


I MINA TRENTAI UNU NA LIHESLATURAN GUAHAN
2011 (FIRST) REGULAR SESSION

2011 FEBRUARY 22 AM 10:36 MJM

Bill No. 85-31(15)

Introduced by:

Judith P. Guthertz, DPA 

AN ACT TO ADD A NEW SUBSECTION 54106 AND ITEMS 54106(A)(B) TO ARTICLE 1 OF CHAPTER 54, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT EFFICIENT TRAFFIC FLOW CONTINUES IN ALTERNATE ROUTES DURING ALL PERIODS OF HIGHWAY AND ROAD CONSTRUCTION PROJECTS

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative findings and intent.** In order to ensure that efficient
3 traffic flow continues unimpeded during long periods of highway and road
4 construction projects in Guam, a public policy is needed to ensure village
5 communities, businesses and the commuting public are not unduly disadvantaged or
6 inconvenienced as a result of the projects.

7 It is the intent of I *Liheslaturan Guahan* to ensure traffic flow continues on
8 available alternate or diversionary routes during prolonged periods of highway and
9 road construction projects.

10 **Section 2.** Subsection 54106 is hereby added to Article 1, Chapter 54, of Title
11 5, GCA

12 “§ 54105. Alternate Routes Continuity. DPW shall not initiate construction on
13 road projects without holding a public hearing and filing with the Guam Legislature
14 proof of the hearing and planned mitigation to satisfy concerns of the village
15 communities and businesses that will be impacted by the construction.

- 1 a) DPW shall budget for the cost of mitigation to villages for re-routing
2 traffic into neighborhoods when the safety and tranquility and commerce of the
3 neighborhoods are impacted by highway and road construction projects;
- 4 b) DPW shall not initiate new construction on any road construction
5 projects simultaneously with other ongoing highway and road construction projects
6 within the same village in Guam at the same time, unless projects will not heavily
7 impact each other;
- 8 c) all road and highway projects shall include plans and costs analysis
9 that reflect the difference in budget and completion dates of all road and highway
10 construction projects utilizing the regular eight(8) hour day shift workday versus
11 the twenty-four (24) hour work shift schedule;
- 12 d) DPW shall include provisions in its road and highway construction
13 projects contracts that budget for twenty-four (24) hour work shift schedules versus
14 regular eight (8) hour day shifts when costs analysis, plans and completion dates
15 justify the increase in costs;
- 16 e) DPW shall include provisions in all its road and highway construction
17 project contracts that require contractors to plan projects around the accepted “rush
18 hour commute,” in Guam as designated by the Office of Highway Safety;
- 19 f.) DPW shall include in all project Request for Proposals and Bids for
20 highway and road construction, marked timelines, performance review
21 specifications and minimum manpower and equipment requirements;
- 22 g) performance review provisions in all highway and road construction
23 contracts shall include a section that fiscally penalizes winning contractors that fail
24 to meet or comply with the minimum marked timelines, performance review
25 specifications and manpower and equipment requirements during the course of the
26 entire contract and through completion of the contract awarded.”

1 **Section 3. Effective Date:** This Act shall take effect upon enactment into
2 law.