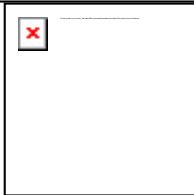
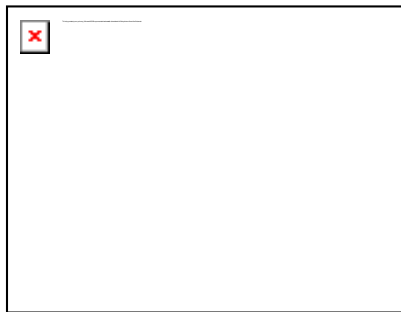


From: Speaker's Office <speaker@guamlegislature.org>
Sent: Friday, June 12, 2020 3:14 PM
To: Clerks Office
Cc: Rennae Meno
Subject: M&C Fwd: PAG Board Meeting Materials - June 9
Attachments: 060920 PAG Board Mtg Materials.pdf

06-12-20	12:58 PM	06-09-20	Minutes for Board of Directors Meeting held on June 9, 2020.*	Port Authority of Guam	35GL-20-1886
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Sinseru yan Minagâhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the
Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
speaker@guamlegislature.org

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Gumai pribilehu yan konfedensia este siha na mensâhi. Solo espesiátmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensâhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todú siha I kopian mensâhi. Si Yu'os ma'åse'.

----- Forwarded message -----

From: marge <mduenas@portofguam.com>
Date: Fri, Jun 12, 2020 at 12:58 PM
Subject: PAG Board Meeting Materials - June 9
To: <speaker@guamlegislature.org>

Hafa Adai Speaker,

In accordance with Section 8113.1, Chapter 8, 5 GCA, the Port Authority of Guam hereby submits an electronic copy of its Board of Directors, June 9, 2020 board meeting materials.

Regards – marge



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
Website: www.portguam.com



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
Tuesday, June 9, 2020
PAG Board Conference Room, Piti
3:00 p.m.

A G E N D A

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES
 1. February 28, 2020 – 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
- VI. NEW BUSINESS
 1. Port Audit Fiscal Year 2019
 2. Resolution No. 2020-03 OEA Supplemental Grant Funding
 3. Strategic Planning Applied Grants – PAG Cost Share
 4. ExxonMobil - Lot 1 and Area A Annex Building; Lot 3B
 5. Rent Deferral
 6. RFP No. PAG-020-001 Professional Legal Services
 7. RFP-020-003 Drug-Free Workplace Program
 8. Status Update on Crane Demolition/Removal
- VII. ADJOURNMENT



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

**MINUTES OF THE
REGULAR MEETING OF THE BOARD OF DIRECTORS
Friday, February 28, 2020**

I. CALL TO ORDER

There being a quorum, the regular meeting of the Board of Directors was called to order at 11:04 a.m., Friday, February 28, 2020. Present at the meeting were:

Francisco G. Santos, Chairman
Nathan T. Taimanglo, Vice Chairman
Isa Marie C. Koki, Board Secretary
Maria D.R. Taitano, Member
Anthony P. Chargualaf, Member
Rory J. Respicio, General Manager
Dominic G. Muna, Deputy General Manager, Operations
Luis R. Baza, Deputy General Manager, Admin/Finance
Atty. Joseph McDonald, Port Counsel

Also present was Guam Chamber of Commerce-Thomas Hertslet; Senator Clynt Ridgell's office-Mike Carlson; AM Insurance-AnnMarie Muna, Tricia Granillo; SSFM International-Gerard Bautista; Kandit News-Troy Torres, Johnne Rosario and Port Staff.

II. APPROVAL OF MINUTES

- a. **January 28, 2020 – Regular Board Meeting**
- b. **February 18, 2020 – Special Board Meeting**

Director Taitano made motion to approve the minutes of January 28, 2020 and February 18, 2020, subject to correction. The motion was seconded by the Vice Chairman and was unanimously passed.

III. PUBLIC COMMENTS

- a. **Public Comments:** None.
- b. **Employee Comments:** None.
- c. **PAGGMA Association:** The Chairman asked the status of the Chamorro month activities. Mr. Luis Baza, Deputy General Manager, Admin/Finance mentioned that several meetings have taken place and the discussions continue to be developing for a successful event.

The PAGGMA Vice President Steve Muna reported that the association's 2019 financial is currently being reviewed by its tax consultant prior to publication. He said the Port will be participating in the Paddle Against Cancer held at Port Beach on March 15, 2020. Also, PAGGMA will be assisting with the preparation of Chamorro month that is scheduled on March 27, 2020.

IV. GENERAL MANAGER'S REPORT

(deferred to Old/New Business Items)

1. **2019-Novel Coronavirus.** The Port has been very active with the Governments efforts as it relates to the coronavirus, also known as COVID-19, together with Airport Authority, Customs & Quarantine, and Public Health. The Port have been meeting regularly with these government agencies to determine how best to add additional layers of protection for our island, especially with the Port Authority and Airport Authority are points of entry into Guam. With the Port, there were two incidences from vessels calling the port of Guam – Kota Harum Vessel arrived on February 5th, departed next day and APL Saipan Vessel that arrived February 17th, departed next day. With the Kota Harum vessel, there were two crew members that exhibited flu-like symptoms. Procedurally, the vessel has 96 hours to report to the US Coast Guard. The USCG has taken precautionary measures to include tracing the footsteps of all the crew members prior to boarding that vessel from where it originated. The two crew members with flu-like symptoms were communicated through telecom with Customs & Quarantine, Center of Disease Control Public Health and determined that the two crew members did not have any upper respiratory issues, so at that level they were cleared. However, Port Harbor Master, Acting Operations Manager and management reached out to Public Health and requested that a healthcare professional be on site to inspect the individuals, which they did and were determined to not show any signs of the virus symptoms. The second incident on board the APL Saipan vessel, one crew member was reported to having diarrhea and was not feeling well. Based on the protocol, Customs & Quarantine called Public Health and the individual was cleared over the phone. On February 18, 2020, the Port issued.

2. **Extension on Procurement Delegation of Authority.** The Port's provisional six-month delegation of procurement authority ended on February 6, 2020. During the six-month period, the Port processed 484 requisitions, 484 purchase orders, and issued and awarded 5 Invitation for Bids (small purchases). On February 11, 2020, we requested an extension of three months to run concurrently from August 7, 2019 to May 7, 2020; which was granted by the Chief Procurement Officer. The Chief Procurement Officer will continue to have supervisory oversight on all procurement processes and procedures of the Port, including administrative authority over the Port's procurement personnel during this additional 90-day period.

3. **Selection of Four Port Police Is to Port Police IIs.** Congratulations to Security Armed Guard Daryl Movida and Benny Quinata as well as Port Police I Michael Franquez and Jacob Iriarte on their promotional appointments to the position of Port Police II. This is indicative of their interest in the opportunity for upward mobility in the field of law enforcement at the Port Authority of Guam. We are confident that they will continue to safeguard and protect the Port, its employees, and those conducting business with this agency.

4. **Gantry 5.** Gantry 5 was not in operation latter part of January 2020 due to a reoccurring main engine failure. The Port's maintenance personnel found a crack on the after-cooler which was unrepairable. The generator was replaced with a new C-32 generator that had an after-cooler and radiator as part of the new assembly. The prepping, installation and testing of Gantry 5's new generator was performed during the period of February 3-18, 2020. Gantry 5 is now back online and fully operational. We are developing through Dominic Muna, Deputy General Manager of Operations, an after action report to discuss best practices, and to provide an opportunity for the PAG Board and Management to recognize the Port's Maintenance Manager Ernie Candoleta, as well as all of the Port personnel involved in this undertaking.

5. **Agat Marina, Dock C Repairs (Slip C-25).** Long awaited repair to Dock C Slip 25 is finally completed. The slip sustained damage from impact by a commercial vessel on December 8, 2018. The Port was able to address the repairs through the operator's insurance provider. In doing so, we were able to engage the contractor of record to maintain the warranty on the relatively new dock system. The completed repair cost was at \$41,576.00 and final inspection was done on February 7, 2020. The slip is now in use and currently assigned to the "Lina Marie", a new commercial operator at the marina. Again, the cost of this repair work was at no cost to the Port.

6. **Endorsement Letter for Cabras Marine.** Cabras Marine submitted a grant application to the US Department of Transportation's MARAD 2020 Small Shipyard Grant Program to acquire a new made-in-America 275-ton mobile all-terrain crane. This equipment will allow the shipyard to provide more cost effective, efficient, and timely provision of critical ship repair services, directly supporting Port operations. Attached is a letter of support to MARAD for Cabras Marines' endeavor.

7. **Cabras Marine Lease Option.** Cabras Marine's lease option period is up on March 31, 2020. Once we are in receipt of Cabras Marine's notification, the Port will proceed accordingly.

8. **Guam Shipyard - MOU.** The draft Memorandum of Understanding (MOU) has been transmitted to the Attorney General for their review. Staff attorney has provided his comments to the Attorney General's Office, which they are currently reviewing.

9. **Guam Shipyard - Hotel Wharf.** Guam Shipyard had requested to relocate their assets from inner harbor to Hotel Wharf. On January 24, 2020, the Port agreed to such relocation but with conditions, i.e., written confirmation that tug to tow 3 of their assets were on their way to Guam; acquire agent for the tug which is to tow the assets out of Apra Harbor; Guam Shipyard will have a 24-hour watch at Hotel Wharf; no work is to be performed on the assets without permit by Port and US Coast Guard; heavy weather mooring plan has been accepted by the Port; and Port assumes no indemnity liability for their assets.

10. **Training.** Basic Supervisory Workshop training continues to be conducted by Louie Baza, Port's Deputy General Manager for Administration and Finance, and is open to all Port employees. So far, he has held five workshops and 95 employees participated. As to the

certification and re-certification for crane/winch operator, Island Certs training instructor is currently off-island, and a training schedule will be arranged upon their return.

11. **Key Performance Indicators.** All of the Port's manager positions have been completed (See attachment). Currently, the Human Resource division is working closely with Division Heads on completing their drafts of their subordinates. Please note that the target date for implementation on the employee quarterly performance evaluation methodology is projected for Fiscal Year 2021.

12. **Overtime Comparison Actual versus Budget for Operations and Maintenance Sections involved in Vessel Operations).** The OT for the month of January is \$130K which is higher by 23% as compared to the Budget of \$100K. Year to date (YTD), from October to January of FY20, the total OT is \$576k which is \$176K over YTD budget as compared to YTD OT Budget of \$401K. Reasons for the overtime are delays in the arrival of vessels. Also, Gantry 5 was inoperable for the latter part of January, 2020 requiring prolonged hours of operations, together with the replacement of Gantry 5's generator and engine resulted in significant increase in OT expenses from the Port's maintenance personnel. This situation required these employees to work during Saturdays and Sundays.

We will conduct an in-house audit for the first five months of FY20 OT expenses to determine if any recommendations need to be made to the Board when we present the FY20 mid-year budget review. In the meantime, shortfalls in OT (actual versus budgeted) are being covered-over through personnel lapses to ensure that the Port continues to operate within the total FY20 budget allocation approved by the Board.

13. **Grant Opportunities.**

a. **EDA Grant Application.** The grant application submitted is for F1 and Golf Pier fuel pipeline connectivity in the amount of \$2.35M. The Port's first review was favorably assessed by EDA. Port is now on the second round and additional documents are required. EDA has informed Port that having a strong application and with the additional documentation required, it will make it more robust for the second review phase.

b. **Department of Agriculture Grant. No new developments.** The Port has recently received \$500K grant funds to support the repair work of Harbor of Refuge. To access the grant monies, the Port is waiting for the MOU from Department of Agriculture.

c. **Office of Economic Adjustment.** The Governor signed the MOU on February 3, 2020. This is great news for the Port as this allows us to move forward with the following projects:

- i. 2020 Port Master Plan Update
- ii. Deep Draft and Fill Improvements Project Feasibility Study
- iii. Customs Inspection Feasibility Study

iv. **Conceptual Design and Revised SOW for New Admin Building Annex & Renovation of Existing Admin Building**

Additionally, the Port has submitted supplemental grant funding for \$800K that is currently pending OEA approval. If approved, the total grant amount supporting these projects totals \$1.6M.

d. **MARAD-Gantry Crane Acquisition.** On February 14, 2020, we were notified by MARAD that the Port Infrastructure Development Program grant for the acquisition of two (2) Ship-to-Shore Gantry Cranes in the total amount of \$30M was not approved. As a contingency, we are currently engaging USDA through a direct loan for one crane and US Department of Defense for the other. Upon securing source of funds, the procurement process on the bid solicitation will commence for the acquisition of a 50-gauge crane (specs attached). Timeline to build is an estimated 18 months to 2 years.

e. **Office of Insular Affairs.** No new development. A grant application will be submitted in April 2020. This grant application is for the Maintenance Assistance Program and Technical Assistance Program that will provide support to the EQMR and Operations divisions.

f. **Federal Highway Administration (FHWA).** On February 18, 2020, a meeting was held with FHWA representatives and DPW to discuss potential funding for the Hotel Wharf Access Road. The focus of discussion was to socialize the desire of the Port to explore the potential of having FHWA fund the \$10M Access Road extending from Industrial Avenue to Hotel Wharf. Please note that this access road is being funded through the Port Revenue Bonds, pursuant to P.L. 34-70 (as amended by P.L. 35-44), however, if this can be funded through other funding sources then it'll free up funds to fully implement the Port Modernization Program. The idea proposed was similar in scope to one that was previously under consideration during the Rt 11 Hardening Project when the Port was given the Strategic Port Designation. In response, FHWA guided the Port towards the 2020 BUILD Grant Program that was recently announced.

In addition, we further engaged DPW/FHWA on the remaining funds from the Intermodal Facility Appropriation amounting \$575,000. It was confirmed that the funding is in fact available but must be spent on an eligible project. As to date, the proposed projects currently being vetted for this purpose are the Internal Access point into the Rt 11 AutoLot, the shared access with Customs and Quarantine into Parcel 1-3-1 adjacent to the TESS Facility and the Enhancement of the Gate Operating Facility. – (Memo attached)

14. **Port Tour – U.S. Army Corp of Engineer.** On February 7, 2020, Port hosted a site visit with Lt. Col. Kathryn Sanborn, Commander and District Engineer, and Michael Wyatt, Chief of Civil and Public Works Branch for the U.S. Army Corps of Engineers Honolulu District. The site visit encompassed on the Port's container yard, seawall and Hotel wharf. Discussion also surrounded on the Port's priority projects, such as, the TIGER Rehabilitation of H-Wharf, the Hazard Mitigation Grant Program (HMGP) Fendering System Hardening Project,

the potential Deep Draft Wharf were discussed. Other topics held were potential funding avenues for the Agat Marina and improvement of the Port's seawall. The meeting was very successful with the Army Corp representatives responding positively to the Port's direction with current and future projects.

15. Procurement Solicitation Updates

a. **RFP-PAG-020-001 Professional Legal Services.** The professional legal services advertisement was published on a newspaper of general circulation (PDN, Guam Daily Post) on February 19, 2020. The pre-proposal conference was held on February 25; however, there were no attendees. Deadline for submission of proposals is March 20, 2020.

b. **F1 Management.** Currently in cost negotiations.

c. **RFP 19-006 Port Classification & Compensation Plan.** Negotiations were terminated because both parties were not able to agree with a cost proposal. We anticipate to re-issue the RFP in the future.

16. **Port Revenue Bonds Project Status.** As of February 25, 2020, the attachment provides information on the status of the revenue bond projects that consist of rehabilitation of hotel wharf, golf pier repairs and improvements, waterline replacement/relocation, EQMR building, and warehouse 1 repair/upgrades, new admin annex building, and other priority projects.

V. OLD BUSINESS

There were no old business discussed.

VI. NEW BUSINESS

1. **Resolution No. 2020-02 JD Edwards Enterprise One:** Director Chargualaf made motion to approve Resolution No. 2020-02 JD Edwards Enterprise One relative to authorizing the Port Authority of Guam to proceed with the implementation of an upgraded financial management system and petition the Public Utilities Commission (PUC) for review and approval of the bond expenditure. Motion was seconded by Director Taitano and was unanimously approved.

2. **Memorandum of Agreement – Attorney General:** The General Manager mentioned that the Port Staff Attorney Joseph McDonald has submitted his resignation to take effect close of business today. Management is requesting to engage with the Attorney General's office (AOG) to enter into a memorandum of agreement (MOA) with the Port Authority for legal services. The Port will continue to recruit an in-house attorney, as well as acquire a law firm for specialized legal services. Director Chargualaf asked the timeframe to acquire an in-house counsel. The General Manager responded that the hiring of an in-house counsel can happen almost immediately with the right candidate for the position as it is an unclassified service. He mentioned if the MOA is agreed to by the AOG, that perhaps they remain on board even though

Port has its counsel in the event a conflict may arise in any given case. Director Koki authorized management to engage with the Attorney General's office to enter into a memorandum of agreement for legal services, seconded by Director Chargualaf. Motion was unanimously approved. The General Manager clarified that having adopted the MOA as presented and if the AOG agrees with the MOA, will it require further Board approval. The members agreed that further Board action is only necessary if there are substantive changes made to the memorandum of agreement.

3. **Workers Compensation Insurance:** The General Manager mentioned based on the history of the Port's worker's compensation coverage from 2006 thru 2014, the Port's worker's compensation program was covered by Department of Labor and the arrangement for any claim is dollar-for-dollar. For instance, the Port paid in 2006 \$105K; 2007 \$356K and then in 2014 \$111K. In accordance with Section 10111(e), Chapter 10, Title 12, Guam Code Annotated, the Port shall obtain workers compensation insurance, which the Port has done so for fiscal years 2015 thru 2019 with a premium payment averaging about \$45K to \$50K. On September 27, 2019, the Port issued a bid for fiscal year 2020 and only one respondent submitted a proposal at a premium amount \$375K, no deductible. The Port's Cost Negotiations Committee met and offered a counterproposal of \$105K based on the trend in premium payments of prior years. He said this did not take into consideration the high utilization, the risk factors and market conditions. The respondent then presented a counter-offer with two options – Option 1 \$281K annually, no deductible and Option 2 \$230K annually, \$150K deductible. The Port's Cost Negotiations Committee made the recommendation to select Option 1 at \$281K annually with no deductible. Currently, the budget for worker's compensation is \$150K and since it is now the 2nd quarter into fiscal year 2020, the premium payment will be half the cost at \$140K. Without objections, Buyer Supervisor Mark Cabrera restated that the committee successfully reached a determination and has selected Option 1; however, what is pending is the SAAG review that is part of the procurement process.

Discussion followed, and Director Chargualaf commented that previous years on premium was significantly low compared to what is being presently offered. The General Manager said the previous years was also provided by the same insurance provider, that was the sole bidder for this fiscal years' bid and the reason for the increase in premium is due to market conditions and the risk that is involved. The Vice Chairman commented that it would also be prudent to have the higher amounts simply because of the change in the increase in rates on the worker's compensation law in Guam. Director Chargualaf mentioned that understanding there are incidents in the workforce, he highly encouraged that the Safety department take preventive measures to reduce and mitigate potential work hazards and injuries, especially with similar type of accidents that has occurred at the Port that would help to avoid repeated incidences. The DGMA informed the Board that there is an Accident Review Board that addresses all accidents/incidents and determines best practices moving forward. Director Chargualaf pointed out that as to the premium rate, is uncertain given the disparity from prior years. The General Manager understands the points raised; however, reiterated that the concern is the statutory requirement to have worker's compensation insurance. And based on this, he had reached out to Department of Labor for the Port to be covered, in the interim, through the government of Guam's Worker's Compensation Fund. He mentioned that under this arrangement with DOL the

Port will be paying dollar-for-dollar, plus 7.5% of what the prior year claim was. So technically, he expressed that, although covered, the Port is exposed because this agency would have to pay dollar-for-dollar. The General Manager was also disappointed in just learning that this bid is pending SAAG review when it was issued several months ago and the Procurement division was aware of the premium offer then. There just has to be a sense of urgency and an overriding desire to want to prevent these potential liabilities and exposure to the Port Authority. He asked whether a motion can be made subject to SAAG review because having to wait for the next board meeting in the next 30 days was concerning due to having no coverage in terms of insurance right now. Port counsel mentioned that the role of the SAAG review is basically ensuring that the bid procurement process on the checklist is completed in accordance with the procurement rules and regulations on each phase and also certifies the procurement record. He advised that a motion by the Board subject to SAAG review is allowable. The General Manager mentioned that the Port Authority will not be paying full price this fiscal year, with costs at about \$140,000, as the contract began in the middle of the year. The Vice Chairman made motion to approve Option 1 at \$281,000 annually subject to SAAG review on the worker's compensation for the Port Authority, seconded by Director Koki. Motion on the floor was put to a vote and was approved by a majority vote. Director Taitano voted no on the motion.

4. **Update on Port Litigation Matters:** Port counsel announced that he has tendered his resignation three weeks ago, today being the last day with the Port Authority. He mentioned that the decision did not come easy as he enjoyed working with the Board, management and the port employees. He appreciated all the assistance provided to him while onboard. As to the update on port litigation matters, Port counsel provided the following:

- a. **Civil Service Commission.** Port counsel withdrew from cases before the CSC, and as allowed under the law and regulations, the Port Deputy General Manager Luis Baza has substituted into those cases and represent the Port in the interim, until such time the Port obtains assistance from the Attorney General's office.
- b. **Eddie Castro Case.** There is a Supreme Court argument and what happens in that instance is the court will deliberate on its decision of the case, so an opinion should be provided after the argument. In the Superior Court, Mr. Castro filed a petition for judicial review and the Port moved to demise that case which is currently under advisement at the court.
- c. **Port Audit.** Prepared a draft letter of contingency which describes the matters for the auditors.
- d. **CSC Case – Ken Yoshida.** A settlement agreement was authorized, favorable and completed.
- e. **Supreme Court Case – Jose Guevara.** He pointed out for the record that the judgment was as a result of a Supreme Court decision and there was a settlement agreement on how that would be structured, subject to terms favorable to the Port and has been reinstated.
- f. **CSC Case – Francine Rocio.** He pointed out for the record that the judgment was as a result of CSC decision and there was a settlement agreement on how

that would be structured, subject to terms favorable to the Port and has been reinstated.

- g. **CSC Case – Leonora Leon Guerrero.** The settlement agreement were terms favorable to the Port and has now been reinstated.

On behalf of the Board and Management, the Chairman thanked Port counsel for all his efforts and work provided to the Port Authority. He wished him well on his new endeavors.

As to the pending cases before the Port and with the departure of Port counsel, the Vice Chairman mentioned that in terms of the resolutions that have passed as well as remaining cases that are still open, that the instruction to management is to ensure that all issues regarding their cases are in the best interest of the Port. There were no objections.

As a standard practice from a departing lawyer and in the best interest of the client, Port counsel said that he will be handling the argument on the Supreme Court case of Eddie Castro scheduled on March 11, 2020 on his time (no charge to the Port). He also said that he is available for other matters and questions if needed.

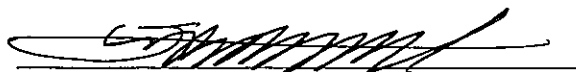
VII. ADJOURNMENT

There being no further business to discuss, it was moved by Director Taitano and seconded by Director Koki to adjourn the meeting at 12:29 p.m. The motion was unanimously passed.



ISA MARIE C. KOKI, Board Secretary
Board of Directors

APPROVED BY:



FRANCISCO G. SANTOS, Chairman
Board of Directors





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

General Manager's Report for Board of Directors
As of June 9, 2020

- 1. Procurement Delegation of Authority.** On May 7, 2020, Ms. Claudia Acfalle, Chief Procurement Officer (CPO) for the Government of Guam, granted a full delegation of procurement authority to the Jose D. Leon Guerrero Commercial Port. Title 5, Chapter §5114 of the Guam Code Annotated, states that the CPO "may delegate authority to designees or to any governmental body or official." The Port lost its procurement authority 14 years ago and has since been trying to demonstrate its capacity to handle its procurement. In early 2019, Acfalle granted authorization to the Port's new management to handle purchases of \$10,000 and below. Then on August 1, 2019, Acfalle granted a six-month conditional delegation of procurement authority and then another three-month extension. In the past nine-months, the Port's procurement division worked closely with Acfalle and Atty. Robert Kono, Special Assistant Attorney General, to process 621 purchase orders, awarded 13 invitation for bids, two requests for proposals, advertised five requests for proposals, and one invitation for bid. All of these procurements involve the purchases of materials/supplies, professional services, and the acquisition of heavy equipment. This procurement delegation after a 14-year journey is great recognition for the Port's current management and staff.
- 2. Memorandum of Agreement – Attorney General.** The Board of Directors at its meeting of February 28, 2020 authorized management to engage with the Attorney General's office to enter into a memorandum of agreement (MOA) for legal services. On March 3, 2020, the Port provided a draft MOA to the Attorney General's office for their review. During discussions with the AG's office, the assignment of an Assistant Attorney General to the Port will provide legal services in furtherance of the Port's goals and objectives and not inconsistent with the legal and ethical duties and responsibilities of both parties. The general scope of legal services to be provided to the Port includes: legal advice and guidance; prepare and/or review draft

administrative rules and regulations, proposed legislation and resolutions; procurement related matters; represent Port in administrative proceedings and in litigation matters; and provide other legal services as may be requested by the Port Authority. The MOA by and between the Port Authority of Guam and the Attorney General's office became effective on May 29, 2020.

3. **In-House Port Attorney.** Still in an active recruitment.
4. **Port Audit Fiscal Year 2019.** The Independent auditor Deloitte & Touche, LLP released its audit of the Jose D. Leon Guerrero Port Authority of Guam for Fiscal Year 2019 ended on September 30, 2019. The following is a summary of financial highlights:

FINANCIAL HIGHLIGHTS

- The Port's net position increased by \$3.5 million for the fiscal year ended September 30, 2019. In FY18, the Port's net position was a decrease of \$103 thousand.
- In FY19, the Port regained its low-risk auditee status after it lost its designation in FY17 due to a late submission to the Federal Clearing House.
- The Port's total assets and deferred cash inflows increased by 2% from \$246 million in FY18 to \$251 million in FY19. One of the main reason for the growth was a 10% increase in cash and cash equivalents in FY19.
- The Port's total FY19 revenues increased by 2% or \$1.1 million.
- A 4.7% or \$2.4M decrease in the Port's Operating expenses went from \$50.7 million in FY18 to \$48.4 million in FY19.
- \$2M was absorbed mid-year from existing FY19 appropriated levels to cover unfunded expenses resulting from the adoption of the 2018 migration study and the corresponding adjustments resulting from the new overtime salary rates.
- A \$3.1 million contingency expense was recorded in FY19 to account for the Port's contingency liabilities for past Civil Service Commission cases. The total amount represents the accumulation of liabilities ranging between 3 to 8 years in employee litigations, wherein these employees prevailed.

- In FY19, the Port was able to accomplish a Debt Service Coverage Ratio (DSCR) of 2.33. The bond indenture requires the authority to maintain a DSCR of 1.25.

The results of the FY19 audit are not happenstance. The Port went from a deficit of \$103K in FY18 to a net income of \$3.5M. This net-income is even after absorbing \$2M in the middle of the fiscal year for unbudgeted payroll requirements, as well as booking \$3.1M in contingent liabilities. Overall, the Port Authority of Guam received a 'clean audit' for Fiscal Year 2019 and the Office of Public Accountability determined there were no material weaknesses identified over financial reporting. We are grateful to all of the Port's employees for their hard work, especially during this public health pandemic and we will remain fiscally prudent and operationally efficient, while ensuring that the Port's employees remain the Port's greatest asset.

5. **Impacts of COVID-19.** With a State of Emergency declared on the island on March 14, 2020 due to the effects of COVID-19, the following impacts have occurred:

Type	February	March	April	May	Total
Differential Pay			\$112,910.42	\$146,080.11	\$258,990.53
PPE: masks, goggles, gloves, sanitizers, disinfectants, pexiglass, handwash stations)	\$1,050.00	\$3,522.42	\$13,066.50	5,808.27	\$23,447.19
Labor & Materials				\$2,954.42	\$2,954.42
Total:	\$1,050.00	\$3,522.42	\$125,976.92	\$154,842.80	\$285,392.14

Additionally, extension of free period was granted to shipping agents and customers in the amount of \$240,214.00 as of March 28, 2020.

6. **General Manager's Notes for YTD Finances, as of April 30, 2020.** In addition to the financial support prepared by Mr. Jojo Guevara, Financial Affairs Controller, we are providing the following summary:

REVENUES AND CARGO THROUGHPUT:

- The Port's Container throughput for April, 2020 compared to April, 2019 is .8% lower than last year's total, and .4% lower than FY20 budget

projections. The total revenue for the Port as of April 2020 is \$32.9 million which is .6% lower than revenue projection. The Port experienced revenue increases in container handling, wharfage, facility maintenance fee and crane surcharge.

- The total number of containers handled as of April, 2020 is 1.2% lower or 714 less containers compared to last year's April, 2019 total.

OPERATING EXPENSES:

- Overall spending YTD (Actual versus Budget for FY2020) is 10% less, or \$3M in YTD cost avoidances.

OVERTIME EXPENSE AND DIRECT LABOR REVENUE:

- Overtime YTD for Operations is \$924,579, which is 32% higher than YTD overtime budget of \$701,604. The overtime for the month of April resulted in an increase of 6% or \$6K as compared to the month of March, from \$105,991 in March to \$111,977 in April.
- The Direct Labor reimbursement is \$2.1M, which is an 7% increase from FY20 budget. (This means that although OT expense are 32% over budget YTD, this projected budget shortfall is covered by the direct labor reimbursement.)

Direct Labor	
Revenue	\$2,098,458
Operations	
Overtime	\$924,579
Variance	\$1,173,879

YTD OPERATING REVENUES MINUS YTD EXPENSES

- Total Net Income YTD is \$5.1M. The YTD Income is 31.3% higher than net income projections for FY2020.

7. PAG Docket 20-04 JDE EnterpriseOne Financial Management System Upgrade.
Board Resolution No. 2020-02 was adopted on February 28, 2020 relative to

authorizing the Port Authority of Guam to proceed with the implementation of an upgraded Financial Management System (FMS) and petition the Public Utilities Commission for review and approval of the bond expenditure not to exceed \$2.5M. On May 15, 2020, the Port submitted its petition to PUC presenting its critical purpose in acquiring the FMS System upgrade, determination of need, and compatibility of JD Edwards EnterpriseOne upgrade with the existing JD Edwards World Software provided and supported by Oracle. On May 28, 2020, the Public Utilities Commission (PUC) held a hearing on PAG Docket 20-04. Upon careful consideration, the Commissioners by a vote of 5-2 voted in favor of the Port’s petition with the following Ordering provisions: 1) that the petition is hereby approved; 2) PAG is authorized to enter into the proposed contract with Oracle for the upgrade of its Financial Management System to JDE EnterpriseOne, for a total cost of \$2,140,264.40 to be funded by PAG’s Revenue bond proceeds; and 3) PAG shall return to Oracle to attempt to negotiate a lower cost for the JDE EnterpriseOne upgrade considering its use by other agencies in Guam.

In adhering to the Ordering provisions, specifically Item 3, further negotiations were made with Oracle on May 29, 2020 in an attempt to negotiate a lower cost for the JDE EnterpriseOne upgrade. Oracle presented the following:

Type of Service	PAG accepts Oracle Final Offer	Oracle’s Reduction Price as per PUC Order
Learning Credits Order	\$111,430.40	\$104,466.00
Oracle ACS Services – YR 1	\$946,033.93	\$931,592.14
Total:	\$1,057,464.33	1,036,058.14

(Total Reduction Price: \$21,406.19)

Other contract values remain unchanged:

Type of Service	Amount
Cloud Database Licensing	\$172,008.00
On Premise Database/Licensing Support	\$282,820.00
Hardware/Hardware Support	\$35,432.07
ACS T&E/ACS Services – YR 2 & 3	\$592,522.00
Total:	\$1,082,782.07

In its letter of May 29, 2020, the Port Authority of Guam accepted the price reduction cost as presented by Oracle, bringing the total contractual amount to \$2,118,840.21 from \$2,140,246.40.

8. **Guam Shipyard - Hotel Wharf.** GSY Barge YON 286 is the remaining barge temporarily moored at H-Wharf. The barge is expected to be removed sometime in July 2020 to Pohnpei. However, according to Guam Shipyard, no movement from the tug company is being made at this time due to COVID port restrictions at PNG.
9. **Pay Policy on the Application of COVID-19.** On March 14, 2020, Governor Lou Leon Guerrero via Executive Order 2020-03 placed Guam in a State of Emergency because of the effects of COVID-19 on the island.

Executive Order 2020-08 dated April 5, 2020 established a COVID-19 Response Differential Pay for *“essential employees of the Government of Guam to continue their work for the purposes of eliminating or reducing immediate threats to life, public health, or safety where their work could expose them to the coronavirus.”*

The policy provides the COVID-19 Response differential pay will be in addition to any hazardous duty differential pay already determined by the Guam Occupational Safety & Health Administrator (GOSHA), and such differential pay for the hours worked to a hazardous condition. It also established three (3) categories:

- Category 1: Twenty-five percent (25%) pay differential to essential employees in the course of their duties are in direct contact or in close physical proximity to a population infected with or may be reasonably suspected to be infected with COVID-19. Such positions may include, but not limited to sworn public safety/law enforcement, health care providers and other positions performing essential critical mission duties; or
- Category 2: Fifteen percent (15%) pay differential to essential employees in the course of their duties may incidentally come into contact with or close

physical proximity to a population infected with or may be reasonably suspected to be infected with COVID-19. These employees may also be providing humanitarian services or direct public assistance to the general public; or

- Category 3: Ten percent (10%) pay differential to essential employees whose positions do not allow them to telework *and* are mandated to perform their job duties at physical worksites pre-determined by their agency heads, required by the Government's response to the COVID-19 pandemic.

The Port adopted measures to reduce the risk of employees contracting COVID-19 virus and ensure the workplace will not be mode of transmission. A Port Clinic was established on March 23, 2020 and manned by healthcare professionals. The clinic is open 24/7 and visits totaling 12,000 plus.

On May 8, 2020, the Governor declared Guam to be in Pandemic Condition of Readiness ("PCOR") 2 which allowed limited activities to operate under moderate restrictions.

Through Executive Order 2020-16, dated May 28, 2020, the Governor opened all Government of Guam offices, agencies, and departments to recommence public operations effective June 1, 2020. The executive order also discontinued Category 3 of the COVID-19 Response Differential Pay. However, Categories 1 and 2 of the COVID-19 Response Differential Pay plan shall continue to be provided to those employees who are found to be eligible for such hazardous pay.

The purpose is to provide standard procedures and guidelines for the use by Division Heads and Payroll and timekeeping personnel to properly record, compute and/or process payments to employees for their COVID-19 Response Differential Pay.

Through Department of Administration Circular No. 2020-013, dated April 20, 2020, *"Any employee identified to receive a pay differential in one of the categories*

identified above, will be paid the differential for the whole shift worked at the highest category for the shift and not just the hours of exposure as indicated in DOA Circular 2020-12."

Furthermore, through Executive Order 2020-08, dated April 5, 2020, *"The Director of the Department of Administration or the equivalent of in the case of autonomous and semi-autonomous agencies, shall implement a COVID-19 Response differential pay policy for employees working in support of the public health emergency and in areas necessary for the elimination or reduction of immediate threats to life, public health, or safety, whose work could expose them to the coronavirus."*

This policy shall be guided by Executive Order 2020-08 and Executive Order 2020-16, whichever is applicable.

Responsibilities include that of:

- A. Employees shall be responsible to promptly notify their supervisor and/or division head of potential exposure to the COVID-19 environment.
- B. Supervisor/Division Head shall be responsible to submit to their superiors the necessary documentation for concurrence/non-concurrence and General Manager for his approval/disapproval and coordinate the processing of employees' timesheets to reflect the COVID-19 response differential pay.
- C. Payroll personnel shall be responsible for processing the COVID-19 response differential pay as indicated on the documentation and promptly notifying division heads of any corrections or errors.

Unlike other Government of Guam agencies or departments who have satellite offices manned by their employees around the Island, Port employees are assembled in offices inside or within the vicinity of the Port terminal yard on Cabras Island. Although social distancing and preventive measures have been implemented, exposure by tenants, vessel crew members, public or even co-

workers who may be infected by the virus would have an overwhelming impact on the Port's manpower resources.

During the pandemic crisis, there were exposure of about thirty-eight (38) employees whose family members were tested positive. These employees voluntarily placed themselves in a quarantine environment for a maximum of three (3) weeks and received clearance from their primary physicians or Department of Public Health to return to work.

As we all settle into the "new normal" of social distancing and practicing safe hygiene measures, the Port continues to focus on the safety, health, and well-being of the employees.

In the event employees in their course of duties become in direct contact or in close physical proximity to a population infected with or may be reasonably suspected to be infected with COVID-19 or may incidentally come into contact with or close physical proximity to a population with or may be reasonably suspected with COVID-19, the following procedure shall be adhered to request for compensation of the COVID-19 Response Differential Pay:

1. The division head shall submit weekly Emergency Individual Payroll Summary (IPS) timesheets reflecting the employee's location, exposure to the COVID-19, a brief description of exposure and the differential pay category recommended to their superiors and respective Deputy General Manager for concurrence or non-concurrence and final approval/disapproval by the General Manager.
2. The original timesheet shall be forwarded to Payroll Section of the Finance Division, with a copy to division head.
3. Timekeepers will input the approved COVID-19 Response Differential Pay onto the employee's bi-weekly timesheet.

4. Payroll personnel will promptly notify the supervisor/division head of any corrections or discrepancies in pay immediately upon discovery.

Final approval of all COVID-19 Response Differential Pay requests will be the General Manager.

10. Grant Opportunities.

- a. **EDA Grant Application.** Great news for the Port Authority as the US DOC in its letter dated May 5, 2020 informed the Port that its grant application for installing a fuel pipeline system to connect F1 and Golf piers have been reviewed for merit and selected for further consideration. Additional information is being requested by US DOC addressing environmental, engineering and legal considerations that will enable EDA to continue processing our application. Deadline to submit is June 15, 2020. The Port's proposed project will be considered for \$3.6M in EDA funding under the Economic Adjustment Assistance disaster recovery program.
- b. **Department of Agriculture Grant. *No new developments.*** The Port has recently received \$500K grant funds to support the repair work of Harbor of Refuge. The Port is waiting for the MOU from the Department of Agriculture to access these grant monies.
- c. **Office of Economic Adjustment.** Another great news for the Port Authority – OEA, US Department of Defense issued a notice of award for the supplemental grant funding of \$800K. This totals \$1.6M that will support the following projects.
 - i. 2020 Port Master Plan Update
 - ii. Deep Draft and Fill Improvements Project Feasibility Study
 - iii. Customs Inspection Feasibility Study
 - iv. Conceptual Design and Revised SOW for New Admin Building Annex & Renovation of Existing Admin Building
- d. **Office of Insular Affairs. *No new development.*** The Port is looking to submit its grant application of the OIA Maintenance and Technical Assistance Program by end of April 2020. This grant funding will provide support to the EQMR and Operations divisions.

- e. **Gantry Crane Acquisition.**
 - i. USDA Direct Loan. As guided by USDA, the Port continues to develop its pre-application on the acquisition of one Ship-to-Shore Gantry Crane by way of a direct loan.
 - ii. EDA Grant. The Port continues to develop its grant application for two (2) STS gantry cranes.
- f. **FEMA – COVID-19 Public Assistance.** A conference call was held on May 19, 2020 with Bryant Trang, FEMA Program Delivery Task Force Leader for Guam's COVID-19 Public Assistance Recovery Program. Trang had advised the Port that its request for Public Assistance was approved on May 11, 2020. He then provided guidance on proper documentation to submit for reimbursement of eligible costs under this program. Planning is finalizing two (2) Project Worksheets for all costs incurred by the Port: 1) Category B materials and supplies purchases; and 2) Differential Pay, OT Pay, Retirement & Medicare Benefits, and Emergency Pay.
- g. **MARAD Port Infrastructure Development Program Grant Application.** The Port submitted a Comprehensive Acquisition of Container Yard Equipment to MARAD to the tune of \$7.4M, which includes:
 - 2 ea. 80,000 Lbs. Top Lifters
 - 5 ea. 12,000 Lbs. Forklifts
 - 1 ea. 275 Ton Telescopic Crane
 - 10 ea. Tractor Trailers
 - 2 ea. 40-Plug Mobile Reefer Generators
 - 1 ea. 150 Ft. Telescopic Man Lift

11. Procurement Solicitation Updates.

- a. **F1 Management.** Negotiations in progress with next qualified offeror.
- b. **Performance Management Contract for Port Cranes.** Currently under review by SAAG.
- c. **Golf Pier.** The bid submittal for Construction Management services is scheduled on June 17, 2020. A site visit was conducted on May 29, 2020.

12. Appreciation Letter to the Port Authority of Guam. We would like to express a gratitude of thanks to the Port Users Group for recognizing the port employees. In their letter, the Port Users Group writes: *"Here on Guam, the heroic work of our medical professionals and first responders has been remarkable to watch. Their tireless efforts to confront COVID-19 and care for the sick are an inspiration to people everywhere. We owe a debt of gratitude to these individuals. The same goes for those working on another frontline, called to remain at their post to provide goods and services that are essential to our way of life. The output on operations has been remarkable notwithstanding current conditions. The personnel at the Port of Guam have worked tremendously through this pandemic sustaining production levels and maintaining the Port User's demand. Like so many everyday heroes, these brave men and women are taking time away from their own families to ensure that the people of Guam can count on having food to eat and beverages to drink. The Port Users of Guam would like to take a moment to offer our utmost appreciation to those at the frontlines of the Port for rising to the challenge in these unprecedented times. On behalf of the Port Users Group of Guam, we would also like to thank Mr. Respicio and his management team and workforce who are working tirelessly, constructively, and responsively to keep the flow of goods moving on Guam. Our essential critical workers could not do this without your continued support."*

13. Port Revenue Bonds Project Status. As of June 4, 2020, the attachment provides information on the status of the revenue bond projects that consist of rehabilitation of hotel wharf, golf pier repairs and improvements, waterline replacement/relocation, EQMR building, and warehouse 1 repair/upgrades, new admin annex building, and other priority projects.

14. GM's Report to the Board. Also, attached to this report are the months of March and April that was previously provided to the Board via email. We are requesting that these reports also be appended to today's Board minutes.

Respectfully submitted,


Rory J. Respicio

General Manager

**2018 Port Revenue Bonds Status Report
As of June 4, 2020**

Bond Project	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCUREMENT IFB/RFP/PO Number	Status
Rehabilitation of "H" Wharf (Port Share)	\$10,000,000.00 \$13,774,255.00	\$0.00 \$280,166.96	\$10,000,000.00 \$13,494,088.04	PO No. 16332-OF - Coral Relocation at \$482,700.00 to WSP awarded on February 18, 2020.	Coral Relocation completed March 27, 2020. 401 Water Quality Certification permit received April 27, 2020. US Army Corps. of Engineers Nationwide Permit Verification received May 7, 2020. No-Cost Schedule Modification approved by MARAD on May 18, 2020.
Hotel Wharf CM Services	\$0.00	\$0.00	\$0.00	RFP No. 2020-002	Proposals under review.
Golf Pier Repairs and Improvements	\$2,000,000.00	\$318,388.88	\$1,681,611.12	RFP No. 2019-02: A&E Design for \$484,000.17 awarded to NC Macario	NC Macario has completed 100% of the design. Pending delivery of final draft.
Waterline Replacement and Relocation and EQMR Building and Warehouse 1 Repairs and Upgrades	\$11,628,800.00	\$0.00	\$11,628,800.00	RFP No. 2019-03: A&E Design for \$1,406,427.48 awarded to NC Macario	NC Macario assessment ongoing; additional work required for 35% design submittal.
Other Priority Projects	\$7,480,745.00	\$0.00	\$7,480,745.00		Purchase of EnterpriseOne Financial Management System approved by PUC on May 28, 2020. Purchase pending final documentation from PUC. Status Quo on F1 wharf repair and Terminal Operating System upgrades.
New Admin. Annex Building	\$10,445,000.00	\$0.00	\$10,445,000.00		Status Quo - Of the six (6) original bond-funded projects, this was deemed as the lowest priority. No ongoing activity performed on this project.
Grand Total	\$55,328,800.00	\$774,035.00	\$54,554,765.00		



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

General Manager's Report for Board of Directors
As of March 31, 2020

1. **Approaches to Help Safeguard Against COVID-19.** We continue to provide for a workplace environment that is in line with the Governor's emergency declaration and guidelines. To date, the following initiatives have been implemented to help safeguard our port employees, partners, and valued customers during these unprecedented times:

- **Guidance on Prevention.** Avoid social gatherings; practice good hygiene; wash hands regularly; avoid touching face; sneeze or cough into a tissue or the inside of the elbow, and disinfect frequently used items and surfaces. Also, to self-quarantine for a period of 14-days due to recent travel or experiencing any signs of the coronavirus symptoms.
- **Port Clinic.** The Port Clinic has been in operation since March 23, 2020. The healthcare professionals assigned at the Port provides screening and monitoring of temperatures of port employees, tenants, and agents and anyone concerned about being exposed to COVID-19. The Port Clinic is open 24/7, located at the Operations Conference Room. As of April 2, 2020, the Port Clinic visits totaled 1,813, with zero fevers or any COVID-19 symptoms recorded.
- **Pandemic Influenza Plan: Novel Coronavirus (COVID-19) Preparedness and Response Annex.** The Port's Pandemic Plan on Influenza was updated and provided to all Port employees.
- **Email Account Established.** The Port's IT division created group emails to significantly reduce contact with other co-workers and agents. This has dramatically minimized face-to-face interaction and communication with Port employees, tenants, and agents. The email accounts are used to issue/receive documents, billings, invoices, statements, and reports. Another email account was established for all division heads, eliminating the requirement for face-to-face weekly division head meetings.
- **Port E-Advisories.**
 - **Port E-Advisory No. 1** – Addresses misinformation that an employee of the Port serving at the Gatehouse has tested positive for the COVID-19 virus. This was not true. The employee was exposed to someone who may have been confirmed COVID-19 positive. Constant reminders are

relayed to the employees that we must continue to act as if though we have COVID-19, as well as those we come in contact with are also positive for COVID-19.

- Port E-Advisory No. 2 – Provides a “flowchart for Port Authority’s Response,” which outlines protocol procedures for the healthcare professionals at the Port Clinic on fever ($\geq 100F$) and signs and symptoms of lower respiratory illness.
- Port E-Advisory No. 3 – Informs Port employees about mandatory social distancing. Port employees were also advised to observe the Public Health guidelines, such as notifying their supervisor within two (2) hours of when Public Health informed them of being exposed to a person who has tested positive for COVID-19. Those who are symptomatic (experiencing the COVID-19 symptoms), are to immediately self-quarantine, call their physician, then notify their supervisor. Those who are asymptomatic (experiencing no COVID-19 symptoms) are still required to come to work. Stay at home at all times whenever necessary, and limit movement from home to work, and work to home.
- Port E-Advisory No. 4 – Relative to Joint Information Center (JIC): *Consider yourself possibly exposed to coronavirus*. JIC issued a release that said, “anyone who recently traveled, or attended any mass gatherings like church, fiestas, small parties or other gatherings in the past month should consider themselves possibly exposed.” Symptoms to watch out for include: fever, sore throat, coughing, runny nose, shortness of breath, diarrhea, abdominal pain, chest pain, headaches, chills, and congestion. Those experiencing these symptoms are to immediately self-quarantine, call their physician, then notify their supervisor.
- Port E-Advisory No. 5 – Reminder on Advisory No. 1, to include that the employee is to not take it upon themselves to self-quarantine, or to report to their regular duty station unless they have been seen and cleared by the nurse at the Port Clinic.
- Port E-Advisory No. 6 – Encourages Port employees to get checked at the Port Clinic on a daily basis.

2. Special Assistant Attorney General for PAG Procurement Delegation. On March 9, 2020, the Office of the Attorney General designated Attorney Robert Kono as the

Special Assistant Attorney General for the Port Authority. The designation of a SAAG for the Port is good news for the Port as this enables all the procurement activities, such as the bond projects, to include other capital improvement projects to proceed accordingly. As SAAG for the Port, Attorney Kono will serve to act as the legal advisor during all phases of the procurement solicitation process, including approving the form of, and determining the legality of such procurement contracts for the Port.

3. Notice from Moody's for Placement of the Port's Bonds on review for downgrade.

We received an email on March 30, 2020, from Ms. Heitmann, VP-Senior Analyst Global Infrastructure & Project Finance Group, advising us that the Port's Bonds are on review for possible downgrade.

Here is a press release from Moody's:

On March 25, 2020, Moody's placed the Government of Guam's general obligation bonds (Ba1) on review for possible downgrade.

RATINGS RATIONALE

The placement of the Baa2 ratings on review for downgrade follows Moody's rating action on the Government of Guam's Ba1 rating. The rating action was prompted by a significant reduction in visitors to the territory from Asia as a result of the Coronavirus (COVID-19) pandemic, uncertainty about the timing of and speed of a recovery in visitor arrivals, and the impact of the downturn in visitors on the Port Authority of Guam's revenues as well as general government revenues. Moody's regards the coronavirus outbreak as a social risk under its ESG framework, given the substantial implications for public health and safety. The Port Authority of Guam operates fairly independently from the government. However, Moody's expects that the Port Authority of Guam would not be able to disconnect itself if a prolonged decline in tourism activity would cause financial stress at the government level and a reduction in economic activity.

The Port Authority of Guam's Baa2 ratings are supported by its position as Guam's sole commercial Port handling around 90% of the territory's imported cargo, including a significant portion of military cargo. Leverage is relatively low. The

credit profile is constrained by the small scale of the port authority's operations (\$54 million operating revenue in fiscal year 2018) and high customer concentration. Other credit considerations include the authority's exposure to weather-related events including typhoons; the linkages to the credit quality of the Government of Guam including a high net pension liability relative to the scale of the port authority's operations; a high fixed cost base as an operator port which reduces flexibility to adjust its cost structure in a downturn; and a good track record of the Public Utilities Commission of Guam (PUC) to adjust tariffs.

The Port Authority's liquidity position is strong. Total cash and investments as of January 31, 2020, were around \$111 million, of which \$49 million is reserved for construction projects, and around \$3.6 million is for the debt service reserve. The rest of the funds are for operations, crane acquisition reserves, facility maintenance, crane-related operations, operations reserves, and other funds that are required in the bond indenture. The Port Authority has sufficient cash to fund its operating expenses, debt service and capex even if revenues drop materially for the rest of fiscal 2020 (ending September 30, 2020).

RATING OUTLOOK

The rating review will focus on the potential impact on the Port Authority of Guam's revenue, operating expenses, and liquidity from weakening economic conditions, a severe decline in tourism, or material financial stress at the government level as a result of repercussions from the Coronavirus (COVID-19) pandemic.

We responded, via email, asking Ms. Heitmann for reconsideration to Moody's recommendation for a downgrade in the Port bonds. We cited that our revenue projections versus expenses for the first four (4) months of FY2020 are within our budget projections and that although we are in a state of the COVID-19 pandemic, the Port Authority of Guam remains 100% operational to keep the supply chain flowing into Guam and throughout our region. The decline in cargo container throughput for February 2020 is around less than one percent compared to February 2019. We are tracking a significant positive net income of around \$2.1M for the first four months of our FY2020. (This translates to roughly \$100K less in projected net income for the first four months.)

Although Guam's tourism numbers have declined, the volume of commodities for our island residents and regional neighbors will be sufficient to maintain current

revenue streams. And, with all the federal financial assistance on the way, it will only mean that the Port Authority of Guam will continue to be busy, if not busier.

Ms. Heitmann immediately responded with the following, via email:

Hi Rory,

I am happy to have a phone call to explain the rating action in more detail. I also want to highlight that the rating has not been downgraded but it has been placed under review for downgrade.

This means that we will review over the next thirty to ninety days what the impact of any repercussions from the coronavirus will be on your credit profile and financial flexibility. We will also monitor what will be the impact on the government's credit profile and the linkages between the Port and the government's credit profile.

Once we conclude our review, we will hold another rating committee and the rating could be confirmed at the Baa2 rating level or it could potentially be downgraded. But it has not been downgraded at this stage.

Many thanks,
Kathrin

We also reached out to GEDA, and that they assured us that they are also monitoring this situation and will assist the Port during this review process.

4. **General Manager's Notes for YTD Finances, as of February 29, 2020.** In addition to the financial support prepared by Mr. Jojo Guevara, Financial Affairs Controller, we are providing the following summary:

REVENUES AND CARGO THROUGHPUT:

- The Port's Container throughput for February, 2020 compared to February, 2019 is 4% lower than last year's total, and .5% lower than FY20 budget projections. Although there is a 4% decrease in cargo revenue projected for FY20, the overall revenue collected for FY20 YTD is .5% less than projected. The Port experienced revenue increases in

breakbulk,/unitized, transshipment, and reefer increases, and direct labor reimbursements.

- The total number of containers handled as of February, 2020 is 1.6% lower or 591 less containers compared to last year's February, 2019 total.

OPERATING EXPENSES:

- Overall spending YTD (Actual versus Budget for FY2020) is 9% less, or \$2M in YTD cost avoidances.

OVERTIME EXPENSE AND DIRECT LABOR REVENUE:

- Overtime YTD for Operations is \$706,791, which is 41% higher than YTD overtime budget of \$501,146.
 - The reason for the increase in overtime was due to vessels coming in late, which resulted in Operations' employees working on Saturday and Sunday;
 - There were also manpower shortages which resulted in OT costs incurred; and
 - Gantry Crane 5 had a major repair during January and February which resulted in additional work by Maintenance, Operations and Transportation during the weekends.
- The Direct Labor reimbursement is \$1.6M, which is an 11% increase from FY20 budget. (This means that although OT expense are 41% over budget YTD, this projected budget shortfall is covered by the direct labor reimbursement.)

YTD OPERATING REVENUES MINUS YTD EXPENSES

- Total Net Income YTD is \$4M. The YTD Income is 44% higher than net income projections for FY2020. This 44% spike is attributed to a \$1.6M Federal reimbursement from MARAD for the two (2) top lifers.

5. **Worker's Compensation.** At our last PAG Board of Directors meeting, the Board approved this bid award subject to SAAG review. Subsequent to this board action, Attorney Kono and Ms. Claudia Acfalle, Chief Procurement Officer, cleared the bid documents, so the Port was able to obtain worker's compensation coverage effective March 20, 2020. The total contract period is for three years.

6. **Performance Management Tool.** Ms. Francine Rocio, Personnel Services Administrator, conducted training on March 18, 2020, to introduce the new performance management tool that will be used for the performance evaluation of all port employees. We would like to thank Director Anthony Chargualaf for his attendance and participation in this training. Please note that the areas covered were integrated performance management system; key performance indicators; competencies; developmental recommendations; personal development; rating scale; and review period.

7. **Certification of Gantry Cranes.** The Annual Maritime Inspection and Recertification of the Port's cranes (G4, G5, G6) was scheduled on March 23-27, 2020; however, due to COVID-19 pandemic, the Port's off-island contractor was not able to make it to Guam. Therefore, this scheduled inspection was cancelled. As a proactive measure, we wrote a letter to US Department of Labor, OSHA on March 20, 2020 requesting for a 90-day extension. The very next day, March 21, 2020, the US Department of Labor, OSHA responded via email, indicating that "OSHA will not take any action against the cranes for not having an up-to-date OSHA 71 certification due to the impact of the coronavirus. This email will serve as your verification that the cranes listed on the OSHA 71 certs are still allowed to be used even though their certification will have expired." The certification of the Port's gantry cranes expires on April 5, 2020.

In the meantime, Mr. Ernie Candoleta, Port's Maintenance Manager, is working with Matson to secure an on-island vendor, Island Certs, to conduct the crane inspection.

8. **Guam Shipyard - Hotel Wharf.** Two of the Guam Shipyard's barges, which were temporarily moored at H-Wharf were successfully towed on April 2, 2020 from H-Wharf to Papua New Guinea. The Guam Shipyard continues to make arrangements for their third barge to be towed from H-Wharf to Pohnpei.

Fortunately, this temporary arrangement with Guam Shipyard did not prevent the Coral Relocation Project from proceeding, and this coral relocation project was successfully completed, slightly ahead of schedule.

9. **Issuance of Inter-office Memorandum on April 1, 2020 Relative to Notice Required for Workday and Workweek Schedules.** The memo is attached.

10. **Grant Opportunities.**

a. **EDA Grant Application.** The grant application submitted is for F1 and Golf Pier fuel pipeline connectivity in the amount of \$2.35M. The Port's first and second review was favorably assessed by EDA. In its third review, the Port revised the environmental narrative engineering report and budget. In doing so, we increased our grant application from \$2.4M to \$3.02M.

b. **Department of Agriculture Grant. *No new developments.*** The Port has recently received \$500K grant funds to support the repair work of Harbor of Refuge. The Port is waiting for the MOU from the Department of Agriculture to access these grant monies.

c. **Office of Economic Adjustment.** As reported back in February 2020, the Governor signed the MOU for the initial \$800K OEA grant. The purchase order was issued for Task Order No. 10 – 2020 Port Master Plan Update. Amid COVID-19, a kick-off online conference date is being arranged. As to the supplemental grant funding of \$800K, this is still pending concurrence and approval from OEA. If approved, the total grant amount supporting the following projects totals \$1.6M.

- i. 2020 Port Master Plan Update
- ii. Deep Draft and Fill Improvements Project Feasibility Study
- iii. Customs Inspection Feasibility Study
- iv. Conceptual Design and Revised SOW for New Admin Building Annex & Renovation of Existing Admin Building

d. **Office of Insular Affairs.** The grant application submission has been extended to May 1, 2020, due to the coronavirus crisis. In the meanwhile, the Port received endorsement letters from its partners supporting the projects. This grant application is for the Maintenance Assistance Program and Technical Assistance Program that will provide support to the EQMR and Operations divisions.

11. Gantry Crane Acquisition. On March 19, 2020, a teleconference took place with USDA to commence discussions on the acquisition of one Ship-to-Shore Gantry Crane by way of a direct loan. The Port is developing the pre-application for the one crane. As a further contingent measure in acquiring the STS gantry cranes, on April 2, 2020, the planning division requested EDA consideration for the acquisition of two STS gantry cranes, and EDA responded for the Port to submit an application.

12. Mandate from TSA for New, Renewal and Reissuance fo TWIC Cards. The memo is attached.

13. Procurement Solicitation Updates

- a. **RFP-PAG-020-001 Professional Legal Services.** The professional legal services advertisement was published on a newspaper of general circulation (PDN, Guam Daily Post) on February 19, 2020. The pre-proposal conference was held on February 25; however, there were no attendees. The deadline for submission of the proposal has been extended to April 7.

- b. **F1 Management.** Negotiations were terminated because both parties were not able to agree with a cost proposal. The Port is now engaging with the next qualified offeror.
- c. **Performance Management Contract for Port Cranes.** Currently under review by SAAG.
- d. **Golf Pier.** We are currently on a month-to-month contract. And, Ms. JoyJean Arceo, Port's Procurement Manager, is putting together the bid package, in accordance with the procurement process.

14. Port Revenue Bonds Project Status. As of April 2, 2020, the attachment provides information on the status of the revenue bond projects that consist of rehabilitation of hotel wharf, golf pier repairs and improvements, waterline replacement/relocation, EQMR building, and warehouse 1 repair/upgrades, new admin annex building, and other priority projects.

Respectfully submitted,


Rory J. Respicio
General Manager



PORT OF GUAM

ATURIDATI 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

General Manager's Report for Board of Directors
April 30, 2020

1. **Approaches to Help Safeguard Against COVID-19.** We continue to provide for a workplace environment that is in line with the Governor's emergency declaration and guidelines. In addition to my previous report of March 2020, the following initiatives continues to help safeguard our port employees, partners, and valued customers during these unprecedented times:

- **Port Clinic.** As of April 29, 2020, the Port Clinic visits totaled 7,280 with zero fevers or any COVID-19 symptoms recorded. The Port Clinic has been in operation since March 23, 2020. The healthcare professionals assigned at the Port provides screening and monitoring of temperatures of port employees, tenants, and agents and anyone concerned about being exposed to COVID-19. The Port Clinic is open 24/7, located at the Operations Conference Room.

- **Port E-Advisories.**

- Port E-Advisory No. 7 – **Questions posed by the media:** “Why are all Port employees essential and why can't some work from home, or not have to work at all during this pandemic?”

PAG Response: The Port Authority of Guam receives ninety percent (90%) of all goods coming into our island. The Port is also critical to ensuring the continuity of the supply chain throughout our region. For this reason, the Governor has deemed the Port essential. Management, together with the Board of Directors, have been working diligently to provide for extraordinary precautionary measures in order to remain 100% operational. Since we are 100% operational, we have determined that everyone working at the Port is essential to keeping the supply chain flowing. We have instituted these extraordinary precautionary measures since February 18, 2020, and are following the Governor's directives and Public Health's notices on the CDC guidelines. The requirement to remain 100% operational is also the reason we asked the Governor and Director of Public Health to open a Port Clinic on the premises. As of April 8, 2020, the clinic has seen 3,047 individuals

(employees, vessel crew members, and tenants), and the results have been zero fevers and no COVID-19 symptoms. Early on in this pandemic, we looked at running a skeleton crew, staggered hours, or having employees work from home. We are just not set up that way at the Port.

- Port E-Advisory No. 8 – Road Closure for essential business and activities in a public health emergency, the outer lane at these checkpoints are provided for commercial utility vehicles only. Areas identified: Route 1 Dededo by Lucky Supply; Route 1 East Hagatna by former Shen's Furniture; Route 1 Asan by Calvary Chapel; and Route 8 Barrigada by Shell Gas Station.

- **COVID-19 Preparedness and Response Video.** Emailed separately.

2. **General Manager's Notes for YTD Finances, as of March 31, 2020.** In addition to the financial support prepared by Mr. Jojo Guevara, Financial Affairs Controller, we are providing the following summary:

REVENUES AND CARGO THROUGHPUT:

- The Port's Container throughput for March, 2020 compared to March, 2019 is 1.4% lower than last year's total, and .2% lower than FY20 budget projections. Although there is a 1.4% decrease in cargo revenue projected for FY20, the overall revenue collected for FY20 YTD is .4% less than projected. The Port experienced revenue increases in container handling, wharfage, facility maintenance fee and crane surcharge.
- The total number of containers handled as of March, 2020 is 1% higher or 444 more containers compared to last year's March, 2019 total.

OPERATING EXPENSES:

- Overall spending YTD (Actual versus Budget for FY2020) is 7% less, or \$2.1M in YTD cost avoidances.

OVERTIME EXPENSE AND DIRECT LABOR REVENUE:

- Overtime YTD for Operations is \$812,782, which is 35% higher than YTD overtime budget of \$601,386. The overtime for the month of March resulted in a decrease of 19% or \$25K as compared to the month of February, from \$131,079 in February to \$105,991 in March.
- The Direct Labor reimbursement is \$1.8M, which is an 8% increase from FY20 budget. (This means that although OT expense are 41% over budget YTD, this projected budget shortfall is covered by the direct labor reimbursement.)

Direct Labor	
Revenue	\$1,816,577
Operations	
Overtime	<u>\$812,782</u>
Variance	\$1,003,795

YTD OPERATING REVENUES MINUS YTD EXPENSES

- Total Net Income YTD is \$4.2M. The YTD Income is 26% higher than net income projections for FY2020.
- 3. Certification of Gantry Cranes.** The Annual Maritime Inspection and Recertification of the Port's cranes (G4, G5, G6) was conducted on April 23, 24 & 27, 2020, that was proven to be successful and passed the inspection. A report on noted discrepancies will be forthcoming with OSHA 71 certificates.
 - 4. Guam Shipyard - Hotel Wharf.** As previously reported, Guam Shipyard was able to tow two of its three barges which were temporarily moored at H-Wharf to Papua New Guinea. The third barge is slated to be removed sometime in July 2020 to Pohnpei.
 - 5. Mandate from TSA for New, Renewal and Reissuance of TWIC Cards.** The US Department of Homeland Security, Transportation Security Administration issued a notice on April 10, 2020, regarding exemption to extend the expiration date of certain Transportation Worker Identification Credentials (TWIC). The notice indicates that, "For TWICs between March 1, 2020, and July 31, 2020, the exemption extends the validity of a TWIC for 180 days for an individual whose TWIC would otherwise expire

during the effective period of the exemption, which remains in effect through July 31, 2020. TSA may extend this exemption at a future date depending on the status of the Corona Virus Disease 2019 (COVID-19) National Emergency." Nonetheless, the Human Resource Division continues to provide the assistance to PHRS Inc, who is the trusted agent of the TWIC Enrollment Center on Guam, with the processing of port employees' new, renewal and reissuance of TWIC cards.

6. Training & Development.

- a. **Stevedoring Training.** Training will be conducted in May 2020 on line handling, unlashng/lashing, and the requirements in the use of personal protective equipment. Purpose is to re-emphasize the importance in all aspects of precautionary and safety measures when on the job.
- b. **Fire Extinguisher Training.** An educational program will be conducted in May 2020 to familiarize port employees in identifying types of hazards, types of extinguishers and hands on training that will help to prevent any incidences from escalating.

7. Grant Opportunities.

- a. **EDA Grant Application.** *No new developments.* The grant application submitted is for F1 and Golf Pier fuel pipeline connectivity in the amount of \$2.35M. The Port's first and second review was favorably assessed by EDA. In its third review, the Port revised the environmental narrative engineering report and budget. In doing so, we increased our grant application from \$2.4M to \$3.02M.
- b. **Department of Agriculture Grant.** *No new developments.* The Port has recently received \$500K grant funds to support the repair work of Harbor of Refuge. The Port is waiting for the MOU from the Department of Agriculture to access these grant monies.
- c. **Office of Economic Adjustment.** *No new developments.* The supplemental grant funding of \$800K is still pending concurrence and approval from OEA. If approved, the total grant amount support the following projects total \$1.6M.
 - i. 2020 Port Master Plan Update
 - ii. Deep Draft and Fill Improvements Project Feasibility Study


- iii. Customs Inspection Feasibility Study
- iv. Conceptual Design and Revised SOW for New Admin Building Annex & Renovation of Existing Admin Building
- d. **Office of Insular Affairs.** The Port is looking to submit its grant application of the OIA Maintenance and Technical Assistance Program by end of April 2020. This grant funding will provide support to the EQMR and Operations divisions.
- e. **Gantry Crane Acquisition.**
 - i. USDA Direct Loan. As guided by USDA, the Port is developing its pre-application on the acquisition of one Ship-to-Shore Gantry Crane by way of a direct loan.
 - ii. EDA Grant. The Port is also looking to acquire two STS gantry cranes through Economic Development Agency. A grant application is being developed.
- f. **FEMA – COVID-19 Public Assistance.** The Port has submitted its Request for Public Assistance (RPA) to the Office of Civil Defense and currently awaiting the initial exploratory meeting. Strategic Planning Division will strive to leverage FEMA federal disaster funds to reimburse the Port for ALL costs incurred during this presidentially declared emergency.

8. Procurement Solicitation Updates.

- a. **Professional Legal Services.** Due to questions and concerns raised by the vendors, the deadline for submission of the proposal has been extended to May 8, 2020.
- b. **F1 Management.** Negotiations in progress with next qualified offeror.
- c. **Performance Management Contract for Port Cranes.** Currently under review by SAAG.
- d. **Golf Pier.** We are currently on a month-to-month contract. And, Ms. JoyJean Arceo, Port's Procurement Manager, is putting together the bid package, in accordance with the procurement process.

9. **Port Revenue Bonds Project Status.** As of April 30, 2020, the attachment provides information on the status of the revenue bond projects that consist of rehabilitation of hotel wharf, golf pier repairs and improvements, waterline replacement/relocation, EQMR building, and warehouse 1 repair/upgrades, new admin annex building, and other priority projects.

Respectfully submitted,


Rory J. Respicio
General Manager



EDWARD M. BIRN
Director (Direktot)

EDITH C. PANGELINAN

Deputy Director (Sigundo Direktot)

DEPARTMENT OF ADMINISTRATION

DIPATTAMENTON ATMENESTRASION

GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)

Telephone (Telijon): 1671) 475-1707/1729* Fax (Faks): (671) 472-4217/1727



LOURDES A. LEON GUERRERO
Governor (Maga'håga)

JOSHUA F. TENORIO

Lt. Governor (Sigundo Maga'låhi)

ACKNOWLEDGEMENT COPY

RECEIVE BY

[Signature]

DATE

5/15/20 1004a

DELEGATION OF PROCUREMENT AUTHORITY TERMS AND CONDITIONS

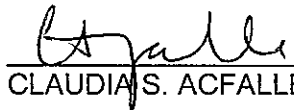
DEPARTMENT/AGENCY: PORT AUTHORITY OF GUAM,
JOSE D. LEON GUERRERO COMMERCIAL PORT,

I. CLAUDIA S. ACFALLE, Chief Procurement Officer, conditionally grant, Rory J. Respicio, General Manager, Jose D. Leon Guerrero Commercial Port, Port Authority of Guam full delegation of procurement authority to serve as a purchasing agency pursuant to the Guam Administration Rules and Regulations (2-GAR) and 5GCA Chapter 5 of the Guam Procurement Law.

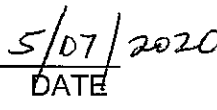
1. The Authority must comply with all requirements of the Guam Procurement Act (Public Law 16-124) and the Guam Procurement Regulations and subsequent amendments thereto.
2. As purchasing agency, you are delegated with the authority to contract for supplies, materials and services as specified, and as defined in the Guam Procurement Regulations
3. Procurement for common supplies carried in the Revolving Fund Inventory (Tenda Gubetnu) must be transacted through the utilization of computer terminals through the on-line requisitions process.
4. **Jose D. Leon Guerrero Commercial Port, Port Authority of Guam** is required to use all standard government forms such as Requisitions, Purchase Orders, Bid Invitations, General Terms and conditions for Bids, Bid and Performance Bonds and other forms in all its procurement activities. These forms are available at the General Services Agency (Tenda Gubetnu).
5. Your Delegations of Procurement Authority is not transferable to any other party. However, you may designate a staff member within your agency to represent you in the process of procuring and administering your projects. (If a management staff is delegated to sign procurement documents in your behalf, you must obtain approval from my office prior to delegating.
6. Extension of Delivery and Waiver of Liquidated Damages is not included in this delegation. Therefore, all requests for extension of delivery and waiver of liquidated damages must be forwarded with the appropriate determination. Since there is an established Liquidated Damage Fund for General Services Agency, you must deposit all revenues for this account under the General Services Agency, Liquidated Damage Fund. Please make all checks payable to "General Services Agency" to be received by this office.

7. Copies of all bids must be submitted to this office prior to bid advertisement. This requirement is to gather data to determine whether consolidation of procurement is warranted.
8. Copies of protest and resolution must be submitted to this office no later than five days form receipt/completion.
9. The **Jose D. Leon Guerrero Commercial Port, Port Authority of Guam** here by agrees to allow the General Services Agency to make periodic reviews of the procurement activities to ascertain compliance with existing laws and regulations. Should the Authority violate the mandates of these laws and regulations, this delegation of procurement authority will be revoked accordingly.
10. This delegation supersedes any previous delegations, may not be further delegated and shall take effect May 1, 2020 and expire September 30, 2020.
11. Any procurement violations with respect to this delegation of procurement authority shall be the responsibility of the **General Manager, Port Authority of Guam.**
12. Exceptions to Delegation: Pursuant to 5GCA Subsection 2107 shall not be delegated.

Should you agree with the aforementioned terms and conditions, please sign below indicating your acknowledgement and agreement to such terms and conditions.



CLAUDIA S. ACFALLE




DATE

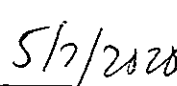
Please review and sign this 2-page delegation, and return the original to General Services Agency for further handling.

ACKNOWLEDGEMENT BY DEPARTMENT HEAD:

I, **RORY J. RESPICIO, Jose D. Leon Guerrero Commercial Port, Port Authority of Guam** as read and fully understands the responsibilities delegated to me by the Chief Procurement Officer, General Services Agency.



RORY J. RESPICIO,
General Manager, PAG



DATE


I, Rory Respicio, General Manager, request for your approval to authorize Mr. Luis Baza, Deputy General Manager, Administration and Dominic Muna, Deputy General Manager, Operations to sign procurement documents on my behalf, in my absence or upon my direction.

ACKNOWLEDGEMENT:

I, Luis Baza, Deputy General Manager, Administration, Jose D. Leon Guerrero Commercial Port, Port Authority of Guam, has read and fully understands the responsibilities delegated to me upon the absence of the Executive Manager.

 May 7, 2020
LUIS BAZA, DATE
Deputy General Manager, Administration

I, Dominic Muna, Deputy General Manager, Operations, Jose D. Leon Guerrero Commercial Port, Port Authority of Guam, has read and fully understands the responsibilities delegated to me upon the absence of the Executive Manager.

 5/7/2020
DOMINIC MUNA DATE
Deputy General Manager, Operations

MEMORANDUM OF AGREEMENT

BETWEEN

PORT AUTHORITY OF GUAM

AND

OFFICE OF THE ATTORNEY GENERAL

PROFESSIONAL LEGAL SERVICES

This MEMORANDUM OF AGREEMENT is made between the PORT AUTHORITY OF GUAM ("PAG") AND THE ATTORNEY GENERAL OF GUAM (Attorney General for the Office of the Attorney General "OAG").

RECITALS

WHEREAS, the Attorney General is the Chief Legal Officer for the Government of Guam pursuant to 48 U.S.C. 1421g(d)(1); and

WHEREAS, the Port Authority of Guam ("PAG") has requested assistance with PAG legal matters and that an Assistant Attorney General ("AAG") be assigned from the Office of the Attorney General ("OAG") to the PAG to provide legal services to the PAG in the furtherance of the goals and objectives of the PAG not inconsistent with the legal and ethical duties and responsibilities of the OAG and PAG; and

WHEREAS, the Attorney General agrees to assign an AAG from the OAG to the PAG for the performance of legal services for the PAG.

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

SECTION ONE
SCOPE OF SERVICES

1. The OAG shall assign an AAG to PAG to perform legal services for the PAG as requested by the PAG General Manager, or his designee, as needed by the agency. The AAG assigned by the Attorney General to PAG shall be an employee of OAG selected by the Attorney General, and shall be under the direct supervision of the Deputy Attorney General for the Litigation Division. The duties of the AAG may include those of both a solicitor and a litigator in the OAG. Notwithstanding the foregoing, the AAG shall not issue any legal memoranda or any Attorney General opinions without the prior approval of the Attorney General or Deputy Attorney General of the Solicitor Division. The AAG shall not engage in any litigation or file any appeal in a litigation case without the prior approval of the Attorney General or the Deputy Attorney General for the Litigation Division. The AAG shall not give any legal advice contrary to a legal position taken by the OAG; and the AAG shall confer with the Attorney General or the Deputy Attorney General of the Solicitor Division before stating a legal position or giving legal advice on

LEGAL SERVICES

Project No. _____

an issue which is outside of the regular legal information and guidance related to the day-to-day activities of PAG. The PAG General Manager shall bring any questions or concerns about the AAG's performance, work product, and/or professional conduct to the attention of the Deputy Attorney General of the Litigation Division.

2. Scope of Legal Services.

- a. Provide legal advice and guidance to the General Manager and Deputy General Manager relative to PAG matters;
- b. Prepare and/or review draft administrative rules and regulations, proposed legislation and resolutions relative to the PAG.
- c. Review as to form and legality PAG's procurement-related material, including Requests for Proposals, Invitations for Bids, Contracts, Memorandums of Agreements/Understanding, and other related documents.
- d. Upon the Director's written request and with the express approval of the Attorney General or his/her designee, act as PAG's hearing officer in administrative proceedings in which an attorney is required by law as an administrative hearing officer.
- e. Research and prepare OAG agency communications, information and guidance memoranda, legal memoranda, and official opinions, provided that no formal memorandum or opinion shall be finalized or issued without the prior review and approval of the Deputy Attorney General of the Solicitor Division and the Attorney General;
- f. Represent the PAG in administrative proceedings before administrative adjudication bodies, including but not limited to the Office of Public Accountability and the Civil Service Commission;
- g. Represent PAG in litigation;
- h. Provide other legal services for the PAG as may be requested and as expressly approved by the Attorney General, provided that such request does not conflict with the performance of the Attorney General's legal and ethical duties.

SECTION TWO
AGREEMENT TERM

This MOA shall be effective upon signature of the Governor and shall continue from one fiscal year to the next, unless or until terminated by either party. A party may terminate this MOA by giving

LEGAL SERVICES

Project No. _____

sixty (60) days written notice to the other party, or if both parties mutually agree to a termination, then this MOA may be terminated without notice on a date agreed upon by the parties.

SECTION THREE

ASSIGNMENTS; ISSUANCE OF ADDENDUM TO AGREEMENT

As set forth in Section One of this Agreement the OAG agrees to perform the scope of services as shall be requested by PAG on a matter by matter basis from time to time and agreed to by the OAG.

SECTION FOUR

COMPENSATION

1. Hourly Fee Matters. For particular assignments (each referred to as an "Hourly Fee Matter") PAG shall compensate the OAG according to its hourly rate schedule of \$200.00 as authorized in 5 G.C.A. § 30202 for actual time devoted to performing legal services related to the Hourly Fee Matter.

2. Compensation. The PAG agrees to submit the full amount of compensation of the AAG assigned to perform legal services for the PAG by a direct transfer to the OAG from funds of the PAG.

3. Invoices. The OAG shall invoice PAG for payments on a monthly basis and shall be required to provide a record of hours worked and the description of work. PAG's obligation for payment of the OAG's fees and costs shall be subject to the availability of funds for such payment. PAG shall pay all invoices within thirty days of receipt.

4. Expenses. In addition to the hourly fee for legal services, PAG shall pay the following expenses related to legal services provided to the PAG.

- a. If the PAG requires or requests the AAG to travel off-island relative to the performance of his or her services to the PAG under this MOA, then the PAG shall pay all costs of travel, food, lodging, and other related expenses with respect to travel. The OAG shall not be required to advance any travel costs relative to services being rendered to the PAG. Reimbursement for such travel expenses shall be pursuant to government of Guam-approved policy and rates;
- b. If the services to be rendered by the AAG to the PAG require any legal experts, consultants, specialists, or investigators, the PAG shall retain such persons directly, and the OAG is expressly not required to provide such services under this MOA;
- c. Any other expenses not mentioned herein incurred or to be incurred by the AAG or OAG solely on behalf of the PAG shall be paid in advance by the PAG.

SECTION FIVE

OFFICE SPACE, EQUIPMENT AND SUPPLIES

PAG shall provide reasonable accommodations and office space on its premises for the assigned AAG. Reasonable accommodations and office space shall include support in terms of staff services, equipment and supplies. Staff services need not be full-time or dedicated, but designed to reasonably support the request for legal services made to the assigned AAG by PAG. PAG shall provide a reasonably private office space with a dedicated personal computer with internet access, along with a desk, chair, telephone and filing cabinet solely for the AAG's use. Other equipment such as printer, copier and facsimile machine,

LEGAL SERVICES

Project No. _____

without limitation, should be easily accessible, but need not be dedicated solely to the AAG. PAG shall provide all supplies as may be requested by AAG and as may be necessary to perform the legal services requested by PAG.

SECTION SIX
NOTICES

Notices to either party will be sent to:

Office of the Attorney General of Guam
590 S. Marine Corps Drive, Suite 901
Tamuning, Guam 96913

Port Authority of Guam
1026 Cabras Highway, Suite 201
Piti, Guam 96925

IN WITNESS WHEREOF, the parties hereto have executed this MOA effective the day and year signed by the Governor of Guam:

PORT AUTHORITY OF GUAM

By: Rory J. Espinoza

General Manager

OFFICE OF THE ATTORNEY GENERAL OF GUAM

By: [Signature]
PAG 26-0100

Date: 5/14/2020

Date: SP2020

CERTIFIED FUNDS AVAILABLE:

PORT AUTHORITY OF GUAM

By: [Signature]

Certifying Officer

Account No.: 70.8656.OTHERS

Amount: \$25,000.00

Date: 5/14/2020


LEGAL SERVICES
Project No. _____

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OFFICE OF THE ATTORNEY GENERAL
SOLICITORS DIVISION

20-0100

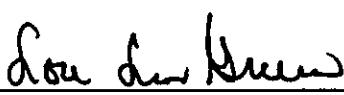
APPROVED AS TO LEGALITY AND
FORM:

OFFICE OF THE ATTORNEY GENERAL OF GUAM

By: 
LEEVIN TAITANO CAMACHO *Act 20-0/00*
Attorney General of Guam

Date: 5/26/20

APPROVED:


LOURDES LEON GUERRERO
Governor of Guam

Date: 5/29/2020

LEGAL SERVICES
Project No. _____

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05-14-2020 5:27:20 PM 2020 30422
OFFICE OF THE ATTORNEY GENERAL
SOLICITORS DIVISION



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
Website: www.portguam.com




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

May 1, 2020

MEMORANDUM

TO: All Division Heads

FROM: Rory J. Respicio, General Manager 

SUBJECT: Mid-Year Budget Review

Hafa Adai! First of all, thank you for your continued commitment and hard work to keeping the Port Authority of Guam 100% operational during this COVID-19 pandemic. Please continue to be vigilant at work and in your homes to ensure you and your family's protection from the coronavirus.

This memorandum is to announce the commencement of the mid-year budget review. You recall that last year's mid-year budget review required us to absorb \$2M within existing Fiscal Year 2019 revenues. This \$2M resulted because the Fiscal Year 2019 Budget did not include the costs of the 25th market percentile implementation, as well as expenditures incurred for the pre/post work for Typhoons Yutu and Wutip, and OSHA's certification inspection costs for our gantry cranes.

Thankfully, you supported our cost-avoidance measures since day one. These actions required all of us to operate within the total approved budget, thus allowing us to meet our financial obligations without compromising workplace safety, maintenance of equipment, and employee productivity. As a result of your diligence and sacrifice ensuring that your respective division operates within its budget allocations, we may potentially realize a net income of \$3.5 million for Fiscal Year 2019 compared to a loss of \$103,000 in Fiscal Year 2018.

The Port is an autonomous agency of the Government of Guam. This means that all Port revenues generated remains with the Port for current and future fiscal needs. Therefore, there is no room for a "use it or lose it attitude," and as such, our approach to developing this year's budget was imploring a performance-based budgeting model. Performance-based budgeting is the practice of developing budgets based on the relationship between program funding levels and expected results from that program. A performance-based

budgeting process is a tool that program administrators can use to manage more cost-efficient and effective budgeting outlays.

We focus on performance goals, reasonable expectations, and offer flexibility to allocate funds whenever needed. This approach also places inherent self-checks to continuously improve the efficiency of the Port's expenditures, boost employees' commitment to meeting our Board's objectives, and provide accountability. In this year's budget, we placed a 15% budget reserve. To date, we have spent 8% less or \$2.2M of Fiscal Year 2020 budget. We are anticipating that our year-to-date net income for this fiscal year may be \$4.4 million.

However, as we are all aware, the Port, just like other government or private sector businesses globally, is facing unforeseen budgetary impacts resulting from this COVID-19 pandemic. For the mid-year, we need to review our revenue projections, budget allocations, including capital improvement projects, purchase/replacement of equipment and supplies, and new/vacant positions within your division. To assist us in this effort, you are requested to submit to this office the following:

1. A manpower needs assessment justifying the actual number of employees is needed in order to fulfill the mission of your division.
2. Justification as to:
 - a. why each new/vacant position(s) in your division, along with a completed position description(s), is essential to your operations;
 - b. which capital improvement projects funded by Port revenues cannot be deferred until Fiscal Year 2021 Budget; and
 - c. which equipment listed in the Fiscal Year 2020 Budget needs to be purchased/replaced and why current inventory equipment, if any, cannot continue to be utilized.

Please be advised of the requirement of Rule 5.010 of the Port's Personnel Rules, which states:

When a new position is to be established/budgeted or vacant positions is to be filled, the Division Head shall submit a position description to the General Manager in order that a determination of proper classification and pay allocation may be made. After the General Manager approves the allocation, he shall notify the Division Head affected, in writing, of the approved allocation. No position may be filled until

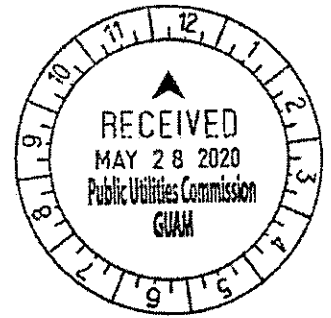
Memo to All Division Heads/Mid-Year Budget Review
May 1, 2020
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the General Manager certifies that the position is properly classified. Copies of all classification shall be filed with the Commission for post-audit purposes.

Until these requirements are met, all requests for recruitment, promotion and reclassification reviews, including the purchase of equipment and supplies, will be held in abeyance until we review your justifications.

Should you have any questions, please feel free to contact DGMO Dominic G. Muna, DGMA Luis R. Baza, or me. *Si Yu'os Ma'ase!*

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION



)	PAG DOCKET 20-04
)	
PETITION FOR APPROVAL OF)	ORDER
JDE ENTERPRISEONE FINANCIAL)	
MANAGEMENT SYSTEM UPGRADE)	
_____)	

INTRODUCTION

This matter comes before the Guam Public Utilities Commission (the “PUC”) pursuant to a May 15, 2020 petition filed by the Jose D. Leon Guerrero Commercial Port, Port Authority of Guam (“PAG” or the “Port”), seeking PUC approval of the bond expenditure related to the Port’s proposed upgrade of its Financial Management System, specifically from Oracle’s JD Edwards World system to Oracle’s JD Edwards EnterpriseOne software and technology system.

On March 23, 2020, the Administrative Law Judge of the PUC (the “ALJ”) assigned to this matter filed an ALJ Report that included his findings and recommendations based on the administrative record before the PUC. The ALJ found the following.

DETERMINATIONS

Since 1999, PAG has been utilizing a Financial Management System known as Oracle’s JD Edwards World (“JDE World”), which provides PAG with a software system for its ~~general accounting, human resources, payroll, budget, accounts receivable and payable,~~ procurement, inventory, work orders, and fixed asset capabilities.¹ According to PAG, this system “will reach its end of life on 2022.”²

¹ PAG Board Resolution No. 2020-02 (“Resolution”), p. 1 (Feb. 28, 2020).

² PAG’s Response to RFI, Appendix (“Appendix”), p. 7 (May 22, 2020).

From May 2019 through January 2020, a pilot program was deployed to determine the “compatibility and viability” of a system upgrade from JDE World to JD Edwards EnterpriseOne (“EnterpriseOne”), a more advanced and robust system.³ According to PAG, the pilot program was “successful” and revealed that the EnterpriseOne system provided a “faster reporting tool, expanded and more detailed functional modules, integration, and adaptability to new technology.”⁴

In the middle of the pilot program, Public Law 35-44 (“P.L. 35-44”) was signed into law, which authorized the reprogramming of projects funded by the Port’s revenue bond proceeds, which includes upgrading the Port’s information technology system and integrating its Financial Management System with its Terminal Operating System. P.L. 35-44, Section 1(d), p. 4 (Oct. 16, 2019).

On February 28, 2020, PAG’s Board of Directors (the “Board”) issued Resolution No. 2020-02, which authorized PAG to allocate a portion of its bond revenue proceeds in an amount up to \$2.5 million for the upgrade from JDE World to EnterpriseOne.⁵ The Board further authorized PAG to seek PUC approval of the bond expenditure pursuant to PAG’s Contract Review Protocol.⁶

On March 31, 2020, PAG issued a Notification of Procurement Over \$500,000 to the Office of the Attorney General.⁷ In April 2020, PAG engaged with Oracle in price negotiations. On May 8, 2020, PAG issued a letter to Oracle accepting an April 30, 2020

³ Resolution, p. 1.

⁴ Resolution, p. 1.

⁵ Resolution, p. 1.

⁶ Resolution, p. 1.

⁷ Appendix, p. 12.

counter-offer.⁸ On May 20, 2020, the ALJ assigned to this matter issued a Request for Information (“RFI”), seeking information and documents related to the Financial Management System upgrade with Oracle for the EnterpriseOne system.

A. PAG’s May 15, 2020 Petition

In its Petition, PAG requests that the PUC approve the bond expenditure related to the Port’s upgrade of its Financial Management System, specifically from JDE World to EnterpriseOne.⁹ According to PAG, “[t]he purpose of this service is to upgrade from JDE World to JDE EnterpriseOne which includes full data migration, cloud database licensing, on premise database licensing and support, and [disaster recovery] hardware and support.”¹⁰ The upgrade would also include a skills workshop, 24/7 application management, helpdesk, and training.¹¹

According to PAG, EnterpriseOne is a “more robust and technologically updated version of JDE World.”¹² And that because both products are by Oracle, the transition should be “smooth,” minimally disruptive to PAG’s operations, and therefore, “cost efficient.”¹³

Cost for the upgrade is \$2,028,816 for implementation of the new system, and \$111,430.40 for training; for a total of \$2,140,246.40. PAG submits that the upgrade will be funded by revenue bond proceeds.¹⁴

⁸ Appendix, p. 34.

⁹ Petition Re: PAG Financial Management System Upgrade to JDE EnterpriseOne, p. 1 (May 15, 2020) (“Petition”).

¹⁰ Petition, p. 1.

¹¹ Petition, p. 1.

¹² Petition, p. 1.

¹³ Petition, p. 1.

¹⁴ Resolution, p. 1.

B. PAG's Contract Review Protocol

Pursuant to 12 G.C.A. §12105, PAG may not enter into any contractual agreements or obligations which could increase rates and charges without the PUC's express approval. Additionally, pursuant to PAG's current Contract Review Protocol, "[a]ll internally financed contracts utilizing O&M funds in excess of \$1,000,000" and "[a]ll capital items by account group utilizing O&M funds, which in any year exceed \$1,000,000"; and "[a]ny contract or obligation not specifically referenced above which exceeds \$1,000,000" "shall require prior PUC approval under 12 G.C.A. Section 12004."¹⁵

Further, all externally funded loan obligations and other financial obligations, such as lines of credit, bonds, etc., in excess of \$1,000,000, and any use of such funds, must be approved by the PUC.¹⁶

C. Key Services and Deliverables, and Costs

Based on the contract documents, the upgrade will affect the following existing modules: Accounts Receivables; Accounts Payables; General Accounting; Financial Reporting; Budgeting; Fixed Assets, Equipment/Plant Management; Human Resources; Distribution/Logistics; and Work Order.¹⁷ The upgrade will also set up a "cloud" infrastructure.¹⁸ The services will include production preparation; a disaster recovery build; and then "going live", and post-production support.¹⁹ In addition, the key deliverables include the

¹⁵ Contract Review Protocol, PAG Docket 09-01, p. 1 (June 20, 2011).

¹⁶ See Contract Review Protocol for Port Authority of Guam, PAG Docket 09-01, p. 1 (June 20, 2011).

¹⁷ Appendix, p. 59.

¹⁸ Appendix, p. 60.

¹⁹ Appendix, pp. 61-62.

following: upgrades tests; post-production support; test cases; configuration and demonstration of user dashboards; workshops of the new system; and a project management plan.²⁰

A breakdown of the fees, over three years, is as follows: \$1,528,294 for the first year; \$250,698.52 for the second year; and \$249,823.96 for the third year; for a total \$2,028,816 to implement the new system.²¹ The bulk of the cost for the first year is for advanced customer services at about \$950,000.²²

Finally, the offer includes an additional \$111,430.40 for training.²³ The bulk of the costs are for finance, asset management, HR, payroll, and engineering training (over the course of 5 to 10 days), at a little less than \$800 per person.²⁴

D. Upgrade

According to the documentation provided by PAG, the key differences between JDE World and EnterpriseOne involve, among others, a much larger provision of tools for the user. For instance, EnterpriseOne provides 27 more modules; over 90 mobile applications (where JDE World provides none); smart phone applications (where JDE World provides none); tablet devices (where JDE World provides none); more supported operating systems; more supported platforms; and is offered in 4 more languages. EnterpriseOne further provides some cross industry capabilities, such as project and government contract accounting; and expense management.²⁵ With respect to human resources, EnterpriseOne offers competency

²⁰ Appendix, p. 62.

²¹ Appendix, p. 25.

²² Appendix, p. 25.

²³ Appendix, p. 25.

²⁴ Appendix, p. 28.

²⁵ PAG's Response to RFI, p. 3.

management, performance management; and E-recruiting, among others.²⁶ With respect to distribution, EnterpriseOne offers fulfillment management; demand scheduling execution; requisition self-service; supplier self-service; and a buyer workspace.²⁷

In addition, PAG submitted that what makes EnterpriseOne technologically more robust includes the following. EnterpriseOne offers “cloud” compatibility, certain customizations, and process automations.²⁸ Other advances include report customization that can address requirements by financial institution, external auditors, and various stakeholders; invoicing that can be generated and emailed directly to customers; data downloads to Excel format, job costing, work orders, human resources, procurement and inventory functions.²⁹

E. Sole Sourcing

Generally, a contract may be awarded “for a supply, service, or construction item without competition when, under regulations promulgated by the Policy Office, the Chief Procurement Officer, . . . the head of a purchasing agency, or a designee of either officer above the level of the Procurement Officer determines in writing that there is only one source for the required supply, service or construction item.” 5 G.C.A. § 5214; *See also* 2 G.A.R., Div. 4, § 3112 (“A contract may be awarded for a supply, service, or construction item without competition when the provisions of this Section are met, provided that the Chief Procurement Officer, . . . the head of a Purchasing Agency, or their designee above the level of Procurement Officer determines in writing that there is only one source for the required supply, service, or construction item.”).

²⁶ PAG’s Response to RFI, p. 3.

²⁷ PAG’s Response to RFI, p. 3.

²⁸ PAG’s Response to RFI, p. 4.

²⁹ PAG’s Response to RFI, p. 5.

In addition, 2 G.A.R., Division 4, Section 3112(b) (“Conditions for use of Sole Source Procurement”), provides that a “[s]ole source procurement is not permissible unless a requirement is available from only a single supplier.” 2 G.A.R., Div. 4, § 3112(b). Section 3112(b) further adds that “[a] requirement for a particular proprietary item does not justify a sole source procurement if there is more than one potential bidder or offeror for that item. The following are examples of circumstances which could necessitate sole source procurement: (1) where the compatibility of equipment, accessories, or replacement parts is the paramount consideration” 2 G.A.R., Div. 4, § 3112(b). The regulations further seem to provide that where a procurement is restricted to one potential contractor, such use of sole sourcing “shall be accompanied by an explanation as to why no other will be suitable or acceptable to meet the need.” 2 G.A.R., Div. 4, § 3112(b).

In this instance, the documentation provided by PAG includes a March 30, 2020 Determination of Need, executed by PAG’s General Manager Rory J. Respicio, as head of a purchasing agency, wherein he states that “Oracle and its authorized resellers are the only distributors of the Oracle JD Edwards Enterprise One software and its associated Oracle software support services.”³⁰ In the same vein, PAG’s use of the sole sourcing appears appropriate here because there is primarily one source for the supply and service for the upgrade of PAG’s current financial management system, namely Oracle. Indeed, according to the vendor, as of March 17, 2020, “Oracle and its authorized resellers only distribute Oracle JD Edwards Enterprise One software and its associated Oracle software support services.”³¹

Further, based on a review of PAG’s documentation, the compatibility of equipment, accessories, and replacement parts is of great significance, especially at this pivotal

³⁰ Appendix, p. 2.

³¹ Appendix, p. 5.

moment. PAG's Information Technology Systems Manager has indicated that the current system "will reach its end life on 2022", and that "[t]he only compatible upgrade path for this obsolete system is to migrate to [EnterpriseOne] system which is also provided and supported by Oracle."³² The manager further added that "[i]t's the only compatible financial software that will migrate seamlessly due to its similar (but upgraded) database structure/schema, tables, modules, features and technology"; and that a "[u]ser's learning curve will be easy too, due to its compatible and similar functionality, menus, processing options, and system structure in general."³³

Moreover, PAG's documentation further indicates that the agency engaged in price negotiations with Oracle, pursuant to 2 G.A.R., Div. 4, Section 3112(b), which resulted in almost \$75,000 savings.

F. Market

In response to the May 20, 2020 RFI, PAG indicated that "[s]ince Oracle is the sole provider of the [JDE EnterpriseOne] software and its associated Oracle software support services, there's no known market for the upgrade."³⁴ PAG has indicated that the only alternative would be to migrate to a brand new financial management system.³⁵ Such migration, according to PAG, would be more costly since a brand new system costs upwards of \$2.7 million to \$5.9 million, and would exclude costs associated with learning the new system, business disruption, data compatibility and the resulting migration.³⁶

³² Appendix, p. 7.

³³ Appendix, p. 7.

³⁴ PAG's Response to RFI, p. 6.

³⁵ PAG's Response to RFI, p. 6.

³⁶ PAG's Response to RFI, p. 6.

G. Public Law 35-44

In the Petition, PAG maintained that the contract will be funded through its 2018 bond proceeds. Indeed, in P.L. 35-44, the Guam Legislature expressly found that the Port's modernization necessitates an "upgrade to the terminal operating system to allow for automated invoicing, cargo and container tracking, financial management, and maintenance management"; that "[t]o enhance the Port's invoicing to ensure one hundred percent (100%) cost recovery per the established tariffs, the Terminal Operating System and Financial Management System must be integrated, along with an upgrade of the Port's current information technology system for accurate financial data on the expenses rendered to vessel operations and related services versus revenues; along with "improvements" to the Port's information technology systems. P.L. 35-44, Section 1(b) and (d), pp. 2, 4-5 (Oct. 16, 2019).

Further, Section 2 of P.L. 35-44, which approved PAG's issuance of the revenue bonds, authorizes PAG to "shore up" its "financial management systems", specifically for an "upgrade to the Port's information technology system and integration of the Terminal Operating System and Financial Management System." P.L. 35-44, Section 2(a)(2), p. 6.

CONCLUSION

Oracle has been described as "the world leader in IT platforms, middleware, databases, business software and programming languages (with Java). The company offers the world's fastest servers (Exadata X3 with 26 TB of RAM) and is one of the leading storage providers (Sun)."³⁷ "Oracle is also the only [enterprise resource planning] provider to sell

³⁷ <https://www.fss-group.com/en/jd-edwards/> (last accessed May 24, 2020).

complete solutions—from server farms in the data center to printed forms in the customer’s corporate design.”³⁸

In addition, EnterpriseOne has been described as “an integrated international application suite with comprehensive enterprise resource planning software that combines business value, standards-based technology, and comprehensive industry experience into a low total cost of ownership business solution. JD Edwards [EnterpriseOne] was the first [enterprise resource planning] solution to run all applications on the Apple iPad and also provides mobile application solutions.”³⁹

According to Oracle’s EnterpriseOne website, EnterpriseOne offers a number of efficiencies to improve business, such as automation, which “reduces manual tasks and enables users to focus on more critical and more creative tasks, increasing employee satisfaction.”⁴⁰ “Manual data entry is tedious, expensive, and prone to problems. Inaccurate and inconsistent data entry often results in information gaps. Delivering real-time data into EnterpriseOne applications leads to optimized operations, more accurate analytics, and better regulatory compliance.”⁴¹

EnterpriseOne further provides its consumers with a “choice of applications and control over operations for both on-premises and hybrid cloud models.”⁴² For instance, its

³⁸ <https://www.fss-group.com/en/jd-edwards/> (last accessed May 24, 2020).

³⁹ <https://www.fss-group.com/en/jd-edwards/> (last accessed May 24, 2020).

⁴⁰ <https://www.oracle.com/a/ocom/docs/applications/jdedwards/jde-world-migration-ebook.pdf> (last accessed May 24, 2020).

⁴¹ <https://www.oracle.com/a/ocom/docs/applications/jdedwards/jde-world-migration-ebook.pdf> (last accessed May 24, 2020).

⁴² <https://www.oracle.com/a/ocom/docs/applications/jdedwards/jde-world-migration-ebook.pdf> (last accessed May 24, 2020).

“cloud” services “enables lines of business to rapidly respond to evolving business conditions to capture market opportunities.”⁴³

Based on the foregoing, the ALJ found that upgrading PAG’s current Financial Management System is crucial to its operations. As indicated by the findings of the Guam Legislature, the Port’s modernization necessitates an “upgrade to the terminal operating system to allow for automated invoicing, cargo and container tracking, financial management, and maintenance management”; that “[t]o enhance the Port’s invoicing to ensure one hundred percent (100%) cost recovery . . . along with an upgrade of the Port’s current information technology system for accurate financial data on the expenses rendered to vessel operations and related services versus revenues.” P.L. 35-44, Section 1(b) and (d), pp. 2, 4-5. It is of great benefit for ratepayers to protect the business operations of the Port’s activities. Especially during these times, it would be tragic if the Port’s operations decrease in efficiency, productivity, and financial stability.

The ALJ further found that the upgrade to the Port’s Financial Management System, and the corresponding expenditure, are reasonable, prudent, and necessary, especially to support the Port’s modernization and efforts to improve its services for the ratepayers. Accordingly, the ALJ therefore recommended that the PUC approve PAG’s Petition, specifically authorizing \$2,140,264.40 for the bond expenditure related to the Port’s upgrade of its Financial Management System, specifically from JDE World to EnterpriseOne.

The Commission hereby adopts the findings made in the May 26, 2020 ALJ Report, and therefore, issues the following.

⁴³ <https://www.oracle.com/a/ocom/docs/applications/jdedwards/jde-world-migration-ebook.pdf> (last accessed May 24, 2020).

ORDERING PROVISIONS

Upon careful consideration of the record herein, and for good cause shown, on motion duly made, seconded and carried by the affirmative vote of the undersigned Commissioners, the Commission hereby ORDERS the following:

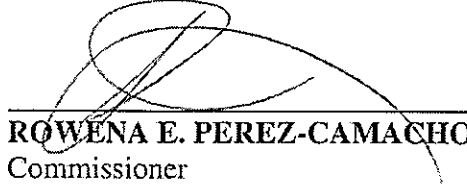
1. That the instant Petition is hereby APPROVED.
2. PAG is authorized to enter into the proposed contract with Oracle for the upgrade of its Financial Management System to JDE EnterpriseOne, for a total cost of \$2,140,264.40, to be funded by PAG's Revenue bond proceeds.
3. PAG shall return to Oracle to attempt to negotiate a lower cost for the JDE EnterpriseOne upgrade considering its use by other agencies in Guam.
4. PAG is ordered to pay the PUC's regulatory fees and expenses, including and without limitation, consulting and counsel fees, and the fees and expenses associated with this matter. Assessment of the PUC's regulatory fees and expenses is authorized pursuant to 12 G.C.A. §§ 12103(b) and 12125(b), and Rule 40 of the Rules of Practice and Procedure before the PUC.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

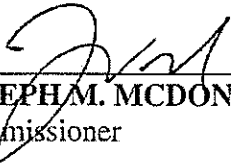
SO ORDERED this 28th day of May, 2020.



JEFFREY C. JOHNSON
Chairman



ROWENA E. PEREZ-CAMACHO
Commissioner



JOSEPH M. MCDONALD
Commissioner

PEDRO GUERRERO
Commissioner



MICHAEL A. PANGELINAN
Commissioner



PETER MONTINOLA
Commissioner

DORIS FLORES BROOKS
Commissioner

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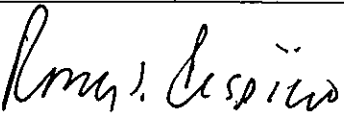


PORT OF GUAM
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 Telephone: 671-477-5931/35 Facsimile: 671-477-2689/4445
 Website: www.portguam.com



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

POLICY MEMORANDUM NO. 2020-GM02

To: All Employees	Subject: Procedures and Guidelines on the Application of the COVID-19 Response Differential Pay
Effective Date: 6-8-2020	Revision Date:
Approved by:  RORY J. RESPICIO, General Manager	

I. DISCUSSION:

On March 14, 2020, Governor Lou Leon Guerrero via Executive Order 2020-03 placed Guam in a State of Emergency because of the effects of COVID-19 on the island.

Executive Order 2020-08 dated April 5, 2020 established a COVID-19 Response Differential Pay for *“essential employees of the Government of Guam to continue their work for the purposes of eliminating or reducing immediate threats to life, public health, or safety where their work could expose them to the coronavirus.”*

The policy provides the COVID-19 Response differential pay will be in addition to any hazardous duty differential pay already determined by the Guam Occupational Safety & Health Administrator (GOSHA), and such differential pay for the hours worked to a hazardous condition. It also established three (3) categories:

1. Category 1: Twenty-five percent (25%) pay differential to essential employees in the course of their duties are in direct contact or in close physical proximity to a population infected with or may be reasonably suspected to be infected with COVID-19. Such positions may include, but not limited to sworn public safety/law enforcement, health care providers and other positions performing essential critical mission duties; or
2. Category 2: Fifteen percent (15%) pay differential to essential employees in the course of their duties may incidentally come into contact with or close physical proximity to a population infected with or may be reasonably suspected to be infected with COVID-19. These employees may also be providing humanitarian services or direct public assistance to the general public; or

3. Category 3: Ten percent (10%) pay differential to essential employees whose positions do not allow them to telework *and* are mandated to perform their job duties at physical worksites pre-determined by their agency heads, required by the Government's response to the COVID-19 pandemic.

The Port adopted measures to reduce the risk of employees contracting COVID-19 virus and ensure the workplace will not be mode of transmission. A Port Clinic was established on March 23, 2020 and manned by healthcare professionals. The clinic is open 24/7 and visits totaling 12,000 plus.

On May 8, 2020, the Governor declared Guam to be in Pandemic Condition of Readiness ("PCOR") 2 which allowed limited activities to operate under moderate restrictions.

Through Executive Order 2020-16, dated May 28, 2020, the Governor opened all Government of Guam offices, agencies, and departments to recommence public operations effective June 1, 2020. The executive order also discontinued Category 3 of the COVID-19 Response Differential Pay. However, Categories 1 and 2 of the COVID-19 Response Differential Pay plan shall continue to be provided to those employees who are found to be eligible for such hazardous pay.

- II. **PURPOSE:** To provide standard procedures and guidelines for the use by Division Heads and Payroll and timekeeping personnel to properly record, compute and/or process payments to employees for their COVID-19 Response Differential Pay.

Through Department of Administration Circular No. 2020-013, dated April 20, 2020, "*Any employee identified to receive a pay differential in one of the categories identified above, will be paid the differential for the whole shift worked at the highest category for the shift and not just the hours of exposure as indicated in DOA Circular 2020-12.*"

Furthermore, through Executive Order 2020-08, dated April 5, 2020, "*The Director of the Department of Administration or the equivalent of in the case of autonomous and semi-autonomous agencies, shall implement a COVID-19 Response differential pay policy for employees working in support of the public health emergency and in areas necessary for the elimination or reduction of immediate threats to life, public health, or safety, whose work could expose them to the coronavirus.*"

This policy supersedes all previous correspondence regarding the COVID-19 Response Differential Pay. And, such shall be guided by Executive Order 2020-08 and Executive Order 2020-16, whichever is applicable.

- III. **SCOPE:** This policy shall apply to all Port Authority of Guam employees.

IV. RESPONSIBILITIES:

- A. Employees shall be responsible to promptly notify their supervisor and/or division head of potential exposure to the COVID-19 environment.
- B. Supervisor/Division Head shall be responsible to submit to their superiors the necessary documentation for concurrence/non-concurrence and General Manager for his approval/disapproval and coordinate the processing of employees' timesheets to reflect the COVID-19 response differential pay.
- C. Payroll personnel shall be responsible for processing the COVID-19 response differential pay as indicated on the documentation and promptly notifying division heads of any corrections or errors.

V. PROCEDURE:

Unlike other Government of Guam agencies or departments who have satellite offices manned by their employees around the Island, Port employees are assembled in offices inside or within the vicinity of the Port terminal yard on Cabras Island. Although social distancing and preventive measures have been implemented, exposure by tenants, vessel crew members, public or even co-workers who may be infected by the virus would have an overwhelming impact on the Port's manpower resources.

During the pandemic crisis, there were exposure of about thirty-eight (38) employees whose family members were tested positive. These employees voluntarily placed themselves in a quarantine environment for a maximum of three (3) weeks and received clearance from their primary physicians or Department of Public Health to return to work.

As we all settle into the "new normal" of social distancing and practicing safe hygiene measures, the Port continues to focus on the safety, health, and well-being of the employees.

In the event employees in their course of duties become in direct contact or in close physical proximity to a population infected with or may be reasonably suspected to be infected with COVID-19 or may incidentally come into contact with or close physical proximity to a population with or may be reasonably suspected with COVID-19, the following procedure shall be adhered to request for compensation of the COVID-19 Response Differential Pay:

1. The division head shall submit weekly Emergency Individual Payroll Summary (IPS) timesheets reflecting the employee's location, exposure to the COVID-19, a brief description of exposure and the differential pay category recommended to their superiors and respective Deputy General Manager for concurrence or non-concurrence and final approval/disapproval by the General Manager.

2. The original timesheet shall be forwarded to Payroll Section of the Finance Division, with a copy to division head.
3. Timekeepers will input the approved COVID-19 Response Differential Pay onto the employee's bi-weekly timesheet.
4. Payroll personnel will promptly notify the supervisor/division head of any corrections or discrepancies in pay immediately upon discovery.

VI. AUTHORIZED SIGNATORY: Final approval of all COVID-19 Response Differential Pay requests will be the General Manager.



May 27th, 2020

Mr. Rory Respicio
General Manager
Port Authority of Guam
1026 Cabras Highway
Piti, GU 96915

RE: Port Users Group – Appreciation Letter to the Port Authority of Guam

Dear Mr. Respicio,

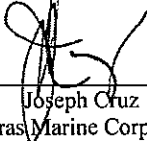
Here on Guam, the heroic work of our medical professionals and first responders has been remarkable to watch. Their tireless efforts to confront COVID-19 and care for the sick are an inspiration to people everywhere. We owe a debt of gratitude to these individuals.

The same goes for those working on another frontline, called to remain at their post to provide goods and services that are essential to our way of life. The output on operations has been remarkable notwithstanding current conditions. The personnel at the Port of Guam have worked tremendously throughout this pandemic sustaining production levels and maintaining the Port User's demand.


Like so many everyday heroes, these brave men and women are taking time away from their own families to ensure that the people of Guam can count on having food to eat and beverages to drink. The Port Users of Guam would like to take a moment to offer our utmost appreciation to those at the front lines of the Port for rising to the challenge in these unprecedented times.

On behalf of the Port Users Group of Guam, we would also like to thank Mr. Respicio and his management team and workforce who are working tirelessly, constructively, and responsively to keep the flow of goods moving on Guam. Our essential critical workers could not do this without your continued support.


Sincerely,



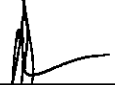
Joseph Cruz
Cabras Marine Corporation




Paul Blas
Pacific Development
Corporation



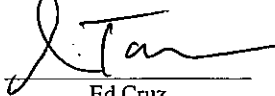
Andrew Miller
Ambyth Shipping & Trading, Inc



William Calori
Seabridge, Inc.



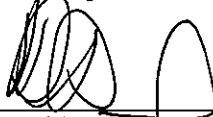
Bernie Valencia
Matson Navigation Company



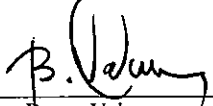
Ed Cruz
Mariana Express Lines Pte. Ltd.



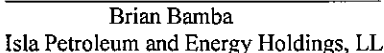
Charlie Hermosa
American President Lines, LLC



Patrick Doroma
Norton Lilly International



Byron Valera
Marianas Steamship Agency

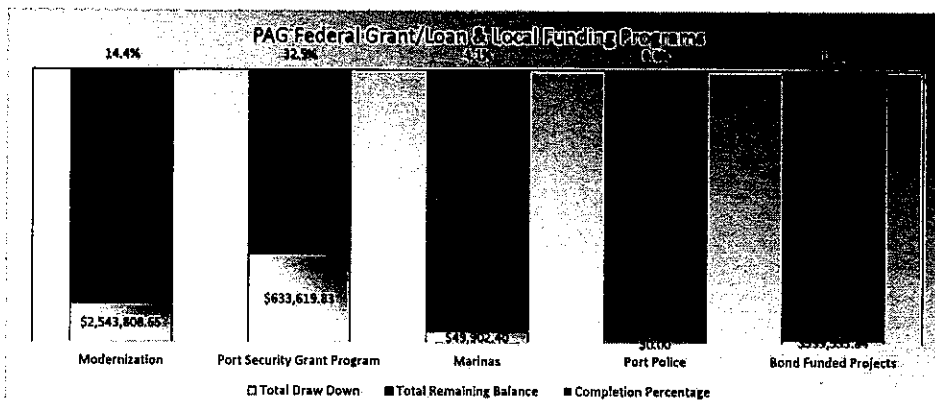


Brian Bamba
Isla Petroleum and Energy Holdings, LLC



Matthew Pothen
Guam Industrial Services, Inc

**FY 2020 Port Modernization Plan
Grant/Bond Strategy - Monthly Update
As of June 01, 2020**



Grant Program	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCUREMENT IFB/RFP/PO Number	Status
Modernization	\$17,700,073.00	\$2,543,808.65	\$15,156,264.35		
DTMA91G1600007 - Rehabilitation of "H" Wharf	\$10,000,000.00	\$0.00	\$10,000,000.00		Coral Relocation completed March 27, 2020. 401 Water Quality Certification permit received April 27, 2020. US Army Corps. of Engineers Nationwide Permit Verification received May 7, 2020. Construction Management Service proposals pending review.
GR882-18-01 - Owner's Agent Engineer Support Services	\$900,000.00	\$671,132.65	\$228,867.35		No Cost Extension through September 30, 2021 approved on May 12, 2020.
GR882-19-04 - Owner's Agent Engineer Support Services	\$1,600,000.00	\$0.00	\$1,600,000.00		Award Number GR882-20-06 for the amount of \$800,000.00 received on May 27, 2020. This funding was awarded as supplemental funding to the existing \$800,000.00 2019 grant award.
Port Enterprise Fund - Port of Guam Construction Deficiencies and Equipment Purchases	\$2,844,530.00	\$1,872,676.00	\$971,854.00	Project 1 - IFB No. PAG-CIP-019-001 for \$139,449.00 awarded to American Builder LLC Project 2 - IFB No. PAG-CIP-019-002 for \$82,940.00 awarded to Highway Safety Services LLC Project 3 - PO No. 15449-OF for \$10,311 awarded to AB Mer Construction Project 4 - PO No. 15213-OS for \$1,639,976 awarded to Morrigo Equipment LLC	As previously reported, Projects 1 through 4 have been completed. Project 5 - Repaint Remaining CMU Wall (Exterior and Interior) - pending procurement process Project 6 - Acquisition of Additional Digital Cameras - pending procurement process Project 7 - Upgrade Port's KANTECH Access Control and Web-Ready Security Management System - pending procurement process
EDA Disaster Supplemental Grant Program - Installation of Fuel Pipeline System for F1 Pier and Golf Pier Connectivity	\$2,355,543.00	\$0.00	\$2,355,543.00		Grant application submitted to Grants.gov. Awaiting review by EDA.
Marinas	\$1,209,243.60	\$49,902.40	\$1,159,341.20		
F14AP00191 - Harbor of Refuge Moorage Repairs - Phase 2	\$56,484.60	\$14,765.40	\$41,719.20		Grant Amount Adjusted to \$56,484.60 as indicated on MOU. Revised MOU received by the PAG. Revised MOU is subject to review and approval by BBMR, AG's Office, and the Governor.
F16AP00261 - Harbor of Refuge Moorage Repairs - Phase 3	\$200,000.00	\$11,895.00	\$188,105.00		Grant Amount Adjusted to \$188,105.00 as indicated on MOU. Revised MOU received by the PAG. Revised MOU is subject to review and approval by BBMR, AG's Office, and the Governor.
F17AP00486 - Harbor of Refuge Moorage Repairs - Phase 4	\$200,000.00	\$13,194.00	\$186,806.00		Grant Amount Adjusted to \$186,806.00 as indicated on MOU. Revised MOU received by the PAG. Revised MOU is subject to review and approval by BBMR, AG's Office, and the Governor.

Grant Program	Total Award Amount	Total Draw Down	Total Remaining Balance	PROCUREMENT IFB/RFP/PO Number	Status
F19AP00334 - Harbor of Refuge Moorage Repairs - Phase 5	\$200,000.00	\$10,048.00	\$189,952.00		Grant Amount adjusted to \$189,952.00 for salary, supplies, and indirect costs for Department of Agriculture. Revised MOU received by the PAG. Revised MOU is subject to review and approval by BBMR, AG's Office, and the Governor.
F19AF01199 - Guam Fisheries Development: Construction of Agat Marina's Dock B	\$512,759.00	\$0.00	\$512,759.00		MOU received by the PAG. MOU is subject to review and approval by BBMR, AG's Office, and the Governor.
F19AF01210 - Repair of Agat Marina's Boat Ramp Bumpers	\$40,000.00	\$0.00	\$40,000.00		MOU received by the PAG. MOU is subject to review and approval by BBMR, AG's Office, and the Governor.
Port Security Grant Program	\$1,948,093.00	\$633,619.83	\$1,314,473.17		
EMW-2016-PU-00523-S01 - Acquisition & Installation of Additional Cameras at Strategic Port Facilities	\$174,849.00	\$0.00	\$174,849.00		No cost extension approved to August 31, 2020. Project will be incorporated with FY 2018 PSGP U#2.
EMW-2016-PU-00523-S01 - Upgrade & Refurbishment of Existing Damaged Security Light Poles at Strategic Port Locations	\$475,011.00	\$388,288.06	\$86,722.94		Project completed.
EMW-2017-PU-00177-S01 - Maintenance and Sustainment Contract for Prime Power Generators	\$179,550.00	\$6,326.15	\$173,223.85	PO No. 16208-OS for \$75,207.00 Pacific Unlimited Inc.	Contract signed and PO acknowledged by Pacific Unlimited Inc. on December 17, 2019.
EMW-2017-PU-00177-S01 - Refurbishment and Hardening of Load Center Buildings Housing Prime Power Generators	\$384,469.00	\$97,567.64	\$286,901.36	PO No. 16150-OF for \$314,450.00 to Murphy Enterprises Inc.	NTP issued on January 6, 2020.
EMW-2017-PU-00177-S01 - US Coast Guard Multi Agency National Association of State Boating Law Administrators (NASBLA) Training for Port Police	\$56,250.00	\$53,150.00	\$3,100.00		Project completed on August 2018.
EMW-2018-PU-00441-S01 - IDEN Technology Redundant Interoperable Communications System Monthly Service	\$94,944.00	\$44,836.42	\$50,107.58		Monthly service is being provided by local company iConnect.
EMW-2018-PU-00441-S01 - Maintenance and Sustainment Contract for FEMA-acquired AS&E ZBV Backscatter X-Ray Van	\$195,669.00	\$0.00	\$195,669.00	PO No. 16227-OF - American Signs and Engines \$70,724.00.	Customs and Quarantine forwarded PO to vendor January 7, 2020.
EMW-2018-PU-00441-S01 - Replacement CCTV System Existing Analog Cameras with Digital IP Cameras	\$160,867.00	\$43,451.56	\$117,415.44		Pending development of procurement packet.
EMW-2019-PU-00295-S01 - Acquisition & Installation of Prime Power Generator & Components for Load Center 3	\$226,484.00	\$0.00	\$226,484.00		EHP Review has been reviewed and approved by FEMA. Planning will work with Engineering on the development of the SOW.
Port Police	\$15,000.00	\$0.00	\$15,000.00		
PT20-03-03PAG - Operation A'dai He Hao (Watch Out!)	\$15,000.00	\$0.00	\$15,000.00		Traffic enforcement began May 11, 2020.
Bond Funded Projects	\$45,328,800.00	\$599,555.84	\$44,729,244.16		
New Administration Building	\$10,445,000.00	\$0.00	\$10,445,000.00		WSP to revisit in Master Plan Update. SOW to be updated for both the current Administration Building and the proposed Annex.
Waterline Replacement and Relocation and EQMR Building and Warehouse 1 Repairs and Upgrades	\$11,628,800.00	\$0.00	\$11,628,800.00	RFP No. 2019-03	NC Macario assessment ongoing; additional work required prior to 35% design submittal.
Golf Pier Repairs and Improvements	\$2,000,000.00	\$319,388.88	\$1,680,611.12	RFP No. 2019-02 - A&E design for \$484,000 awarded to NC Macario	NC Macario has completed 100% of the design. Pending delivery of final draft.
Rehabilitation of "H" Wharf (Port Share)	\$13,774,255.00	\$280,166.96	\$13,494,088.04	PO No. 16332-OF for Coral Relocation at \$482,700.00 to WSP awarded on February 18, 2020. RFP No. 2020-002 - Construction Management Services	Coral Relocation completed March 27, 2020. 401 Water Quality Certification permit received April 27, 2020. US Army Corps of Engineers Nationwide Permit Verification received May 7, 2020. Construction Management Service proposals under review.
Other Priority Projects	\$7,480,745.00	\$0.00	\$7,480,745.00		Purchase of EnterpriseOne Financial Management System approved during PUC meeting on May 28, 2020. Purchase pending final PUC documentation. F1 wharf repair and Terminal Operating System upgrades pending.
Grand Total	\$66,201,209.60	\$3,826,886.72	\$62,374,322.88		



PORT OF GUAM
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Website: www.portguam.com

PHOTO COURTESY: MARIANA A. DE LA CRUZ



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

June 4, 2020

FINANCE-YTD - April 2020

Financial Highlights

Income Statement

Balance Sheet

OT Comparison – Budget vs Actual

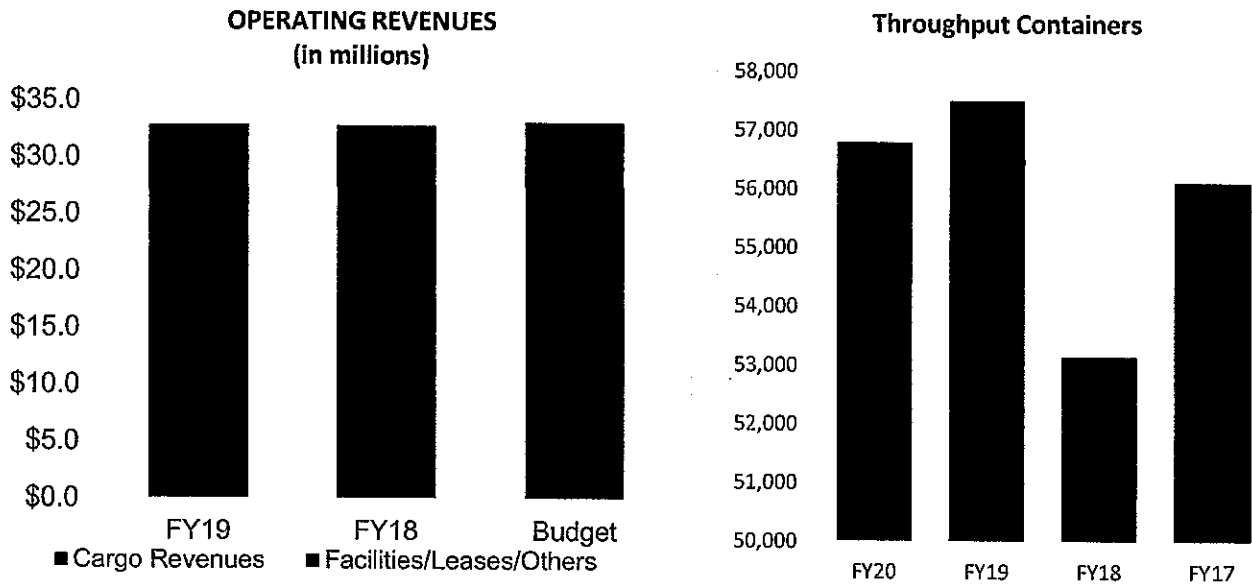
Crane Surcharge Revenue and Expense Summary

Accounts Receivable Aging Summary Report

Accounts Payable Summary

Financial Highlights – YTD April FY2020

Operating Performance:



REVENUES AND CARGO THROUGHPUT:

Total Operating Revenues as of April 2020 was \$33.0M, which consist of \$27.3M in cargo revenues and \$5.6M in Facilities, Leases, and Other Services.

FY20 YTD cargo revenues is 0.8% lower than last year’s total (\$27.5M) and 0.4% lower than Budget (\$27.4M). The following operating revenue accounts showed increases YTD are: Transshipment +9%, Reefer Plug/Unplug +10%, Direct Labor +7%, Equipment Rental +4% and Wharfage +1%.

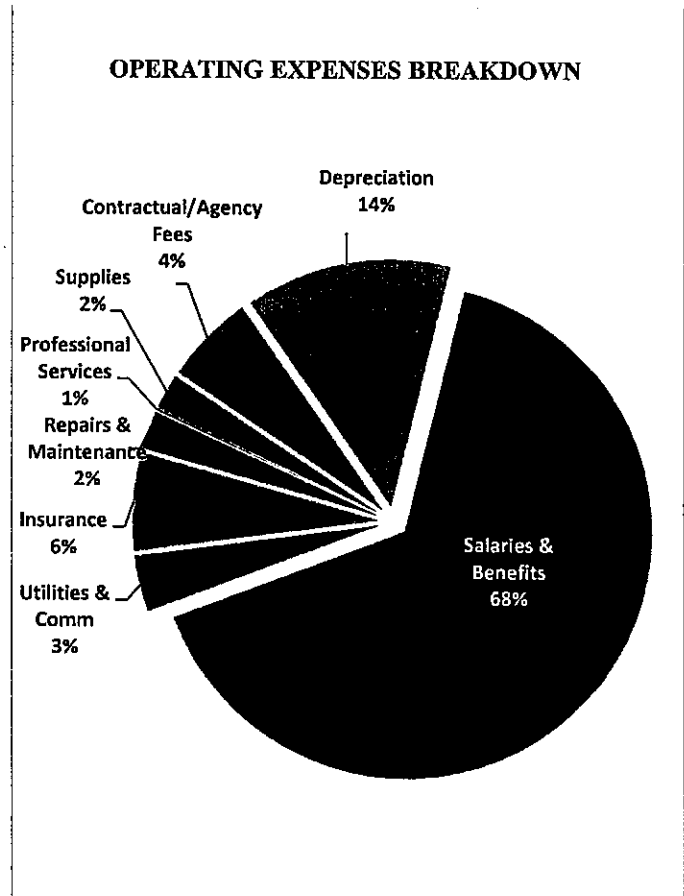
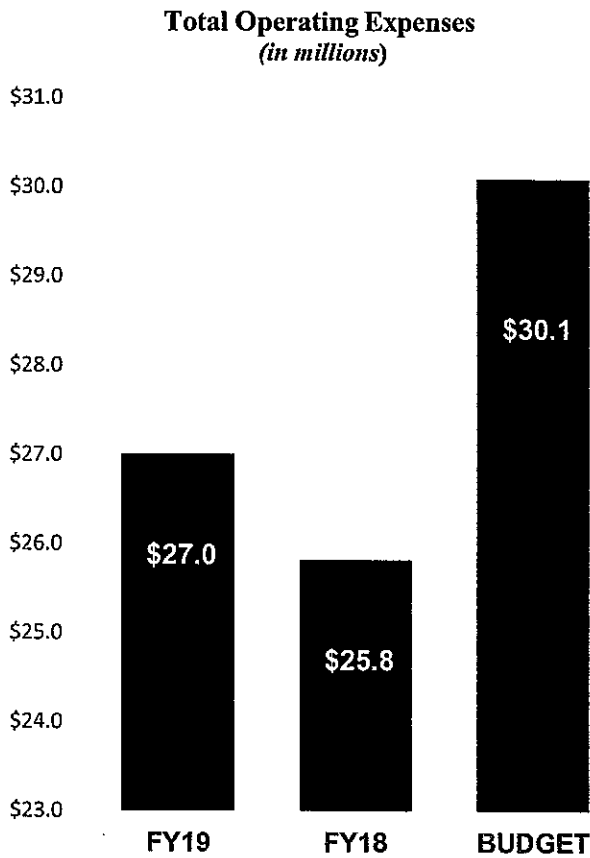
FY20 YTD Facilities, Leases, and Other Services is 6.8% higher than last year’s total (\$5.3M) and 1.4% lower than budget (\$5.7M).

Overall Operating Revenues as of April 2020 is 0.6% lower than Projected Revenues (\$33.2M) and 0.4% lower than last year YTD April (\$32.8M).

Total number of containers handled as of April 2020 was 56,795 which is 1% or 714 containers lower as compared to last year April 2019 YTD total. **Compared to April of FY17 the number of containers handled increased by 1.2%.**

OPERATING EXPENSES:

Total Operating Expenses as of April 2020 was \$27.0M, which is 10% or \$3.1M lower than Budget (\$30.1M) and 5% higher than last year's total operating expenses (\$25.8M). For the first 7 months of FY20, expenses over a million are: Salaries - \$13.1M, Benefits & Other Personnel Costs - \$5.2M, General Insurance- \$1.7M and Depreciation \$3.7M. The following expense categories are lower than Budget: Salaries & Wages (-12%), Retirement Benefits (-11%), Professional Services (-79.5%), Repairs & Maintenance (-52%) and other miscellaneous expenses that are less than FY20 Budget.



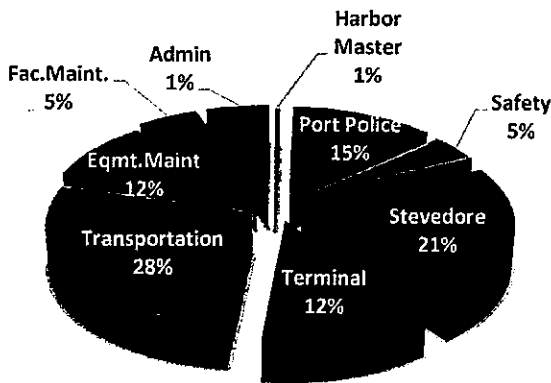
OVERTIME EXPENSE AND DIRECT LABOR REVENUE:

Total Overtime as of April was \$1.4M which is 34% higher than April 2020 Year to date budget (\$1.0M). Direct Labor Revenue as of April was \$2.1M, it is 7% higher than budget. Direct Labor revenues are for services performed by the Port employees outside of the cargo throughput charges, special services and Nighttime/ Overtime and Holiday differentials.

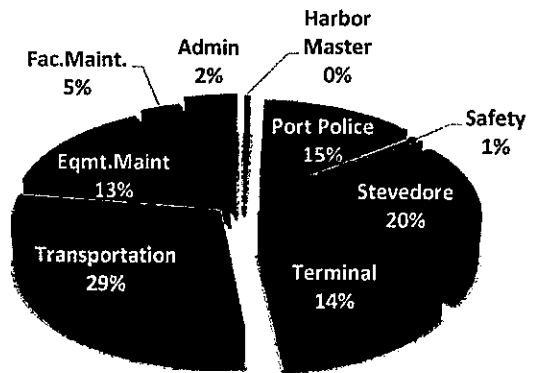
Below is the breakdown of overtime for each division/section for FY20, YTD Budget and Direct Labor as of April 2020:

Section	FY20	Budget	DL Revenue
Harbor Master	8,321	3,471	
Port Police	223,544	173,542	70,080
Safety	66,341	9,917	
Stevedore-Cargo Handling	280,741	163,625	517,369
-Rigger	6,353	7,438	713,675
Terminal	161,281	128,917	303,589
Transportation-Superintendent	63,306	52,063	
-Crane Operator	72,201	57,021	84,142
-Equipt Operator	210,333	173,542	378,628
-Dispatcher	17,640	14,875	0
Maint.-Crane Maint.	61,462	59,500	0
-Preventive Maint.	40,525	37,188	0
-Fleet Maint.	30,473	22,313	0
-Welders	34,370	24,792	0
Facility Maint.-Building	11,709	9,421	742
-Janitorial	4,618	2,975	
-Elect./Refr.	51,443	44,625	28,924
Administration	0	0	
Finance	4,036	4,958	1,398
Human Resources	4,347	1,735	0
Engineering	-1,665	9,917	0
Procurement	0	0	0
Information Technology	9,700	12,396	0
TOTAL	1,361,079	1,014,227	2,098,547

FY20 OT



FY19 OT



Year to date Operating Revenues minus the Year to date Operating Expenses resulted to an Operating Income of \$5.9M as of April 30, 2020.

Non-Operating Revenues and Expenses consist of the following: \$1.5M -Retirement contribution for COLA, Supplemental and Medical/Dental/Life Insurance expenses, \$648K - Interest Income, \$1.8M – Interest Expense, \$2.1M- Federal Reimbursements, \$288K – Federal expenses and \$20K-other expenses. The net total of non-operating expenses and revenues as of April is a negative \$833K.

The Total Net Income as of April is \$5.1M. The Year to Date Net Income for April is 31% higher or \$1.2M more than YTD April projection of \$3.9M.

Crane Surcharge Revenue and Expense Summary

The total crane surcharge revenue for the first 7 months of the fiscal year is \$3.4M, while the operating expenses applied to the crane surcharge is \$2.4M. This results to a net income of \$724K

Accounts Receivable Trade (net) as of April 30, 2020 was \$5.8M.

Aging Status is a follows: 88% - Current, 3% - over 30 days, .5% - over 60 days, .5% - over 90 days and 8.3% - over 120 days.

Accounts Payable Trade as of April 30, 2020 is \$455K which is 30% lower than last year's ending balance of \$651K.

**Port Authority of Guam
Income Statement
With Budget Comparison (Unaudited)
7 Month Ending 04/30/20**

Current Month Actual	%	Last Year		Budget	% Chng		Year to Date		Last Year to Date			Budget	% Chng
		Actual	%				Actual	%	Actual	%	Chng		
OPERATING REVENUES													
CARGO THROUGHPUT REVENUES													
1,629,737	35.2%	1,805,774	40.7%	1,689,271	-3.5%	CT- CHASSIS	11,762,810	35.7%	11,687,825	35.6%	0.6%	11,824,897	-0.5%
215,741	4.7%	208,726	4.7%	202,567	6.5%	CT-GROUND	1,549,488	4.7%	1,403,506	4.3%	10.4%	1,417,969	9.3%
64,060	1.4%	48,947	1.1%	152,874	-58.1%	CT-BREAKBULK	776,377	2.4%	1,167,026	3.6%	-33.5%	1,070,118	-27.4%
2,275	0.0%	549	0.0%	1,627	39.8%	CT-UNITIZED	16,532	0.1%	11,512	0.0%	43.6%	11,389	45.2%
						CT-TUNA							
29,007	0.6%	18,954	0.4%	48,323	-40.0%	CT-RO/RO	246,433	0.7%	324,533	1.0%	-24.1%	338,261	-27.1%
3,619	0.1%	14,121	0.3%	9,059	-60.1%	CT-STUFFING/DEVAN	43,213	0.1%	62,383	0.2%	-30.7%	63,413	-31.9%
2,510	0.1%	5,596	0.1%	7,636	-67.1%	CT-HEAVYLIFT	30,698	0.1%	57,225	0.2%	-46.4%	53,452	-42.6%
84	0.0%	536	0.0%	778	-89.2%	CT-LONGLENGTH	3,066	0.0%	5,981	0.0%	-48.7%	5,446	-43.7%
20,199	0.4%	11,111	0.3%	12,550	60.9%	OUT-OF-GAUGE CARGO (OOG)	99,015	0.3%	88,628	0.3%	11.7%	87,850	12.7%
<u>1,967,231</u>	<u>42.4%</u>	<u>2,114,314</u>	<u>47.6%</u>	<u>2,124,685</u>	<u>-7.4%</u>	CARGO THROUGHPUT REVENUES	<u>14,527,632</u>	<u>44.1%</u>	<u>14,808,620</u>	<u>45.1%</u>	<u>-1.9%</u>	<u>14,872,795</u>	<u>-2.3%</u>
						OTHER CARGO RELATED REVENUES							
	0.0%		0.0%			LIFT ON/LIFT OFF		0.0%		0.0%			
	0.0%		0.0%			PRESLUNG		0.0%		0.0%	0.0%		
	0.0%		0.0%		0.0%	EXPORT SCRAP CONTAINER		0.0%		0.0%	0.0%		0.0%
251,335	5.4%	157,222	3.5%	176,322	42.5%	TRANSSHIP CONTAINERS	1,340,669	4.1%	1,256,216	3.8%	6.7%	1,234,254	8.6%
15,469	0.3%	24,521	0.6%	29,762	-48.0%	OVERSTOWED CONTAINERS	130,968	0.4%	236,047	0.7%	-44.5%	208,334	-37.1%
959	0.0%	84	0.0%	320	199.7%	SHIFTED CONTAINERS	1,437	0.0%	2,515	0.0%	-42.9%	2,240	-35.8%
5,017	0.1%	4,721	0.1%	4,095	22.5%	RIGGED CONTAINERS	27,915	0.1%	29,754	0.1%	-6.2%	28,665	-2.6%
12,350	0.3%	11,228	0.3%	11,109	11.2%	REEFER CNTR-PLUG/UNPLUG	85,404	0.3%	77,263	0.2%	10.5%	77,763	9.8%
281,972	6.1%	205,447	4.6%	280,034	0.7%	DIRECT LABOR BILLED	2,098,548	6.4%	2,052,201	6.3%	2.3%	1,960,238	7.1%
20,467	0.4%	13,209	0.3%	23,548	-13.1%	EQUIPMENT RENTAL	170,892	0.5%	165,688	0.5%	3.1%	164,836	3.7%
59,191	1.3%	38,590	0.9%	46,237	28.0%	PORT FEES & DOCKAGE	339,507	1.0%	317,942	1.0%	6.8%	323,659	4.9%
502,333	10.8%	460,571	10.4%	494,340	1.6%	WHARFAGE	3,491,449	10.6%	3,459,845	10.5%	0.9%	3,460,380	0.9%
60,093	1.3%	58,499	1.3%	58,783	2.2%	FUEL SURCHARGE	411,710	1.2%	410,673	1.3%	0.3%	411,481	0.1%
18,186	0.4%	17,236	0.4%	18,661	-2.5%	MARITIME SECURITY FEE	132,967	0.4%	130,520	0.4%	1.9%	130,627	1.8%
166,902	3.6%	144,480	3.3%	156,562	6.6%	FACILITY MAINTENANCE FEE	1,124,820	3.4%	1,111,930	3.4%	1.2%	1,095,934	2.6%
481,604	10.4%	496,665	11.2%	494,060	-2.5%	CRANE SURCHARGE	3,425,275	10.4%	3,475,236	10.6%	-1.4%	3,458,420	-1.0%
<u>1,875,876</u>	<u>40.5%</u>	<u>1,632,472</u>	<u>36.8%</u>	<u>1,793,833</u>	<u>4.6%</u>	OTHER CARGO RELATED REVENUES	<u>12,781,562</u>	<u>38.8%</u>	<u>12,725,830</u>	<u>38.8%</u>	<u>0.4%</u>	<u>12,556,831</u>	<u>1.8%</u>
<u>3,843,107</u>	<u>82.9%</u>	<u>3,746,786</u>	<u>84.4%</u>	<u>3,918,518</u>	<u>-1.9%</u>	OPERATING REVENUES	<u>27,309,194</u>	<u>82.9%</u>	<u>27,534,451</u>	<u>83.9%</u>	<u>-0.8%</u>	<u>27,429,626</u>	<u>-0.4%</u>

**Port Authority of Guam
Income Statement
With Budget Comparison (Unaudited)
7 Month Ending 04/30/20**

Current Month		Last Year				Year to Date		Last Year to Date				
Actual	%	Actual	%	Budget	% Chng	Actual	%	Actual	%	% Chng	Budget	% Chng
NON OPERATING REVENUES												
FACILITIES												
74,519	1.6%	88,710	2.0%	104,715	-28.8%	696,245	2.1%	644,600	2.0%	8.0%	733,005	-5.0%
285,949	6.2%	149,339	3.4%	213,615	33.9%	1,714,932	5.2%	1,290,349	3.9%	32.9%	1,495,305	14.7%
29,820	0.6%		0.0%	9,683	208.0%	89,460	0.3%	59,040	0.2%	0.0%	67,781	32.0%
106,229	2.3%	107,626	2.4%	104,949	1.2%	748,922	2.3%	728,173	2.2%	2.8%	734,643	1.9%
108,928	2.4%	87,938	2.0%	87,938	23.9%	664,214	2.0%	615,565	1.9%	7.9%	615,566	7.9%
2,896	0.1%	3,610	0.1%	3,744	-22.6%	20,273	0.1%	26,280	0.1%	-22.9%	26,208	-22.6%
4,447	0.1%	4,116	0.1%	3,990	11.5%	56,249	0.2%	27,599	0.1%	103.8%	27,930	101.4%
(150)	0.0%	350	0.0%	393	-138.2%	1,795	0.0%	2,375	0.0%	0.0%	2,751	-34.8%
23,458	0.5%	23,954	0.5%	23,278	0.8%	165,444	0.5%	160,923	0.5%	2.8%	162,946	1.5%
2,807	0.1%	3,184	0.1%	3,466	-19.0%	21,560	0.1%	25,155	0.1%	-14.3%	24,262	-11.1%
143,151	3.1%	210,295	4.7%	202,611	-29.3%	1,331,017	4.0%	1,554,228	4.7%	-14.4%	1,418,277	-6.2%
782,055	16.9%	679,122	15.3%	758,382	3.1%	5,510,112	16.7%	5,134,287	15.6%	7.3%	5,308,674	3.8%
OTHER FEES & SERVICES												
	0.0%		0.0%		0.0%		0.0%		0.0%	0.0%		
	0.0%		0.0%		0.0%		0.0%		0.0%	0.0%		
	0.0%	1,087	0.0%	4,263	0.0%	559	0.0%		0.0%	0.0%		#DIV/0!
315	0.0%	2,161	0.0%	1,754	-100.0%	43,274	0.1%	30,130	0.1%	0.0%	29,841	45.0%
6,959	0.2%	9,072	0.2%	15,631	-100.0%	7,327	0.0%	13,132	0.0%	-44.2%	12,278	-40.3%
1,875	0.0%	2,502	0.1%		0.0%	71,281	0.2%	92,453	0.3%	-22.9%	109,417	-34.9%
						13,578	0.0%	18,540	0.1%	-26.8%		
9,149	0.2%	14,822	0.3%	21,648	-57.7%	136,018	0.4%	154,255	0.5%	-11.8%	151,536	-10.2%
75	0.2%	198	0.0%	672	1261.5%	2,998	0.0%	848	0.0%	253.7%	4,704	-36.3%
REIMBURSEMENTS												
-	0.0%	-	0.0%	38,167	0.0%	-	0.0%	-	0.0%	0.0%	267,169	
-	0.0%	-	0.0%	-	0.0%	-	0.0%	-	0.0%	0.0%	-	
-	0.0%	-	0.0%	-	0.0%	-	0.0%	-	0.0%	0.0%	-	
-	0.0%	-	0.0%	-	0.0%	-	0.0%	-	0.0%	0.0%	-	
-	0.0%	-	0.0%	-	0.0%	-	0.0%	-	0.0%	0.0%	-	
-	0.0%	-		38,167	0.0%	-	0.0%	-	0.0%	0.0%	267,169	0.0%
791,279	17.1%	694,141	15.6%	818,869	-3.4%	5,649,129	17.1%	5,289,390	16.1%	6.8%	5,732,083	-1.4%
4,634,387	100.0%	4,440,927	100.0%	4,737,387	-2.2%	32,958,323	100.0%	32,823,841	100.0%	0.4%	33,161,709	-0.6%

**Port Authority of Guam
Income Statement
With Budget Comparison (Unaudited)
7 Month Ending 04/30/20**

Current Month Actual	%	Last Year Actual	%	Budget	% Chng		Year to Date		Last Year to Date				
							Actual	%	Actual	%	% Chng	Budget	% Chng
-1													
						INDIRECT COSTS							
						General & Administrative Expenses							
1,553,652	33.5%	1,651,970	37.2%	2,126,151	-26.9%	Salaries & Wages	13,061,627	39.6%	11,982,632	36.5%	9.0%	14,883,057	-12.2%
134,035	2.9%	125,793	2.8%	137,823	-2.7%	Insured Benefits	968,978	2.9%	871,320	2.7%	11.2%	964,761	0.4%
352,093	7.6%	447,204	10.1%	524,613	-32.9%	Retirement Benefits	3,268,438	9.9%	3,078,134	9.4%	6.2%	3,672,291	-11.0%
142,024	3.1%	139,238	3.1%	4,167	3308.3%	Other Benefits	989,641	3.0%	919,949	2.8%	7.6%	29,169	3292.8%
436	0.0%	214	0.0%	6,667	-93.5%	Other Personnel Costs	8,996	0.0%	7,263	0.0%	23.9%	46,669	-80.7%
8,680	0.2%	9,758	0.2%	26,550	-67.3%	Communications	66,669	0.2%	83,608	0.3%	-20.3%	185,850	-64.1%
-	0.0%	-	0.0%	-	-	Leases/Rentals	-	0.0%	-	0.0%	-	-	-
188,555	4.1%	111,099	2.5%	142,167	32.6%	Utilities	855,909	2.6%	862,368	2.6%	-0.7%	995,169	-14.0%
247,504	5.3%	201,557	4.5%	261,500	-5.4%	General Insurance	1,743,869	5.3%	1,648,316	5.0%	5.8%	1,830,500	-4.7%
-	0.0%	-	0.0%	-	0.0%	Repairs & Maintenance	-	0.0%	29,000	0.1%	-	-	0.0%
19,392	0.4%	80,560	1.8%	59,175	-	Repairs & Maintenance	221,654	0.7%	340,747	1.0%	-35.0%	414,225	-
-	0.0%	-	0.0%	-	-	Repairs & Maintenance-Subic Cr	-	0.0%	-	0.0%	0.0%	-	-
9,810	0.2%	4,074	0.1%	32,221	-69.6%	Repairs & Maintenance-Pola 14	83,190	0.3%	75,379	0.2%	10.4%	225,547	-63.1%
26,600	0.6%	9,363	0.2%	32,221	-17.4%	Repairs & Maintenance-Pola 16	139,570	0.4%	135,519	0.4%	3.0%	225,547	-38.1%
7,675	0.2%	5,148	0.1%	32,221	-76.2%	Repairs & Maintenance-Pola 17	102,463	0.3%	138,966	0.4%	-26.3%	225,547	-54.6%
529,843	11.4%	517,785	11.7%	484,167	9.4%	Depreciation & Amortization	3,722,554	11.3%	3,621,165	11.0%	2.8%	3,389,169	9.8%
(78,608)	-1.7%	-	0.0%	3,083	-2649.7%	Damage, Shortage, Writedown &	-	0.0%	1,029	0.0%	-100.0%	21,581	-100.0%
100,557	2.2%	67,073	1.5%	100,246	0.3%	Supplies	590,516	1.8%	475,363	1.4%	24.2%	701,722	-15.8%
4,634	0.1%	5,005	0.1%	19,543	-76.3%	Miscellaneous	43,043	0.1%	42,096	0.1%	2.2%	136,801	-68.5%
-	0.0%	-	0.0%	-	-	Advertising	-	0.0%	-	0.0%	-	-	-
66,472	1.4%	43,885	1.0%	61,154	8.7%	Agency & Management Fees	523,053	1.6%	404,386	1.2%	29.3%	428,078	22.2%
(39,059)	-0.8%	131,716	3.0%	170,378	-122.9%	Professional Services	244,290	0.7%	700,544	2.1%	-65.1%	1,192,646	-79.5%
-	0.0%	-	0.0%	4,605	-100.0%	Contractual Services	-	0.0%	-	0.0%	-	32,235	-100.0%
37,577	0.8%	13,920	0.3%	54,131	-30.6%	Other Contractual Services	131,155	0.4%	95,014	0.3%	38.0%	378,917	-65.4%
-	-	-	-	-	-	Overhead Allocation	-	-	-	-	0.0%	-	-
10,618	0.2%	18,050	0.4%	15,761	-32.6%	Other Expenses	102,896	0.3%	84,320	0.3%	22.0%	110,327	-6.7%
-	-	-	0.0%	-	-	Earthquake Expense	-	0.0%	-	0.0%	-	-	-
3	0.0%	-	0.0%	-	-	Typhoon Expense	136,988	0.4%	221,277	0.7%	-	-	-
-	0.0%	-	0.0%	-	-	Earthquake Expense	-	0.0%	-	0.0%	-	-	0.0%
-	0.0%	-	0.0%	-	-	Emergency Expense	-	0.0%	-	0.0%	-	-	0.0%
3,322,494	71.7%	3,583,410	80.7%	4,298,544	-22.7%	General & Administrative Expenses	27,005,499	81.9%	25,818,396	78.7%	4.6%	30,089,808	-10.3%

**Port Authority of Guam
Income Statement
With Budget Comparison (Unaudited)
7 Month Ending 04/30/20**

Current Month Actual	%	Last Year Actual	%	Budget	% Chng		Year to Date		Last Year to Date			Budget	% Chng
							Actual	%	Actual	%	Chng		
1,311,893	71.7%	857,517	19.3%	438,843	657.1%	OPERATING INCOME (LOSS)	5,952,824	18.1%	7,005,444	21.3%	-15.0%	3,071,901	93.8%
						OTHER INCOME (EXPENSE)							
	0.0%		0.0%		0.0%	Other Income & Expense		0.0%		0.0%	0.0%		0.0%
	0.0%		0.0%		0.0%	Other Income		0.0%		0.0%	0.0%		0.0%
	0.0%		0.0%		0.0%	Interest Income		0.0%		0.0%	0.0%		0.0%
	0.0%		0.0%		0.0%	Interest Income		0.0%		0.0%	0.0%		0.0%
10,026	0.2%	205,301	4.6%	162,503	-93.8%	Interest Income	647,642	2.0%	1,045,430	3.2%	-38.1%	1,137,521	-43.1%
(251,606)	-5.4%		0.0%	(281,032)	-10.5%	Interest Expense	(1,761,239)	-5.3%	(1,780,765)	-5.4%	-1.1%	(1,967,224)	-10.5%
989	0.0%	241	0.0%	(1,917)	-151.6%	Other Expense	25,357	0.1%	29,011	0.1%	-12.6%	(13,419)	-289.0%
	0.0%		0.0%		0.0%	Claims Settlement	(66)	0.0%		0.0%	0.0%		0.0%
(217,471)	-4.7%	(241,769)	-5.4%	(259,429)	-16.2%	Retirement Govt Contribution	(1,522,227)	-4.6%	(1,692,788)	-5.2%	-10.1%	(1,816,003)	-16.2%
32,917	0.7%	111,749	2.5%	609,619	0.0%	Federal Reimbursement	2,070,192	6.3%	286,092	0.9%	623.6%	4,267,333	0.0%
(2,412)	-0.1%	(15,719)	-0.4%	(107,489)	-97.8%	Federal Expenses	(287,858)	-0.9%	(128,366)	-0.4%	124.2%	(752,423)	-61.7%
	0.0%		0.0%	(4,167)	-100.0%	Gain <Loss> on Asset Disposals	(5,644)	0.0%	(38,401)	-0.1%	-85.3%	(29,169)	-80.6%
(427,556)	-9.2%	59,802	1.3%	118,088	-462.1%	Other Income & Expense	(833,843)	-2.5%	(2,279,788)	-6.9%	-63.4%	826,616	-200.9%
(427,556)	-9.2%	59,802	1.3%	118,088	-462.1%	OTHER INCOME (EXPENSE)	(833,843)	-2.5%	(2,279,788)	-6.9%	-63.4%	826,616	-200.9%
884,337	19.1%	917,320	20.7%	556,931	58.8%	NET INCOME (LOSS)	5,118,981	15.5%	4,725,656	14.4%	8.3%	3,898,517	31.3%

Total Assets	Amount Current	Amount Last Month End	Amount Last Year End	Change This Month	Change This Year
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Current Assets					
Cash on Hand					
Petty Cash Fund	3,000.00	3,000.00	2,000.00		
Cashier Change Fund	100.00	100.00	100.00		1,000.00
Cash on Hand	3,100.00	3,100.00	2,100.00		1,000.00
Incentive Award Fund					
First Hawaiian Bank-Incentive					
Incentive Award Fund					
Cash in Bank					
First Hawaiian Bank					
Bank of Guam	57,644,436.57	57,735,685.90	56,400,070.20	91,249.33-	1,244,366.37
Bank of Hawaii					
Citizen Security Bank	1,285,643.51	1,383,087.11	1,246,032.56	97,443.60-	39,610.95
Cash in Bank	58,930,080.08	59,118,773.01	57,646,102.76	188,692.93-	1,283,977.32
Cash in Bank-Trust					
Trust-Current Unrestricted	23,048,913.21	21,541,405.25	20,383,738.65	1,507,507.96	2,665,174.56
BOG-Current Restricted	3,647,383.66	3,384,757.14	3,481,522.54	262,626.52	165,861.12
Cash in Bank-Trust	26,696,296.87	24,926,162.39	23,865,261.19	1,770,134.48	2,831,035.68
Short Term Investments					
Bank of Guam					
Citizen's Security Bank	5,494,485.98	2,607,244.57	8,030,204.37	2,887,241.41	2,535,718.39-
First Hawaiian Bank					
BankPacific					
Citibank					
Bank of Hawaii					
Oceanic Bank					
Gov Guam Employees Fed CU					
Short Term Investments	5,494,485.98	2,607,244.57	8,030,204.37	2,887,241.41	2,535,718.39-
Account Receivable-Trade (Net)					
Accounts Receivable-Trade	5,833,934.46	9,107,138.62	4,268,264.27	3,273,204.16-	1,565,670.19
Allow for Uncollectible Acct.	249,427.33-	249,427.33-	249,427.33-		
A/R-Clearing Account					
Account Receivable-Trade (Net)	5,584,507.13	8,857,711.29	4,018,836.94	3,273,204.16-	1,565,670.19
Accounts Receivable-Other					
Accounts Receivable-DOA					
Accounts Receivable-Employee	215.83	215.83	215.83		
Accounts Receivable-FEMA Reimb					
Accounts Receivable-Geda/Casam					
Accounts Receivable-Other	10,225.33	24,578.38	743,944.14	14,353.05-	733,718.81-
Accounts Receivable-Ins Procee					
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	Amount Current	Amount Last Month End	Amount Last Year End	Change This Month	Change This Year
Accounts Receivable-Other	10,441.16	24,794.21	744,159.97	14,353.05-	733,718.81-
Marina Receivables					
Accounts Receivable-Agat Marin	14,156.24	10,881.12	14,197.62	3,275.12	41.38-
Accounts Receivable-GDP Marina	2,364.26	1,449.89	1,630.82	914.37	733.44
Accounts Receivable-Harbor of	2,611.00	1,985.50	1,305.00	625.50	1,306.00
Marina Receivables	19,131.50	14,316.51	17,133.44	4,814.99	1,998.06
Interest Receivables					
Bank of Guam			127,444.70		127,444.70-
Bank Of Hawaii					
BankPacific					
Citibank					
Citizens Security Bank					
First Hawaiian Bank					
GovGuam Emp.Fed.Credit Union					
Oceanic Bank					
Other					
Interest Receivables			127,444.70		127,444.70-
Prepaid Expenses					
Prepaid Exp.-Bond	3,375.00	4,500.00	11,250.00	1,125.00-	7,875.00-
Prepaid Insurance	1,237,518.07	1,485,021.70	247,503.63-	247,503.63-	1,237,518.07
Prepaid Expenses	520,619.84	623,339.85	26,883.87	102,720.01-	493,735.97
Prepaid Expenses	1,761,512.91	2,112,861.55	38,133.87	351,348.64-	1,723,379.04
Deferred Expenses					
Deferred Geda Addendum L/Lease					
Credit Note Reimbursement	1,557.70-			1,557.70-	1,557.70
Deferred Expenses	1,557.70-			1,557.70-	1,557.70-
Current Assets	98,497,997.93	97,664,963.53	94,489,377.24	833,034.40	4,008,620.69
Non Current Assets					
Long Term Receivable					
Long Term Receivable-DOA	2,258,190.48	2,258,190.48	2,258,190.48		
Long Term Receivable-Geda	1,490,449.90	1,490,449.90	1,490,449.90		
Allow for Uncollectible LT A/R	3,748,640.38-	3,748,640.38-	3,748,640.38-		
Long Term Receivable					
Revenue Bond Reserves					
Reserve w/Trustee-Unrestricted	4,663,648.16	4,607,888.86	4,248,821.67	55,759.30	414,826.49
Reserve w/Trustee-Restricted	15,890,711.67	15,890,711.67	15,890,711.67		
Revenue Bond Reserves	20,554,359.83	20,498,600.53	20,139,533.34	55,759.30	414,826.49
Cash Reserves					
Crane Reserve w/Trustee-Unres.	4,047,481.50	4,004,094.80	3,707,848.86	43,386.70	339,632.64
FMF w/Trustee-Unres.					

Port Authority of Guam
 Balance Sheet
 As of 04/30/20

	Amount Current	Amount Last Month End	Amount Last Year End	Change This Month	Change This Year
Cash Reserves	4,047,481.50	4,004,094.80	3,707,848.86	43,386.70	339,632.64
Inventory-A/C	11,220.00	11,220.00	8,690.00		2,530.00
Inventory-Computer	59,251.64	59,251.64	59,251.64		
Gas, Oil and Diesel Inventory	252.35	263.82	.01	11.47-	252.34
Inventory-Parts	99,952.66	99,952.66	99,952.66		
Supplies Inventory	497,033.91	486,451.18	488,017.01	10,582.73	9,016.90
Contra-Asset Inventory Adj.	1,721.09-	1,721.09-	1,721.09-		
Allowance for Obsolescence	85,273.36-	85,273.36-	85,273.36-		
Inventory for Survey					
Inventory	580,716.11	570,144.85	568,916.87	10,571.26	11,799.24
Work In Progress					
Const Work in Progr-Local	626,045.36	516,082.45	42,373.25	109,962.91	583,672.11
Const Work in Progr-Federal	3,687,874.49	3,633,879.64	3,473,829.13	53,994.85	214,045.36
Const Work in Progr-FME					
Const Work in Progr-BOND					
Work In Progress	4,313,919.85	4,149,962.09	3,516,202.38	163,957.76	797,717.47
Non Current Assets	29,496,477.29	29,222,802.27	27,932,501.45	273,675.02	1,563,975.84
Property, Plant & Equipment					
Land					
Land-Cabras	3,563,000.00	3,563,000.00	3,563,000.00		
Land	3,563,000.00	3,563,000.00	3,563,000.00		
Buildings					
Buildings-Original	15,732,648.10	15,732,648.10	15,732,648.10		
Buildings-Substation Shelters					
Buildings-Wharf Improvements	129,427,625.87	129,427,625.87	129,416,110.97		11,514.90
Canopy Structures					
Buildings	145,160,273.97	145,160,273.97	145,148,759.07		11,514.90
Accumulated Depreciation-Build					
AccDeprac-Buildings-Original	15,266,234.64-	15,264,249.79-	15,252,340.69-	1,984.85-	13,893.95-
AccDeprac-Buildings-Sub Shelter					
AccDeprac-Buildings-Wharf Impr	38,937,354.27-	38,633,501.67-	36,810,416.70-	303,852.60-	2,126,937.57-
AccDeprac-Canopy Structures					
Accumulated Depreciation-Build	54,203,588.91-	53,897,751.46-	52,062,757.39-	305,837.45-	2,140,831.52-
Furnishings & Equipment					
Air Tools					
Communications Equip	532,830.08	532,830.08	532,830.08		
Computer Equip	6,148,684.34	6,148,684.34	6,110,322.34		38,362.00
Crane Equip	17,035,864.19	17,035,864.19	15,926,684.91		1,109,179.28
Furnishings & Office Equip	1,197,485.81	1,197,485.81	1,200,357.91		2,872.10-
Forklift Equip	1,272,548.00	1,420,347.00	1,821,145.00	147,799.00-	548,597.00-
Gantry & Relocation Cost					
Generator Sets	1,229,056.25	1,229,056.25	1,229,056.25		
Hand Tools	14,832.85	14,832.85	14,832.85		

	Amount Current	Amount Last Month End	Amount Last Year End	Change This Month	Change This Year
Load & Unload Equip	1,642,828.00	1,642,828.00	2,852.00		1,639,976.00
Mowing Equip	6,999.00	6,999.00	6,999.00		
Other Equip	2,043,007.14	2,043,007.14	2,021,169.75		21,837.39
Power Tools	30,096.56	30,096.56	28,646.56		1,450.00
Safety Equip	39,427.95	39,427.95	39,427.95		
Shop Equip	381,965.30	381,965.30	363,270.81		18,694.49
Tractors	2,955,216.97	2,955,216.97	2,970,216.97		15,000.00-
Vehicles & Motor Equip	1,221,814.69	1,221,814.69	2,133,202.69		911,388.00-
Furnishings & Equipment	35,752,657.13	35,900,456.13	34,401,015.07	147,799.00-	1,351,642.06
Accumulated Depreciation-Furni					
AccDeprec-Air Tools					
AccDeprec-Communications Eqt.	509,664.60-	508,915.70-	504,422.30-	748.90-	5,242.30-
AccDeprec-Computer Equip	2,229,635.67-	2,189,863.09-	1,951,497.80-	39,772.58-	278,137.87-
AccDeprec-Crane Equip	8,716,345.52-	8,623,449.41-	8,060,965.39-	92,896.11-	655,380.13-
AccDeprec-Furnishings & Office	848,707.69-	835,809.34-	770,619.09-	12,898.35-	78,088.60-
AccDeprec-Forklift Equip	495,031.90-	633,719.62-	979,849.94-	138,687.72	484,818.04
AccAmort-Gantry & Relocation C					
AccDeprec-Generator Sets	419,789.18-	412,961.10-	371,992.62-	6,828.08-	47,796.56-
AccDeprec-Hand Tools	12,365.50-	12,374.87-	11,731.09-	90.63-	634.41-
AccDeprec-Load & Unload Equip	69,520.80-	55,830.57-	1,022.11-	13,690.23-	68,498.69-
AccDeprec-Mowing Equip	6,999.00-	6,999.00-	6,532.40-		466.60-
AccDeprec-Other Equip	1,331,401.51-	1,317,091.17-	1,231,970.49-	14,310.34-	99,431.02-
AccDeprec-Power Tools	16,224.70-	15,916.60-	14,068.00-	308.10-	2,156.70-
AccDeprec-Safety Equip	15,462.62-	14,993.24-	12,176.96-	469.38-	3,285.66-
AccDeprec-Shop Equip	223,319.82-	220,888.51-	206,550.56-	2,431.31-	16,769.26-
AccDeprec-Tractors	1,807,513.33-	1,792,416.20-	1,680,056.22-	15,097.13-	127,457.11-
AccDeprec-Vehicles & Motor Equ	816,359.67-	801,006.32-	1,708,606.40-	15,353.35-	892,246.73
Accumulated Depreciation-Furni	17,518,341.51-	17,442,134.74-	17,512,061.37-	76,206.77-	6,280.14-
Capital Leases					
Capital Leases					
Capital Leases					
Accumulated Amortization-Capit					
AccAmort-Capital Leases					
Accumulated Amortization-Capit					
Deferred Long Term Asset Cost					
Def. Cost-2018 Bond COI					
Deferred Long Term Asset Cost					
Pension-Deferred Outflows Res					
Pension-Deferred Outflow Res	6,089,779.00	6,089,779.00	6,089,779.00		
Pension-Deferred Outflow OPEB	8,188,307.00	8,188,307.00	8,188,307.00		
Pension-Deferred Outflows Res	14,278,086.00	14,278,086.00	14,278,086.00		
Property, Plant & Equipment	127,032,086.68	127,561,929.90	127,816,041.38	529,843.22-	783,954.70-

	Amount Current	Amount Last Month End	Amount Last Year End	Change This Month	Change This Year
Total Assets	255,026,561.90	254,449,695.70	250,237,920.07	576,866.20	4,788,641.83
Total Liabilities & Capital					
Current Liabilities					
Accounts Payable					
Accounts Payable Custom					
Accounts Payable GSA					
Accounts Payable Others	46,936.33	46,936.33	171,739.29		124,802.96-
Accounts Payable Trade	455,575.83	690,043.49	650,988.12	234,467.66-	195,412.29-
Received Not Vouchered	266.42-	44,631.29-		44,364.87	266.42-
Accounts Payable	502,245.74	692,348.53	822,727.41	190,102.79-	320,481.67-
Current Loan/Bond Payable					
Current ANZ (USDA) Loan Payabl					
CU ANZ (USDA) 12M Loan Payable					
CU BOG 10M SLE Loan Payable					
CU BOG 2M USDA Direct Loan					
CU Bond Payable	1,632,680.00	1,632,680.00	1,632,680.00		
CU Bond Payable-Crane	326,060.00	326,060.00	326,060.00		
CU Bond Payable-FMF	421,260.00	421,260.00	421,260.00		
Current Loan/Bond Payable	2,380,000.00	2,380,000.00	2,380,000.00		
Due to Public Utilities					
Due to GPA					
Due to GTA					
Due to GWA					
Due to Public Utilities					
Accrued Interest Payable					
Accrued Interest Payable					
Accrued Bond Interest Payable	1,021,135.69	754,816.86	843,096.14	266,318.83	178,039.55
Accrued Interest Payable	1,021,135.69	754,816.86	843,096.14	266,318.83	178,039.55
Deferred Revenues					
Deferred Revenues-DOD Moderniz					
Deferred Income - GEDA	61,769.01-	61,769.01-	61,769.01-		
Deferred Revenues -Leases	105,718.75	105,718.75	248,906.26		143,187.51-
Deferred Revenues Marinas			10,742.09		10,742.09-
Deferred Revenues			3,273.46		3,273.46-
Deferred Revenues	43,949.74	43,949.74	201,152.80		157,203.06-
Accrued Expenses					
Accrued Payroll	1,422,117.31	1,062,872.17	899,599.25	359,245.14	522,518.06
Accrued Vacation Pay-Current	1,176,066.04	1,127,603.18	826,314.63	48,462.86	349,751.41
Accrued Vacation Pay					
Accrued Earthquake Cost					
Accrued Cola/Supplemental					
Accrued Typhoon Cost					
Accrued Medicare Tax					

	Amount Current	Amount Last Month End	Amount Last Year End	Change This Month	Change This Year
Accrued Federal Grant					
Employee Insurance Payables	20,462.99	20,462.99	20,297.66		165.33
Employee Deductions Payable	536,211.97	416,740.85	356,996.05	119,471.12	179,215.92
Withholding Tax Payable					
Credit Union					
Accrued Miscellaneous Deductio					
Accrued Death & Disability Ins					
Retirement Contributions	9,546.45	9,546.45			9,546.45
Deferred Compensation Plan Pay					
Deferred Supplemental Plan					
Accrued Expenses	3,164,404.76	2,637,225.64	2,103,207.59	527,179.12	1,061,197.17
Security Deposits					
Security Deposits -Space Leas	85,419.60	85,419.60	85,831.20		411.60-
Security Deposits - Marinas	35,142.82	35,117.82	33,327.82	25.00	1,815.00
Security Deposits	120,562.42	120,537.42	119,159.02	25.00	1,403.40
Capital Lease Obligations- Cur					
Captl Lease Obligations-Curren					
Capital Lease Obligations- Cur					
Other Current Liabilities					
Reserve Shortage/Property Dama					
Lease Payable - GEDA					
Other Current Liabilities					
Current Liabilities	7,232,298.35	6,628,878.19	6,469,342.96	603,420.16	762,955.39
Non Current Liabilities					
Long Term Accrued Expenses					
Unfunded Retirement Contributi	54,653,394.37	54,653,394.37	54,652,898.00		496.37
Other Post Empl Benefit Liabil	84,786,658.39	84,786,658.39	84,786,658.39		
Accrued Vacation Pay-Long Term	1,018,710.14	1,018,710.14	1,018,710.14		
Accrued Sick lve(DC)-Long Term	1,086,660.02	1,086,660.02	1,086,660.02		
Contingent Liability	1,298,524.82	2,194,702.36	2,289,323.12	896,177.54-	990,798.30-
Long Term Accrued Expenses	142,843,947.74	143,740,125.28	143,834,249.67	896,177.54-	990,301.93-
Pension-Deferred Inflow of Res					
Pension-Deferred Inflow of Res	2,787,692.00	2,787,692.00	2,787,692.00		
Pension-Deferred Inflow OFEB	7,265,551.18	7,265,551.18	7,265,551.18		
Pension-Deferred Inflow of Res	10,053,243.18	10,053,243.18	10,053,243.18		
Capital Lease Obligations					
Capital Lease Obligations					
Capital Lease Obligations					
Long Term Loan Payables					
LT-ANZ (USDA) Loan Payable 3.5					

	Amount Current	Amount Last Month End	Amount Last Year End	Change This Month	Change This Year
LT-ANZ (USDA) Loan Payable 12M					
LT-BOG SLE Loan Payable 10M					
LT-BOG \$2M USDA Direct Loan					

Long Term Loan Payables					

Long Term Bond Payables					
LT-2018 BOND Crane	9,281,065.00	9,281,065.00	9,281,065.00		
LT-2018 BOND Payable-FMF	11,990,865.00	11,990,865.00	11,990,865.00		
LT-2018 BOND Payable	46,473,070.00	46,473,070.00	46,473,070.00		
LT-2018 BOND Cost of Issuance					
LT-2018 BOND Premium	4,973,063.28	4,987,776.49	5,076,055.75	14,713.21-	102,992.47-
Long Term Bond Payables	72,718,063.28	72,732,776.49	72,821,055.75	14,713.21-	102,992.47-
Non Current Liabilities	225,615,254.20	226,526,144.95	226,708,548.60	910,890.75-	1,093,294.40-
Capital Contributions & Equity					
Contributions-Local Government					
Contributions-Land	3,563,000.00	3,563,000.00	3,563,000.00		
Contributions-Property & Equip	483,688.19	483,688.19	483,688.19		
Contributions-General Fund	13,413,670.45	13,413,670.45	13,413,670.45		
Contributions-G.E.P.A.	100,000.00	100,000.00	100,000.00		
Contributions-PAG (Portion of	7,000.00	7,000.00	7,000.00		
Contributions-Local Government	17,567,358.64	17,567,358.64	17,567,358.64		
Contributions-Federal Governme					
Contributions-U.S. Govt Rehab	10,321,126.26	10,321,126.26	10,321,126.26		
Contributions-Economic Develop	1,492,676.57	1,492,676.57	1,492,676.57		
Contributions-U.S. Department	6,508,875.60	6,508,875.60	6,508,875.60		
Contributions-U.S. Govt-Fema	53,763.30	53,763.30	53,763.30		
Contributions-Federal Governme	18,376,441.73	18,376,441.73	18,376,441.73		
Accumulated Earnings					
Accumulated Earnings	112,787,921.51-	112,787,921.51-	112,787,921.51-		
Accumulated Earnings (Deficit)	93,904,144.65	93,904,144.65	93,904,144.65		
Accumulated Earnings	18,883,776.86-	18,883,776.86-	18,883,776.86-		
Net Earnings (Loss)	5,118,985.84	4,234,649.05	5.00	884,336.79	5,118,980.84
Capital Contributions & Equity	22,179,009.35	21,294,672.56	17,060,028.51	884,336.79	5,118,980.84
Total Liabilities & Capital	255,026,561.90	254,449,695.70	250,237,920.07	576,866.20	4,788,641.83

**PORT AUTHORITY OF GUAM
OVERTIME COMPARISON - ACTUAL VS BUDGET
AS OF APRIL 30, 2020**

Department	Monthly Comparison						YTD Comparison				
	April	March	\$ Variance	% Variance	Budget	\$ Variance	% Variance	YTD Actual	YTD Budget	\$ Variance	% Variance
Stevedoring											
Cargo Handling	36,135	31,154	4,981	16%	23,375	12,760	35.3%	280,741	163,625	117,116	71.6%
Rigging	1,132	784	348	44%	1,063	70	6.2%	6,353	7,438	-1,085	-14.6%
Terminal	17,641	19,493	-1,852	-10%	18,417	-776	-4.4%	161,281	128,917	32,364	25.1%
Transportation					0					0	
Superintendent	5,418	5,625	-207	-4%	7,438	-2,019	-37.3%	63,306	52,063	11,243	21.6%
Crane Operators	9,956	7,673	2,283	30%	8,146	1,810	18.2%	72,201	57,021	15,180	26.6%
Equipment Operators	24,395	24,811	-416	-2%	24,792	-396	-1.6%	210,333	173,542	36,791	21.2%
Dispatcher	1,637	1,767	-130	-7%	2,125	-488	-29.8%	17,640	14,875	2,765	18.6%
Maintenance					0					0	
Crane Maintenance	8,935	7,143	1,792	25%	8,500	435	4.9%	61,462	59,500	1,962	3.3%
Facility Maintenance										0	
Electrical/Refrigeration	6,727	7,540	-814	-11%	6,375	352	5.2%	51,443	44,625	6,818	15.3%
	111,977	105,991	5,986	6%	100,229	11,748	10.5%	924,759	701,604	223,155	31.8%

Notes:

Stevedore: Based on Vessel Operations ans SSR's

Terminal: Based on Vessel Operations ans SSR's

Transportation: Based on Vessel Operations ans SSR's

Crane Maintenance: Support and Maintenance repairs for vessels

Electrical: 4 sick/personal calls during the month of April. Vessel Ops, Plug and Unplug Reefer Containers including Additional gate hours and control of Port yard lights.

Port Authority of Guam
Budget vs Actual
Variance Analysis-Unaudited
7 Months Ending 04/30/20

		Current Month				Year-to-Date						
Budget	%	Actual	%	Variance	%	Budget	%	Actual	%	Variance	%	
494,060	100	481,604	100	-12,456	-2.5	CRANE SURCHARGE REVENUES	3,458,420	100	3,425,275	100	-33,145	-1
494,060	100	481,604	100	-12,456	-2.5	NET REVENUES	3,458,420	100	3,425,275	100	-33,145	-1
						General & Administrative Expense		-1				
73,288	14.8	70,526	14.6	-2,762	3.8	Salaries & Wages	513,016	14.8	466,869	13.6	-46,147	9
5,956	1.2	5,524	1.2	-432	7.3	Insured Benefits	41,692	1.2	38,789	1.1	-2,903	7
16,348	3.3	14,865	3.1	-1,483	9.1	Retirement Benefits	114,436	3.3	106,405	3.1	-8,031	7
-		4,828	1	4,828	-100	Other Benefits	0		34,242	1	34,242	-100
21,667	4.4	21,667	4.5	0		General Insurance	151,669	4.4	151,667	4.4	-2	
921	0.2	77		-844	91.6	Repairs & Maintenance	6,447	0.2	2,210	0.1	-4,237	65.7
32,221	6.5	9,810	2	-22,411	69.6	Rep. & Maint.-Pola 14	225,547	6.5	83,190	2.4	-142,357	63.1
32,221	6.5	26,600	5.5	-5,621	17.5	Rep. & Maint.-Pola 16	225,547	6.5	139,570	4.1	-85,977	38.1
32,221	6.5	7,675	1.6	-24,546	76.2	Rep. & Maint.-Pola 17	225,547	6.5	102,463	3	-123,084	54.6
67,500	13.7	76,331	15.9	8,831	-13.1	Depreciation & Amortization	472,500	13.7	517,575	15.1	45,075	-9.5
1,771	0.4	2,202	0.5	431	-24.3	Supplies	12,397	0.4	9,638	0.3	-2,759	22.3
72,917	14.8	-		-72,917	100	Professional Services	510,419	14.8	0		-510,419	100
5,667	1.2	-		-5,667	100	Other Contractual Services	39,669	1.2	8,850	0.3	-30,819	77.7
		119,152	24.7	119,152	-100	Overhead Allocation			778,207	22.7	778,207	-100
						Typhoon Expense			6,029	0.2	6,029	-100
-362,698	73.4	-359,256	74.6	3,442	1	General & Administrative Expense	-2,538,886	73.4	-2,445,703	71.4	93,183	3.7
131,362	26.6	122,348	25.4	-9,014	-6.9	OPERATING INCOME (LOSS)	919,534	26.6	979,572	28.6	60,038	6.5
-31,764	6.4	-36,486	7.6	-4,722	-14.9	Other Expense	-222,348	6.4	-255,400	7.5	-33,052	-14.9
-31,764	6.4	-36,486	7.6	-4,722	-14.9	Other Income & Expense	-222,348	6.4	-255,400	7.5	-33,052	-14.9
-394,462	79.8	-395,742	82.2	-1,280	-0.3	OTHER CARGO RELATED	-2,761,234	79.8	-2,701,103	78.9	60,131	2.2
-394,462	79.8	-395,742	82.2	-1,280	-0.3	DIRECT LABOR COSTS	-2,761,234	79.8	-2,701,103	78.9	60,131	2.2
99,598	20.2	85,862	17.8	-13,736	-13.8	NET INCOME (LOSS)	697,186	20.2	724,173	21.1	26,987	3.9

PORT AUTHORITY OF GUAM

AGING AS OF 04/30/2020

*Updated Statement of Accounts were mailed to all Space/Marina Tenants. A notice was also sent out allowing them until 05/31/2020 to make payment on account.

Acct#	Name	Open	Current	31 - 60	61 - 90	91 - 120	Over 120	Amount	Date	Remarks
15388	Guam Industrial Serv. Inc.	\$ 378,751.20	\$ 2,486.86	\$ 14,112.87	\$14,275.14	\$14,275.14	\$ 333,601.19	\$ 23,520.00	9/26/2018	Board Approved Management to move forward on MOU, pending AG review if MOU is within law. Recommend that the current dockage charges from now on be paid to avoid big loss. No other updates
7587	American President Lines,L	\$ 969,738.63	\$ 913,281.12				\$ 56,457.51	\$ 2,836.43	5/26/2020	\$56,457.51 are Interest Charges. As per letter from management dated 01/14/2020 stating invoices will be placed on abeyance for 6 months. Will be reviewed in July.
7376	Matson Navigation Inc.	\$2,792,330.75	\$2,737,905.95	\$ 2,995.30	\$ 2,805.80	\$ 4,101.74	\$ 44,521.96	\$ 2,089.10	5/26/2020	Interest Charges total \$49,124.86. Matson has made multiple payments towards account. Updated SOA was emailed to Rolly & Geri, they are currently reviewing statements
7384	Marianas Steamship Agencia	\$ 498,238.81	\$ 455,199.75			\$ 4,709.98	\$ 38,329.08	\$ 1,972.25	5/19/2020	Invoice #78364 \$38,329.08 remains in dispute with Guam Industrial/ Guam Shipyard.
14482	Quinata, John M.	\$ 4,995.00	\$ 260.00	\$ 260.00	\$ 260.00	\$ 260.00	\$ 3,955.00	\$ 260.00	9/6/2019	A court hearing was set for 12/13/2019. Rita, Joann & I attended. However, case was sent to Northern court. Awaiting court date. 2/11 Tenant no show to hearing. 3/4 Court hearing for order to show cause. Tenant NO SHOW. Default Judgement filed. No update for Court Hearing due to COVID
11794	Guam Shipyard	\$ 3,298.88	\$ (353.52)	\$ 49.56	\$ 49.56	\$ 24.78	\$ 3,528.50	\$ 34.32	3/13/2020	Board Approved Management to move forward on MOU, pending AG review if MOU is within law.
11776	Customs and Quarantine Age	\$ 1,989.12	\$ (898.56)	\$ 481.28	\$ 481.28	\$ 481.28	\$ 1,443.84	\$ 481.28	5/20/2020	GOVT- Ronnie M. requested for all past due invoices to be emailed to her for processing.
15708	HMR Guam Inc.	\$ 1,227.24					\$ 1,227.24			A court hearing was set for 12/13/2019. Rita, Joann & I attended. However, case was sent to Northern court. Awaiting court date. 02/11/2020 hearing. Judge set hearing to listen to defendant on 3/18. Called Small Claims, court hearing cancelled, will be notified of new date. No update for Court Hearing due to COVID
14364	P.S.V. Corp./Joo, Gi Bum	\$ 4,848.83	\$ 49.56	\$ 1,218.84	\$ 1,440.11	\$ 1,070.16	\$ 1,070.16	\$ 4,806.66	1/23/2020	Space Tenant
15955	Cordero, Jesse	\$ 750.00					\$ 750.00			Marina Tenant
15968	Link-Belt Cranes	\$ 736.92					\$ 736.92	\$ 942.74	10/3/2019	Final Notice will be sent out
15857	Suh, Jimmy P.	\$ 535.35					\$ 535.35	\$ 1,000.00	12/10/2019	Marina Tenant
15774	Quinata, Jose M.	\$ 450.00					\$ 450.00	\$ 500.00	11/22/2019	Marina Tenant
12126	Guam Waterworks Authority	\$ 394.24					\$ 394.24	\$ 595.66	11/13/2019	ACH Enrollment form was emailed to TAKA to process payment for past due balance

Acct#	Name	Open	Current	31 - 60	61 - 90	91 - 120	Over 120	Amount	Date	Remarks
13604	Lewis, Erik C.	\$ 950.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 350.00	\$ 500.00	12/19/2019	Marina Tenant
15651	Barcenilla, Roland/Gerylin	\$ 412.50			\$ 75.00		\$ 337.50	\$ 275.00	5/20/2020	Past due balance has been cleared, account up to date
14963	Castro, Jesse AR	\$ 1,973.00	\$ 682.05	\$ 532.05	\$ 483.90		\$ 275.00	\$ 400.00	5/14/2020	Marina Tenant
15040	Tyquingco, Joseph T.	\$ 787.50	\$ 137.50	\$ 137.50	\$ 325.00		\$ 187.50	\$ 137.50	1/31/2020	Marina Tenant
14534	Martin, Dwight	\$ 850.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 250.00	\$ 150.00	\$ 875.00	10/4/2019	Marina Tenant
9831	Fish Hook Inc.	\$ 105.00					\$ 105.00	\$ 80.00	5/20/2020	Marina Tenant
13844	Hagen, William	\$ 320.00	\$ 220.00				\$ 100.00	\$ 440.00	5/5/2020	Marina Tenant
9814	Fentress, Michael D.	\$ 50.00					\$ 50.00	\$ 825.00	2/14/2020	Marina Tenant
15958	Asada, Hiroyuki	\$ 50.00					\$ 50.00	\$ 2,640.00	12/5/2019	Marina Tenant
14145	Nadler, Landon	\$ 25.00					\$ 25.00	\$ 40.00	1/13/2020	Marina Tenant
13190	GENTLY BLUE DIVING SHOP	\$ 29.07		\$ 9.41	\$ 9.41	\$ 9.41	\$ 0.84	\$ 103.51	3/1/2019	Space Tenant
7368	Cabras Marine Corp	\$ (40,971.80)	\$ (49,322.84)		\$ 4,184.37	\$ 4,166.67		\$ 720.72	5/12/2020	\$4166.67 currently under review. Leah claims those invoices were paid
15088	Shida, Paul H.	\$ 305.00	\$ 70.00	\$ 70.00	\$ 70.00	\$ 95.00		\$ 190.00	12/5/2019	Marina Tenant
14436	John C. Aguan/Myung J. Par	\$ 200.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00		\$ 375.00	7/8/2019	Marina Tenant
14283	Brand, Inc.	\$ 2,263.09	\$ 20.27	\$ 1,111.00	\$ 1,131.82			\$ 1,152.09	5/26/2020	Space Tenant
14061	AR Sunriser Canteen/Cateri	\$ 1,425.74	\$ 28.69	\$ 696.19	\$ 700.86			\$ 1,000.00	5/14/2020	Space Tenant
15549	Regis, John F.	\$ 1,000.00	\$ 300.00	\$ 350.00	\$ 350.00			\$ 1,000.00	5/14/2020	Marina Tenant
15956	Baker, Timothy	\$ 937.72	\$ 437.72	\$ 150.00	\$ 350.00			\$ 625.00	5/20/2020	Marina Tenant
14791	Fong, Francis L	\$ 471.85	\$ 90.78	\$ 90.78	\$ 290.29			\$ 726.31	1/30/2020	Marina Tenant
10778	Real World Diving	\$ 307.88	\$ 20.23	\$ 115.00	\$ 172.65			\$ 1,487.00	2/14/2020	Space Tenant
15718	Larsen, Helge	\$ 132.67		\$ 32.67	\$ 100.00			\$ 1,150.00	5/1/2020	Marina Tenant
15699	Shut Up and Fish Guam	\$ 392.04	\$ 87.50	\$ 228.62	\$ 75.92			\$ 450.00	3/19/2020	Marina Tenant
15709	Sam, Gerald L.	\$ 955.00	\$ 440.00	\$ 440.00	\$ 75.00			\$ 220.00	3/3/2020	Marina Tenant
15941	FINN, PATRICK HERBERT	\$ 148.37	\$ 50.00	\$ 25.00	\$ 73.37			\$ 220.00	5/7/2020	Marina Tenant
15976	Lujan, Jerard A.	\$ 50.00			\$ 50.00			\$ 25.00	4/28/2020	Marina Tenant
15503	Y&Y LLC DBA: Sunny Divers	\$ 165.00	\$ 70.00	\$ 70.00	\$ 25.00			\$ 95.00	2/28/2020	Marina Tenant
7350	Consolidated Transportatio	\$ 658,263.62	\$ 546,495.25	\$ 111,768.37				\$ 169,397.06	5/21/2020	Past due invoices have been paid, account up to date
14642	Tristar Terminals Guam, In	\$ 378,130.72	\$ 361,633.93	\$ 16,496.79				\$ 170,935.01	5/6/2020	Past due invoices have been paid, acct up to date
15953	Guam Homeland Security	\$ 4,800.00		\$ 4,800.00						Will follow up with George on his contact for payment
15334	KALS Corporation	\$ (6,335.42)	\$ (10,558.42)	\$ 4,223.00				\$ 2,714.75	2/24/2020	Space Tenant
7341	Ambyth Shipping & Trading	\$ 216,316.32	\$ 212,973.46	\$ 3,342.86				\$ 36,909.11	5/21/2020	Late Notice will be sent out
1500	Atlantis Guam	\$ 2,872.91	\$ (184.69)	\$ 3,057.60				\$ 3,057.60	3/16/2020	Space Tenant
11762	Aqua World, Inc.	\$ 2,670.72	\$ (29.28)	\$ 2,700.00				\$ 2,700.00	3/9/2020	Space Tenant
14381	Apra Dive & Marine Sports,	\$ 2,063.80	\$ 173.46	\$ 1,890.34				\$ 1,568.20	3/11/2020	Space Tenant
15475	Tropical Island Marine Spo	\$ 2,249.94	\$ 886.56	\$ 1,363.38				\$ 2,001.94	3/3/2020	Space Tenant
15811	Ride the Ducks, LLC	\$ 1,265.36	\$ (0.02)	\$ 1,265.38				\$ 1,265.38	3/9/2020	Space Tenant
8483	Scuba Company	\$ 2,757.82	\$ 1,890.52	\$ 867.30				\$ 3,335.00	5/12/2020	Space Tenant
14587	Moore, James	\$ 850.00	\$ 150.00	\$ 700.00				\$ 137.50	7/22/2010	Marina Tenant
14161	Isla Trucking	\$ 588.00		\$ 588.00				\$ 606.85	4/21/2020	Space Tenant
14778	IP&E Holding LLC	\$ 2,778.55	\$ 2,321.99	\$ 456.56				\$ 2,778.55	5/20/2020	Past due balance paid, account is up to date
16063	Brub, Chris/Byerly, Dylan	\$ 616.16	\$ 212.50	\$ 403.66						Marina Tenant
9620	Alupang Beach Club	\$ 575.02	\$ 287.51	\$ 287.51				\$ 575.02	2/27/2020	Space Tenant
12518	Balajadia, Robert M.	\$ 267.54		\$ 267.54				\$ 535.08	5/1/2020	Marina Tenant
14126	Margarita Charters	\$ (1,329.00)	\$ (1,514.50)	\$ 185.50				\$ 2,071.00	5/20/2020	Space Tenant

Acct#	Name	Open	Current	31 - 60	61 - 90	91 - 120	Over 120	Amount	Date	Remarks
15930	Khalil, Nedal O.	\$ 300.00	\$ 150.00	\$ 150.00				\$ 300.00	1/23/2020	Marina Tenant
15242	Ames, Todd	\$ 137.50		\$ 137.50				\$ 137.50	4/21/2020	Marina Tenant
15511	Anderson, Mark A.	\$ 275.00	\$ 137.50	\$ 137.50				\$ 412.50	5/20/2020	Marina Tenant
13716	Aduana International	\$ 119.24		\$ 119.24				\$ 238.48	3/23/2020	Late Notice will be sent out
10743	Poppe, Edward/FISH INC	\$ 160.00	\$ 80.00	\$ 80.00				\$ 80.00	2/26/2020	Marina Tenant
11778	Dewitt Trans Services of G	\$ (242.30)	\$ (298.78)	\$ 56.48				\$ 56.48	3/30/2020	Late Notice will be sent out
9742	Duenas, Christopher M.	\$ 75.00	\$ 50.00	\$ 25.00				\$ 175.00	5/7/2020	Past Due balance of \$25.00 has been paid, account up to date
15593	Guam Ocean Adventures, LLC	\$ (53.22)	\$ (69.30)	\$ 16.08				\$ 346.62	5/20/2020	Past Due balance of \$16.08 has been paid, account up to date
14368	SubCom, LLC	\$ (13,867.62)	\$ (13,883.65)	\$ 16.03				\$ 16.03	5/13/2020	Past Due balance of \$16.03 has been paid, account up to date
14171	Norton Lilly International	\$ 116,233.61	\$ 116,233.61					\$ 110,586.85	5/22/2020	
10225	Mobil Oil Guam, Inc.	\$ 63,471.66	\$ 63,471.66					\$ 1,159.08	5/20/2020	
14610	U.S. Department of Homeland	\$ 32,917.42	\$ 32,917.42					\$ 5,050.29	5/14/2020	
13696	Lotus Pacifica Trading, In	\$ 9,655.69	\$ 9,655.69					\$ 260.00	5/18/2020	
16070	Shiby Inc	\$ 643.44	\$ 643.44					\$ 643.44	5/7/2020	
14387	Guam Sungwoo Ferry Corp.	\$ 610.00	\$ 610.00					\$ 845.20	5/6/2020	
14124	Guam Fire Department	\$ 560.00	\$ 560.00					\$ 80.00	9/18/2019	
15727	Cosas Di Famiglia Holdings	\$ 510.00	\$ 510.00					\$ 510.00	3/30/2020	
15907	Lina Marine Solution, LLC	\$ 467.50	\$ 467.50					\$ 970.49	3/17/2020	
16076	Endeavour Inspection Servi	\$ 376.32	\$ 376.32							
12706	Guam Seawalker Tours	\$ 340.00	\$ 340.00					\$ 340.00	2/27/2020	
16000	MURPHY ENTERPRISES, INC	\$ 302.05	\$ 302.05							
15900	Schembari, Paul	\$ 277.50	\$ 277.50					\$ 277.50	3/30/2020	
15103	Collier, Ernest	\$ 260.00	\$ 260.00					\$ 805.00	5/6/2020	
13674	Coffman, John Randolph	\$ 220.00	\$ 220.00					\$ 220.00	5/6/2020	
14453	Paradis, Guy R.	\$ 220.00	\$ 220.00					\$ 220.00	5/5/2020	
16010	Kian Corporation DBA: Oce	\$ 212.50	\$ 212.50					\$ 212.50	5/15/2020	
14180	Coffman, Brent	\$ 162.50	\$ 162.50					\$ 162.50	5/6/2020	
15360	Teleguam Holdings, LLC DBA	\$ 161.50	\$ 161.50					\$ 161.50	5/21/2020	
13314	Island Certs Corporation	\$ 137.50	\$ 137.50					\$ 7.50	2/20/2020	
13121	Tidewater Distributors Inc	\$ 123.02	\$ 123.02					\$ 5,412.37	4/3/2020	
16041	Evans, Eddie R.	\$ 118.72	\$ 118.72					\$ 60.00	3/19/2020	
12408	Marianas Yacht Club	\$ 100.00	\$ 100.00					\$ 100.00	4/2/2019	
12373	Beighley, Jim/Mark Baldyga	\$ 75.00	\$ 75.00					\$ 50.00	5/12/2020	
16032	Daniel Bradley/Neil Paynte	\$ 50.00	\$ 50.00							
7763	Guam Dolphin's Marine Spor	\$ 49.56	\$ 49.56					\$ 1,527.61	5/15/2020	
13044	Smithbridge Guam, Inc.	\$ 49.56	\$ 49.56					\$ 14,006.33	5/18/2020	
14443	Moritz, Lance	\$ 26.68	\$ 26.68					\$ 550.00	3/5/2020	
14485	Rains, Julian T.	\$ 25.00	\$ 25.00					\$ 137.50	4/29/2020	
14537	Fredrick, Bruce & Dianne	\$ 25.00	\$ 25.00					\$ 220.00	4/22/2020	
16065	Ross, Scott A.	\$ 10.00	\$ 10.00							
16066	Ross, Jo-Ann	\$ 10.00	\$ 10.00							
14907	Taitano, John	\$ 8.00	\$ 8.00					\$ 100.00	12/19/2019	
13405	Jae Hoon Corp.	\$ (0.01)	\$ (0.01)					\$ 29.81	5/15/2020	
16015	Dinette, Kenneth James	\$ (0.01)	\$ (0.01)					\$ 791.10	1/7/2020	
13684	Chang Chin Inc.	\$ (0.06)	\$ (0.06)					\$ 89.49	4/3/2020	
12754	Pacific Guam	\$ (0.07)	\$ (0.07)					\$ 298.10	4/22/2020	
10524	Orcutt, Kenneth D.	\$ (0.50)	\$ (0.50)					\$ 137.50	5/6/2020	

Acct#	Name	Open	Current	31 - 60	61 - 90	91 - 120	Over 120	Amount	Date	Remarks
12522	Dickerson & Quinn, Ltd	\$ (0.68)	\$ (0.68)					\$ 476.96	5/5/2020	
15925	BLICS Equipment	\$ (2.00)	\$ (2.00)					\$ 238.08	7/25/2019	
15798	Edson, Roger	\$ (2.78)	\$ (2.78)					\$ 42.34	7/31/2019	
15894	Island Beverage Distributo	\$ (7.50)	\$ (7.50)					\$ 268.29	1/7/2020	
14658	Phillip, Vincer	\$ (15.00)	\$ (15.00)					\$ 150.00	4/28/2020	
15998	Volsteadt, Theresa M.	\$ (20.00)	\$ (20.00)					\$ 30.00	12/3/2019	
16067	Carey, Connor David	\$ (27.00)	\$ (27.00)					\$ 162.50	5/1/2020	
15676	Join Corporation	\$ (29.81)	\$ (29.81)					\$ 59.62	10/9/2019	
13202	Department of Administrati	\$ (30.00)	\$ (30.00)					\$ 3,607.58	10/30/2019	
15099	Williams, Michael E.	\$ (30.24)	\$ (30.24)					\$ 63.00	11/25/2019	
16054	Alupang Beach Towers LLC	\$ (35.43)	\$ (35.43)					\$ 134.48	3/1/2020	
12397	Cruz, John R.	\$ (40.00)	\$ (40.00)					\$ 160.00	8/29/2017	
13653	Yu, Niko K.	\$ (44.75)	\$ (44.75)					\$ 370.00	3/9/2020	
1300	SANTOS, RAYMOND B.	\$ (50.00)	\$ (50.00)							
1741	TORRES, SYLVESTRE S.	\$ (50.00)	\$ (50.00)					\$ 50.00	5/9/2019	
1749	CARBULLIDO, RITA B.	\$ (50.00)	\$ (50.00)					\$ 30.00	9/1/2017	
1790	LEON GUERRERO, JOHN L.	\$ (50.00)	\$ (50.00)					\$ 50.00	8/14/2019	
2031	QUINATA, CARL I.	\$ (50.00)	\$ (50.00)					\$ 50.00	7/2/2019	
15207	SOUTH PACIFIC DREAM CORPOR	\$ (50.00)	\$ (50.00)					\$ 140.00	5/18/2020	
15400	Mendiola, Zachary	\$ (50.00)	\$ (50.00)					\$ 50.00	12/17/2018	
15403	Carbullido, Aurora F.	\$ (50.00)	\$ (50.00)					\$ 50.00	4/29/2019	
15416	Eustaquio, Randy J	\$ (50.00)	\$ (50.00)					\$ 50.00	6/24/2019	
15456	Keith, Kenneth	\$ (50.00)	\$ (50.00)					\$ 50.00	6/14/2019	
15488	Love, Rick	\$ (50.00)	\$ (50.00)					\$ 50.00	5/30/2019	
15527	Walsh, Joshua	\$ (50.00)	\$ (50.00)					\$ 50.00	12/28/2018	
15597	Gorman, John T.	\$ (50.00)	\$ (50.00)					\$ 50.00	6/13/2017	
15674	Ching, Donald	\$ (50.00)	\$ (50.00)							
15677	Reinhardt, Kyle Christophe	\$ (50.00)	\$ (50.00)					\$ 15.00	2/20/2018	
15682	Marges, Lilyjing D. T.	\$ (50.00)	\$ (50.00)					\$ 50.00	3/26/2018	
15694	Hocog, Gerry J.	\$ (50.00)	\$ (50.00)							
15713	SCHEPER, ROBERT I.	\$ (50.00)	\$ (50.00)					\$ 50.00	3/16/2018	
15726	Garrido, Keoni L.	\$ (50.00)	\$ (50.00)					\$ 50.00	4/20/2018	
15758	Dunn, Timothy J.	\$ (50.00)	\$ (50.00)					\$ 50.00	6/19/2018	
15776	Ayuyu, Roman Jr.	\$ (50.00)	\$ (50.00)					\$ 50.00	12/6/2019	
15791	Casil, Lasia	\$ (50.00)	\$ (50.00)					\$ 50.00	3/10/2020	
15792	Denton, Walter	\$ (50.00)	\$ (50.00)					\$ 50.00	8/31/2018	
15880	Casil, Christopher	\$ (50.00)	\$ (50.00)					\$ 50.00	4/22/2019	
15902	Berringer, Meliza R.	\$ (50.00)	\$ (50.00)					\$ 50.00	6/10/2019	
15911	Duenas, Myrna	\$ (50.00)	\$ (50.00)					\$ 50.00	6/27/2019	
16050	Gurtimag, James	\$ (50.00)	\$ (50.00)					\$ 50.00	3/6/2020	
16059	Myers, Angela M.	\$ (50.00)	\$ (50.00)					\$ 50.00	3/13/2020	
16035	Design Begining Limited	\$ (59.62)	\$ (59.62)					\$ 417.34	5/21/2020	
15377	Dewan World Wide Inc.	\$ (63.29)	\$ (63.29)					\$ 17,737.62	1/31/2020	
15933	Aquino, Johnny M.	\$ (64.22)	\$ (64.22)					\$ 73.28	5/20/2020	
16009	Kok, Ong Leng	\$ (72.56)	\$ (72.56)					\$ 250.00	12/30/2019	
14429	Weilbacher, Walden	\$ (80.00)	\$ (80.00)					\$ 305.00	1/3/2020	
14820	Underwater World	\$ (87.50)	\$ (87.50)					\$ 212.50	3/16/2020	
15748	Nugam, Henry L.	\$ (100.00)	\$ (100.00)					\$ 100.00	6/1/2018	
14290	DGX	\$ (101.84)	\$ (101.84)					\$ 1,997.27	5/19/2020	
13800	Hawthome Pacific Corp.dba	\$ (111.84)	\$ (111.84)					\$ 55.92	5/13/2019	

Acct#	Name	Open	Current	31 - 60	61 - 90	91 - 120	Over 120	Amount	Date	Remarks
9195	Town House Dept., Store	\$ (119.24)	\$ (119.24)					\$ 119.24	2/20/2020	
15584	Willy's Furniture Outlet	\$ (119.24)	\$ (119.24)					\$ 119.24	1/22/2020	
1960	MENDIOLA, FRANCISCO Q.	\$ (120.00)	\$ (120.00)					\$ 40.00	5/19/2020	
15235	Oil Spill Response Operati	\$ (136.60)	\$ (136.60)					\$ 3,864.00	5/1/2020	
15818	Mendiola, Janus C.	\$ (140.00)	\$ (140.00)					\$ 300.00	1/8/2020	
11814	J.L. Baker & Sons/COS/LA G	\$ (141.90)	\$ (141.90)					\$ 588.00	5/7/2020	
14582	Packbier, Paul E.R./PCR Gu	\$ (150.00)	\$ (150.00)					\$ 155.00	4/28/2020	
14431	Quinata, Carlos DBA:Herita	\$ (162.72)	\$ (162.72)					\$ 798.38	4/30/2020	
15582	Shavers, George Kenneth	\$ (165.00)	\$ (165.00)					\$ 815.00	12/31/2019	
14776	MARAD	\$ (169.45)	\$ (169.45)					\$ 646,302.15	4/3/2020	
12394	Wong, Billy	\$ (175.00)	\$ (175.00)					\$ 262.50	4/6/2020	
1862	SANTOS, JOHN T.	\$ (194.00)	\$ (194.00)							
14909	Propacific Builder Corpora	\$ (194.99)	\$ (194.99)					\$ 198.81	5/12/2020	
14136	San Nicolas, Jose T.	\$ (220.00)	\$ (220.00)					\$ 70.00	4/29/2020	
13191	Aguon, Sonja V. or Paul SN	\$ (221.49)	\$ (221.49)					\$ 320.00	4/30/2020	
16033	Kurtin, Andrey	\$ (229.10)	\$ (229.10)					\$ 229.10	2/11/2020	
12550	ABC Stores	\$ (235.48)	\$ (235.48)					\$ 800.00	11/22/2019	
13671	Landscape Management Syste	\$ (236.13)	\$ (236.13)					\$ 49.67	12/30/2019	
14143	Salt Shaker Yacht Charter	\$ (269.30)	\$ (269.30)					\$ 269.30	4/7/2020	
12424	Flores, Joaquin C.	\$ (275.00)	\$ (275.00)					\$ 137.50	5/26/2020	
8336	Pacific Trucking Inc.	\$ (292.38)	\$ (292.38)							
12895	Bell, James C. or Cynthia	\$ (300.00)	\$ (300.00)					\$ 450.00	4/13/2020	
9697	Camacho, Antonio Frank C.	\$ (320.00)	\$ (320.00)					\$ 480.00	1/8/2020	
14633	Eusebio, Ricardo B.	\$ (320.00)	\$ (320.00)					\$ 40.00	1/8/2020	
14527	UMS Heavy Equipment Rental	\$ (345.42)	\$ (345.42)					\$ 2,109.25	8/9/2019	
14824	American Medical Center	\$ (400.00)	\$ (400.00)					\$ 600.00	11/12/2019	
15205	RIDLON, DANIEL A	\$ (400.00)	\$ (400.00)					\$ 600.00	12/16/2019	
15745	Traffic Tech Guam	\$ (409.13)	\$ (409.13)					\$ 198.64	5/8/2020	
14013	Brandt, Jim or Bonnie	\$ (412.50)	\$ (412.50)					\$ 412.50	4/7/2020	
15428	Stewart, Michael	\$ (412.50)	\$ (412.50)					\$ 825.00	2/6/2020	
11756	V.Angoco's Trucking	\$ (413.14)	\$ (413.14)					\$ 1,176.00	5/8/2020	
8352	Paradise Aqua Corp.	\$ (423.36)	\$ (423.36)					\$ 423.36	4/27/2020	
15290	Murrell, Robert Dan	\$ (425.00)	\$ (425.00)					\$ 600.00	2/14/2020	
9849	Flores, William A.	\$ (450.00)	\$ (450.00)					\$ 600.00	12/23/2019	
12527	Paynter, Neil	\$ (450.00)	\$ (450.00)					\$ 600.00	1/24/2020	
15844	SDM Holdings	\$ (460.00)	\$ (460.00)					\$ 2,705.00	7/30/2019	
12514	Pepsi Cola Bottling Co. Gu	\$ (486.81)	\$ (486.81)					\$ 29.81	4/23/2020	
10621	Perez, Thomas L.G.	\$ (560.00)	\$ (560.00)					\$ 960.00	12/4/2019	
15612	Churchill, Charles D.	\$ (597.40)	\$ (597.40)					\$ 900.00	4/27/2020	
14210	Kaneshiro, Roger J., D.D.S	\$ (640.00)	\$ (640.00)					\$ 960.00	1/8/2020	
15362	CAL PAC TECHNICAL SERVICES	\$ (680.26)	\$ (680.26)					\$ 2,040.00	12/11/2019	
15970	Liu, Han	\$ (687.50)	\$ (687.50)					\$ 962.50	3/16/2020	
13913	Skocumchuck Charters Inc.	\$ (698.16)	\$ (698.16)					\$ 1,208.16	4/30/2020	
9751	Duenas Roy P.	\$ (800.00)	\$ (800.00)					\$ 80.00	3/18/2020	
16074	Hurlow, Robert Scott	\$ (850.00)	\$ (850.00)					\$ 850.00	4/29/2020	
1487	Guam Federation of Teacher	\$ (859.00)	\$ (859.00)							
9401	Tasi Tours Inc.	\$ (1,092.12)	\$ (1,092.12)					\$ 756.02	4/30/2020	
10250	Morrice Equipment LLC	\$ (1,241.08)	\$ (1,241.08)					\$ 667.25	9/3/2019	
13537	Wang, Jackey	\$ (2,170.14)	\$ (2,170.14)					\$ 1,175.14	4/27/2020	
16061	The Jack Osta Co.	\$ (3,333.19)	\$ (3,333.19)					\$ 46,098.34	3/18/2020	

Acct#	Name	Open	Current	31 - 60	61 - 90	91 - 120	Over 120	Amount	Date	Remarks
15152	SUNNY SIDE UP GUAM INC.	\$ (8,755.00)	\$ (8,755.00)					\$ 10,000.00	12/9/2019	
13030	South Pacific Petroleum Co	\$ (30,037.69)	\$ (30,037.69)					\$ 29,742.00	5/18/2020	
12511	Hanson Permanente Cement o	\$ (195,145.88)	\$ (195,145.88)					\$ 172,000.00	2/19/2020	
	TOTAL	\$ 5,855,365.98	\$ 5,129,957.82	\$ 178,927.69	\$ 28,204.48	\$ 29,644.16	\$ 488,631.83			

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**PORT AUTHORITY OF GUAM
Accounts Payable Summary**

...	... Supplier	Co Aging		
Supplier	Name	Phone		Balance Open	Current	46 - 60	61 - 90	91 - 120	Over 120
13280	America's Best El	671 6476674/75SON	50	1302	1302				
12215	Americana Supplie	671 6464371(ERIC)	50	323	323				
11951	Atkins Kroll Inc.	671 6461876	50	2436	2436				
15901	AMERICAN BUILDERS	5888881	50	29154.85	29154.85				
15262	AWESOME HARDWARE	671 787-2663	50	235.2	235.2				
8627	Bank of Guam	671 4725300/5122/	50	12925.33	12925.33				
11768	Benson Guam Enter	671 4777562(SALLY	50	2031.01	2031.01				
12239	Best American Too	671 6465058(ELMA)	50	289.5	289.5				
11831	Cash		50	979.16	979.16				
7131	Commercial Tire C	671 6333026(IMELD	50	1662.72	1662.72				
12106	ComPacific	671 6376673 /6851	50	1257.6	1257.6				
13935	D.S.Y. Corporatio	671 6371687(FE)	50	1748	1748				
11974	Deloitte & Touche	671 6463884	50	14000	14000				
11148	Dept. Rev.& Tax(W		50	3353.53	3353.53				
7798	Diamond Auto Part	671 6494234/64605	50	284.52	284.52				
15470	EMERALD WHOLESALE	671 787-66847	50	540	540				
15353	ERC Hardware Expr	671 7347789	50	3958.8	3958.8				
15354	ERC Maintenance	671 7347789	50	344.71		344.71			
14763	Fastenal Company	671 6481406	50	2741.85	2741.85				
11463	Gov't of Guam Ret		50	340.73	340.73				
14056	Gov't of Guam Ret		50	18.41					18.41
11471	Gov't of Guam Ret	671 7342196	50	-121828.62	121828.62 -				
15667	Gov't of Guam Ret		50	5035.3	5035.3				
14507	Guam Home Center	671 6324442	50	512.5	512.5				
7851	Guam Power Author	671 5652909(AGAT)	50	179440.27	179440.27				
12126	Guam Waterworks A	671 6477800(ROSE)	50	2592.35	2592.35				
14761	G4S Security Syst	671 6468341	50	10764.12	10764.12				
13800	Hawthorne Pacific	671 6469118(RICHA	50	151.54	151.54				

14320 Home Depot (The)	671 6480440	50	3264.51	3264.51	
9187 Hydra-Air Pacific	671 6495843/5844N	50	60	60	
15332 Hydraulink Guam	671 632-4956	50	342.26	342.26	
8889 Internal Revenue		50	359.46	359.46	
11784 Island Choice Dri	671 6378902	50	920.35	920.35	
9224 Island Equipment	671 6465261/64652	50	517.9	517.9	
9291 J.V. Internationa	671 6469524/9540	50	226.4	226.4	
9312 Jack Peters & Com	671 6461241/7349(50	116.62	116.62	
9275 JMI-EDISON	671 6466400	50	4970	4970	
14048 Lagu Sanitation	671 6495681	50	510	510	
15029 M.D. WHOLESALE	671 6465355	50	2962	2962	
11929 Megabyte	671 6499698	50	1295.65	1295.65	
10188 Mid-Pac Far East	671 6325160/5169/	50	295.45	295.45	
10250 Morrico Equipment	671 6491947FRANK	50	7575.4	7575.4	
12510 N.C. Macario & As	671 6490901	50	106462.96	106462.96	
10330 Napa Auto Parts	671 6376642/7141/	50	734.68	734.68	
11811 Pacific Daily New	671 4721736(FAEX2	50	22	22	
13196 Pacific Human Res	671 6376906/7/8	50	119.18	119.18	
14994 Pacific Petroleum	671 6468082	50	1742.61	1742.61	
13901 Pacific Waste Sys	6461925	50	4866.96	4866.96	
15668 Pacific Welding M	671 4774365/47222	50	14000	14000	
14909 Propacific Builde	671 4773109/88856	50	24840	24840	
14631 Public Utilities	671 4721907	50	1684.21		1684.21
11439 PAG Goodwill & Mo	671 4775931	50	2	2	
13428 R & R Plus Co.	671 6468295(HENRY	50	480	480	
12301 Rainbow Paints Su	671 6496000	50	1181.25	1181.25	
10823 Reaction Supply C	671 4725651	50	5586.55	5586.55	
12987 South Pacific Env	671 6497609(SARAH	50	8318.28		8318.28
13030 South Pacific Pet	671 4728871(OPERA	50	21312.96	21312.96	
15630 SOURCE RITE INC		50	7854.32	7854.32	
14864 STANDARD INSURANC	971 3212091	50	7.17	7.17	
13909 The Guam Daily Po	6491924(CAROL	50	489	230	259
11983 Treasurer of Guam		50	11322.97	11322.97	
12043 Triple J Commerci	671 6468233	50	1080	1080	

14321 Triple J Express	671 6478473	50	20496	20496	
14212 Triple J. Motors	671 6496050	50	762.1	762.1	
11615 Tsang Brothers Co	671 6388133(CHRIS	50	1494	1494	
15432 TRACK ME GUAM, LL	671 6496345	50	2500	2500	
12542 United Tire	671 6496162	50	4260	4260	
12495 USPS Postmaster c	203 3266254	50	2000	2000	
11956 Workers Compensat		50	2630		2630
7253 Xerox Corporation	671 4779456/9495	50	30873.95	30873.95	
			-----	-----	-----
50 Port	Authority of Guam		457133.53	443878.92	8921.99
			-----	-----	-----
Grand	Total		457133.53	443878.92	8921.99
			-----	-----	-----
					4332.62

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	G4S	Implementation & Integration of TOS	RFP-013-004	IT	5 years	2014 to 2019	2019		FULL TERM
2	A1 - Guam WEBZ	Web Development, Hosting, Support and Maintenance Svcs	RFP-014-006	IT	3 yrs w/ options NTE 5yr	04/03/2015 to 04/02/2018	04/02/20	04/02/19	Fees based on rates
3	RFP-Cancelled	Classification/Compensation Position Maintenance	RFP-019-006	HR	Active procurement				NOIA sent 12/11/19
4	AM Insurance	Insurance Coverages	GSA/PAG-020-17	Finance	5 years	10/01/2017 to 09/30/2022	09/30/22	09/30/20	Premium based
5	AM Insurance	Workers Compensation Coverages	GSA/PAG-018-17	Finance/Safety	3-years				cost negotiations ongoing
6	Matson	Matson-Technical Support Services	RFP-016-003	EQMR	Extended to Nov 3, 2020	11/4/16 to 11/3/17	11/03/20	n/a	490,000.00
7	only one (1) offer - Bank of Guam	Banking Services		Finance	5 years				Evaluation Phase
8		Risk Management Consultant	RFP	Finance					
9	OMEGA Safety	OSHA Training & Certification Services for Maritime Terminal Operations	RFP-017-003	Human Resources	3yr w/ 2- 1yr options NTE 5 years	8/13/2018 to 8/13/2021	08/13/23	08/13/21	Fees based on rates
10	Pacific Human Resources, Inc.	Drug Free Workplace Program	RFP-020-003	Human Resources					Pending Contract approval to form
11	W.Nick Captaln/ Captain Real Estate	Real Estate Appraisal Services	RFP-016-001	Commercial	3yrs w/ 2 option	4/11/16 to 4/19/20	04/10/21		Fees based on rates
12	TakeCare dba: FHP	Medical Examination Services	RFP-017-002	Human Resources	3 yr. w/ 2 options NTE 5 years	9/21/17 to 9/20/20	09/20/22	09/20/20	Fees based on rates
13	Pro Marine Technology	Underwater Assessment & Inspection Services	RFP-015-001	HarborMstr	2 yrs w/ 3 options NTE 5yr	07/17/15 to 07/16/2017	07/16/20	07/17/19	Task Order Based
14		M & O of F-1 Fuel Pier Facility	RFP-019-004	Commercial	Active Procurement				ongoing cost negotiations w Tristar
15		Environmental Consulting Services- SWPP Compliance		Environmental					RFP review with Procurement
16	Deloitte & Touche	Annual Independent Audit Services	RFP-018-003	Fiscal	FY18, FY19, FY20, w/ 1yr Option	FY18, FY19, FY20, w/ 1yr Option	12/31/2022	12/31/2021	\$45,000.00
17	Parsons Brinckerhoff /WSP	OAE - Owner Agent Engineer	RFP-015-003	Planning	1 yr w/ 4 options NTE 5 yrs	currently in final option year.	09/08/20	09/08/19	\$2.58mil
18	N.C. Macario & Associates	A/E Design and Consulting Services Golf Pier	RFP 019-002	Engineering	1/6/2020 to 1/5/2023	3 years w/2 options	1/5/2025	1/5/2023	\$484K

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)
19	N.C. Macario & Associates	A/E Design and Consulting Services EQMR, Warehouse No.1, Waterline Relocation	RFP 019-003	Engineering	Notice to Proceed issued Feb. 17, 2020	3 years w/2 options			\$1.4 MIL
20	Tristar Terminal Guam	M&O of F1 Fuel Pier and Facility	RFP-019-004	Commercial	in Cost Negotiation				cost negotiations ongoing
21	Only one (1) offer - Attorney Vanessa Williams, Esq.	Legal Services	RFP-020-001	GM					NOIA sent 6/5/20

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	Murphy Enterprises Inc.	Load Center Refurbishment Hardening Project	IFB-019-003	CIP	243 Calendar Days	1/6/2020 to 9/7/2020	9/7/2020		NTP issued, Start dated Jan. 6, 2020
2									
3									
4									
5									
6									
7									
8									

**Port Authority of Guam
Capital Improvement Projects
Engineering Division
Summary Status**

As of June 4, 2020

Fact Sheet No. 93

Project:	Refurbishment and Hardening of Load Center Buildings 1,2,3 and 4.
Project No.:	IFB-PAG-CIP-019-003
Project Amount:	\$314,450.00
Funding Source:	PSGP 2017
Contractor:	Murphy Enterprises Inc.
Construction Manager:	PAG Engineering/CIP Division
Notice to Proceed:	January 6, 2020
Project Completion:	September 5, 2020
Work Status:	As of June 4, 2020, Murphy Enterprise current work progress is at 27%. Awaits arrival of long lead materials like transformers and Roll-Up door.

Project:	A/E Services for Golf Pier Repair
Project No.:	RFP-PAG-019-002
Project Amount:	\$484,017.13
Funding Source:	PAG Bond Project
Designer:	N.C. Macario and Associates
Construction Manager:	TBD
Notice to Proceed:	January 6, 2020
Design Completion:	6 months (July 5, 2020)
Work Status:	Notice to Proceed started January 6, 2020. N.C. Macario A/E designer to submit final design on June 5, 2020 for review and approval.

Project:	A/E Services for EQMR & Warehouse I Building and Relocation of PAG Water Line
Project No.:	RFP-PAG-019-003
Project Amount:	\$1,406,427.48
Funding Source:	PAG Bond Funding
Designer:	N.C. Macario and Associates
Construction Manager:	TBD
Notice to Proceed:	February 17, 2020
Project Completion:	8 months (October 16,2020)
Work Status:	As of June 4, 2020, N.C. Macario and Associates are working for assessment and inspection of Wh.1, EQMR Bldg. for 35% submittal.

Project: New Administration Building Construction
Project No.: TBD
Project Amount: TBD
Funding Source: PAG Bond Project -Pending
Contractor: TBD
Construction Manager: TBD
Notice to Proceed: TBD
Project Completion: TBD
Work Status: Awaits PAG Procurement for the advertisement of A/E Professional Services RFP

Project: Remove and Replace One (1) Ea. Roll-up Door and Remove and Install Two (2) Ea. Stainless Steel Roof Vent in Wh.1
Project No.: Request For Quotation (RFQ)
Project Amount: \$48,000.00
Funding Source: FEMA (Typhoon Mangkhut) PAG
Contractor: Pro Pacific Builders Corporation
Construction Manager: PAG Engineering/CIP Div.
Notice to Proceed: March 30, 2020
Project Completion: August 30, 2020
Work Status: Contractor Removed and Installed two (2) ea. new stainless steel roof vents. Construction progress is at 51%. Awaits arrival and installation of Roll-Up Door.

Project: Repainting of PAG North CMU Wall Phase II Project and Port Various Buildings
Project No.: TBD
Project Amount: \$349,125.00
Funding Source: Marad
Contractor: TBD
Construction Manager: PAG Engineering/CIP Division
Notice to Proceed: TBD
Project Completion: TBD
Work Status: Procurement Finalizing Bid Documents for Advertisement and Invitation for Bid.

Project: Harbor of Refuge Pump Station and Installation of Waste Water Injector Pump
Project No.: TBD
Project Amount: TBD
Funding Source: Dept. of Agriculture Fish and Wild Life Boating Grant
Contractor: TBD
Construction Manager: PAG Engineering/CIP Division
Notice to Proceed: TBD
Project Completion: TBD
Work Status: Awaits MOU approval from Attorney General and Governor.

Project:	Harbor of Refuge Installation of Mooring Blocks
Project No.:	TBD
Project Amount:	TBD
Funding Source:	Dept. of Agriculture Fish and Wild Life Boating Grant
Contractor:	TBD
Construction Manager:	PAG Engineering/CIP Division
Notice to Proceed:	TBD
Project Completion:	TBD
Work Status:	Awaits MOU approval from Attorney General and Governor.

Project:	Rehabilitation of H-Wharf and Access Road
Project No.:	TBD
Project Amount:	TBD
Funding Source:	Tiger Grant and PAG Revenue Bond
Contractor:	TBD
Construction Manager:	TBD
Notice to Proceed:	TBD
Project Completion:	TBD
Work Status:	Procurement Awaiting selection for RFP C.M. Services.

Project:	Supply and Install New 61 Ea. 480 Volts Reefer Outlets at Area S.
Project No.:	TBD
Project Amount:	\$1,500,000.00
Funding Source:	FMF
Contractor:	TBD
Construction Manager:	PAG Engineering/CIP Division
Notice to Proceed:	TBD
Project Completion:	TBD
Work Status:	As of June 4, 2020, project was returned to PAG CIP for Management reconsideration of the project.

Project:	Repair of Concrete Spalling in CFS and Welding Shop Building
Project No.:	TBD
Project Amount:	\$125,000.00
Funding Source:	PAG 2020 Budget
Contractor:	TBD
Construction Manager:	PAG Engineering/CIP Division
Notice to Proceed:	TBD
Project Completion:	TBD
Work Status:	TBD

Project:	Supply and Install Automatic Turnstile Gate
Project No.:	TBD
Project Amount:	\$100,000.00
Funding Source:	PAG 2020 Budget
Contractor:	TBD
Construction Manager:	PAG Engineering/CIP Division
Notice to Proceed:	TBD
Project Completion:	TBD
Work Status:	TBD

Project:	Installation of Dock "B" Agat Marina
Project No.:	TBD
Project Amount:	\$900,000.00
Funding Source:	Dept. of Int., Dept. of Agri. Fish and Wildlife, DOA/WR and PAG 2020 Budget Share
Contractor:	TBD
Construction Manager:	PAG Engineering/CIP Division
Notice to Proceed:	TBD
Project Completion:	TBD
Work Status:	TBD

Project:	A/E and Const. Mgmt. For Various Port Facilities and Projects
Project No.:	TBD
Project Amount:	\$1,067,500.00
Funding Source:	PAG Internally Funded projects 2020 Budget
Contractor:	TBD
Construction Manager:	TBD
Notice to Proceed:	TBD
Project Completion:	TBD
Work Status:	Awaits RFP SOW.

Project:	Old Gatehouse Demolition and Renovation
Project No.:	TBD
Project Amount:	\$700,000.00
Funding Source:	FMF Project
Contractor:	TBD
Construction Manager:	TBD
Notice to Proceed:	TBD
Project Completion:	TBD
Work Status:	Awaits RFP for A/E and C.M. Services

**CRANE DOWNTIME REPORT
FY 2020 (MAY 2020)**

DAY	SUN	MON	TUE	WED	THU	FRI	SAT	DOWN TIME	HOIST	HOIST	TOTAL	CONTROL	CONTROL	TOTAL
WK 32	05/03/20	05/04/20	05/05/20	05/06/20	05/07/20	05/08/20	05/09/20	TOTAL	START	END	HOURS	START	END	HOURS
G4		3.17	1					4.17	7056.0	7074.0	18.0	13065.0	13094.0	29.0
G5		0.42		0.75				1.17	13786.0	13801.0	15.0	23988.0	24039.0	51.0
G6								0.00	499.0	513.0	14.0	22450.0	22475.0	25.0

Note: G#4[*05/04: Operator reported unable to trim spreader (Verified unable to control from Contacts. Manually adjust, had to remove trim motor brake assembly. Note: Bolts broke, had to drill & retap. Installed new bolts. Secured brake assembly.); *05/05: Spreader stuck to container on trailer one side, right side (Loosen twistlocks to remove spreader from container. release back to ops.); G#5[*05/04: All three operator cab flood lights OFF. Left, Right, & Front (Discovered breaker tripped in cabin station, reset and stayed on, until trolley moves then it trips again. Noticed only left & right side flood lights come on when breaker is reset. Operation was continued without floodlights ON and released back to Ops. Gave notice to operators about situations. To be repaired by day shift on 5/05.); *05/06: Spreader hydraulic pump fault. Noticed hydraulic pump & motor is hot to the touch when checking shaft rotation (Swap spreader #3 to spreader #4, and discovered no spreader pump control ON, breaker trip at cabin, reset and function test. Spreader ok released back to Ops.)]

* Note: Gantry #6 (New genset installation performed 05/07-10/2020).*

DAY	SUN	MON	TUE	WED	THU	FRI	SAT	DOWN TIME	HOIST	HOIST	TOTAL	CONTROL	CONTROL	TOTAL
WK 33	05/10/20	05/11/20	05/12/20	05/13/20	05/14/20	05/15/20	05/16/20	TOTAL	START	END	HOURS	START	END	HOURS
G4				0.33				0.33	7074.0	7100.0	26.0	13094.0	13137.0	43.0
G5			0.5	0.25				0.75	13801.0	13834.0	33.0	24039.0	24097.0	58.0
G6								0.00	513.0	513.0	0.0	22475.0	22475.0	0.0

Note: G#4[*05/13: No landing indicator, spreader stuck on top of container (Release twistlocks, remove from container & inspected twistlock guides, ok. Released back to ops.); G#5[*05/12: Spreader no unlock indicator/and no hoist up. (Discovered on left side/landside twist lock arm disconnected from hyd. Slide cylinder strip threads on knuckle arm. Swap spreader, & rel. back to ops.); 05/13: Spreader #6 right side flipper arm noisy & arm intermit works. Sometimes it works/doesn't work & noisy, bent arms and gathers.(Swap spreader, release back to ops.)]

DAY	SUN	MON	TUE	WED	THU	FRI	SAT	DOWN TIME	HOIST	HOIST	TOTAL	CONTROL	CONTROL	TOTAL
WK 34	05/17/20	05/18/20	05/19/20	05/20/20	05/21/20	05/22/20	05/23/20	TOTAL	START	END	HOURS	START	END	HOURS
G4								0.00	7100.0	7117.0	17.0	13137.0	13165.0	28.0
G5			0.25					0.25	13834.0	13863.0	29.0	24097.0	24145.0	48.0
G6								0.00	513.0	537.0	24.0	22475.0	22518.0	43.0

Note: G#5[*05/19: Main hoist drive converter 1 measurement fault and hoist always tripping due to fault (Advised operator to bump Gantry control left and right and then hoist up and down, results ok'ed by operator, released back to ops.)]

* Note: Gantry #6 (Trolley wire rope change out performed 05/20-23/2020).*

DAY	SUN	MON	TUE	WED	THU	FRI	SAT	DOWN TIME	HOIST	HOIST	TOTAL	CONTROL	CONTROL	TOTAL
WK 35	05/24/20	05/25/20	05/26/20	05/27/20	05/28/20	05/29/20	05/30/20	TOTAL	START	END	HOURS	START	END	HOURS
G4								0.00	7117.0	7117.0	0.0	13165.0	13168.0	3.0
G5								0.00	13863.0	13882.0	19.0	24145.0	24172.0	27.0
G6								0.00	537.0	559.0	22.0	22518.0	22556.0	38.0

Note: No Down Time for the week of May 24-30, 2020 as per J. Sontillanosa; Crane Leader.

* Note: Gantry #4 (Trolley wire rope change out performed 05/26-28/2020).*

FLEET/PREVENTIVE MAINTENANCE FY'20

MAY 2020 EQUIPMENT STATUS REPORT

EQUIPMENT/NUMBER TOPLIFTERS	YEAR	ASSET ID. #	STATUS UP DOWN	DISCREPANCY	PLANNED CORRECTIVE ACTION	REPORT DOWN TIME	ESTIMATE ON-LINE
TOPLIFTER 09-03 Mfr. Hyster 80,000 lbs. Container Handler SN: F117E01674G	2009	2087	XXX				
TOPLIFTER 09-04 Mfr. Hyster 80,000 lbs. Container Handler SN: F117E01675G	2009	2088	XXX				
TOPLIFTER 09-06 Mfr. Hyster 80,000 lbs. Container Handler SN: F117E01680G	2009	2133	XXX				
TOPLIFTER 16-07 Mfr. Hyster 80,000 lbs. Container Handler SN: H117E01591P	2016	2725	XXX				
TOPLIFTER 16-08 Mfr. Hyster 80,000 lbs. Container Handler SN: H117E01592P	2016	2726		corrosion control WO#603397 (Complete body & Parts Job)			6/30/2020
TOPLIFTER 16-09 Mfr. Hyster 80,000 lbs. Container Handler SN H117E01593P	2016	2727	XXX				
TOPLIFTER 16-10 Mfr. Hyster 80,000 lbs. Container Handler SN: H117E01594P	2016	2728	XXX				
TOPLIFTER 20-11 2019 Mfr. TAYLOR XLC975E 63,000 lbs. Container Handler SN: S HB 43856	2019			grease supply leaking	pending non-warranty BPA	5/8/2020	6/5/2020
TOPLIFTER 20-12 2019 Mfr. TAYLOR XLC975E 63,000 lbs. Container Handler SN: S HB 43855	2019			def. mast pad bolt	vendor responded parts on order pending non-warranty BPA	4/30/2020	6/5/2020
TOTAL (9)			6	3			

EQUIPMENT/NUMBER TRACTORS	YEAR	ASSET ID. #	STATUS UP DOWN	DISCREPANCY	PLANNED CORRECTIVE ACTION	REPORT DOWN TIME	ESTIMATE ON-LINE
T-76 KALMAR-OTTAWA COMMANDO YT-50 SN: 31790	2007	1929	XXX	corrosion control (W0578574 03/14/19)	pending		6/30/2020
T-77 KALMAR-OTTAWA COMMANDO YT-50 SN: 31791	2007	1930	XXX	CC(W0583656 5/13/20; W0608534 06/03/20)	pending		6/30/2020
T-79 KALMAR-OTTAWA COMMANDO YT-50 SN: 31793	2007	1932	XXX	corrosion control (W0583664 05/13/19)	pending		6/30/2020
T-81 KALMAR-OTTAWA COMMANDO YT-50 SN: 31795	2007	1934	XXX	corrosion control (W0608542 06/03/20)	pending		6/30/2020
T-83 KALMAR-OTTAWA COMMANDO YT-50 SN: 324015	2010	2139	XXX	Def. pivot boom	Pending parts on order	4/21/2020	6/5/2020
T-84 KALMAR-OTTAWA COMMANDO YT-50 SN: 324016	2010	2140	XXX				
T-85 KALMAR-OTTAWA COMMANDO YT-50 SN: 324017	2010	2141	XXX	corrosion control	pending		6/30/2020
T-86 KALMAR-OTTAWA COMMANDO YT-50 SN: 324018	2010	2142	XXX				
T-87 KALMAR-OTTAWA COMMANDO YT-50 SN: 324019	2010	2143	XXX	def. electrical/air system(W0587956 7/19/19)	replacing parts	7/19/2019	6/5/2020
T-89 KALMAR-OTTAWA COMMANDO YT-50 SN: 324021	2010	2145	XXX	corrosion control (W0583171 05/06/19)	pending		6/30/2020
T-90 KALMAR-OTTAWA COMMANDO YT-50 SN: 324022	2010	2146	XXX				
T-91 KALMAR-OTTAWA COMMANDO YT-50 SN: 324023	2010	2147	XXX				
T-92 KALMAR-OTTAWA COMMANDO YT-50 SN: 324024	2010	2148	XXX	corrosion control (W0608551 06/03/20)	pending	5/6/2020	6/30/2020
TOTAL (13)			4	9			

Please Note: Tractor #76, #77, #79, #81, #85, #89, #92: Pending on Non Operational Days

EQUIPMENT/NUMBER TRACTORS	YEAR	ASSET ID. #	STATUS UP DOWN	DISCREPANCY	PLANNED CORRECTIVE ACTION	REPORT DOWN TIME	ESTIMATE ON-LINE
T-93 KALMAR TERMINAL YARD TRACTOR SN:343587	2017	2738	XXX				
T-94 KALMAR TERMINAL YARD TRACTOR SN:343588	2017	2739	XXX				
T-95 KALMAR TERMINAL YARD TRACTOR SN:343589	2017	2740	XXX				
T-96 KALMAR TERMINAL YARD TRACTOR SN:343590	2017	2741	XXX				
T-97 KALMAR TERMINAL YARD TRACTOR SN:343591	2017	2742	XXX				
T-98 KALMAR TERMINAL YARD TRACTOR SN:343592	2017	2743	XXX				
T-99 KALMAR TERMINAL YARD TRACTOR SN:343593	2017	2744		pending w/oper motor corrosion removed	pending repairs	2/3/2020	6/5/2020
T-100 KALMAR TERMINAL YARD TRACTOR SN:343594	2017	2745		a/c shop		5/22/2020	6/4/2020
T-101 KALMAR TERMINAL YARD TRACTOR SN:344057	2017	2785	XXX	Guam cool air			
T-102 KALMAR TERMINAL YARD TRACTOR SN:344058	2017	2786					
T-103 KALMAR TERMINAL YARD TRACTOR SN:344059	2017	2787	XXX	a/c shop [AC Auto]		5/22/2020	6/5/2020
T-104 KALMAR TERMINAL YARD TRACTOR SN:344060	2017	2788	XXX				
T-105 KALMAR TERMINAL YARD TRACTOR SN:344061	2017	2789	XXX				
T-106 KALMAR TERMINAL YARD TRACTOR SN:344082	2017	2790	XXX				
T-107 KALMAR TERMINAL YARD TRACTOR SN:344063	2017	2791	XXX				
T-108 KALMAR TERMINAL YARD TRACTOR SN:344155	2017	2792	XXX				
TOTAL (16)			13	3			

EQUIPMENT/NUMBER TRACTORS	YEAR	ASSET ID. #	STATUS		DISCREPANCY	PLANNED CORRECTIVE ACTION	REPORT DOWN TIME	ESTIMATE ON-LINE
			UP	DOWN				
T-702 MAGNUM TT120 SN: T254L100V1AA4986	2001	2576		XXX	Beyond Economical Repair	TO BE SURVEYED		
T-741 MAGNUM TT120 SN: T254L100V1AA5007	2001	2578		XXX	Beyond Economical Repair	SURVEYED (Disposed: 12/31/19)		
T-749 MAGNUM TT120 SN: T254L100V1AA5010	2001	2579		XXX	Beyond Economical Repair	TO BE SURVEYED		
TOTAL (3)				3				
EQUIPMENT/NUMBER FORKLIFTS	YEAR	ASSET ID. #	STATUS		DISCREPANCY	PLANNED CORRECTIVE ACTION	REPORT DOWN TIME	ESTIMATE ON-LINE
			UP	DOWN				
FL 08-165 HYSTER 10 TON H210HD SN: H007E01888F	2008	2046			Cab Is Severely Corroded Beyond Economical Repair	SURVEYED (Disposed: 04/30/2020)		
FL 08-166 HYSTER 10 TON H210HD SN: H007E01889F	2008	2048		XXX	Cab Is Severely Corroded Beyond Economical Repair	TO BE SURVEYED	2/13/2019	
TOTAL (2)				1				
EQUIPMENT/NUMBER FORKLIFTS	YEAR	ASSET ID. #	STATUS		DISCREPANCY	PLANNED CORRECTIVE ACTION	REPORT DOWN TIME	ESTIMATE ON-LINE
			UP	DOWN				
FL 08-168 HYSTER 20TON H450HD SN: A236E01602F	2009	2049			Cab Is Severely Corroded Beyond Economical Repair	SURVEYED (Disposed: 02/29/20)		
TOTAL (1)								
EQUIPMENT/NUMBER FORKLIFTS	YEAR	ID. #	STATUS		DISCREPANCY	PLANNED CORRECTIVE ACTION	DOWN TIME	ON-LINE
			UP	DOWN				
FL 17-170 HYUNDAI 10 TON FORKLIFT TRUCK SN:HHKHT05HG0000433	2017	2795	XXX					
FL 17-172 HYUNDAI 10 TON FORKLIFT TRUCK SN:HHKHFT05CH0000436	2017	3013	XXX					
FL 17-173 HYUNDAI 10 TON FORKLIFT TRUCK SN:HHKHFT05TH0000437	2017	3014		XXX	Stuck in 1st gear(WO596001 11/21/19)	pending vendor to repair	5/4/2020	6/5/2020
FL 17-174 HYUNDAI 10 TON FORKLIFT TRUCK SN:HHKHFT05PH0000438	2017	3015	XXX					
TOTAL (4)			3	1				
EQUIPMENT/NUMBER FORKLIFTS	YEAR	ID. #	STATUS		DISCREPANCY	PLANNED CORRECTIVE ACTION	DOWN TIME	ON-LINE
			UP	DOWN				
FL 17-169 HYUNDAI 20 TON FORKLIFT TRUCK SN:HHKH502JG0000161	2017	2796		XXX	(L) Lift cylinder Leaking (wo569352 10/16/18)	Note: pending vendor quote for repairs	2/10/2020	6/5/2020
FL 17-171 HYUNDAI 20 TON FORKLIFT TRUCK SN:HHKHH302CH0000163	2017	3016	XXX					
TOTAL (2)			1	1				
EQUIPMENT/NUMBER FORKLIFTS	YEAR	ID. #	STATUS		DISCREPANCY	PLANNED CORRECTIVE ACTION	DOWN TIME	ON-LINE
			UP	DOWN				
FL 08-40 HYSTER STON H5.0DDX SN: A232R03678F	2008	2028	XXX					
FL 08-41 HYSTER STON H5.0DDX SN: A232R03681F	2008	2031	XXX					
FL 08-42 HYSTER STON H5.0DDX SN: A232R03683F	2008	2032	XXX					
FL 08-43 HYSTER STON H5.0DDX SN: A232R03686F	2008	2030	XXX					
TOTAL (4)			4	0				
EQUIPMENT/NUMBER FORKLIFTS	YEAR	ID. #	STATUS		DISCREPANCY	PLANNED CORRECTIVE ACTION	DOWN TIME	ON-LINE
			UP	DOWN				
FL 16-45 DOOSAN 5.5TON SN: FDB04-1240-02826	2016	2780		XXX	Def turbo	pending part on order	4/8/2020	6/12/2020
FL 16-46 DOOSAN 5.5TON SN: FDB04-1240-02827	2016	2781	XXX					
FL 16-47 DOOSAN 5.5TON SN: FDB04-1240-02828	2016	2782	XXX					
FL 16-48 DOOSAN 5.5TON SN: FDB04-1240-02829	2016	2783	XXX					
TOTAL (4)			3	1				
EQUIPMENT/NUMBER AIR STREET SWEEPER	YEAR	ASSET ID. #	STATUS		DISCREPANCY	PLANNED CORRECTIVE ACTION	REPORT DOWN TIME	ESTIMATE ON-LINE
			UP	DOWN				
REGENERATIVE 2017 FREIGHT LINER M2106 SCHARZE A4 STORM BODY 1FVACWDK6HHJC4068, STREET SWEEPER 4902	2017	2774		XXX	HYD LEAK	pending parts on order	4/22/2020	5/5/2020
TOTAL (3)			0	1				

EQUIPMENT/NUMBER ARTICULATING BOOM LIFT	YEAR	ASSET ID. #	STATUS		DISCREPANCY	PLANNED CORRECTIVE ACTION	REPORT DOWN TIME	ESTIMATE ON-LINE
			UP	DOWN				
ARTICULATING BOOM LIFT 34FT SN: 300216234	2015	2706	XXX					
ARTICULATING BOOM LIFT 120FT SN: 300209110	2015	2707		XXX	under system testing	under testing	5/26/2020	6/12/2020
TOTAL (2)			1	1				

EQUIPMENT/NUMBER DIESEL FIRE PUMP	YEAR	ASSET ID. #	STATUS		DISCREPANCY	PLANNED CORRECTIVE ACTION	REPORT DOWN TIME	ESTIMATE ON-LINE
			UP	DOWN				
DIESEL FIRE PUMP W/TRAILER SN: 0922831/1	2010	2177	XXX					
DIESEL FIRE PUMP W/TRAILER SN: 0922831/2	2010	2178	XXX					
DIESEL FIRE PUMP W/TRAILER SN: 0922831/3	2010	2176		XXX	Control panel assy./Starter/Field Line etc.	WOR591795-Research with Vendor for Parts	9/17/2019	PENDING
TOTAL (3)			2	1				

EQUIPMENT/NUMBER GENERATORS	YEAR	ASSET ID. #	STATUS		DISCREPANCY	PLANNED CORRECTIVE ACTION	REPORT DOWN TIME	ESTIMATE ON-LINE
			UP	DOWN				
CATERPILLAR PRIME POWER 455 KW GENSET LC-1 CAT00000CT4A00897	2014	1500251	XXX					
CATERPILLAR PRIME POWER 455 KW GENSET LC-4 CAT00000CT4A00860	2014	1500252	XXX					
CATERPILLAR PRIME POWER 455KW GENSET LC-2 CAT00000CT4A00858	2014	1500253	XXX					
CATERPILLAR PRIME POWER 725KW GENSET LC-4 CAT00C27ET4200481	2014	1500254	XXX					
CATERPILLAR PRIME POWER 500KW GENSET LC-5 CAT00000HT4A00816	2014		XXX					
CATERPILLAR PRIME POWER 500KW GENSET LC-5 CAT00000VT4A00813	2014		XXX					
CATERPILLAR PRIME POWER 500KW GENSET LC-5 CAT00000AT4A00814	2014			XXX	Def radiator	pending vendor parts on order(Req.#18381-on)	12/1/2019	6/30/2020
TOTAL (7)			6	1				

EQUIPMENT/NUMBER GENERATOR	YEAR	ASSET ID. #	STATUS		DISCREPANCY	PLANNED CORRECTIVE ACTION	REPORT DOWN TIME	ESTIMATE ON-LINE
			UP	DOWN				
KATOLIGHT 500KW GENSET L-3 2160059970	2005	1870	XXX					
TOTAL (1)			1					

Port Authority of Guam
Operations Division Report
May 2020

I. **OVERVIEW**

Vessel Calls	21
Cans Handled	7312
Special Service(s)	69

a. **Productivity**

Vessel Op	Avg NMPH	TOP GANG	M/Hr
Matson			
Domestics	27	4	32.9
Feeder	22	2	26.2
MSA			
Barges	0		
Kyowa, Candor	18	4	21.9
Ambyth			
Mariana	16	5	20
MELL			
Kotas	23	5	30.5
APL			
Guam/Saipan	25	6	29.1

b. **Equipment Status**

As of : 6/04/2020	ON HAND	UP	RM	Repair
GANTRYs	3	3		
TOP LIFTERS	9	4	2	3
20T FORKLIFT	2	1		1
10T FORKLIFT	4	2		1
5T FORKLIFT	8	6		2
TRACTORS	29	20	5	4

II. **YEAR TO DATE**

a. Vessels_YTD 188

b. Can_Cnt YTD

May	FY19		FY20		Variance	
	I	E	I	E	I	E
Local	22970	22403	22571	22174	-2%	-1%
TS	3836	3947	4131	4263	8%	8%
TSMT	2166	2184	1854	1802	-14%	-17%
TTL	28972	28534	28556	28239	-1%	-1%

FY-20 WORK INJURY REPORT
(01/01/20 to 12/31/20)

<u>Divisions</u>	<u>*Lost-time</u>	<u>**Recordable</u>	<u>*** Refused Treatment</u>
Stevedoring	1	0	0
Transportation	1	0	0
Terminal	0	0	0
EQMR	0	0	0
Others	<u>0</u>	<u>0</u>	<u>0</u>
Total	2	0	0

Work Injury Summary for this reporting period: 6/04/2020

Total Injuries for FY-20 to date: 2–Injury

2-- Lost-time

0– Recordable

0– Refused Medical Attention

Last disabling work injury was on: 3/27/20

Number of days since last disabling work injury: 69-days

Note: PAG best record was 222 days or 7 months w/o a disabling work injury

***Lost-time** = If an employee was injured on the job and medical doctor sent him/her home, his/her injury is considered a lost-time.

****Recordable** = If an employee was injured on the job and medical doctor treated him/her and released him/her back to work on the same day (Recordable because of medical charges).

*****Refused Medical Attention:** Filed WC Forms 201 & 202 for record purposes only.

BOARD OF DIRECTORS
Francisco G. Santos, Chairman
Nathan T. Taimanglo, Vice Chairman
Isa Marie C. Koki, Board Secretary
Maria D.R. Taitano, Member
Anthony P. Chargualaf, Jr., Member



Resolution No. 2020-03

RELATIVE TO PETITIONING THE PUBLIC UTILITIES COMMISSION (PUC) TO REVIEW AND APPROVE SUPPLEMENTAL OFFICE OF ECONOMIC ADJUSTMENT (OEA) GRANT FUNDING IN THE AMOUNT OF \$800,000.00 FOR ADDITIONAL PORT MODERNIZATION INITIATIVES IN SUPPORT OF THE 2020 MASTER PLAN UPDATE TO BE PERFORMED BY OWNER'S AGENT ENGINEER, WSP USA, INC.

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

WHEREAS, on January 30, 2020, the Public Utilities Commission (PUC) approved \$800,000.00 in OEA funding under Grant Award Number GR882-19-04 to increase the amount to the Port Owner's Agent Engineer (OAE) contract services with WSP USA, Inc. formerly known as Parsons Brinckerhoff to perform a comprehensive 2020 Port Authority of Guam (PAG) Master Plan Update; and

WHEREAS, on February 12, 2020, PAG had the opportunity to submit a grant application to OEA requesting supplemental funding in the amount of \$800,000.00 to further align additional modernization initiatives to bolster the 2020 Master Plan Update; and

WHEREAS, on March 24, 2020, PAG received notification from OEA that its funding request was approved under Grant Award Number GR882-20-06, supplemental to the original \$800,000.00 under Grant Award Number GR882-19-04 resulting in a combined award totaling \$1,600,000.00, which will fund the following; and

OAE Award Number GR882-19-04 Technical Assistance Estimate and Description

Item	OEA Technical Assistance/Estimate and Description	CY2020	CY2021
Subtask 1:	Program Management & Coordination	\$25,000.00	\$175,000.00
Subtask 2:	2020 Master Plan Update: Financial Feasibility Study, Economic Impact Analysis, Customs Inspection Facility Feasibility Study, Cargo Terminal Assessment, Agat/Hagatna Marinas, Harbor of Refuge, Proposed LNG Facility, Area A Feasibility Study, Solar Panel Initiative Feasibility Study, PUGG Initiative for System Integration (Customs, PAG, PUGG)	\$105,000.00	\$495,000.00
Amount Total:		\$130,000.00	\$670,000.00

WHEREAS, in addition, the \$800,000.00 supplemental OEA program assistance will provide additional funding to complete the 2020 Master Plan Update and ensure that the following services are developed and completed; and

OAE Award Number GR882-20-06 Technical Assistance Estimate and Description

Item	OEA Technical Assistance/Estimate and Description	CY2020	CY2021
Subtask 1:	Program Management & Coordination (supplemental)	0	\$164,645.00
Subtask 2:	2020 Master Plan Update (supplemental) (shortage amount in the original grant funding)	\$3,288.00	0
Subtask 3:	Wharf Service Life Extension	\$100,000.00	\$78,296.00
Subtask 4:	STS Crane Program Support	\$25,000.00	\$33,747.00
Subtask 5:	Future Tariff Analysis	\$20,000.00	\$20,473.00
Subtask 6:	IT Support	\$40,000.00	\$64,658.00
Subtask 7:	Environmental Program	\$30,000.00	\$46,026.00
Subtask 8:	CIP Program Support	\$49,347.00	0
Subtask 9:	Health and Safety Program	\$40,000.00	\$49,642.00
Subtask 10:	Deep Draft Wharf and Fill Improvements Project Feasibility Study	\$0	\$34,878.00
Amount Total:		\$307,635.00	\$492,365.00

WHEREAS, the Board of Directors requires Management to review and assess the progress of all OEA-approved initiatives and authorizes the General Manager the flexibility to re-program and/or transfer funding from one subtask to another in the event of a funding shortfall in a specific project, subject to subtask funding availability and provided the revision is within the approved amount of \$1,600,000.00; and

WHEREAS, the Board of Directors at its regular meeting of June 9, 2020 hereby submits this petition to the PUC to respectfully review and consider approving an additional contract amount as stated above; now therefore be it

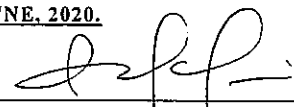
RESOLVED, the Board of Directors authorizes Management to formally transmit this petition and its resolution to PUC; and be it further

RESOLVED, the Chairman certify to 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 9th DAY OF JUNE, 2020.


FRANCISCO G. SANTOS
 CHAIRMAN, BOARD OF DIRECTORS
 PORT AUTHORITY OF GUAM




ISA MARIE C. KOKI
 SECRETARY, BOARD OF DIRECTORS
 PORT AUTHORITY OF GUAM



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

June 5, 2020

MEMORANDUM

TO: Board of Directors

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

SUBJECT: Strategic Planning Applied Grants – PAG Cost Share

REF: Port Authority of Guam Grant Applications

Hafa Adai! As you are aware, the Strategic Planning Division has been successful during the past several years in seeking and acquiring federal funding from several federal entity partners. This past year is no exception, the Division continues to leverage grant opportunities to not only further modernize Port infrastructure, equipment and facilities but to also ensure that administrative and operational support is provided to all divisions in the form of training and manpower enhancements.

Nine (9) applications totaling \$12,978,134.00 were applied for and currently await notification of award. The Port's cost-share ranges from between a zero to fifty percent (50%) match depending on each respective federal agency's requirements or to allow for a robust and competitive grant application. The Port's total cost-share is \$3,173,706.00. Attached is a detailed chart of the applied grants.

Based on this, Board approval is being requested to approve the Port's cost-share in the amount of \$3,173,706.00 for the abovementioned grant applications which will be funded through the Equipment account with a budget of \$4M. We are hopeful that the Port will be successful in these recent funding opportunities.

I am available for any questions you may have.

Strategic Planning Applied Grants (PAG Cost-Share)

Grantor/Grant Program	Description	Total	Federal	PAG
FEMA Hazard Mitigation Grant Program (HMGP2019)	Warehouse 1 Hardening Project (Rollup Doors)	\$ 479,220.00	\$ 359,415.00 <i>75% share</i>	\$ 119,805.00 <i>25% share</i>
FEMA Hazard Mitigation Grant Program (HMGP2019)	Fendering System Haderning Project (F3-F6)	\$ 804,919.00	\$ 603,689.00 <i>75% share</i>	\$ 201,230.00 <i>25% share</i>
Economic Development Authority Disaster Supplemental Grant Program (EDA2019)	Installation of Fuel Pipeline for F1 Pier & Golf Pier Connectivity	\$ 3,016,363.00	\$ 2,413,091.00 <i>80% share</i>	\$ 603,272.00 <i>20% share</i>
FEMA Port Security Grant Program (PSGP2020)	Acquisition of Transportation Worker Identification Card (TWIC) Readers and Credentialing System	\$ 205,008.00	\$ 153,756.00 <i>75% share</i>	\$ 51,252.00 <i>25% share</i>
FEMA Port Security Grant Program (PSGP2020)	Acquisition of Portable Barricades	\$ 244,283.00	\$ 183,212.25 <i>75% share</i>	\$ 61,070.75 <i>25% share</i>
FEMA Port Security Grant Program (PSGP2020)	Training and Awareness Program	\$ 183,005.00	\$ 137,253.75 <i>75% share</i>	\$ 45,751.25 <i>25% share</i>
Department of Interior Maintenance Assistance Program (MAP2020)	Maintenance Support Project for PAG Welding Shop (Equipment & Construction)	\$ 480,650.00	\$ 240,325.00 <i>50% share</i>	\$ 240,325.00 <i>50% share</i>
Department of Interior Technical Assitance Program (TAP2020)	Government Finance Training Program	\$ 160,686.00	\$ 160,686.00 <i>100% share</i>	\$ 0.00 <i>0% share</i>
Maritime Administration Port Infrastructure Development Program (PIDP2020)	Comprehensive Acquisition of Specialized Container Yard Equipment	\$ 7,404,000.00	\$ 5,553,000.00 <i>75% share</i>	\$ 1,851,000.00 <i>25% share</i>
		\$ 12,978,134.00	\$ 9,804,428.00	\$ 3,173,706.00



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BRIEFING PAPER TO THE BOARD OF DIRECTORS

June 5, 2020

TO: Board of Directors

FROM: Rory J. Respicio, General Manager 

SUBJECT: ExxonMobil - Lot 1 and Area A Annex Building Negotiations; Lot 3B

ISSUE(S)

ExxonMobil (Mobil) requests to extend their Sublease Agreement for the fuel tank farm on Parcel One (1) Lot One (1). Additionally, Mobil's holdover occupancy of the Admin Annex Building located in Area A that was formerly turned over to the Port Authority of Guam (Port) in June 2019. The Port is now positioned to present the valuation findings to resolve ongoing negotiations specifically for Lot 1 and the EM Annex Building.

In relation to the above, the Port Authority of Guam (Port) just received Exxon Mobil's (Mobil) formal counter offer, dated June 3, 2020, to include their smaller fuel tank farm, Lot 3B, in the discussion process. However, the Port is not in any position to include Lot 3B in the same valuation process at Lot 1 and the Annex Building.

BACKGROUND

Lot 1

Parcel 1, Lot 1 currently serves as Mobil's largest fuel facility at the Port. It is more commonly known as Area C. This facility serves Guam and our sister islands in the region. On March 20, 1970, Mobil entered into a Sublease Agreement with the Guam Economic Development Authority (GEDA). On November 29, 1988, GEDA transferred its interest in the Sublease Agreement to the Port, which leads us to where we are today.

To date, Mobil continues to operate month-to-month through the Sublease Agreement for Lot 1 even though the preceding 10-year period from May 20, 2011 – March 19, 2020 has expired.

On October 23, 2019, Mobil formally exercised their option to renew the Sublease Agreement for the 4th of 7 successive terms of 10-years, to be effective from March 20, 2020 – March 20, 2030.

The Port sought appraisal services from Captain Real Estate to determine [1] Updated Market Value of Lot 1; and [2] Holdover cost for the Annex Building. These findings now serve as the guiding parameters of the negotiation for Lot 1 as well as the holdover period for the Annex Building.

On December 31, 2019, Mr. Nicolas Captain of Captain Real Estate provided a formal proposal to conduct the needed appraisal for the two locations. The appraisal was to be submitted to the Port by April 13, 2020.

On March 26, 2020, the Port [1] acknowledged receipt of Mobil's letter dated October 23, 2019, relative notice of Mobil's intent to exercise the next option to extend the Sublease Agreement for Lot 1; [2] identifying our negotiating team comprising of Mr. Luis Baza, DGMA and Mr. Glenn Nelson, Commercial Manager; and [3] acknowledging that an appraisal will be used to guide valuation.

On May 17, 2020, the Port received the appraisal from Captain Real Estate. Simply put, the findings were such that the appraisal recommended an 18% increase in Total Market Value for Lot 1.

The COVID-19 pandemic played a major role in the delay of receiving Mr. Captain's appraisal.

On May 26, 2020, the Port met with Mobil to present its findings from the appraisal report. In turn, Mobil orally presented their appraisal information, which stated 11% increase for Lot 1. As a result, Mobil proposed that Port consider a mid-split approach to determine the rent for the successive term.

To date, Mobil continues to pay the Port the amount of \$29,286.60 monthly for Lot 1 until we finalize the valuation of Lot 1 moving forward.

EM Annex Building

On February 22, 2019, the Port executed the Fourth Amendment to Mobil's Management Agreement simply to remove Area-A including all its assets and return it back to the Port. Contained in that amendment, June 2019 was the official turn-over date. However, Mobil continues to occupy the office space, which in essence establishes the "holdover period". The holdover period is for the period of July 2019 to present.

During discussion with Mobil, they disagreed and questioned the size of the building as reflected in the Captain Report. As such, we agreed to revisit the dimensions of the facility although it is documented that the information at issue was sourced in collaboration with Mobil personnel.

Lot 3B

It is worth noting that Lot 3B should be an upcoming point of focus next year as this lease expires in March 4, 2021. Although Lot 3B serves the same purpose to support Lot 1 operations, Lot 3B is a stand-alone lease, which means this particular lease is completely separate from Lot 1 and the Annex Building. Lastly, including Lot 3B may require the Port to seek an additional appraisal to determine the current value of the lot, which we do not currently possess. Currently, Mobil continues to pay the Port \$1,159.08 every month.

RECOMMENDATION(S)

As to Lot 1

It is recommendation of staff that we counter Mobil’s request to basically mid-split the difference between our valuations by proposing a 15% increase for the successive 10-year term. At average, between Mobil and the Port, the mid-split rate is 14.5%. Having a 15% increase serves as a reasonable amount to implement as it benefits the Port financially above the average rate and is a fair and reasonable increase for Mobil.

Calculations are provided in the chart below.

	Square Meters		23121			
	'As Is'	EM (\$)	Port (\$)	EM Prop Mid_Splt	Port Prop_1	
PerSqMtr	\$ 190.00	\$ 210.90	\$ 224.90	\$ 217.55	\$ 218.50	
TDV	\$ 4,392,990.00	\$ 4,876,219.00	\$ 5,200,000.00	\$ 5,029,974.00	\$ 5,051,939.00	
FMV (ROR 8%)	\$ 351,439.20	\$ 390,097.52	\$ 416,000.00	\$ 402,397.92	\$ 404,155.12	
	Var (vs. As Is)		11%	18%	14.50%	15%

As to the EM Annex Building

It is our recommendation that the Port charge a flat rate of \$3,000.00 per month for the holdover period, and beyond, since Mobil continues to occupy the space.

Calculations are provided in the chart below.

Admin Annex					
	Unit (\$)	Area (Sq Ft)	Month	July'19 - May'20	
Port	\$ 1.00	3400	\$ 3,400.00	\$	37,400.00
EM Prop	\$ 0.80	3118	\$ 2,494.40	\$	27,438.40

As to Lot 3B

It is further our recommendation that the Port move forward and resolve the issues at hand regarding Lot 1 and the EM Annex Building. The Port does have time to afford in order to attain necessary guidance for Lot 3B.

Should the Board accept the findings and recommendation contained within, it is further requested that formal action be taken by the Board to authorize Management to move forward to finalize the matter with Mobil, in manner consistent with such representation.



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Joshua F. Tenorio
Lieutenant Governor

BRIEFING PAPER TO THE BOARD OF DIRECTORS

June 4, 2020

TO: Board of Directors
FROM: Rory J. Respicio, General Manager *Rory Respicio*
SUBJECT: Rent Deferral; Request for

ISSUE(S)

At issue is the request from some of our valued Tenants seeking rental relief due to the impact the COVID-19 pandemic has had on their respective operations.

BACKGROUND

The following commercial tenants have formally reached out to the Port Authority of Guam (Port) for some form of financial relief:

1. AR Sunriser – Canteen/Restaurant
2. Kal's Corporation (Marina Grill) – Restaurant
3. Scuba Company – SCUBA discovery/instructional
4. Tasi Tours & Skoocumchuck Charters Inc. – Charter Boat
5. Tidewater Distributors Inc. – Fishing Industry

As you can see, we have a diverse set of partners that thrive on vicinity operations, fishing industry, and tourism. The impact of the COVID-19 pandemic has negatively impacted all these industries, thus having a detrimental impact to their operations.

By way of memorandum dated April 24, 2020, the Port formally assured our partners that Port staff is exploring plans and options for financial relief with cause for presentation to the Board for review and consideration and any deferral program will be subjected to Board approval.

In doing so, we have determined that a rent relief in the form of a deferment is preferred. To be clear, this is not a waiver or abatement of rental payment dues. This will simply be a timely delay of rental payments during an impacted period for reasons of which are justifiably reasonable.

RECOMMENDATION(S)

We are recommending to grant our valued tenants/partners with a Rent Deferral for a period of six (6) months, commencing retroactively from March 1 – August 31, 2020; upon receipt by the Port of a written and formal request from those desiring to do so.

Method of recovery to accompany this preferred deferral option will be remission of current month's rent for month seven (7) plus one-half (1/2) of the rent due for the first deferred month, and shall continue every month thereafter until such time the total deferred amount is achieved.

We are respectfully requesting for the Board to authorize me to proceed with or extend the deferral option, as described, to all our valued tenants/partners who submit a formal written request.



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**Port Authority of Guam
Board of Directors Regular Board Meeting
Tuesday, June 9, 2020**

**Executive Summary
PAG-RFP-020-001
Professional Legal Services**

PURPOSE: Request the Board of Directors to approve the Request for Proposal award to Attorney Vanessa L. Williams, Esq. (Law Office of Vanessa L. Williams PC) Contract-PAG-RFP-No. 020-001 to provide Professional and Technical Legal Services to the Port Authority of Guam.

BACKGROUND:

On Wednesday, February 19, 2020, a Request for Proposal (RFP) was issued to solicit qualified companies/firms to provide professional Legal Services to the Port Authority of Guam by advertising a public notice through the Guam Daily Post. The deadline to submit the proposals was on Friday, March 8, 2020. Five (5) individuals/firms expressed their interest by registering and obtaining the package. One (1) firm officially submitted their proposals in response to the RFP.

After the opening of the sealed proposal and determining that the offeror was responsible, the submitted proposal was distributed and evaluated by the evaluation committee. The results of the evaluation committee revealed Attorney Vanessa L. Williams, Esq. as the highest (only) qualified offeror.

As part of the RFP procurement process, a letter of Notice of Intent to Award was sent on June 5, 2020 requesting Attorney Williams to submit her cost proposal with proposed rates in order to initiate the cost negotiation proceedings. On June 8, 2020 Attorney Williams provided her cost proposal and rates to the Port Authority of Guam. On June 8, 2020 Attorney William also agreed to communicating our negotiation efforts via email due to this COVID-19 epidemic. On June 9th the cost negotiations committee was able to meet and discuss the cost proposal/rates submitted by Attorney Williams. On June 9, 2020 the cost negotiations committee was also able to agree and formulate a counter-offer to Attorney Williams. The counter-offer to Attorney William was formulated by the cost negotiation committee with emphasis on cost savings. On June 9, 2020 the counter-offer was presented to Attorney Williams via email in which she accepted.

On June 9, 2020 via email, Attorney Vanessa L. Williams (Law Office of Vanessa Williams P.C.) officially accepted the Ports counteroffer. *Both parties have come to a fair and reasonable negotiation.*

LEGAL REVIEW:

The necessary documents pertaining to this project will be prepared and forwarded to the Attorney General's Office for review and approval of the contract to form.

FINANCE REVIEW:

Funding for the contract is made possible through Local Port Funds.

RECOMMENDATION:

Management requests the Board of Directors' motion to approve the award of this RFP contract to Attorney Vanessa L. Williams, Esq. for a period of One (1) year from the last signature date on the Agreement and with three (3) options to renew this contract for one (1) additional year thereafter, provided this contract does not exceed a total of four (4) years. The offeror has been deemed to have met all the requirements set forth in the RFP and is consistent with the Guam Procurement Regulations.



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Port Authority of Guam
Board of Directors Regular Meeting
June 9, 2020

Executive Summary
RFP-PAG-020-003

Professional Services for the Implementation of a Drug Free Workplace Program

PURPOSE

Request the Board of Directors approval to award Pacific Human Resources Services for the Professional Services for the Implementation of a Drug Free Workplace Program.

BACKGROUND

On Tuesday, March 3, 2020 a Request For Proposal was issued and published in the Guam Daily Post. The RFP was to solicit qualified companies/firm to provide Professional Services for the Implementation of a Drug Free Workplace Program. Three (3) firms registered and one (1) firm, Pacific Human Resource Service, submitted their proposal before the deadline. The RFP submittal date was on Monday, March 16, 2020 at 4:00pm at the Procurement and Supply Division Office located on the 2nd floor of the PAG Administration Building. In response to the RFP, the evaluation committee has deemed Pacific Human Resources Service to have met the standard of responsibility and responsiveness outlined in the Guam Procurement Rules & Regulations.

On Thursday, April 2, 2020, a Notice of Intent to Award was transmitted to the “Best Qualified Offeror” PHRS requesting a detailed cost proposal breakdown. PHRS submitted its rates on Thursday, April 9, 2020 and the Negotiation Committee met on Friday April 17, 2020. After careful review, the Committee has noted that PHRS has offered to keep its current rates, to include an additional testing method not in the previous contract, at no additional cost. The committee has also expressed the Port is pleased with the “high level of services” received and finds the cost to be fair and reasonable.

LEGAL REVIEW

Legal review was sufficiently met per SAAG.

FINANCE REVIEW

Funding for the Professional Services for the Implementation of a Drug Free Workplace Program is made possible through the Port’s Operations and Maintenance General Funds.

RECOMMENDATION

Management requests the Board of Directors’ approval to issue the award to Pacific Human Resources Services for RFP-PAG-020-003 for Professional Services for the Implementation of a Drug Free Workplace Program.