



PORT OF GUAM
ATURIDAT / PUEYTON 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

Performance and Development Evaluation

Public Law 29-61

Review Period: 01/08/21 to 01/07/2022

The Board of Directors of the Port Authority of Guam makes public that the General Manager of the Port Authority of Guam, Mr. Rory J. Respicio, has earned an exceptional performance evaluation rating relative to the performance factors adopted by the Board. The evaluation was based on the following areas:

Leadership

Commitment to the Port's Mission, Vision and Values

Management Practices

Relational Skills

Commitment to Diversity

Resource Management

Communication Skills

Accountability

Responsiveness and Customer Service

Decision Making and Problem Solving

Work Environment and Safety

As a result of this evaluation, the Board of Directors has confidence in Mr. Respicio's skills and capabilities and will retain him as General Manager of the Port Authority of Guam.

Adopted this 20th day of January 2022.



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GENERAL MANAGER PERFORMANCE AND DEVELOPMENT EVALUATION FORM

Name of General Manager: Rory J. Respicio	Name of Reviewer/Title: Francisco G. Santos, Port Board Chairman
Period Covered: From: 01/08/2021 To: 01/07/2022	Date of Review: January 12, 2022

GENERAL INSTRUCTIONS:

1. This form is to be used for initial and bi-annual performance evaluation for the General Manager. The performance evaluations are to occur six (6) months into the General Manager’s employment with the Port Authority of Guam and every twelve (12) months thereafter.
2. The ratings to be assigned by the Rater for each individual factor are indicated in Part I; for each individual Performance Objective in Part II; and for the Overall Rating in Part III.
3. The Performance Objectives and factors may be weighted at the Rater’s discretion.
4. The Reviewer is the Board of Directors.

PART I: CORE PERFORMANCE FACTORS

1. The Board of Directors evaluates the General Manager’s proficiency in the following performance factors using a single rating on the following scale:

- A = Exceptional Performance
- B = Superior Performance
- C = Average Performance
- D = Acceptable Performance
- E = Needs Improvement

Performance Factors	Rater's Rating
<p>1. Leadership</p> <p>Displays courage, passion and caring in work. Sets a professional example. Motivates other to work toward common goals. Uses authority responsibly. Addresses problems proactively. Gains support and seeks buy-in-through participation of others. Demonstrates interest in professional growth of others. Shows good judgment and accepts ownership for decisions in areas of responsibility.</p> <p>Supportive Information: See attached.</p>	<p style="text-align: center;">A</p>
<p>2. Commitment to the Port's Mission, Vision and Values</p> <p>Articulates or shows appreciation for the importance of shared vision. Demonstrates civility in relations with others. Requires supervised employees to show civility in their relations toward others. Participates regularly in activities beyond immediate areas of responsibility which support the mission of the Port. Demonstrates consideration of the Port's values when making decisions. *(Diversity and civility are examples of University values to be considered.)</p> <p>Supportive Information: See attached.</p>	<p style="text-align: center;">A</p>
<p>3. Management Practices</p> <p>Demonstrates commitment to good customer services. Demonstrates competency in labor-management relations activities necessary to effectively manage the areas of responsibility. Questions existing practices for continued relevancy. Effectively initiates and promotes necessary change in the areas of responsibility. Sets and enforces performance standards effectively. Recognizes and rewards good performance. Plans effectively and shows good project management skills. Shows awareness of "good practices" for areas of responsibility. Encourages employees to improve performance and grow by actively supporting and encouraging employees to participate in training and development activities.</p> <p>Supportive Information: See attached.</p>	<p style="text-align: center;">A</p>

Performance Factors	Rater's Rating
<p>4. Relational Skills</p> <p>Works effectively with others. Works collaboratively and negotiates effectively. Maintains confidentiality. Accepts constructive criticism without offense. Demonstrates sensitivity to the rights and opinions of others, even in disagreement. Presents a positive image of the Port to external publics. Respects cultural differences and embraces activities which support a diverse community.</p> <p>Supportive Information: See attached.</p>	<p>A</p>
<p>5. Commitment to Diversity</p> <p>Respects cultural differences and embraces activities which support a diverse community. Utilizes recruitment strategies designed to attract diverse applicant pools. Actively engages in diversity initiatives, such as, mentoring, training and employee networks. Displays a commitment to diversity.</p> <p>Supportive Information: See attached.</p>	<p>A</p>
<p>6. Resource Management</p> <p>Recruits, selects and retains capable, productive employees. Effectively deploys staff, equipment and technology to accomplish work. Shows good stewardship of financial resources. Demonstrates knowledge of budget and use of financial reporting systems. Displays creativity/innovative in managing resources.</p> <p>Supportive information: See attached.</p>	<p>A</p>
<p>7. Communication Skills</p> <p>Shares appropriate information with internal and external audiences in a timely and responsible manner. Manages meetings effectively. Possesses effective listening skills. Articulates clearly and writes effectively. Displays effective presentation skills.</p> <p>Supportive information: See attached.</p>	<p>A</p>

Performance Factors	Rater's Rating
<p>8. Accountability</p> <p>Takes responsibility for fulfilling job duties. Meets attendance and punctuality guidelines. Demonstrates accuracy and thoroughness. Completes work on time. Follows instructions and directions.</p> <p>Supportive Information: See attached.</p>	<p style="text-align: center;">A</p>
<p>9. Responsiveness/Customer Service</p> <p>Consistently demonstrates respect, responsiveness and professionalism. Provides each customer with the same high quality services. Fosters and models a commitment to customer service. Builds customer and confidence and increases customer satisfaction. Makes customers and their needs a primary focus. Developing and sustaining productive customer relationship.</p> <p>Supportive Information: See attached.</p>	<p style="text-align: center;">A</p>
<p>10. Decision Making/Problem Solving</p> <p>Identifies and understands issues, problems and opportunities. Make timely and rational decisions based on analysis of relevant information/data Accepts responsibility for decisions and takes proper action when necessary. Uses effectively approaches for choosing a course of action or developing appropriate actions. Takes action that is consistent with available facts, constraints, and probable consequences.</p> <p>Supportive information: See attached.</p>	<p style="text-align: center;">A</p>
<p>11. Work Environment/Safety</p> <p>Promotes and supports a respectful workplace; comply with laws, policies and procedures. Models ethical behavior and decision making and ensures compliance.</p> <p>Supportive information: See attached.</p>	<p style="text-align: center;">A</p>

PART II: JOB SPECIFIC PERFORMANCE OBJECTIVES



Instructions: Part II creates the performance deliverable which will be measured. The General Manager and Board of Directors should identify below between 5 and 8 significant deliverable in the form of major initiatives or projects. They may include annual program objectives or project-related work. The intent is that there should be some collaboration between the General Manager and Board of Directors when assigning the deliverables and they should be prioritized if at all possible, with the most important in block 1, next most important in block 2, etc. If more than 8 deliverables require listing, those in excess of 8 may be listed in the back of the last page. (NOTE: It is typical for some priorities to change over the course of the year, and it also foreseeable that some objectives set at the beginning of the cycle may prove unachievable for reasons outside the General Manager’s control.)

Job Specific Performance Objectives	Rater’s Rating
<p>1. Objective:</p> <p><i>Refer to attached memorandum for performance objectives and expected results.</i></p>	
<p>Expected Results:</p>	
<p>Actual Results:</p>	
<p>2. Objective:</p>	
<p>Expected Results:</p>	
<p>Actual Results:</p>	
<p>3. Objective:</p>	
<p>Expected Results:</p>	
<p>Actual Results:</p>	

Job Specific Performance Objectives	Rater's Rating
4. Objective:	
Expected Results:	
Actual Results:	
5. Objective:	
Expected Results:	
Actual Results:	
6. Objective:	
Expected Results:	
Actual Results:	
7. Objective:	
Expected Results:	
Actual Results:	

Job Specific Performance Objectives	Rater's Rating
8. Objective:	
Expected Results:	
Actual Results:	

The General Manager and the Board of Directors have met, discussed and agreed to the above initiatives as measurable deliverables for the performance cycle.

Employee' Signature: 	Date: 1/12/2022
Board Chairman's Signature: 	Date: 1-12-22

PART III: SUMMARY OF OVERALL PERFORMANCE:

The space below is provided for a narrative summary of the General Manager's performance over the immediate cycle to be completed by the Board of Directors (Rater).

Refer to attached memorandum.

PART IV: OVERALL PERFORMANCE EVALUATION RATING: (Please checkmark ✓)

Exceptional Performance

Superior Performance

Average Performance

Acceptable Performance

Needs Improvement

PART V: PERFORMANCE DEVELOPMENT PLAN:

In the blocks below, the Board of Directors should make specific recommendations designed to identify strategies to enhance the General Manager's current competencies (first block) or correct performance issues (second block).

Professional Growth Strategies:



Refer to attached memorandum.

Remedial Strategies:

Refer to attached memorandum.

PART VI: SIGNATURES:

The General Manager and Board of Directors are required to sign the instrument after completing it and concluding the performance interview. The General Manager is only attesting to having been afforded the opportunity to review the evaluation and discuss the evaluations with the Board of Directors. The General Manager's signatures does not necessary indicate that he/she agrees with the Board of Directors' measurement of his/her performance. Employee's comments are optional.

Board Chairman's Signature: 	Date: 1-12-22
Employee' Signature: 	Date: 1/12/2022

Employee comments:	Date:
I would like to discuss with the Board of Directors: <input type="checkbox"/> Yes <input type="checkbox"/> No As requested, the Board of Directors discussed report.	
Board Chairman's Signature:	



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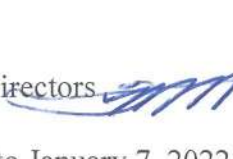


Lourdes A. Leon Guerrero
Governor of Guam
Joshua F. Tenorio
Lieutenant Governor

January 12, 2022

MEMORANDUM

TO: Rory J. Respicio, General Manager

FROM: Francisco G. Santos, Chairman, Board of Directors 

SUBJECT: Performance Evaluation – January 8, 2021 to January 7, 2022

Hafa Adai! Title 12 Guam Code Annotated, Chapter 10, Section 10111(c), authorizes the Board of Directors to employ and compensate under the terms and conditions fixed by at the pleasure of the Board for the General Manager position. Title 5 Guam Code Annotated, Government Operations, Chapter 43, Boards and Commissions, Article 2, Performance Evaluation of Agency Heads, required the Board to issue performance reviews of the General Manager six (6) months after employment and every twelve (12) months thereafter.

On January 28, 2021, the Board of Directors approved the performance evaluation for your second year as General Manager. At this meeting, the Board provided you with the following goals and objectives we would like for you to achieve within the second year of employment.

- Revenue Bond Projects, Hotel Wharf and Other CIP Projects
- Removal of Port's Inoperable Assets
- Standard Operating Procedures
- Staffing and Manpower Requirements
- Union Contract Provisions
- Cyber security system plan implementation
- Federal grants
- Update of rules and regulations
- 5-year equipment plan
- Training, certification and re-certification of employees
- Real estate issues
- Micronesian cruise ship development

During the evaluation period, you also were able to accomplish the following significant milestones:

A. Port Modernization/Master Plan Update:

1. **Master Plan Update:** In July 2020, you and your team engaged with its Owner Agent Engineer (OAE) consultants in updating its 2013 Master Plan. The purpose of the update is to assist the Port in defining its near-term and long-term approach to modernization, maintain

fiscally sustainable operations and promote increased awareness and consensus on its approach among all affected stakeholders and rate payers of Guam. In August 2021, OAE consultants briefed management, Governor, Lt. Governor and several senators who participated in the zoom brief on the master plan status, project planning and analysis, demand forecast, port modernization – build back better, current and new OAE contract, transshipment task force and diversification of commercial activities and revenues. The first draft of the 2020 master plan update report is expected to be submitted to the Port during the first quarter of 2022 and if all goes well, the Port should anticipate completing the administrative adjudication process by summer of 2022.

2. **Hotel Wharf Rehabilitation and Reconstruction Project:** The Port awarded the construction management services for the rehabilitation of the hotel wharf and Route 11 roadway reconstruction projects in March 2021. The construction manager worked hand-in-hand with the Port's Planning, Procurement, and Engineering divisions and our Owner's Agent Engineer in the procurement solicitation for this rehabilitation project. This project is being funded through a \$10 million federal grant and local Port funds. The upgrades to this facility will bring into compliance with U.S. Coast Guard criteria to regain certification as a designated waterfront facility. It will also expand the Port's wharf capacity to alleviate congestion at the main cargo terminal due to Guam being a major transshipment for the Micronesian region.

3. **Revenue Bond and Budget Funded Projects:** Through collaboration with the division heads of Procurement, Engineering, Finance, and Port's in-house counsel, we ensured the Port meets the expectations of our bond investors by issuing the following procurement solicitations:

- a. Hotel Wharf Rehabilitation and Access Roadway Repair
- b. Golf Pier Repair and Upgrade
- c. Warehouse 1 Building Repair
- d. Waterline Repair
- e. EQMR Building Repair
- f. JDE EnterpriseOne (E1) Financial Management System

When we issued procurement on the architectural and engineering (A&E) designs for the revenue bond projects and based on the engineering estimates provided in the designs, the construction cost associated with the repairs exceeded the allocations outlined in Public Laws 34-70 and 35-44. The engineering cost estimates outlined in the revenue bond mandates were obtained in 2014, and the reality is that the costs of construction pegged in 2014 for these projects were all severely underfunded. Because the laws specifically identified the revenue bond project costs to be funded by the revenue bond proceeds, it did not allow the Port to reallocate the proceeds to address the anticipated shortfalls of the construction costs. Upon knowledge of this, we actively submitted federal grant applications to fund some of these revenue bond projects, such as the fuel connectivity line, which U.S. Economic Development Administration (EDA) awarded \$2.4 million for this project and allowed us to free up a portion of the proceeds. In July 2021, through a resolution, the Board authorized the General Manager to use Port revenues, unrestricted Port funds and/or other revenues, and federal grants to supplement the shortfall funding for the revenue bond projects.

You, the Deputy General Managers and division heads ensured the following procurement packages were either awarded or issued:

- a. Owner's Agent Engineer Consultants
- b. CCTV for Port Terminal and Agat Marina facility
- c. Demolition and Disposal of Port assets (gantry cranes, RTGs, mobile harbor crane and barge)
- d. Performance Management Contract for gantry cranes
- e. Fendering system repair for F3 to F6 wharves
- f. Real Estate Appraisal & Consulting Services
- g. Renovation and repair of Harbor of Refuge Phases 2 through 5
- h. Oracle consultant
- i. Terminal Operating System (TOS) hardware maintenance & support

4. **Federal Grants:** During this period, the Port was awarded the grants below to assist in the modernization of the port:

(a) **EDA Grant:** U.S. Economic Development Administration (EDA) awarded the Port \$2.4 million grant to make disaster-resilient infrastructure improvements needed to ensure continuity of operations. The EDA grant will be matched with \$603K in Port investment bringing the total funding to \$3 million and will fund the installation of a fuel pipeline system for F1 and Golf Pier connectivity project.

(b) **FEMA Grants:** The Port was notified that FEMA allotted it \$366,251 in federal grants for the FY2021 Port Security Grant Program to fund for the acquisition of radar intrusion and vessel tracking system. This system will protect against unauthorized vessels entering Apra Harbor. The Port was also awarded \$165,001 funding for the acquisition of Transportation Workers Identification Card (TWIC) readers and Credentialing system. The Port's share of this award is \$55,000 bringing the total project cost to \$220,001. The TWIC readers and credentialing system will allow the Port to leverage the full security benefit by electronically verifying individuals' identities with existing databases. This acquisition will upgrade the Port's existing assets as they are outdated and gone through several repairs and ensure compliance with the TWIC program mandated by U.S. Congress through the Maritime Transportation Security Act. This will also allow the Port Police division to work more effectively and efficiently by relieving the burden of visual TWIC inspection and allowing them to focus on more specialized duties.

(c) Other Federal grants awarded to the Port were:

- i. Office of Insular Affairs – Welding Shop Repair
- ii. FEMA Port Security Grant Program – Generator maintenance, CCTV and ACS system upgrade, IDEN Technology 2-way radio communication service, X-ray van maintenance, acquisition and installation of prime power generator and components at Load Center 3, radar intrusion and vessel tracking system, TWIC reader and credentialing system upgrade
- iii. FEMA Public Assistance Program – fendering system repair: phase 1

- iv. FEMA Hazard Mitigation Grant Program – fendering system – phase 2, warehouse 1 repair
- v. U.S. Department of Agriculture – harbor of refuge moorage repair, Agat Marina Dock B upgrade
- vi. U.S. Department of Transportation (RAISE Grant Program) – F1 to F6 marine service life extension project
- vii. U.S. EPA Diesel Emissions Reduction Act – DERA – Acquisition of 4 tractors
- viii. DPW Office of Highway Safety – Operation Adai He’Hao.

5. **MARAD Double Designation:** U.S. Department of Transportation’s Maritime Administration (MARAD) announced the designation of 6 new Marine Highway Projects and a new Marine Highway Route as part of the America’s Marine Highway Program. The program encourages the use of America’s navigable waterways for the movement of freight and people as an alternative to land-based transportation. This new route and project designations included Guam and the Commonwealth of Northern Marianas (CNMI) Route Designation and allowed the expansion of existing containerized freight service between Guam and CNMI and designed to expand and promote inbound and outbound cargo within the islands. This designation also allowed both islands eligible for grants when funding is available.

6. **Oracle Enterprise 1 Migration Phase:** In 2019, we initiated a project to upgrade the Port’s JDE World Management Financial Management System to a more robust and technological system. To steer this huge undertaking, we created a Port Team comprised of Finance and IT personnel. We worked closely with the Port team and Oracle Project team. After successfully getting through the proof of concept and procurement stages, Enterprise 1 was launched in August 2020.

Upon full implementation, the system aims to improve reporting capabilities and will have the ability to streamline a process that reduces non-value activity. Examples include paper filing, spreadsheet reconciliations, manual calculation of interests and collection of late payments, manual inventory processes, and manual financial document delivery. This system will have the ability to fully implement a job costing and work order system that integrates to the Port’s general ledger and other financial modules, which was not possible with the previous system. The new system will also have the ability to integrate the Port’s old system, such as special service request invoicing, operations time entry, check printing W2 processing, requisition and purchase order processing for local GSA transactions, tax table update, and financial required reports into the new system.

7. **Acquisition of Ship-to-Shore (STS) Gantry Cranes:** A recent assessment by the Port’s OAE found there is a dire need to replace the POLA cranes. The POLA cranes were originally built in 1983/1984. Although these cranes were refurbished in 2009, they were all reaching the end of their expected service life. And, would need to be replaced by 2024. Because of the importance of the Port as the lifeline to sustain economically and Department of Defense military build-up construction activities on Guam, Governor Lou Leon Guerrero made the acquisition of new STS gantry cranes to replace the Port’s aging fleet one of her top priorities. Through management’s guidance, Port planning staff submitted a grant application to EDA for the

acquisition of two gantry cranes under the Cares Act Funded Recovery Assistance Program, and developed a loan application to U.S. Department of Agriculture for one gantry crane as a back-up to its EDA application. At the same time, Operations and Maintenance division heads worked closely with our OAE consultants in developing the specifications for the gantry cranes. We, as a Board, understood the dire need to replace the gantry cranes and the procurement timeline to acquire such cranes and as such, approved a resolution authorizing you, as the General Manager, to proceed with the procurement acquisition of at least two gantry cranes. This will ensure that all businesses, residents, and neighboring islands will not lose access to essential goods and always have what they need to operate and survive.

8. **Performance Management Contract for Gantry Cranes:** Public Law 31-145 enacted in 2011 required the Port to contact the services of a Performance Contractor to manage the performance, operation, and maintenance of the Port's gantry cranes, as well as other cranes utilized in Port's operations. When you came on board in 2019, the 2012 contract had expired. In 2021, the Operations and Maintenance division heads and following your directives, worked collaboratively with Legal Counsel, Finance, and Procurement staff in the successful negotiation of a contract, which will be a task order-based contract. Guam Public Utilities Commission approved this procurement award.

9. **Port Wharves Assessment and Upgrades:** You and your team continue to work closely with our OAE consultant on the assessment of the Port's wharves; Tristar's subcontractor on F1 dolphins and pier; and Mobil's subcontractor on the bathymetric surveys for the fuel piers. The reports will provide the Port and its fuel pier manager a realistic picture of the condition of the piers and dolphins and the depth of the pier to safely berth vessels for mooring and berthing.

B. Procurement:

1. **Legal Counsel relative to procurement matters:** The Port's Procurement and Supply Division issued procurement solicitations for the acquisition of surveillance cameras for the Agat marina and terminal facilities; demolition of Port assets; Hotel Wharf/Route 11 construction management and construction; F3 and F5 fendering system; Owner's agent engineer consulting services; Management and Operation of F1 Fuel Pier facility; and the performance management contract for Gantry cranes 4, 5 and 6. As a result of the regular case management meetings held with the Deputy General Manager and Port in-house counsel, together with our procurement and commercial divisions, we successfully negotiated on option leases with SPPC, Hansen, and Mobil. These leases have been operating on a month-to-month basis for the last ten years. We standardized such agreements for the marina, open, dry dock, antenna, and office spaces. And, also together with Port in-house counsel and the Board's approval, developed a process for the notice of the availability of properties process and procedure and the authority of contract term approval for the General Manager and Board of Directors.

2. **Procurement Delegation:** Through your close working relationship with the Chief Procurement Officer (CPO), the CPO again granted a full delegation of procurement authority to the Port for Fiscal Year 2022. Through your leadership guidance provided to the Procurement and

Supply staff and technical guidance from Port Legal Counsel as the Special Assistant Attorney General designation, the Agency was able to:

- a. processed 511 purchase orders;
- b. minimized the overstocking of parts and supplies which lessened the cost overruns and waste;
- c. issued the following procurement solicitations:
 - i. Eleven (11) Construction Invitation for Bids;
 - ii. Four (4) Professional Services Request for Proposals; and
 - iii. Seven (7) Goods and Services Materials.

These are the most solicitations the Port has issued over the last five years in a fiscal year. One of the huge accomplishments under your leadership was issuing and awarding the demolition and removal of Port's inoperable assets. Based on historical records, the Port attempted to dispose of these inoperable equipments for over a decade. As a result of this procurement award, the Port will now be able to expand the use of its container yard, access the container yard, and free up wharf and waterfront area, increasing our Wharfage and dockage revenues.

C. FINANCES: You, together with the Deputy General Managers, worked closely with the Financial Affairs Controller and respective division heads on the financial audits conducted by the:

1. **Office of Public Accountability (OPA)**. The results of the Fiscal Year 2020 audit were:

a. **Designation as Low-Risk Auditee:** The Port achieved 2nd consecutive year as a Low-Risk Auditee during the annual financial audit, which revealed a clean audit with no deficiencies. The auditors rendered a clean opinion on the Port's Fiscal Year 2020 financial statements and compliance over major federal programs. The auditors identified no material weaknesses and significant deficiencies in internal controls.

b. **Financial Audit:** Port recognized operating revenues of \$54.6 million. The number of containers handled was 85,143 containers, an increase of .02% compared to Fiscal Year 2019's container count of 84,954. In comparison to FY 2019, we experienced a decrease in revenues by 1% (\$608K) from \$55.2M in FY 2019 to \$54.5M in FY 2020. The drop in proceeds was from the Port's primary source of revenue, cargo thru-put charges, as well as from the crane surcharge, wharfage charges, special services and other operating income. However, the Port experienced an increase in equipment and space rental revenues compared to the prior fiscal year.

The Port experienced an increase in our operating expense by 15% (\$7.3M) from \$48.4M in FY 2019 TO \$55.7M in FY 2020. The increase in operating expenses includes management and administration expenses, equipment maintenance, transportation services, stevedoring services, retiree healthcare, and other benefits, terminal services, insurance, and facility maintenance. A decrease was recognized compared to the previous fiscal year for expenses in depreciation (\$405K), general expenses (\$182K), and utilities (\$208K).

The result of the net operating expenses minus operating expenses in Fiscal Year 2020 was \$5.9 million income from operations before depreciation. After adding depreciation expenses, non-operating expenses, and federal grant revenues, the Port's net position decreased by \$919K primarily due to the recognition of Other Post-Employment Benefits and pension expenses as required by the Government Accounting Standards Board (GASB) regulations.

c. **Resolution of Past Audit Findings:** The audit recognized that the Port resolved some issues with several commercial leases that had been flagged as an audit finding since 2015. This could not have been done without the due diligence in the negotiations on the expired option term leases from you, Deputy General Manager and Commercial staff.

2. **Removal from Credit Watch:** More good financial news for the Port during this performance period was received. Moody's Investor Service issued a credit report that removed the Port from credit watch based on strong finances with financial stability expected to grow over the next year. The report indicated that despite the COVID-19 pandemic, the Port continued to have the same rating since 2018. The credit watch was issued last year due to COVID-19 pandemic's potential impact on the Port's finances. You, together with the team, worked tirelessly to provide responsible and transparent financial management and demonstrated good cost control in the year 2020 and year-to-date fiscal year 2021.

3. **S&P Global Rating:** Upgraded its outlook for the Port to stable from negative and affirmed its "A" long term rating on the Agency's outstanding series 2018 Port Revenue Bonds. This outlook revision reflects the Port's view that despite the economic disruption caused by the global COVID-19 pandemic, volume levels at the Port have remained relatively stable and resilient from 2019 to 2020 and continue into 2021. We, together with the team, continued to work tirelessly to make these successes a reality for the Port and the people of Guam.

D. HUMAN RESOURCES

1. **Litigation:** During this evaluation period, the Port had before the Civil Service Commission four (4) employee appeals. Under your leadership, together with expertise by the Deputy General Manager for Administration and Finance in the adverse action appeal procedures and legal guidance from Port's in-house counsel, the Port recently prevailed in two cases. Most recently, however, one case was remanded back to CSC by Supreme Court and is currently in settlement discussions. Another case is on status quo pending outcome of judicial court decision. Unfortunately, you and the Board still have to clean up long-standing personnel matters; however, since your employment in 2019, punitive actions are taken based on the Rules of Progressive Disciplining.

2. **Protection of the Merit System:** On January 28, 2021, a complaint filed by a senator requested Civil Service Commission to conduct a post-audit into the hiring practices utilized by the Port and to confirm whether these practices are in accordance with the laws of Guam and the rules and regulations of the Government of Guam. Through their review, your team ensured the documents needed by the Commission's staff were provided in a timely manner. On June 15, 2021, the Civil Service Commission, by a vote of 5-0 affirmed there were no Port employee hired in violation of any statutory prohibition.

3. **Training:**

a. **Internal:** After several years of non-compliance and through our guidance to Human Resources staff, the Port, at your direction, was able to reinstate the certification training for crane operators, hazardous waste operation, incident response to terrorist training, and prevention and response to suicide incidents.

When you and your team reviewed the seniority of our operators, it was noted a number of crane operators were eligible for retirement and if all were separated with the Agency, such departure could cause a decrease in productivity against vessel operations. To ensure the flow of goods are not disrupted, you and your team reinstated the on-the-job training for crane operators. Together with the HR staff, you, the Deputy General Managers, worked with the Operations division heads to identify those employees within the Stevedoring and Terminal divisions who were willing to undergo cross-training on the operation of the cranes to enable them the opportunity for upward mobility, which resulted in promotions for two employees.

Port Police personnel have not received annual refresher trainings as required by our enabling act. During this period, the Deputy General Managers worked closely with the Acting Port Police Chief to ensure incumbent Port Police personnel receive CPR and mandated law enforcement trainings to include the safe use of taser and OC-Baton and firearms certification.

Additionally, in-house training for basic supervisory, procurement process, and progressive disciplinary action was conducted by the Deputy General Manager for Administration & Finance. The feedback provided by the employees who participated was positive.

b. **External:**

i. **Guam National Guard:** You, together with the Deputy General Managers and Commercial staff, coordinated the use of Port facilities along Route 18 for the students of the Guam National Guard's ongoing Advanced Leaders Course for training exercises. The training included the use of blank ammunition and "flash-bang" simulators and was critical to the success of our Guam and the security of our island.

ii. **Department of Public Works – Office of Highway Safety:** You saw to it that the Port continue its involvement with the Office of Highway Safety's "Click It or Ticket" campaign, in which Planning and Port Police personnel participated. The campaign's focus was to place awareness on seat belt enforcement. The Port's participation helped spread the lifesaving message that seat belts save lives and to remember to buckle up.

iii. **Guam Army National Guard:** With the Guam Power Authority's power plants occasionally releasing harmful gases in the air and the Port's close proximity to the power plants, employees expressed concerns about the air they breathe. The Port owns 4 air monitoring devices that detects volatile, toxic and combustible gases and radiation. Your management team coordinated a briefing with Guam Army National Guard on equipment

familiarization with the Port's QRAE Air Monitoring devices. The training taught the Port employees how to read and identify airborne hazards on such devices.

4. **Workers' Compensation Program and Light Duty Accommodations:** When you first came on board, you inherited over twenty employees who were on the extended absence or light duty status accommodation, supposedly due to work-related injuries. An extensive review of each case was conducted with Human Resources and Port Police staff and such cases decreased to five existing workers' compensation cases.

The Port also during your time inherited several employees who were placed on light duty status over the many years because of a non-work-related injury. As each case was reviewed, and wherever applicable, the employee was placed in positions for which they qualify and can physically perform such duties and responsibilities. These actions have resulted in a demotion, separation through retirement, long-term disability with the Retirement Fund, or medically cleared to return to their official positions. The Port is now ensuring that light-duty accommodation is only limited to job-related injuries.

5. **Employment Practical Test Reinstated:** Individuals applying for Port positions were evaluated and hired based solely on the information provided on the employment applications submitted, a practice that was done for more than ten years ago. The skill assessment tests now used by the Port in the hiring process narrows down their list of candidates and allows you and your team to make well-informed, data-backed decisions, which was discontinued by past management. Through management's guidance, Human Resources Division reinstated the skills assessment test to help us evaluate the practical competence of the job candidates.

6. **Application of U.S. Department of Labor Rules in Defining Exempt and Non-Exempt Positions:** On August 23, 2004, Governor's Executive Order 2005-28 took effect and listed all bona fide exempt positions in the executive, administrative, professional, and other categories within the Executive Branch. With the guidance of the U.S. Department of Labor Wage and Hour, tests were conducted. It was determined that certain supervisory, administrative, and professional positions were found to be non-exempt.

In 2012, new federal regulations were issued on the exempt status, and U.S. Department of Labor Wage and Hour advised the Port to conduct tests to determine if the non-exempt positions previously identified continue to be non-exempt status. However, before Human Resources staff could finalize their review, the former General Accounting Supervisor for Expense in 2012 or early 2013 converted those non-exempt positions to exempt. Since then, Port employees occupying these positions were paid straight time status for actual hours worked over 40 hours instead of time and half. When HR staff completed their review in 2013 and presented their findings to the former General Manager, unfortunately, no action was taken to provide for fairness, parity, and proper implementation of the Governor's Executive Order.

On June 2, 2021, HR staff presented their findings to management and provided an updated listing of exempt and non-exempt positions for approval. You immediately approved the listing and informed all division heads of this change noting such implementation will be prospectively.

7. **Maintenance Employee Work Schedules:** You and the Deputy General Managers worked closely with the Acting Maintenance Manager in implementing the two-week work for Maintenance employees as mandated by the Personnel Rules and Regulations and as agreed upon in the union contract provisions.

8. **Monitoring of Union Contract Provisions:** You and your team continue to work closely with the Operations and Maintenance union stewards to monitor the contract provisions. Based on feedback from the union, we have been complying with the provisions that have been agreed upon.

9. **Premium Pay for Operations and Maintenance Employees:** As soon as you discovered that the certification for the hazardous premium pay had expired, you and the Deputy General Managers immediately worked closely with the Department of Labor in submitting the re-certifications for their review and approval. Additionally, you also discovered that “dirty premium pay” was not provided to Terminal and Fleet Maintenance employees when exposed to a dirty environment. After reviewing the environmental exposure, you determined that these employees were entitled to dirty pay when exposed to such environmental conditions, and took immediate administrative action to address those inequities.

10. **Staffing and Manpower Requirements:** You and your team worked closely with Operations, Maintenance, Control/Compliance and Administration & Finance divisions to ensure their primary functional responsibilities are met.

D. **REAL ESTATE ISSUES:** During this evaluation period, you and the Deputy General Managers worked closely with the Commercial staff and in-house Port counsel on the following real estate issues:

1. **Standardized Terms for Lease Agreements:** For the last 12 years, the leases for office, marina, open, and antenna space have been on a month-to-month basis. As a result of in-house Port counsel’s opinion in clarifying the lease terms, the lease agreements were standardized and Commercial staff amended the lease application form to reflect the desire of the prospective tenant if they wish to pursue below or over 5-year term. In line with in-house Port counsel’s guidance, the Commercial staff issued renewal leases to the tenants reflecting the new term of January 1 to December 31.

2. **Renewed Expired Lease Options:** After 11 years of operating under expired lease options, the Port through your directives and Board approval renewed the lease agreement options with Mobil, SPPC, and Hansen. The option executions have resulted in an increase of \$3 million for the next 10 years. This milestone was huge and addressed the deficiencies cited by our auditors from 2015 to 2019.

3. **Fuel Pier Management & Operation Agreement:** Under your leadership, the Deputy General Managers and Commercial staff worked diligently with Procurement personnel on the issuance of the management and operation of F1 Fuel Pier and was able to successfully negotiate with Tristar a new management and operation agreement.

4. **Customs & Quarantine Agency Relationship:** Management through the Governor and Lt. Governor and the Board's unwavering commitment to doing whatever is necessary to advance the interdiction of illicit drugs, invasive species, and counter-terrorism at our islands entry ports, you and your team worked in improving the working relationship with Customs. A memorandum of understanding was entered into with Customs to relocate their offices to a much larger work area at the former Horizon Building. Through this improved relationship, and since day one of the Leon Guerrero Administration, Customs officers have an all-access pass to go anywhere and everywhere within the Port facilities to inspect cargo coming into the Port and shared use of the Port's office washdown station.

5. **Commercial Cargo Activity Written Procedures:** To ensure standard operating instructions for the import and export of commercial cargo and clearly identify those areas to support such activity at the Gregorio D. Perez (GDP) Marina, we developed written procedures for vessel owners. The Port staff (Commercial and Harbor Master) worked in collaboration with law enforcement entities to establish these procedures. As a result of these procedures, the Port is now receiving revenues on the import and export of cargoes at the GDP Marina.

6. **Memorandum of Agreement with the Department of Public Works on Remaining Federal Highway Funds:** Commercial staff under management's guidance worked diligently with the Department of Public Works on the execution of the memorandum of agreement for the use of the remaining Federal Highway Administration seawall project funds. The funds will be used to expand the automobile lot expansion and paving of the shared entrance for Customs and Quarantine lot and the Port chassis staging lot.

7. **Removal of Abandoned Derelict Vessels:** Through the successful coordination with Guam Environmental Protection Agency, Harbor Master, the Governor, Guam Power Authority, and Commercial staff, the Port was able to remove and stage remnants of approximately 13 abandoned derelict vessels which were located inside the Apra Harbor. The removal has allowed safe travel for vessels in the inner part of the harbor.

8. **Motorized Water Recreational Course (MWRC) and Recreational Water Use Management Plan Permit (RWUMPP):** Department of Parks and Recreation advised the Port of our need to submit a Motorized Water Recreational Course and ensure our tenants are notified of acquiring permits for commercial and private recreational jet ski operators to operate within the Apra Harbor. Commercial and Harbor Master staff worked closely with Parks and Recreation in the proposed course and hours of operation, approved the same day we submitted the plan.

E. FACILITY UPGRADES: Working with you in the past three years, the philosophy you expressed to your management team and the Board is having properly managed facilities is important and will make maintenance issues fewer and far between, helping you save on costs significantly. You have shown that focusing more on prevention rather than treatment will allow you to deal with problems before they arise. During this period, facility upgrades were made to:

1. **Repair of CMU Walls at Warehouse 1:** You and your team were able to avert a potential disaster with a structural failure in a wall inside Warehouse 1. In July, the tenant brought

to our attention that one of the CMU walls was leaning. Together with the Port's Engineering Manager, we coordinated with the Department of Public Works to conduct an on-site inspection of the wall. DPW's determination letter found that the wall and its associated support columns showed signs of structural failure and recommended immediate removal. Engineering, Procurement staff, and our in-house counsel immediately initiated an emergency procurement solicitation to address and resolve the imminent threat to public safety quickly and efficiently. Such solicitation was awarded by the Board, and the wall portions were demolished within a month. You and your team also coordinated the U.S. Army Reserve to remove the debris from the warehouse at no cost to the Port.

2. **Harbor Master's Office:** Infrastructure upgrade to the Harbor Master's walls, windows, and frames. The upgrade of this office was crucial to avoid huge electrical safety hazard and prevent flooding in the office as a result of heavy inclement weather and replace the deteriorated corroded doors and windows. A FEMA grant funded this project.

3. **Port Police:** Consolidated Port Police operations in a centralized area, Port Police Dispatcher, Supervisors and Officers lounge offices were relocated from the Port Police Building to the former Horizon Building.

4. **Operations:** The Operations administrative staff, superintendents, managers, and Transportation dispatchers relocated to the former Port Police Building. The Terminal Gatehouse was initially slated to be demolished, and operations were to be consolidated elsewhere in the terminal facility. As such, no upgrades were made during the modernization program. However, you and your team felt there is a need to keep the gatehouse at its current location to provide a smooth check and balance process for the truckers and Terminal personnel. Operations and Engineering staff worked with Procurement on the solicitation to renovate and expand the facility. Such procurement was completed during the evaluation period.

5. **Engineering & Safety:** The offices of Engineering and Safety were again infested with mold. After assessing the offices, it was deemed that it should be demolished and rebuilt when Warehouse 1 is renovated. To ensure the daily activities of Engineering and Safety are not disrupted, their offices were temporarily relocated to annex A adjacent to the Port's fuel tank farm.

6. **Maintenance Control:** To ensure that work orders for Equipment and Facility Maintenance are processed promptly, the Planners for the Maintenance department were consolidated in one office.

7. **Seawall:** To protect the integrity of the seawall, trees and shrubs were removed. The clearing of seawall allowed residents who walk the pavement or ride their bikes to view the ocean and its surrounding.

8. **Pedestrian gate:** A turnstile was installed at the pedestrian gate to control who is able to enter and exit the Port terminal facility.

F. MARKETING/PUBLIC RELATIONS: When you first came on board, the Board stressed to you that a marketing and public relations components of an organization go hand-in-hand. One strengthens the other, making them both more effective and beneficial to management and the employees, and plays a vital role in promoting the business and mission of the agency. Since the return of the Marketing personnel, through your support and guidance, we have seen the marketing division or two employees accomplish the following:

1. revive the Port's monthly newsletter, which has not been produced or published in years;
2. issued 90 new releases more than the previous ten years combined;
3. established Port social media pages on Facebook, Twitter, and Instagram, publishing hundreds of posts with combined more than 2,000 followers;
4. launched the first annual Port Photo contest for our employees;
5. published hundreds of updates on the Port's website; and
6. helped create together with Finance Division the award-winning Citizen-Centric Report.

This Division's most challenging accomplishment was successfully planning and coordinating two virtual Port week celebrations, including in-house production of videos and tributes focusing on the Port.

G. RELATIONSHIPS: You and your team continue to effectively engage with stakeholders and Port employees to make sure that the lines of communications are constantly opened and transparent. The involvement of our stakeholders and employees is shown in the cooperation and helping hand approach in projects in collaboration with other Government of Guam agencies, especially during the pandemic crisis.

1. Port Police Jurisdiction: In April 2021, a suit was filed stating the Port Police only had jurisdiction over a small area between Cabras Island and Dry dock islands and does not include Marine Corps Drive. In a Superior court decision, it was reiterated and established that the Port Police's jurisdiction did include Marine Corps Drive which is a facility necessary for the development and operation of the Port. Superior Court judge ruled that the Port Police were well within their statutory authority to execute traffic stops and issue citations to motorists found to be in violation of the Vehicle Code of Guam

2. Federal Case – Environmental Pollution: In January 2021, the U.S. Attorney General and U.S. Coast Guard thanked Port Stevedores for their assistance in a federal environmental case that occurred in October 2019. Specifically, a vessel operating company was sentenced in January in the federal court for illegal discharging oil into Apra Harbor and for maintaining false and incomplete records relating to the discharges of oil bilge water from Kota Harum vessel. Port Stevedores reported the oil discharge to U.S. Coast Guard and proper authorities. Out of the \$3 million environmental fine assessed to the company, the federal judge allocated a portion of \$2 million to the Port to fund projects in Apra Harbor and surrounding areas for direct remedial action against future pollution by seafarers. The Port employees' involvement in reporting such discharge ensured that polluters who threaten the Island's natural resources are held fully accountable under the law.

3. **Securing our Borders**: The Port continues to work hard to ensure our borders are protected at all entries that fall within the jurisdiction of the island's only commercial port. The work has been non-stop in all areas to include installation of new security systems, enhanced regulations for those wanting to conduct commercial cargo operations at the marinas, meeting with Port users and bringing together local and federal law enforcement to address the issues surrounding the safety of our borders. Through management's efforts to secure our borders from any potential drug and human trafficking and to provide for the safety of everyone who uses the Port marinas, the Port acquired and installed surveillance cameras at the Gregorio D. Perez marina. Additionally, we installed a temporary container office for Port Police and other law enforcement use at GPD marina. Port Police officers can now monitor the activity at the marina through the Port Command Center located at Cabras Island.

4. **Guam Customs & Quarantine Agency**: Management through the Governor and Lt. Governor and the Board's unwavering commitment to doing whatever is necessary to advance the interdiction of illicit drugs, invasive species, and counter-terrorism at our islands entry ports. Port management and staff worked diligently in improving the working relationship with Guam Customs through the following:

a. entered into a memorandum of understanding with Customs regarding the new office space at the Port. Customs will occupy 2,700 square feet of office space located at the former Horizon building and will be vacating their current office in the Port Administration Building.

b. granted Customs Officers an all access pass within the Port terminal facilities to carry out its mandates.

c. included in its 2020 master plan update a Guam Customs Inspection Feasibility Study, which has recently been completed and will be used to assist the Agency in obtaining funding for such construction of the building.

d. our OAE consultants worked with Customs to validate their requirements and confirm the planned facilities will integrate with the current traffic flows.

e. ensured Customs is directly involved in discussions relating to its initiative for Systems Integration that will provide an improved information sharing/reporting between stakeholders involved in the cargo supply chain.

f. dedicated a gated secured area in CFS warehouse for Customs inspection.

g. dedicated area at Seaplane Ramp for marine interdiction task order office and boathouse.

h. allowed shared use of the Port's equipment wash down station; and

i. provided an office space at the GPD Marina to be co-shared with Port Police and access to Port's surveillance cameras at the marinas and terminal yard.

5. **Commercial Cargo Vessel Operators at Gregorio D. Perez (GDP) Marina:** In May 2021, you advised the Board of increased commercial cargo activity being conducted at the GDP Marina. To ensure standard operating instructions for the import and export of commercial cargo and clearly identify those areas to support such activity at the GDP Marina, you and your team, namely the Commercial Division and Harbor Master's Office developed written procedures for vessel owners. Everyone, through your leadership, worked in collaboration with law enforcement entities to establish these procedures. As a result of these procedures, the Port is now receiving revenues on the import and export of cargoes at the GDP Marina.

6. **Department of Public Works Federal Highway Administration Funds:** Under our guidance of management, the Operations Manager and Commercial staff worked diligently with the Department of Public Works to execute the memorandum of agreement for the use of the remaining Federal Highway Administration seawall project funds. The funds will be used to expand the automobile lot expansion and paving of the shared entrance for Customs and Quarantine lot and the Port chassis staging lot.

7. **Removal of Abandoned Derelict Vessels:** Through the successful coordination with Guam Environmental Protection Agency, Harbor Master, the Governor, Guam Power Authority, and Commercial staff, the Port was able to remove and stage remnants of approximately 13 abandoned derelict vessels which were located inside the Apra Harbor. The removal has allowed safe travel for vessels in the inner part of the harbor.

8. **Historic Visit of Navy Ship Juan Sebastian De Elcano:** The Spanish navy training ship Juan Sebastian De Elcano stopped in Guam in late February 2021 on its journey to retrace the first circumnavigation of the globe 500 years ago. This expedition took the training ship across the Atlantic to Argentina, through the Straits of Magellan, and across the Pacific Ocean, passing Guam and the Philippines on their way back to the Spanish Port of Cadiz. Because of the COVID-19 pandemic, the sailors were not able to interact with locals or experience the island's beauty and hospitality. However, before setting off the Philippines, the ship made a quick visit to our Port and berthed at F3 for a commemorative ceremony in honor of the 500th anniversary of Magellan-Juan Sebastian De Elcano circumnavigation. Numerous island dignitaries were in attendance, including our Governor and Lt. Governor, and the sailors were entertained with Chamorro music and dancers. This symbolic visit at the Port and remembrance of the historical ties of the Chamorro and Spanish people could not have been done without the coordination of you, your staff, with the Governor's Office.

9. **GCC Summer Program Tour:** NTSI program is a federally funded program sponsored by U.S. Department of Transportation Federal Highway Administration. The purpose of the program is to expose participants to different transportation sectors in hopes of generating interest and developing a career path for these individuals in this field. After a short hiatus due to funding issues and the pandemic, the program was back for the 7th year. You and Operation's division heads allowed 28 students and two teachers to get a dock-side view of the Port's gantry cranes, wharves where vessel operations take place, and different sections within the terminal facilities.

10. U.S. Army Reserve 797 Engineer Company (Vertical): You and your team met with representatives of the U.S. Army Reserve 797 Engineer Company (Vertical) regarding assistance they can provide to the Port on the removal and disposal of the partition wall at Warehouse 1, Port Beach demolition work and miscellaneous work at Family Beach. A memorandum of agreement was entered into outlining the scope of work to be performed by the military without any cost to the Port.

11. Marina User Group: A monthly meeting presided by you has been held with a marina user group, similar to the Port Users Group, to provide a forum to better serve our marina tenants and the Island's recreational, sustenance, and commercial boating communities by enabling all marina users an opportunity to address their concerns or ideas to the Port. Concerns raised the marinas have been addressed on a timely basis.

H. COVID-19 RESPONSE: This past year, you and your team saw that the surges from this pandemic is unprecedented. As we think there is some normalcy returning to our lifestyles, another strain would be identified causing us take appropriate measures to reduce the risk to our tenants and employees. Executive Order 2021-17 mandated all Government of Guam employees to be vaccinated no later than September 24, 2021—which to date 99% of the Port employees are vaccinated. During this period, you and your team held:

1. **Vaccination clinics:** To ensure the Port remains 100 percent operational, so the flow of goods and supplies into our community are not interrupted. As the number of positive cases rose amongst our employees, the Port sprang into action to take every step possible to protect the employees, tenants, and people of Guam. Besides the Port Clinic, you established a Port Contact Tracing Team with employees volunteering to take on additional duties and become nationally certified. These efforts helped ease some of the burdens placed on the Department of Public Health and Social Services by conducting our own contact tracing, making arrangements for testing, and keeping employees updated and informed through the consistent circulation of Port E-advisories. Care packages were issued to employees who became sick with the virus.

You coordinated with the Department of Public Health and National Guard to set up the vaccination clinics so our employees, their families, and tenants receive the COVID-19 vaccinations. Guam National Guard was pleased with the set-up for the clinics and informed us that we had set the bar high for any government agency or business on how they can run a successful vaccination clinic at their job site.

2 **Dock-side Vaccination Clinic:** One of the shipping agents requested assistance from the Port about the possibility of setting up a dock-side clinic to administer vaccinations to their crew members. You and your team was able to set up a vaccine clinic within 1 hour with the assistance of the Department of Public Health, FHP Clinic and U.S. Immigration and Guam Customs so the crew members could receive their dose of the vaccination on the Port's docks.

I. PERSONAL DEVELOPMENT: Personal development is a lifelong process and a way for employees to assess their skills and qualities, consider their aims in life and set goals in order to realize and maximize their potential. Since your employment in 2019, you gradually became

aware that in a typical day-to-day of port management, we sometimes become myopic and lose sight of the big picture of port operations. We saw that you have a huge desire to know and understand the workings of a maritime transportation industry and encouraged that you undertake any training or program which will provide you with a comprehensive knowledge of the fundamentals of port management and how the port terminal facility can operate as an integral intermodal connections to the world-wide transportation industry.

During the evaluation period, you received a certification from International Association of Maritime and Port Executives in partnership with Association of American Port Authorities a certification as a Maritime Port Manager. You are the first General Manager in the Port's autonomy since 1977 to receive such certification.

Public Law 32-131 mandated all Government of Guam personnel responsible in procuring goods, services or construction to receive training and continuing education through the Guam Community College Procurement Program or equivalent training. The program consisted of 4 modules—fundamentals and principles of basic procurement; the procurement solicitation process (advanced); the procurement review and remedies (administrative) and the management and administration of procurement (administrative). You began the program in 2019, however, it ceased as a result of the COVID-19 pandemic in 2020. During the evaluation period, you were able to complete modules 1 and 4 and received the procurement certification from Guam Community College. Again, you are the first General Manager since the inception of this law to receive this certification.

Last but not least, a significant accomplishment during your evaluation period was the **Climate Survey Participation**. Year 2020 was a tough year for everyone. To gauge the relationship between the Port organization and its employees and determine the Port's organizational culture, our Human Resources staff conducted a climate survey. Port employees were invited to anonymously speak their truths. Three hundred seventeen employees out of 356 turned in their responses, which is an 89 percent response rate. Their responses were overwhelmingly positive and revealed the morale is at an all-time high; employees were proud to work for the Port; management is accessible, approachable, fair, transparent, and accountable for their actions.

Regarding the COVID-19 situation, they felt positive that management made their work environment safe, kept them well-informed, cared about their safety and wellbeing, and provided them with the resources to do their jobs safely. On the topic of career development, the majority felt their superiors share their knowledge and skills on handling situations and felt training opportunities were provided, as well as promotional opportunities were available to everyone. Teamwork also garnered high remarks, and employees felt positive that they made an effort to be part of the team and support the vision of the administration.

In addition to the above accomplishments, you were able to continue to address day-to-day work activities in such an excellent manner to ensure divisions under your purview are not disrupted.

As a result, the overall evaluation for your third year is **Exceptional Performance**.

As required in Policy Memorandum 09-03, the following areas of responsibilities, objectives, and measures for the upcoming rating period is being provided:

1. **Revenue Bond Projects, Hotel Wharf and Other CIP Projects.** Continue to work with Engineering and Planning staff on the progress of projects awarded. Follow-up with Procurement and Port Staff Attorney on the required review of procurement packages to be issued.
2. **Master Plan Update and Associated Tasks:** Continue to work with our consultants in finalizing the tariff simplification task and master plan update.
3. **Standard Operating Procedures:** Continue to work with division heads under their purview in updating their standard operating procedures for review and approval by management or the Board whichever is applicable.
4. **Staffing and Manpower Requirements:** Continue to update the Port's human resources assessment for all divisions. Coordinate with the Deputy General Manager, Administration and Finance, to issue the procurement for temporary staffing to supplement human resources needs when the military build-up ramps up.
5. **Union Contract Provisions:** Continue to monitor and provide status on the implementation of the agreement's provisions.
6. **Cyber Security System Plan Implementation:** Continue to work with the Deputy General Managers in developing the framework in implementing the program and the financing of the plan through grants.
7. **Federal Grants:** Continue to work with Deputy General Managers on applying grants for the acquisition of equipment and projects related to the modernization program.
8. **Update of Rules and Regulations and Standard Operating Procedures:** Continue to work with the Deputy General Managers in updating rules and regulations and standard operating procedures.
9. **5 Year Equipment Plan:** Continue to work with respective division heads under your purview to refine the five-year equipment replacement need, which will serve as a planning tool and long-range perspective of the Port's equipment needs over the next 20 years.
10. **Training, certification, and re-certification of employees:** Continue to work with the Deputy General Managers and respective division heads:
 - a. Re-establish the apprenticeship program so employees may obtain the necessary academic knowledge and specific on-the-job training of the positions' trades.

- b. Develop a mentoring program and identify employees who have specific skills and knowledge with individuals who need or want the same skills and advantages to move up in work, skill level, or performance.
 - c. Ensuring training certifications required by the federal government are provided before their expiration.
11. **Real Estate Issues:** Continue to work with in-house Staff Attorney on the lease negotiations for Marianas Yacht Club and Agat Small Boat Restaurant. Present to the Board on whether the Port should continue with its lease arrangements or pursue the desire to terminate its leasehold with Aqua World.
12. **Micronesian Cruise Ship Development:** Because of the COVID-19 pandemic, discussions were temporarily ceased. When the island begins to return to normalcy, reach out to GEDA and GVB regarding developing the strategy for a regional small ship cruise industry.

This memorandum will be attached to your performance evaluation to justify Exceptional Performance's overall evaluation and provide specific performance objectives for the next rating period.

We humbly thank you and your team for a job well done.

International Association of Maritime and Port Executives

In keeping with the standards set forth by the association
and having met the requirements of the Maritime Port Manager program

Rory Respicio, MAIPA

is hereby certified as an

MARITIME PORT MANAGER



Executive Director, David Arnold, MAIPA



Director of Education and Standards, Capt. Jeffrey Monroe, MAIPA, MAIPA

Awarded on this nineteenth day of November, two thousand twenty-one

