



Speaker Therese M. Terlaje <speaker@guamlegislature.org>

Contractors License Board Approved Meeting Minutes of January 20, 2021

Carmelita Santos <carmelita.santos@clb.guam.gov>

Wed, Feb 17, 2021 at 1:13 PM

To: speaker@guamlegislature.org

Cc: Cecil Orsini <cecil.orsini@clb.guam.gov>, Bernard Benavente <nbtguam@gmail.com>, James Casallo <jamescasallo@gmail.com>

Hafa Adai Speaker Therese Terlaje,

Please find attached Contractors License Board approved meeting minutes of January 20, 2021. If you have questions, please call Mr. Cecil Orsini, CLB Executive Director at 649-2215/2211 or email at cecil.orsini@clb.guam.gov.

Thank you, you may also call me at 649-2214 or email at carmelita.santos@clb.guam.gov.

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Carmelita "Lily" H. Santos
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Contractors License Board
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**OFFICE OF THE SPEAKER
THERESE M. TERLAJE**

02-17-2021

Time: 1:13 PM

Received: [Signature]

Speaker Terlaje approved CLB minutes of Jan 20, 2021.pdf
269K

**COMMITTEE ON RULES
RECEIVED:
FEBRUARY 17, 2021 at 4:30 P.M.**

[Signature]



CONTRACTORS LICENSE BOARD

Inetnon Malisensiayen Kontratista

542 North Marine Corp Drive A. – Tamuning, Guam 96911
649-2211, 9676, 649-2210(Fax) Website: www.clb.guam.gov



LOURDES A. LEON GUERRERO
GOVERNOR

CECIL "BUDDY" I. ORSINI
EXECUTIVE DIRECTOR

JOSHUA A. TENORIO
LIEUTENANT GOVERNOR

February 17, 2021

Memorandum

To: The Honorable Therese M. Terlaje
Speaker, 36th Guam Legislature

From: Cecil "Buddy" L. Orsini, Executive Director

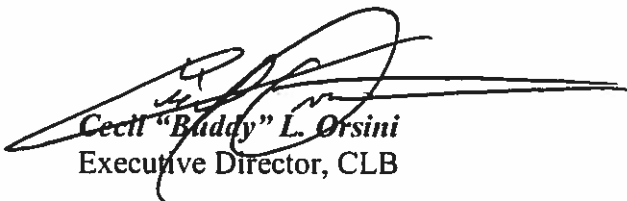
Subject: **Approved CLB Board Meeting Minutes of January 20, 2021**

Buenas and Hafa Adai Speaker Therese M Terlaje,

Please see attached Contractors License Board Meeting Minutes of January 20, 2021 which was approved on the Contractors License Board Regular Board Meeting on February 17, 2021. We also have attached a copy of the February 17, 2021 Agenda and Attendance Sheet.

If you have questions, please call me at 649-2215 or email me at cecil.orsini@clb.guam.gov.

Senseremente,



Cecil "Buddy" L. Orsini
Executive Director, CLB

Attachments



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Regular Board Meeting Minutes of **January 20, 2021** CLB Conference Room

I. Call To Order:

The Regular Board Meeting of Guam Contractors License Board was called to order at 10:01 a.m. by Board Vice Chairman, Mr. Bernard Benavente.

II. Roll Call:

- a. Bernard S. Benavente, Vice Chair, Construction Industry
- b. Matthew Cruz, Board Member, General Public
- c. Selina Ashland, Board Member, General Public
- d. Vince Arriola, Ex-Officio, DPW

CLB Staff Members Present:

- e. Cecil "Buddy" Lujan Orsini, Executive Director
- f. Maria Perez, Administrative Officer
- g. Carmelita "Lily" Santos, Administrative Assistant (sitting in for Private Secretary)
- h. Lloyd Quiao, CLB Investigator
- i. Aaron Aragon, CLB Investigator
- j. Marcus Finona, CLB Investigator

III. Approval of the Minutes for January 22, 2020 CLB Regular Board Meeting:

Motion made to approve Minutes of January 22, 2020 by Board Member S. Ashland;
Seconded by Vice Chairman B. Benavente
Nays: None All in Favor- Unanimous Motion carried.

IV. Public Comment:

None.

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V. Section Report:

Administration Section:

- M. Perez reported the CLB FY2021 approved Budget of \$725,252.00, Updates of 2021 year Contractors License, Thirty-five (35) new application licenses since February 2020: (see attachment)

Active Contractors	777
Inactive Contractors	31
Master Electrician	<u>41</u>

TOTAL Contractors: 849

- M. Perez listed new applications. Vice Chair B. Benavente asked what period is the list from. M. Perez responded from the last CLB meeting on February 20, 2020. M. Cruz asked how are we doing on renewal processing; C. Orsini responded CLB is up to 70% in renewals. C. Orsini further stated CLB extended renewal to March 15, 2021 mirroring Revenue & Taxation, renewing without any penalty fees. C. Orsini stated the problem contractors are encountering are the clearances from the other agencies. S. Ashland asked what is the average processing time. C. Orsini responded a week. M. Perez stated if all document is complete and emailed to us, we call them the next day. V. Arriola asked is it by appointment or walk ins; M. Perez stated as long as it is emailed and we verify it, we call customer in to pay and license is given; emailing application and making appointment makes it all easier. S. Ashland stated she received some calls regarding renewal and people are happy regarding the processing. Vice Chair asked any problems with Department of Labor; M. Perez stated no; Department of Labor is accommodating.
- V. Arriola requests on this report, to state the type of new contractors coming in as it is good also for public relations when reporting to the Governor and the Lt. Governor. V. Arriola requested moving forward in the Administration Section Report regarding new contractors, to list more information stating what classifications they have, RME name and if they are Corporation, Sole Proprietor, LLC, etc.
- C. Orsini stated he spoke to Director of Rev & Tax Dafne Shimizu in regards to business license for example getting an fixing air condition. C. Orsini further stated CLB has come across people getting their license on the business section but business section should be marking to see CLB. C. Orsini stated tips from DPW Pete Trinidad and also shared with Mike Unsiog and Dafne S. has prompted CLB to site investigation in Tumon in regards to business license for six units apartment rental. C. Orsini further stated the fees are different but on the bottom units they sublease to retail and no business license for that, which is loss of government revenues.
- S. Ashland asked if the renewal deadline extension was announced. C. Orsini stated Crystal Paco advertised on the jig, CLB website and also shared to James Martinez from Guam Contractors Association. S. Ashland inquired regarding new contractors listing regarding company On line Construction had an issue in February, M. Perez stated there was another RME. His wife owns On line Construction.

**CLB Regular Board Meeting
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Vice Chair B. Benavente asked the status of Modern Konstrak; M. Perez stated they have not renewed and C. Orsini added they are pending clearance at Department of Labor per Greg Massey.

Investigation Section:

- Investigator L. Quiao reported in lieu of Ms. Nida Bailey (CLB Investigator Supervisor) being absent for this meeting, L. Quiao requested for Case #2020-07-02 CLB vs. David Herring (R.M.E.) be tabled until next scheduled CLB meeting.
 - Vice Chair B. Benavente asked for clarifications if this case has been ongoing since 2020. V. Arriola asked for further details, L. Quiao stated Mr. Herring has been working as an expired licensed contractor; L. Quiao stated this is the fifth case and was never resolved due to he has been evading CLB Investigators. L. Quiao stated when the Attorney tried to serve at his home residence, he was not home. L. Quiao stated CLB did serve him; C. Orsini stated it took a while cos CLB couldn't locate him. S. Ashland stated if his daughter is 18 and above, she can receive document. S. Ashland is asking if CLB's website list bad standing contractors; M. Perez stated there is no bad standing list but when consumers inquire about a contractor, we verify if they have no issues.
- L. Quiao reported the following open complaint cases: (see attachment)
Total cases: 28 (6 Open and 22 Closed)
 1. Case #2020-06-01 Shannel R. Alferos & Larens John Alferos vs. RN Builders (Retaining wall built without a building permit) – Civil Matter (going through litigation)
 2. Case #2020-06-06 (VMS) Sivalingam Subramaniam vs. Leading Tech (L. Quiao stated CLB has been trying to locate Owner Brian Cho Leading Tech and was informed they left to Saipan) L. Quiao stated as far as Investigation knows, they have no activities.
 3. Case#2020-06-07 Marie Cabrera vs. Pacific Jimi K Corp/Jiang Xiong Gao (minor inspection of cabinet and granite counter tops)
 4. Case #2020-07-01 Raymond Tuncap vs. Far Eastern Construction (Poor Workmanship; house is completed already) - undergoing litigation matters
 5. Case #2020-07-02 CLB vs. David Herring (Pending Hearing)
 6. Case #2020-07-04 Carmelita lisa San Nicolas Molina vs. Q Design III (grading without a permit; installed a container house building with septic tank) C. Osini stated Q Design III has a business license only to sell containers. Vice Chair B. Benavente stated containers being assembled should have a B classification license (General Building). V. Arriola stated case to remain open until further investigation is done.
- Vice Chair B. Benavente asked L. Quiao to introduced CLB's two new Investigators Mr. Aaron Aragon and Mr. Marcus Finona. S. Ashland asked if the two have been out of the field yet and C. Orsini stated CLB is looking forward to next month starting the weekend warrior project on Saturdays.

VI. Executive Director's Report:

- C. Orsini congratulated and welcomed aboard the two new Investigators Mr. Aragon and Mr. Finona.

**CLB Regular Board Meeting
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- C. Orsini stated there are a lot of illegal activities being done so in regards to unlicensed contractors, as he spoke to Senator P. Terlaje that we need to amend Public Law 33-103 subsection 70109.1. He stated the law states 50% of the value of the contract will go to the government and 50% will go to the consumer. He further stated lately CLB has been finding that the consumer is getting smarter so once the project is almost completed, consumer will file that their contractor is unlicensed. He stated this one individual has two projects and was former Guam Contractors Association member and will be reimbursed due to unlicensed contractor so this P.L. 33-103 does not work for CLB if an individual knowingly knew they were unlicensed, but what we can recommend to amend is 50% to government retiree and certain percentage can to the Investigative unit for equipment, etc..
- Extension for the Renewal of the Contractors was moved to March 15, 2021, being CLB is at 70% contractors renewed.
- For the term February 20, 2020 – December 20, 2020, 21 Tips/Calls were received from DPW Permits or the Jig, and out of the 21 tips, 7 were given violation and fines totaling \$2,300.00. This amount should increase as we now have the two Investigators on board.

VII. Old Business:

- None.

VIII. New Business:

- Just for Inquiry: S. Ashland asked what is Legal Counsel's situation regarding being present for CLB meetings. C Orsini stated only when he is needed for hearings or other legal matters.
- Vice Chair B. Benavente stated to clarify contractors from Russians descent (or if they have moved to Guam seeking asylum) if we are obligated to give them a Contractors License. M. Perez stated they would have to submit a Attorney's letter stating they could apply for a Contractors License. V. Arriola asked is a certification letter from their Attorney stating they are entitled to obtain a Contractors License on Guam sufficient enough Are there any other forms of certification needed from Agencies such as Immigration, Department of Revenue & Taxation (for example, EIN, GRT, government of Guam ID), Department of Labor or other Government of Guam Agencies. V. Arriola request to send a letter to Mr. Keeler. C. Orsini stated he will send a letter to Mr. Keeler for clarifications.

IX. Announcement:

Next regular board meeting is scheduled for **Wednesday, February 17, 2021 at 10:00 a.m.** at the CLB conference room.

X. Adjournment:

S. Ashland motioned to adjourn at 11:16 a.m., seconded by M. Cruz.

Nays: None

All in Favor- Unanimous Motion carried.



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(NOTE: Meeting Advertised in the PDN 2/10/2021 & 2/15/2021)

Regular Board Meeting
February 17, 2021 10:00 A.M.
CLB Conference Room

AGENDA

- I. Call to Order:
- II. Roll Call
- III. Approval of the Minutes for January 20, 2021 Board Meeting
- IV. Public Comment
- V. Section Report
 - a. Administration Division – Maria Perez (Administrative Officer)
 - b. Investigation Division – Nida Bailey (Investigator Supervisor)
- VI. Executive Director's Report
- VII. Old Business

Case #2020-07-02 CLB vs. David Herring (R.M.E.) – Lloyd Quaio (Investigator)
- VIII. New Business
- IX. Announcement:
 - a. Next Scheduled Regular Board Meeting is for **March 17, 2021** at 10:00 a.m.
at the CLB Conference Room.
- X. Adjournment



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ATTENDANCE SHEET

The regular meeting of the Board of Directors for the Guam Contractors License Board was called to order at 9:58 a.m. on Wednesday, February 17, 2021 by Vice Chair Bernard Benavente

Present for this meeting were:

James M. Casallo, Chairman

Bernard S. Benavente, Vice Chairman

Rena Borja, Member

Selina Ashland, Member

Matthew C. Cruz, Member

Frank Leon Guerrero, DD
Dafne Shimizu, Ex-Off. (Rev & Tax)

Vincent P. Arriola, Ex-Off. (DPW)

Cecil "Buddy" L. Orsini, CLB Executive Director

Nida Bailey, CLB Investigator Supervisor

Lloyd L. Quiao, CLB Investigator

Aaron T. Aragon, CLB Investigator

Marcus Finona, CLB Investigator

Maria D. Perez, Administrative Officer

Carmelita H. Santos, Administrative Assistant

[Handwritten signatures of attendees]

Others Present:

Meeting Adjourned at

11:20 Doc. No. 36GL-21-0208.* a.m./p.m.