

BOARD OF DIRECTORS

*Dorothy P. Harris, Chairperson
Conchita S.N. Taitano, Vice Chairperson
Fe R. Valencia-Ovalles, Board Secretary*



Resolution No. 2024-04

RELATIVE TO PETITIONING THE PUBLIC UTILITIES COMMISSION (PUC) FOR THE APPROVAL OF THE AWARD TO AMERICAN MATERIAL HANDLING FOR THE PURCHASE OF NINE (9) TERMINAL YARD TRACTORS.

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

WHEREAS, the Port Authority of Guam (PAG) previously awarded a contract to American Material Handling for an initial four (4) Terminal Yard Tractors under a Diesel Emissions Reduction Act (DERA) grant through U.S. Environmental Protection Agency (U.S. EPA), because American Material Handling, whose manufactured item meets the requirements set forth for these Terminal Yard Tractors under the Build America, Buy America Act (BABAA) and the terms and conditions of the federal funding; and

WHEREAS, on February 19, 2024, the Port Authority determined the need for an additional nine (9) Terminal Yard Tractors, and a grant award with funding share of 80/20 was provided by the Maritime Administration (MARAD) under Grant Number: 693JF72340007; and

WHEREAS, the Build America, Buy America Act is applicable to all purchases made with federal award funds granted to all non-federal entities, including the Port Authority of Guam; and

WHEREAS, the Maritime Administration granted a special condition allowing for procurement of the additional nine (9) tractors from the same vendor under the Federal GSA Multiple Award Schedule (MAS). This purchase has been determined by MARAD to be compliant with the "Buy American Act as required"; and

WHEREAS, the U.S. EPA, MARAD, and the PAG have determined that there is only one vendor, American Material Handling, whose manufactured item meets the requirements set forth for these Terminal Yard Tractors under BABAA; and

WHEREAS, it was determined that the only qualifying responsible and responsive bidder for the Terminal Yard Tractors was American Material Handling with a price of One-Million, Seven Hundred Ninety-One Thousand, Three Hundred Twenty-Seven Dollars and Zero Cents (\$ 1,791,327.00); and

WHEREAS, the Port Authority Board of Directors at its regular meeting of April 25, 2024 approved the contract award to American Material Handling; now therefore, be it

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

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

PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF DIRECTORS THIS 25th DAY OF APRIL, 2024.

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

**FE R. VALENCIA-OVALLES
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM**

