AIC International Inc.	Construction of Agat Marina Dock B	IFB 022-004	CIP/Planning	242 Calendar days from NTP				\$1.5M

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 (Comments / Notes)
9	RN Builders	Painting of Exterior, Interior, Roof Coating of PAG CFS Building.	IFB-022-007	CIP	180 Calendar days from NTP				\$390,000.00
10	Cabras Marine Corp	Supply and Install New 11 ea. Cylindrical Fendering System at F3 and 15 ea Rubber Leg Arch Fenders at F4 to F6	IFB 022-008	CIP	243 Calendar Day from NTP				\$301,077.47

Port Authority of Guam
CIP / Engineering Divisions

Status as of September 26, 2023

Fact Sheet No. 126

**Project Status
Post-Award Projects**

Project Title	Replacement of 125 Each Reefer Outlet Receptacles
Project Number	IFB-PAG-CIP-021-007
Project Amount	\$ 600,000.00
Work in Progress (WIP)	80% Complete
Funding Source	PAG Bonded Project
Contractor	PRO PACIFIC Builders Corporation (PBBC)
Designer of Record	PAG In-House
Construction Manager	PAG Engineering Division
Notice to Proceed Issued	March 18, 2022
Project Completion Date	Dec. 31, 2023 (New time extension)
Current Status: Received 4 of 12 electrical panels and performed conformity inspection. The outstanding 8 Panelboards are delayed due to manufacturing delay, and expected mid-Oct. 2023. Installations and inspection of remaining Panelboards will be performed once received. PAG approved PBBC request a "No-Cost Time Extension" to extend the project closeout to Dec. 31, 2024 . Currently holding a bi-weekly meeting with supplier and contractor to track the panelboards from manufacturing to delivery.	

Project Title	Installation of Dock "B" Agat Marina
Project Number	IFB-PAG-CIP-022-002
Project Amount	\$ 1,494,750.00
Work in Progress (WIP)	90% Complete
Funding Source	DOI and USDA Grants + PAG FY21 Budget Share
Contractor	AIC International Inc.
Designer of Record	DCA
Construction Manager	PAG Engineering Division
Notice to Proceed Issued	August 15, 2022
Project Completion Date	Nov. 10, 2023 (time extension)
Current Status: <ul style="list-style-type: none"> ➤ Ø Dock structures in place and utilities (water/power) connected, tested and conformed. ➤ Ø The remaining work is filling all the piles with concrete. ➤ Ø AIC requested the time extension it was approved. The new completion date is now Nov. 10, 2023. 	

Project Title	Painting of exterior, interior and roof coating of the CFS Building
Project Number	IFB-PAG-CIP-022-007
Project Amount	\$482,423.10
Work in Progress (WIP)	99% Complete
Funding Source	PAG
Contractor	RN Builders
Designer of Record	PAG In-House
Construction Manager	PAG Engineering Division
Notice to Proceed Issued	November 3, 2022
Project Completion Date	September 3, 2023 (Nex Time Extension)
Current Status: Project is complete, with spall/crack repairs and repainting completed. Awaiting final invoice.	

Project Title	Design-Build Agat Marina Bathrooms
Project Number	IFB-PAG-CIP-022-006
Project Amount	\$ 345,000.00
Work in Progress (WIP)	40% Complete
Funding Source	PAG Budget FY22
Contractor	PRO PACIFIC Builders Corporation (PBBC)
Designer of Record	Coeval Design Partners
Construction Manager	PAG Engineering Division
Notice to Proceed Issued	July 18, 2022
Project Completion Date	Jan. 31, 2024 (new time extension)
Current Status: <ul style="list-style-type: none"> ➤ 100% Design completed and reviewed by PAG Engineering. ➤ Materials submittals is 95% completed. ➤ SHPO clearance/permit approved and site is ready for clearing pending Flood Certification. ➤ Flood certification is the only remaining permit for approval. 	

Project Title	HMGP Supply and Install New 11 Ea. Cylindrical Fendering System at Wharf F-3 and 15 Ea. Rubber leg Arch Fender at Wharf F-4 to F-6
Project Number	IFB-PAG-CIP-022-008
Project Amount	\$ 301,077.47
Work in Progress (WIP)	35% Complete
Funding Source	FEMA
Contractor	Cabras Marine Corporation
Designer of Record	PAG In-House
Construction Manager	PAG Engineering Division
Notice to Proceed Issued	January 10, 2023
Project Completion Date	September 9, 2023 (will extend POP)
Current Status: Mod to increase quantity pending. Sent request to FEMA for extension approval. MOD Cost is approx. 90% of original contract. TS Mawar caused damages will require time extension at no cost to PAG. As of to date, 5 arch fenders were pulled out by Cabras marine for repair. Remaining of 4 arch fender that is currently under water due to typhoon damage.	

Project Title	EQMR Building Maintenance
Project Number	IFB-PAG-CIP-021-010
Project Amount	\$ 2,500,000.00
Work in Progress (WIP)	40% Complete
Funding Source	PAG
Contractor	JJ Global Services
Designer of Record	NC Macario and Associates
Construction Manager	PAG Engineering Division
Notice to Proceed Issued	January 3, 2023
Project Completion Date	March 3, 2024
Current Status: <ul style="list-style-type: none"> ➤ Roof painting is 100% completed. ➤ Crack and spall repairs are on-going 70% completed. ➤ Roof vent repair 80% completed. ➤ Restroom & shower room 90% completed ➤ Electrical & Fire Alarm system are ongoing material approval. 	

Project Title	PAG Waterline Replacements
Project Number	IFB-PAG-CIP-021-005
Project Amount	\$ 4,856,569.00
Work in Progress (WIP)	35% Complete
Funding Source	PAG
Contractor	BME & Sons
Designer of Record	NC Macario and Associates
Construction Manager	PAG Engineering Division
Notice to Proceed Issued	March 21, 2022
Project Completion Date	March 21, 2023 (will extend POP)
Current Status: GPR surveys and excavation by Route 11 on-going with waterlines installed. Missed POP- project was held up by SHPO permitting, BME will request no-cost time extension. AS of to date, the excavation progress already pass gate booth exit along route 11.	

Project Title	Design, Demolition, Removal & Proper Disposal of 5 Inoperable Cranes and Optional Removal/Disposal on one Barge YFN816
Project Number	IFB-PAG-CIP-021-002
Project Amount	\$ 2,573,155.00
Work in Progress (WIP)	75% Complete
Funding Source	PAG
Contractor	Guam Shipyard (Guam Industrial Services, Inc.)
Designer of Record	PAG In-House
Construction Manager	PAG Engineering Division
Notice to Proceed Issued	September 13, 2021
Project Completion Date	February 1, 2023
Current Status: Project on-hold, subject to crane availability.	

Project Title	Rehabilitation of H-Wharf and Access Road
Project Number	IFB-PAG-CIP-022-002
Project Amount	\$ 46,331,895.00 (Original Amount: \$23,000,000.00)
Work in Progress (WIP)	30% Complete
Funding Source	TIGER Grant and PAG Revenue Bond
Contractor	Sumitomo Mitsui Construction Co. LTD (SMCC)
Designer of Record	WSP
Construction Manager	GHD Engineering
Notice to Proceed Issued	TBD (On-Hold)
Project Completion Date	TBD
<p>Current Status: No change - MARAD denied PAG's request for BAA waiver on February 2023. PAG re-applied for MARAD grant to comply with BAA, submitted end of April and expected response from MARAD is end of September 2023. Full BAA compliance cost is \$60 M and includes all programmed phases (wharf, road and utilities).</p>	

Project Title	HMGP 11 Rollup Plus 1 Swing Aluminum Doors at Warehouse 1 North
Project Number	IFB-PAG-CIP-022-009
Project Amount	\$549,777.53
Work in Progress (WIP)	40% Complete
Funding Source	FEMA Grant
Contractor	IAN Corporation
Designer of Record	PAG In-House
Construction Manager	PAG Engineering Division
Notice to Proceed Issued	April 17, 2023
Project Completion Date	December 16, 2023
<p>Current Status:</p> <ul style="list-style-type: none"> ➤ Concrete spalls/cracks on the mounting edge of the roll up door is 85% completed. ➤ Roll up doors ETA will be on 2nd week of Oct. 2023. 	

Pre-Award Project

Project Title	Warehouse 1 Building Maintenance
Project Number	IFB-PAG-CIP-022-009
Project Amount	\$ 4,215,000.00
Work in Progress (WIP)	0% Complete
Funding Source	PAG Bonded Project
Contractor	TBD
Designer of Record	NC Macario & Associates
Construction Manager	PAG Engineering Division
Notice to Proceed Issued	TBD
Project Completion Date	TBD
Current Status: The construction documents with reduced scope of work has been provided to Procurement Division to prepare the IFB package and initiate the solicitation process. Project will require SAG and PUC review and approval.	

Project Title	Golf Pier Repair and Improvements
Project Number	IFB-PAG-CIP-021-006
Project Amount	\$ TBD
Work in Progress (WIP)	0% Complete
Funding Source	PAG Bonded
Contractor	TBD
Designer of Record	NC Macario and Associates
Construction Manager	PAG Engineering Division
Notice to Proceed Issued	TBD
Project Completion Date	TBD
Current Status: TS Mawar damages resulted in the pier's inoperability. "Repair to Serviceable Condition" cost is rough order of magnitude at \$25 – 30 Million.	

Project Title	New Administration Building
Project Number	TBD
Project Amount	\$15-20 M (Current Estimate)
Work in Progress (WIP)	TBD
Funding Source	TBD
Contractor	TBD
Designer of Record	TBD
Construction Manager	PAG Engineering Division
Notice to Proceed Issued	TBD
Project Completion Date	TBD
Current Status: Project is Pending fund allocation.	

Port Authority of Guam
Operations Division Report
August 2023

I. **OVERVIEW**

Vessel Calls	17
Cans Handled	8,196
Special Service(s)	151

a. **Productivity**

Vessel Op	Avg NMPH	TOP GANG	M/Hr
Matson			
Domestics	24.6	1	24.6
Feeder (Papa Mau)			
MSA			
Barges	18.2	3	22.1
Kyowa	21.5	5	24.2
Ambyth			
Koga			
MELL			
Kotas	19.3	6	20.6
APL			
Hero/Dak/Isla/Ocear	20.1	5	25.9

b. **Equipment Status**

As of : 08/31/2023	ON HAND	UP	RM	Repair
GANTRYS	3	2	1	
TOP LIFTERS	9	4	5	
20T FORKLIFT	2	1	1	
10T FORKLIFT	4	1	3	
5T FORKLIFT	2	1	1	
TRACTORS	23	9	14	

II. **YEAR TO DATE**

a. Vessels_YTD 214

b. Can_Cnt YTD

August	FY22		FY23		Variance	
	I	E	I	E	I	E
Local	31407	30785	31692	30573	1%	-1%
TS	5953	6042	5385	5339	-10%	-12%
TSMT	3626	3389	2847	2574	-21%	-24%
TTL	40986	40216	39924	38486	-3%	-4%