



**GUAM SOLID WASTE AUTHORITY
BOARD OF DIRECTORS MEETING
AGENDA**

Tuesday, January 23, 2024 10: 00a.m.
VIA VIDEO CONFERENCE

- I. CALL TO ORDER
- II. ROLL CALL
- III. DETERMINATION OF PROOF OF PUBLICATION
- IV. APPROVAL OF AGENDA ITEMS
- V. APPROVAL OF MINUTES
- VI. REPORTS
 - a. MANAGEMENT REPORTS
 - i. OPERATIONAL UPDATE
 - ii. FINANCIAL UPDATE
 - b. LEGAL COUNSEL'S REPORT
 - c. COMMITTEE REPORTS
- VII. UNFINISHED BUSINESS
 - a. ISLAND WIDE TRASH COLLECTION INITIATIVE
 - b. ORDOT POST CLOSURE PLAN UPDATE
 - i. FEDERAL RECEIVERSHIP UPDATES / INFORMATION
 - c. LAYON CELLS 1 AND 2 CLOSURE
 - d. RATE CASE WITH PUBLIC UTILITIES COMMISSION
 - e. PROCUREMENT OF LEGAL SERVICES
- VIII. NEW BUSINESS
 - a. GSWA BOARD RESOLUTION NO. 2024-004: RELATIVE TO THE APPROVAL OF THE PETITION TO AMEND THE SCALE HOUSE ATTENDANT AND SCALE HOUSE SUPERVISOR POSITIONS
- IX. COMMUNICATIONS AND CORRESPONDENCE
- X. PUBLIC FORUM - MEMBERS OF THE PUBLIC TO CONTACT GSWA TO BE PLACED ON THE AGENDA IF THEY WISH TO ADDRESS THE BOARD.
- XI. NEXT MEETING
- XII. ADJOURN

**Guam Solid Waste Authority Board of Directors Regular Meeting
Tuesday, January 23, 2024 10:00 a.m. (ChST)**

Join Zoom Meeting

Link: <https://zoom.us/j/9140408814?pwd=TjZ3U0dHSVd0ajlKRjBhcWFrc1ZYZz09>

Meeting ID: 914 040 8814

Passcode: 777546

The Guam Solid Waste Authority Board of Directors will have a board meeting January 23, 2024 at 10:00 a.m. The meeting will be conducted via Zoom.

Agenda:

I. Call to order II. Roll Call III. Determination of Proof of Publication IV. Approval of Agenda Items V. Approval of Minutes VI. Reports a. Management Reports i. Operational Update ii. Financial Update b. Legal counsel report c. Committee Report VII. Unfinished Business a. Island wide trash collection initiative b. Ordot post closure plan update i. Federal Receivership Updates/ Information c. Layon cells 1 and 2 closure d. Rate case with the Public Utilities Commission e. Procurement of legal services VIII. New Business a. GSWA Board Resolution No.2024-004: Relative to the Approval of the Petition to amend the Scale House Attendant and Scale House Supervisor Positions IX. Communications and Correspondences X. Public Forum-Members of the public to contact GSWA to be placed on the agenda if they wish to address the board XI. Next meeting XII. Adjourn

Access live stream of the meeting on GSWA website: <https://www.guamsolidwasteauthority.com/>

For more information, please contact GSWA Admin at admin@gswa.guam.gov or 671-646-3215. Persons needing telecommunication device for the Hearing/Speech Impaired (TDD) may contact 671-646-3111. This advertisement was paid for by GSWA.



Joseph T. Duenas
CCU Chairman

GUAM POWER AUTHORITY
ATURIDÁT ILEKTRESEDÁT GUÁHAN
P.O. BOX 2977 • HAGÁTNA, GUAM U.S.A. 96932-2977
Telephone Nos. 671-648-3054/55 or Facsimile 671-648-3165



SOLE SOURCE

Public Law 36-70
5GCA § 5214

PO NO.:	VENDOR:	DESCRIPTION:	CONTRACT TERM:	AMOUNT:
32219	Landis+ Gyr Technology, Inc.	Advance Grid Analytics (AGA) Software Support & Maintenance Renewal	09/30/2024	\$67,678.55

This notice is paid for by the **GUAM POWER AUTHORITY REVENUE FUNDS**
Public Law 26-12

Sole Source award is posted on the Authority's web site at
http://go.opengovguam.com/bids/awarded_ole_source/gpa.

/s/ John M. Benavente, P.E.
General Manager

Industrial Laborer
No Experience Needed

Please call: 487-1967 or 734-7263
JM Sandblasting & Painting



You in trouble?
I buy houses, condos, lots
Wallace 671-687-5863 PPM BRK

SMC SECURITY

HIRING SECURITY OFFICERS

APPLY IN PERSON
Please Call: 671-797-1606

little type BIG RESULTS

use the classifieds whether you're
buying • selling • hiring

LUJAN & WOLFF LLP

Attorneys at Law
Suite 300, DNA Building
238 Archbishop Flores Street
Hagåtña, Guam 96910
Telephone (671) 477-8064/5
Facsimile (671) 477-5297
Attorneys for Petitioners Vincent Leon Guerrero,
Felicita Diaz, and Junard Cruz

IN THE SUPERIOR COURT OF GUAM

IN THE MATTER OF THE ESTATE OF
JOSE PANGELINAN TORRES,
Deceased,
PROBATE CASE NO. PRO170-91
**NOTICE OF HEARING ON PETITION
FOR LETTERS OF ADMINISTRATION
TO REPLACE DECEASED
ADMINISTRATRIX**

NOTICE IS HEREBY GIVEN THAT
VINCENT LEON GUERRERO, FELICITA
DIAZ, and JUNARD CRUZ have filed
herein their petition to be granted letters
of administration to replace deceased
administratrix and for appointment as
Co-Administrators of the Estate of JOSE
PANGELINAN TORRES, Deceased, and
that on January 23, 2024, at 11:00 a.m.,
before the Honorable Arthur R. Barcinas,
Judge, Superior Court of Guam, Hagåtña,
Guam, has been set the hearing on said
petition and all persons interested are hereby
notified to appear at the time and place set
for said hearing and show cause if any they have
why the petition should not be granted.

Reference is hereby made to the said
petition for further particulars.

DATED: 12/11/2023

/s/ YVONNE L. CRUZ
DEPUTY CLERK
SUPERIOR COURT OF GUAM

ZOOM INFO:
Meeting ID: 752 425 5848 • Enter Password: JARB

BAUMANN, XU and BLACK, LLC

238 Archbishop Flores St. Suite 903
Hagåtña, Guam 96910
Telephone: (671) 477-9084
Fax: (671) 477-9087

**IN THE SUPERIOR COURT OF GUAM
IN THE MATTER OF THE ESTATE**

OF

SEAN KEITH RAMIREZ DEBEVOISE,
Deceased.

**PROBATE CASE NO. PRO140-23
NOTICE TO CREDITORS**

NOTICE IS HEREBY GIVEN by MELINDA J.D.
CHARGUALAF, Administratrix of the Estate of SEAN
KEITH RAMIREZ DEBEVOISE, deceased, through the
undersigned counsel, to the creditors of, and all
persons having claims against, the deceased, that
within sixty (60) calendar days after the first publication
of this notice, all claims shall be filed, with the
necessary vouchers, to the said Administrator of the
Estate at the Office of the Clerk of the Superior Court of
Guam, or exhibit them with the necessary vouchers to
the said MELINDA J.D. CHARGUALAF, Administratrix
at c/o Shane F.T. Black, Esq., BAUMANN, XU and
BLACK, LLC, at 238 Archbishop Flores Street, Suite
903, DNA Building, Hagåtña, Guam 96910, the same
being the place for the transaction of business of the
Estate. For further particulars, creditors should refer to
the specific requirements set forth by law.

Dated: October 31st, 2023

BAUMANN, XU and BLACK, LLC

By: /s/ SHANE F.T. BLACK, ESQ.
Attorneys for Petitioner



LOURDES A. LEON GUERRERO
Governor (Mag/19p)

JOSHUA E. TENDRO
Lt. Governor (Siguasda Mag/19h)

Guam Community Health Centers Board of Director's Meeting

Thursday, January 18, 2024 at 10:00am

at PHIC Conference Room,

155 Hesler Place, Hagatna, Guam 96910

The meeting will be streaming live on

<https://www.facebook.com/profile.php?id=61550963051973>



ARTHUR U. SALAZAR, MHR
DIRECTOR
PETER RUIZ GARCIA, MPH
DEPUTY DIRECTOR
TERRY G. AGUION
DEPUTY DIRECTOR

AGENDA

- I. Call to Order
- II. Review and Approval of Minutes
- III. Public Forum
- IV. Old Business:
 - A. Personnel Recruitment Status:
 - a. CEO and other staff
 - B. EHR Selection and Implementation timeline
 - C. GCHC Facilities
 - 1. ARPA Minor Renovation
 - 2. ARPA Capital Improvement
 - D. FEMA Repair Project/Reimbursements for GCHCs
 - E. Resolution and MOU between GCHC and Dept. of Rev and Tax
 - F. UPDATE HRSA POST ACTION CONDITION
 - 1. Co-Applicant Agreement
 - 2. DPHSS/DOA MOA
 - 3. Status of Billing
 - G. HRSA Grant Deliverables
 - H. CAE GRANT No Cost Extension
 - I. GCHC Board of Directors Election of Officers
- V. NEW BUSINESS
 - A. SRHC "Urgent Care" Facility
 - B. Bill No. 209-37 Cor
 - C. Association of Asian Pacific Community Health Organizations Membership
 - D. Board Calendar of Activities
 - E. UDS Reporting
- VI. Chief Medical Director
 - A. Peer Review
 - B. Covid-19 Vaccine
 - C. Provider Contracts
 - D. DPHSS - GMHA MOA
 - E. Colposcopy Training
- VII. QUALITY ASSURANCE/QUALITY IMPROVEMENT
 - A. Inreach/Outreach
 - B. Incident Reports
- VIII. Travel
- IX. Financial Report
- X. Treasurer's Report
- XI. Announcements/Open Discussion
- XII. Schedule Next Meeting
- XIII. Adjournment

Any individuals requiring special accommodations should contact GCHC at 671-635-4422.

THIS AD IS PAID BY THE GCHC PROGRAM INCOME, DPHSS



NOTICE OF MEETING

The Guam Board of Accountancy will hold its monthly Board meeting on Thursday, January 18 2024 at 4:00 p.m. This meeting is open to the public via Zoom Video Conference. Anyone desiring to join the virtual meeting may enter the following link in a browser:

Meeting URL: <https://us06web.zoom.us/j/84900108688?pwd=ouwuei4NtcZxcPLClRwaQTTxGNrJj.1>
Meeting ID: 849 0010 8688 • Passcode: vAB50ea-my

Our YouTube livestreaming events link for all Regular Board Meetings is available on the Board's website at: <http://www.guamboa.org/policies/activities.htm>.

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES - December 21, 2023
- III. OLD BUSINESS
 - Guam Accountancy Endowment Fund Update
- IV. NEW BUSINESS
 - A. Requests for Approval
 - Applications for Initial Certification & Licensure
 - FY 2025 Budget
 - V. GENERAL DISCUSSION/ANNOUNCEMENTS
 - VI. ADJOURNMENT

The names of applicants being considered are available on the Board's website at: <http://www.guamboa.org/policies/activities.htm>, along with other Board meeting materials. Detail materials will be available on the website one day before the meeting. Individuals requiring special accommodations or information may contact Ms. Anna Afague at the Guam Board of Accountancy at 671-647-0813 FAX: 671-647-0816 or support@guamboa.org for assistance.



Guam Solid Waste Authority Board of Directors Regular Meeting
Tuesday, January 23, 2024 10:00 a.m. (ChST)

Join Zoom Meeting

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Meeting ID: 914 040 8814

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NDHS is hiring for the following staff position:

Administrative Assistant

APPLY NOW

Complete the application found on our website ndhsguam.com

Email your application, resume, official transcripts, and court and police clearances to info@ndhsguam.com.

Become a part of our Royal Family!

Orion Construction Corporation (Guam) has immediate job opportunities in Barrigada, Guam for the following positions:

**CIVIL ENGINEERS
(MULTIPLE OPENINGS)**

This position will perform a variety of civil engineering duties including conducting engineering studies, preparation of engineering reports and submittals, design and preparation of construction plans, costs and specifications. Will also provide engineering support throughout projects to ensure work quality and adherence to professional codes, government standards and client specifications.

Applicants must have B.S. Degree in Civil Engineering and two years of post baccalaureate verifiable work experience in Civil Engineering or Field Engineering. Background check required.

*If interested, please submit resumes by mail to:
Orion Construction Corporation (Guam)
Attn: Douglas Arthur Baker Jr.
526 Bello Street
Barrigada, Guam 96923*

JOB ANNOUNCEMENT

Opening for Carpenter w/Modern International, Inc. in Barrigada, GU. Min Req: 1 yr exp as a carpenter & must be able to obtain U.S. military base access pass. Perform all related carpentry duties for const co engaging in gen const contracting serv. Performs work at company's job sites on GU.

Send CV to P.O. Box 9070 Tamuning, GU 96931 or email to hoochoo.k@modintlinc.com. Verf. of qualifs req.

JOB ANNOUNCEMENT

Opening for Reinforcing Metal Worker w/Modern International, Inc. in Barrigada, GU. Min Req: 1 yr exp as a reinforcing metal worker & must be able to obtain U.S. military base access pass. Perform all related reinforcing metal worker duties for const co engaging in gen const contracting serv. Performs work at company's job sites on GU. Send CV to P.O. Box 9070 Tamuning, GU 96931 or email to hoochoo.k@modintlinc.com. Verf. of qualifs req.

JOB ANNOUNCEMENT

Opening for Electrician w/Modern International, Inc. in Barrigada, GU. Min Req: 2 yrs of exp as an electrician & must be able to obtain U.S. military base access pass. Perform all related electrician duties for const co engaging in gen const contracting serv. Performs work at company's job sites on GU.

Send CV to P.O. Box 9070 Tamuning, GU 96931 or email to hoochoo.k@modintlinc.com. Verf. of qualifs req.



Department of Land Management

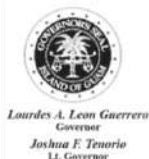
P.O. Box 2950, Hagåtña, Guam 96932
Tel: 671-649-5263 Ext. 300 • Fax: 671-649-5383

PUBLIC HEARING NOTICE

Date: **Wednesday, January 31, 2024**
Time: **6:00 p.m.**
Place: **Dededo Senior Citizen Center**

Application No. 2023-29, Jenneth C. Rosario; requests a Summary Zone Change from "R1" to "R2" zone, to allow for the operation of a Child Care Development Center, Lot 19, Block 11, Tract 112, Unit XI, Dededo.

Funding Source provided by the Applicant.
Person(s) requiring special accommodations, please call Cristina Gubierrez 671-649-5263, ext. 375



**Department of Integrated Services
for Individuals with Disabilities**

Dipartimento Programa Para I Maninutet
Government of Guam

Guam Division of Vocational Rehabilitation - State Rehabilitation Council (SRC)

The Guam Division of Vocational Rehabilitation (GDVR) - State Rehabilitation Council (SRC), will be holding its Quarterly meeting on **FRIDAY, JANUARY 26, 2023 AT 1:00PM**

via Teams and in the GDVR Conference room located in Suite 602, 6th Floor, DNA Building, 238 Archbishop Flores Street, Hagatna, Guam. For the link request or for person requiring special accommodations, please contact Virjulynn Manibusan, at (671) 475-5735 or at Virjulynn.Manibusan@disid.guam.gov by January 24, 2024.

AGENDA

- I. Call to Order/Roll Call
- II. Review & Approval of Previous Meeting Minutes: April 4, 2023
- III. Consent Agenda
- IV. New Business
 - a. Discussion and Agreement on Upcoming 2024 SRC Quarterly Meeting Schedule
 - b. SRC comments on State Plan 2024
 - c. Upcoming CSAVR/CSRC Spring Conference
- V. Communications
 - a. 2023 RSA Corrective Action Plan
 - b. Audit Report
- VI. VRA Reports
 - a. MOA/MOU with Guam CEDDERS to assist DVR & SRC
- VII. Announcements
- VIII. Public Comments
- IX. Adjournment



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**GUAM SOLID WASTE AUTHORITY
BOARD OF DIRECTORS' MEETING MINUTES
Tuesday, December 19, 2023**

Guam Solid Waste Authority Via Video Conference

I. Call to Order

Chairman Gayle called the meeting to order for the Guam Solid Waste Authority (GSWA) Board of Directors' meeting at 10:05 a.m.

II. Roll Call

Board Members:

Andrew Gayle	Chairman
Minakshi Hemlani	Vice Chairwoman
Cora Montellano	Member
Peggy Denney	Secretary
Jim Oehlerking	Member

Management & Staff:

Irvin Slike	General Manager
Kathrine Kakigi	Comptroller
Roman Perez	Operations Superintendent
Keilani Mesa	Administrative Officer
Alicia Fejeran	Chief of Administration
Jolyn Flores	Administrative Assistant

Guests:

Harvey Gershman	GBB Federal Receiver Representative
Christopher Lund	GBB Federal Receiver Representative
Steven Schilling	GBB Federal Receiver Representative
Chace Anderson	GBB Federal Receiver Representative
Joyce Tang	Attorney for GBB Federal Receiver
Andrew Mishkin	Attorney for GBB Federal Receiver
Jesse Chargualaf	Senator Perez
Joe Taitano	Guam PDN
Jon Owens	GWA Attorney
John O'Conner	Guam Daily Post

III. Determination of Proof of Publication

1st Publication with Guam Daily Post, Tuesday, December 12, 2023
2nd Publication with Guam Daily Post, Sunday, December 17, 2023



IV. Approval of Agenda Items

Vice Chairwoman Hemlani motioned to approve the meeting agenda provided by Chairman Gayle; Member Cora Montellano seconded. The agenda was approved.

V. Approval of Minutes

Board members reviewed the draft minutes from the November 21, 2023, meeting. Vice Chairwoman Hemlani motioned to approve the minutes, and Member Cora Montellano seconded the motion. The minutes for the November 21, 2023, Board Meeting were approved.

VI. Reports

a. Management Reports

i. Operational Update

General Manager Slike reported that October/November was the targeted date to present the rate case to the PUC, assuming no ARPA money in 2024. Typhoon Mawar has positively impacted our bottom line. The cutoff date for the Ordot Settlement and IWC is around March 2024 for funding, etc. Trends suggest that action needs to be taken by March 2024. Based on our financial trends, a \$5 rate increase is necessary as of March. Both packets are ready to go; we just need to schedule.

The preliminary date for the PUC was set for November 2023, but it was pulled. GSWA will need to appear on a docket with the PUC. Let's prepare the docket for the next PUC meeting in January.

Regarding the UFS report, page 9 recommends a 54% increase of the 10-year-old \$7.50 rate at the residential transfer stations. We now have 3 electric trucks on the island. Payments to Matson have been cleared, allowing us to proceed with inspection and registration once GSWA receives the trucks. Member Jim Oehlerking raised maintenance/repair concerns. Our in-house mechanic is taking an online course provided by the company that sold the vehicles to GSWA. Peggy Denney asked about a charging station at the Layon maintenance building; as per the GM, we are currently obtaining quotations. The GM stated that GSWA has an agreement with Triple J to use their charging station. Three other trucks are diesel, making a total of 6 new trucks in 2023.

GSWA Operations staff is handling a repossession of bins issue at the moment, putting together routes, and exploring additional routes while connecting with Alpine. The plan is to identify households that haven't paid and place a sticker on their bins indicating non-service unless payments are made. Member Oehlerking asked about the status of recycling markets. GM Slike responded that plastic and glass were not viable markets but aluminum, tin and cardboard are and they are being shipped off island. He also stated that at a recent G3 meeting, discussions took place with UOG regarding the Moana Taka Recycling program in Fiji and the possibility of collaborating with them to ship plastics and other recyclables off island through Swire Shipping, which is open, free of charge, to all the SPREP members, including Guam.



GSWA released an invitation for bid for a small wheel loader and has issued an intent to award to a vendor. The small wheel loader has attachments, including a fork attachment and pick-up broom for loose materials. The General Manager shared a short clip highlighting the benefits of the wheel loader. Additionally, GSWA received \$63,000 from FEMA for damage to the Layon maintenance building and Malojloj transfer station. FEMA is still working on request for \$500,000 in labor and tipping fees.

Chairman Gayle inquired about the KPIs which are usually reflected in Trash Talk. Comptroller Kakigi responded that the data is presented in the Trash Talk of September 2023. Chairman Gayle shared that document with the board and a discussion ensued regarding all aspects of customer service data.

ii. Financial Update

The Comptroller reported a closing balance of a net increase of \$1.2 million due to Typhoon Mawar. Additionally, there was a transfer of \$1.8 million for the interest fee payment towards the Ordot Post-Closure fund. The approved budget stands at \$19.4 million, with \$8.5 million allocated for ARPA funds for trucks and parts. Of this, \$4 million is set aside, with \$95 apiece remaining, for the purchase of carts when the island wide program is implemented.

b. Legal Counsel's Report

No discuss

c. Committee Reports

No discussion.

VII. Unfinished Business

a. Island Wide Trash Collection Initiative

Chairman Gayle reported that the Bill is still under consideration at the Guam Legislature. No updates are available at this time.

b. Ordot Post Closure Plan Update

GBB Receiver Harvey Gershman presents updates with the following discussion points:

- a. GWA Pond 1 Dye Test – On 11/22/2023, GWA initiated the dye test. However, as of now, no report has been provided. GWA is also considering a dye test for Pond 4.
- b. Infiltration Concerns related to Storm Water Ponds: GSWA and GWA have expressed concerns about excessive infiltration or preferential pathways from the stormwater ponds contributing to excessive leachate collection.
- c. #13 Receiver's Actions to Prepare GSWA: Chris Lund is keeping GSWA informed about matters related to Ordot. He is also updating Comptroller Kathrine Kakigi on the investment account with monthly statements. The receiver aims to facilitate an easier transition of this account to GSWA and leverage Kakigi's financial expertise in selecting fund investments.



- d. #14 Financial Condition of GSWA: The majority of funds, totaling 7.6 million, are held in an investment account with Bank of Guam. Additionally, there has been \$70,000 in interest over the last few months. Further details are discussed in the April 29, 2019, report to GSWA, providing a breakdown of accounts and expenses.
- e. Clarification to the Special Report of the Receiver from the 10/23/2023 Board Meeting: This report has been filed with the Court and shared with other involved parties.
- f. SCADA and Power Resiliency.
- g. Brown & Caldwell Presentation Questions
- h. Ordot Dump Post-Closure O & M Contracting Strategy

c. Layon Cells 1 and 2 Closure

No updates at this time.

d. Rate Case with Public Utilities Commission

The rate case was discussed during the operational update as it related to some of the information discussed by General Manager Slike.

VIII. New Business

a. Procurement of Legal Services

General Manager Slike and Chief of Administration Fejeran informed the board that GSWA has issued the RFP for legal services and is proceeding with the interview process for the candidates.

IX. Communications and Correspondence

None.

X. Public Forum: Members of the public to contact GSWA to be placed on the agenda if they wish to address the board.

None.

XI. Next meeting

The next meeting will be held via video conference on Tuesday, January 23, 2024 10:00 am

XIII. Adjourn

Vice Chair Hemlani motioned to adjourn meeting. Secretary Denney seconded the motion. Motion was passed unanimously and the meeting was adjourned at 11:51 a.m.

Guam Solid Waste Operations Fund
Operating Budget Revenues, Expenditures, Reserves
As of December 31, 2023

Unaudited	Annual Budget Operations	Carryover ARPA	Carryover '23 Fund Bal	Total Budget	December Budget	December 2023	Variance	% Variance	YTD Budget	YTD	Variance	% Variance
Revenues:												
Commercial Fees (Large)	9,758,051	0	0	9,758,051	828,766	902,611	73,845	9%	2,459,564	3,943,092	1,483,529	60%
Others - Government/Commercial Fees	987,518	0	0	987,518	83,871	195,210	111,339	133%	248,909	560,063	311,154	125%
Residential Collection Fees, net 3% Bad Debt	7,951,648	0	0	7,951,648	675,345	653,647	(21,699)	-3%	2,004,251	1,959,213	(45,038)	-2%
Host Community Fees	300,000	0	0	300,000	32,541	32,541	0	0%	124,463	124,463	0	0%
Other Revenues	431,284	0	0	431,284	36,630	41,263	4,633	13%	108,707	115,994	7,287	7%
Interest Income	0	0	0	0	0	107	107	n/a	0	469	469	n/a
Prior Year Revenues	0	0	0	0	0	0	0	n/a	0	0	0	n/a
Total revenues	19,428,501	0	0	19,428,501	1,657,153	1,825,378	168,225	10%	4,945,893	6,703,295	1,757,401	36%
Fund Balance Allocation	0	0	2,283,829	2,283,829	190,319	190,319	0	0%	575,650	575,650	0	0%
ARPA Budget Allocation	0	8,535,247	0	8,535,247	0	0	0	0%	1,453,839	1,453,839	0	0%
Transfer In - Recycling Revolving Fund	400,000	0	0	400,000	33,333	33,333	0	0%	100,000	100,000	0	0%
Total Revenues/Transfers In/ARPA Allocation	19,828,501	8,535,247	2,283,829	30,647,580	1,880,806	2,049,031	168,225	9%	6,499,733	8,832,784	2,333,051	36%
Expenditures by Object:												
Salaries and wages	4,002,582	0	0	4,002,582	460,571	437,612	(22,959)	-5%	997,904	956,565	(41,339)	-4%
Contractual services:												
Layon Operator	2,855,593	0	1,134,407	3,990,000	304,123	304,486	363	0%	951,804	966,270	14,466	2%
Layon Monitoring	650,000	0	0	650,000	54,167	42,924	(11,243)	-21%	162,500	142,722	(19,778)	-12%
Harmon Hauler Station Operations	2,400,000	0	1,239,422	3,639,422	303,285	287,142	(16,143)	-5%	909,856	945,982	36,126	4%
Ordot Postclosure care	2,000,000	0	0	2,000,000	166,667	166,667	0	0%	500,000	500,000	0	0%
Recycling Programs	634,505	0	0	634,505	44,592	31,192	(13,399)	-30%	158,626	81,074	(77,552)	-49%
GEPA Appropriation	202,992	0	0	202,992	0	0	0	0%	0	0	0	0%
Contractual Employees	500,000	0	0	500,000	41,667	96,248	54,581	131%	125,000	282,809	157,809	126%
Vehicle Maintenance	550,000	0	0	550,000	45,833	28,537	(17,296)	-38%	137,500	57,764	(79,736)	-58%
PUC/Rate Study Consultant/Legal Expenses/Ordot	180,000	0	0	180,000	5,833	0	(5,833)	-100%	110,000	110,000	0	0%
Others	478,288	1,080,000	0	1,558,288	39,857	22,597	(17,260)	-43%	119,572	73,459	(46,113)	-39%
Total contractual services:	10,451,378	1,080,000	2,373,829	13,905,207	1,006,024	979,793	(26,231)	-3%	3,174,858	3,160,081	(14,777)	0%
Receiver	0	0	0	0	0	83,455	83,455	n/a	0	166,909	166,909	n/a
Travel	24,286	0	0	24,286	0	0	0	0%	8,366	8,366	0	0%
Supplies	431,655	0	0	431,655	35,971	44,265	8,294	23%	107,914	118,499	10,586	10%
Vehicle Supplies	300,000	0	0	300,000	48,180	22,663	(25,518)	-53%	75,000	91,026	16,026	21%
Worker's compensation	1,000	0	0	1,000	83	0	(83)	-100%	250	0	(250)	-100%
Drug testing	1,000	0	0	1,000	83	181	97	117%	250	262	12	5%
Equipment	5,242	0	0	5,242	0	0	0	0%	1,311	0	(1,311)	-100%
Utilities - power	110,000	0	0	110,000	9,167	7,645	(1,521)	-17%	27,500	24,462	(3,038)	-11%
Utilities - water	18,500	0	0	18,500	1,542	581	(961)	-62%	4,625	2,966	(1,659)	-36%
Communications	61,515	0	0	61,515	5,126	4,708	(419)	-8%	15,379	14,137	(1,242)	-8%
Capital outlays	680,635	7,455,247	0	8,135,882	56,720	56,720	0	0%	1,623,998	1,623,998	0	0%
Miscellaneous	243,708	0	0	243,708	20,309	21,446	1,137	6%	60,927	74,643	13,716	23%
Reserves - Layon Landfill	200,000	0	0	200,000	16,667	16,667	0	0%	50,000	50,000	0	0%
Transfers to Host Community Fund	300,000	0	0	300,000	32,541	32,541	0	0%	124,463	124,463	0	0%
Transfer out to General Fund (Debt Service), Cell 3 E	2,997,000	0	0	2,997,000	249,750	254,000	4,250	2%	749,250	762,000	12,750	2%
Other Expenditures	5,374,542	7,455,247	0	12,829,788	476,139	461,415	(14,724)	-3%	2,849,232	2,894,823	45,592	2%
TOTAL EXPENDITURES:	19,828,501	8,535,247	2,373,829	30,737,577	1,942,734	1,962,275	19,542	1%	7,021,995	7,178,379	156,385	2%
Excess (deficiency) of revenues over (under expenditures)						86,755				1,654,405		
Less: Carry Over Encumbrances/Expenditures:									Other/Carry over obligations:	-1,887,950		
										-233,545		

Summary of Carry over Encumbrances: Total Encumbrance Payments Balance

Fund Balance CY -Transfer for Interest Pay	1,886,800	1,886,800	0
Vehicle Supplies	1,150	1,150	0
Note:	1,887,950	1,887,950	0

Note: This report is based on preliminary month end numbers and is subject to change based on DOA updates and accounting adjustments.

ARPA Funds revenues are allocated based on when they are expended.
Carry over encumbrances such as contracts and purchase orders funded by prior year receipts but expended this fiscal year.
Allowance is estimated at 3% of Residential Revenues.
Public Law 37-42 allocated to GEPA \$202,992 to fund duties and responsibilities related to the closure, monitoring and opening of the island's landfill.
P.L. 37-42 allocated \$19,428,501 to fund GSWA's budget.
P.L. 36-115 allocated \$400,000 to from the Recycling Revolving Fund to GSWA to fund the Residential Recycling Program and is a continuing appropriation.

GUAM SOLID WASTE AUTHORITY FUNDS

FUND BALANCE as of December 31, 2023

Unaudited

	Operational Fund	Ordot Post Closure Fund	Total
Fund Balance, September 30, 2023 <i>unaudited</i>	7,025,032	4,912,400	11,937,432
<i>Add: Revenues/Other Sources:</i>	8,257,134	603,298	8,860,432
<i>Transfers In- SWOF</i>	0	1,886,800	1,886,800
	8,257,134	2,490,098	10,747,232
<i>Less: Expenditures/Reserves:</i>	7,178,379	318,353	7,496,732
<i>Transfers Out - OPCC</i>	1,886,800	0	1,886,800
<i>Carry Over Encumbrances</i>	1,150	0	1,150
	9,066,329	318,353	9,384,682
<i>Net Operating Budget</i>	-809,195	2,171,745	20,131,914
<i>Add back:</i>			
<i>Capital Outlay - Equipment Replacement reserves set asides</i>	170,159	0	170,159
<i>Layon Reserves</i>	50,000	0	50,000
Total Net change in Fund Balance	-589,036	2,171,745	1,582,709
Ending Fund Balance, December 31, 2023 (unaudited)	6,435,996	7,084,145	13,520,141

Solid Waste Operations Fund
 Operating Balance Sheet
 As of December 31, 2023 and September 30, 2023
 (Unaudited)

	As of 31-Dec-23	As of 30-Sep-23	Change	% Change
ASSETS				
Cash and cash equivalents, unrestricted	4,675,125	5,689,017	-1,013,892	-18%
Cash and cash equivalents, restricted	537,761	5,963,590	-5,425,829	-91%
Investments, Restricted	7,103,297	0	7,103,297	
Receivables, net:		0		
Tipping Fees	3,686,828	4,206,301	-519,473	-12%
Due from other funds		0		
Due from component units		0		
Deposits and other assets		0		
Total assets	<u>16,003,011</u>	<u>15,858,908</u>	<u>144,103</u>	1%
LIABILITIES AND FUND BALANCES (DEFICIT)				
Liabilities:				
Accounts payable	0	0	0	
Accrued payroll and other	1,231,381	1,625,284	-393,903	-24%
Due to component units	0	0		
Due to other funds	1,203,313	2,248,015	-1,044,702	-46%
Deferred revenue	0	0	0	
Deposits and other liabilities	48,177	48,177	0	
Total liabilities	<u>2,482,871</u>	<u>3,921,476</u>	<u>-1,438,605</u>	-37%
Fund balance (deficit):				
Restricted, OPCC	7,084,145	4,912,400	2,171,745	44%
Committed	0	0	0	
Assigned	6,435,996	7,025,032	-589,036	-8%
Unassigned	0	0	0	
Total fund balance (deficit)	<u>13,520,141</u>	<u>11,937,432</u>	<u>1,582,709</u>	13%
Total liabilities and fund balances (deficit)	<u>16,003,011</u>	<u>15,858,908</u>	<u>144,103</u>	1%

Note:

This report is based on preliminary month end numbers and is subject to change based on DOA updates and accounting adjustments.

Operating Budget Revenues, Expenditures

As of December 31, 2023

Unaudited

	FY2024 Actuals to Date	FY2023 Actuals to Date	Variance	% Increase (Decrease)
Revenues:				
Commercial Fees (Large)	3,943,092	2,434,439	1,508,653	62.0%
Others - Government/Commercial Fees	560,063	199,866	360,197	180.2%
Residential Collection Fees (net 3%)	1,959,213	1,981,041	(21,828)	-1.1%
Host Community Fees	124,463	83,707	40,756	48.7%
Other Revenues	115,994	107,383	8,611	8.0%
Interest Income/Gains/Losses	103,766	303	103,463	34146.2%
Prior Year Revenues	0	21,185	(21,185)	-100.0%
Total Revenues	6,806,592	4,827,924	1,978,667	41.0%
ARPA Budget Allocation	1,453,839	980,083	473,756	48.3%
Transfers In- Reimb from Cell 3	0	0	0	0.0%
Transfers In - Recycling Revolving Fund	100,000	100,000	0	n/a
Total Other Resources/Transfers In	1,553,839	1,080,083	473,756	43.9%
Total Revenues/Other Resources/Transfers In:	8,360,431	5,908,006	2,452,423	41.5%
Expenditures by Object:				
Salaries and wages - regular	633,872	450,332	183,540	40.8%
Salaries and wages - overtime	70,244	56,028	14,216	25.4%
Salaries and wages - fringe benefits	252,449	182,978	69,471	38.0%
	956,565	689,338	267,227	38.8%
Contractual services:				
Layon Operations	966,270	980,083	(13,813)	-1.4%
Layon Others	142,722	190,278	(47,556)	-25.0%
Harmon Hauler Station Operations	945,982	883,949	62,033	7.0%
Ordot Postclosure care (OPCC)	318,353	652,930	(334,577)	-51.2%
Recycling/Other Programs	81,074	279,143	(198,068)	-71.0%
GEPA Appropriation	0	0	0	0.0%
Contractual Employees	282,809	488,134	(205,325)	-42.1%
Vehicle Maintenance	57,764	319,958	(262,195)	-81.9%
PUC/Legal Expenses	110,000	102,575	7,425	7.2%
Other Contractual	73,459	72,903	557	0.8%
Total Contractual	2,978,432	3,969,951	(991,518)	-25.0%
Receiver	166,909	159,602	7,307	4.6%
Travel	8,366	7,542	823	0.0%
Supplies	118,499	160,852	(42,353)	-26.3%
Vehicle Supplies	92,176	0	92,176	n/a
Worker's compensation	0	0	0	0.0%
Drug testing	262	564	(301)	-53.4%
Equipment	0	15,242	(15,242)	-100.0%
Utilities - power	24,462	23,697	765	3.2%
Utilities - water	2,966	2,173	793	36.5%
Communications	14,137	14,851	(714)	-4.8%
Capital outlays	1,453,839	0	1,453,839	n/a
Miscellaneous	74,643	102,946	(28,303)	-27.5%
Reserves	0	0	0	0.0%
Transfers to Host Community Fund	124,463	83,707	40,756	48.7%
Transfer out to General Fund (Debt Service), Cell 3 Expens	762,000	761,354	646	0.1%
Other Expenditures	2,675,813	1,172,929	1,502,886	128.1%
TOTAL EXPENDITURES:	6,777,721	5,991,821	785,902	13.1%
Excess (deficiency) of revenues over (under expenditures)				
Other financing sources (uses),	1,582,709	-83,818	1,666,527	-1988.3%
Transfers in from other funds	0	0	0	
Transfers out to other funds	0	0	0	
Total other financing sources (uses), net	0	0	0	
Net Change in Fund Balance:	1,582,709	-83,818	1,666,527	-1988.3%
Beginning Fund Balance, 09-30 (unaudited)	11,937,432	10,190,449	1,746,983	17.1%
Ending Fund Balance, December (unaudited)	13,520,141	10,106,631	3,413,510	33.8%

Note:

This report is based on preliminary month end numbers and is subject to change based on DOA updates and accounting adjustments.

TYPHOON MAWAR
Typhoon related Revenues and Government Reimbursement
May 29, 2023 to December 2023

Site	Period	May 29 to June 30	July	August	September	FY2023 Total	October	November	December	FY2024 Total	Grand Total
DPW Typhoon Waste/Sites	06/05 to 09/30	161,280.77	97,222.85	19,359.79	84,876.87	362,740.28	106,088.27		53,263.94	159,352.21	522,092.49
Mayor's Typhoon Waste	05/29 to 06/30	10,024.98	0.00	0.00	0.00	10,024.98	0.00		0.00	0.00	10,024.98
Commercial Typhoon Waste	05/29 to 06/30	272,871.07	0.00	0.00	0.00	272,871.07	31,644.65	9,418.89	0.00	41,063.54	313,934.61
Residential Typhoon Waste	05/29 to 06/11	0.00	628,300.00	0.00	0.00	628,300.00	0.00		0.00	0.00	628,300.00
Residential Transfer Stations	05/29 to 06/11	0.00	77,550.00	0.00	0.00	77,550.00	0.00		0.00	0.00	77,550.00
PFM/Commercial	08/04 to 09/30	0.00		23,782.79	45,574.02	69,356.81	340,977.15	110,584.80	0.00	451,561.95	520,918.76
ECC/Commercial	08/04 to 09/30	0.00	0.00	383,218.49	224,404.90	607,623.39	318,599.04	438,983.50	0.00	757,582.54	1,365,205.93
Typhoon Revenues/Reimbursement Grand Total:		444,176.82	803,072.85	426,361.07	354,855.79	2,028,466.53	797,309.11	558,987.19	53,263.94	1,409,560.24	3,438,026.77

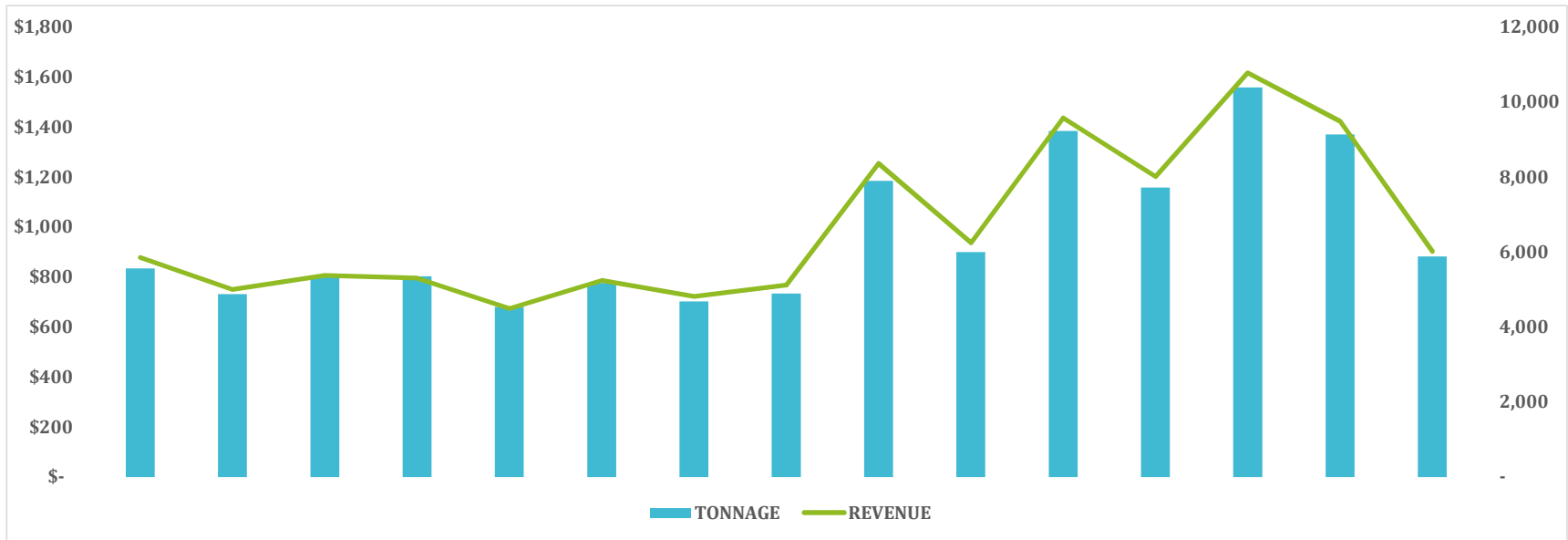
FEMA APPLICATION Project # 728981
TYPHOON MAWAR Emergency Protective Measures

Layon Operator Excess Tonnage	150,266
Hauler Only Transfer Station Excess Tonnage	153,230
Overtime Labor	16,486
Total Actual Costs:	<u>319,982</u>
Estimated Costs:	
Layon Operator Excess Tonnage	266,915
Debris monitoring overtime	33,043
	<u>299,958</u>
Total Projected Costs:	<u>619,940</u>
90% FEMA Share	557,946
10% GSWA Share	61,994
Net Funds to GSWA:	<u>557,946</u>

**Commercial/Military Revenue & Tonnage
Period October 2022 - December 2023**

Fifteen (15) months

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC
TONNAGE	5,562	4,874	5,333	5,350	4,536	5,169	4,683	4,889	7,898	5,994	9,225	7,717	10,388	9,130	5,881
REVENUE	\$ 879	\$ 750	\$ 806	\$ 796	\$ 674	\$ 786	\$ 722	\$ 768	\$ 1,254	\$ 937	\$ 1,436	\$ 1,202	\$ 1,617	\$ 1,424	\$ 903



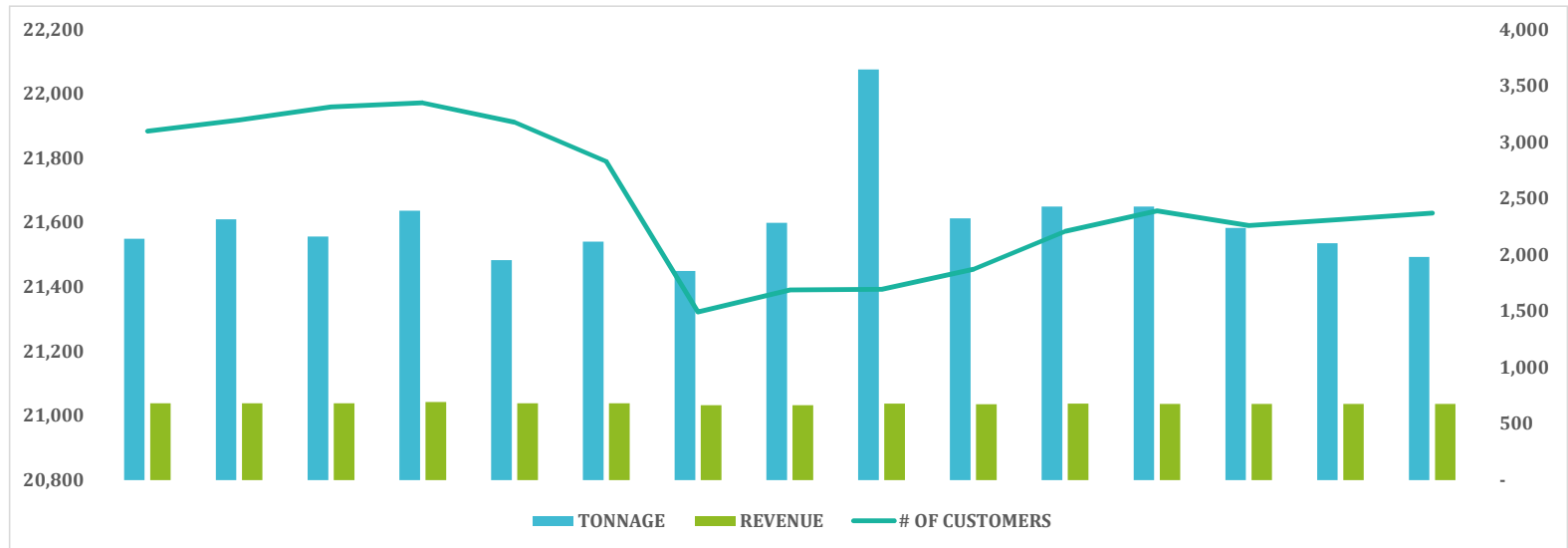
Note:

October 2023, November 2023 and December 2023 includes Typhoon Mawar Revenues of \$797k, 559k and 53K, respectively.

Residential Revenue & Tonnage
Period October 2022 - December 2023

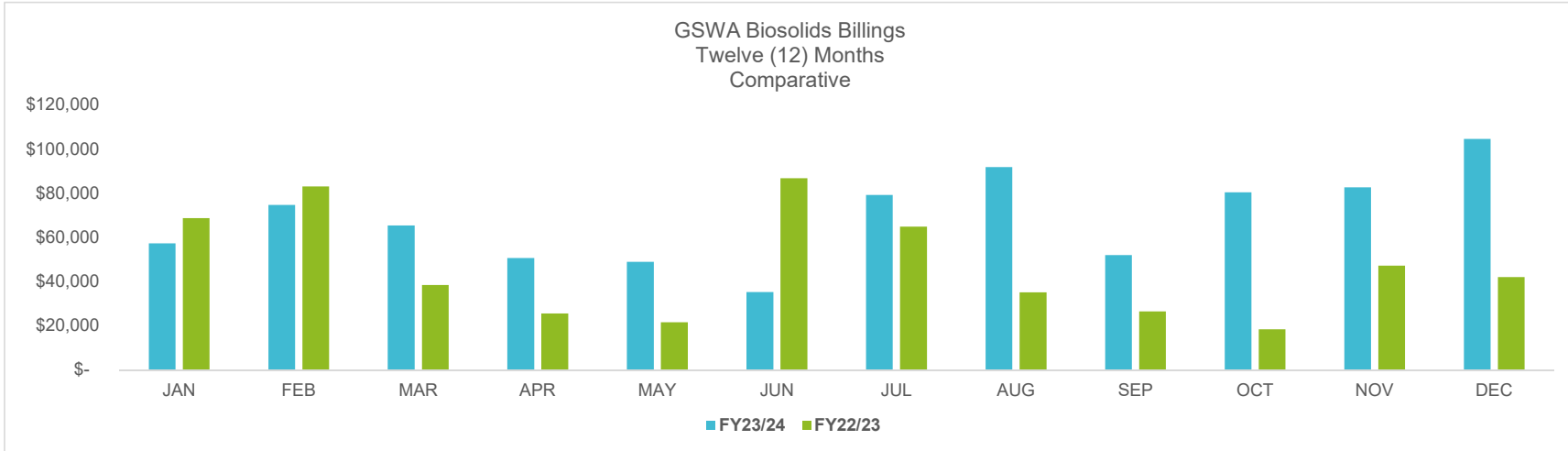
Fifteen (15) months

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC
TONNAGE	2,141	2,314	2,160	2,389	1,951	2,114	1,854	2,281	3,643	2,323	2,428	2,428	2,236	2,102	1,978
REVENUE	\$ 681	\$ 680	\$ 681	\$ 690	\$ 681	\$ 679	\$ 663	\$ 664	\$ 678	\$ 672	\$ 677	\$ 673	\$ 674	\$ 673	\$ 674
# OF CUSTOMERS	21,884	21,919	21,960	21,972	21,912	21,790	21,322	21,391	21,393	21,455	21,573	21,636	21,591	21,610	21,630



**Guam WaterWorks Authority Biosolids
Billings Comparative
Twelve (12) Months Comparative**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
FY23/24	\$ 57,200	\$ 74,600	\$ 65,312	\$ 50,589	\$ 48,860	\$ 35,164	\$ 79,091	\$ 91,761	\$ 51,868	\$ 80,266	\$ 82,601	\$ 104,520
FY22/23	\$ 68,668	\$ 82,964	\$ 38,424	\$ 25,468	\$ 21,457	\$ 86,755	\$ 64,783	\$ 35,015	\$ 26,430	\$ 18,316	\$ 47,135	\$ 41,967



Stockpile of sludge in a temporary drying bed that will likely be disposed during this fiscal year estimated to be around \$340,000.

We are expecting an estimated decrease between 50% to 70% of the Northern District plant for the remainder of the fiscal year.

KEY INDICATORS
As of December 30, 2023

Indicators	Target	Sep-23	Oct-23	Nov-23	Dec-23
Days in Cash	90	72	67	76	77
Collection Ratio					
* Month to Date	98%	99%	79%	126%	124%
* Year to Date	98%	94%	79%	101%	107%
Account Receivable Days	60	73	79	66	58
Account Payable Days	45	47	48	40	Pending
Residential Customers	21,691	21636	21591	21610	21630
Trucks Procured/Purchased - FY2022	3	3	3	3	3
Trucks Procured/Purchased - FY2023	10	7	7	7	7
Plastic	5%	0%	0%	0%	0%
Contamination Rate	25.0%	100%	100%	100%	100%

**Revised Special Report of the Receiver
to the Board of Directors of the Government of Guam
Guam Solid Waste Authority**

**Ordot Dump Post Closure Operations Information
*United States of America v. Government of Guam (Civil Case No. 02-00022)***

Prepared for:



Submitted by:



Gershman, Brickner & Bratton, Inc.
8300 Boone Boulevard, Suite 500
Vienna, VA 22182

For the U.S. District Court of Guam



October 23, 2023
REVISED January 16, 2024

Please Print on Recycled Paper

**Revised Special Report of the Receiver
to the Board of Directors of the Guam Solid Waste Authority¹**

**Ordot Dump Post Closure Operations Information
in Connection with the Consent Decree in
United States of America v. Government of Guam in Civil Case No. 02-00022**

A. The Reason for this Special Report

During the recent months, the Receiver, at the direction of the Court, has been working with the Parties (GovGuam, GSWA, GEPA, USEPA, and DOJ) to address and resolve open issues regarding the Consent Decree and to develop a plan to terminate the Receivership. This special report is intended to respond to questions that have arisen at meetings of the Board of Directors of the Guam Solid Waste Authority (“GSWA”) and to clarify the record regarding certain matters discussed at previous Board meetings.

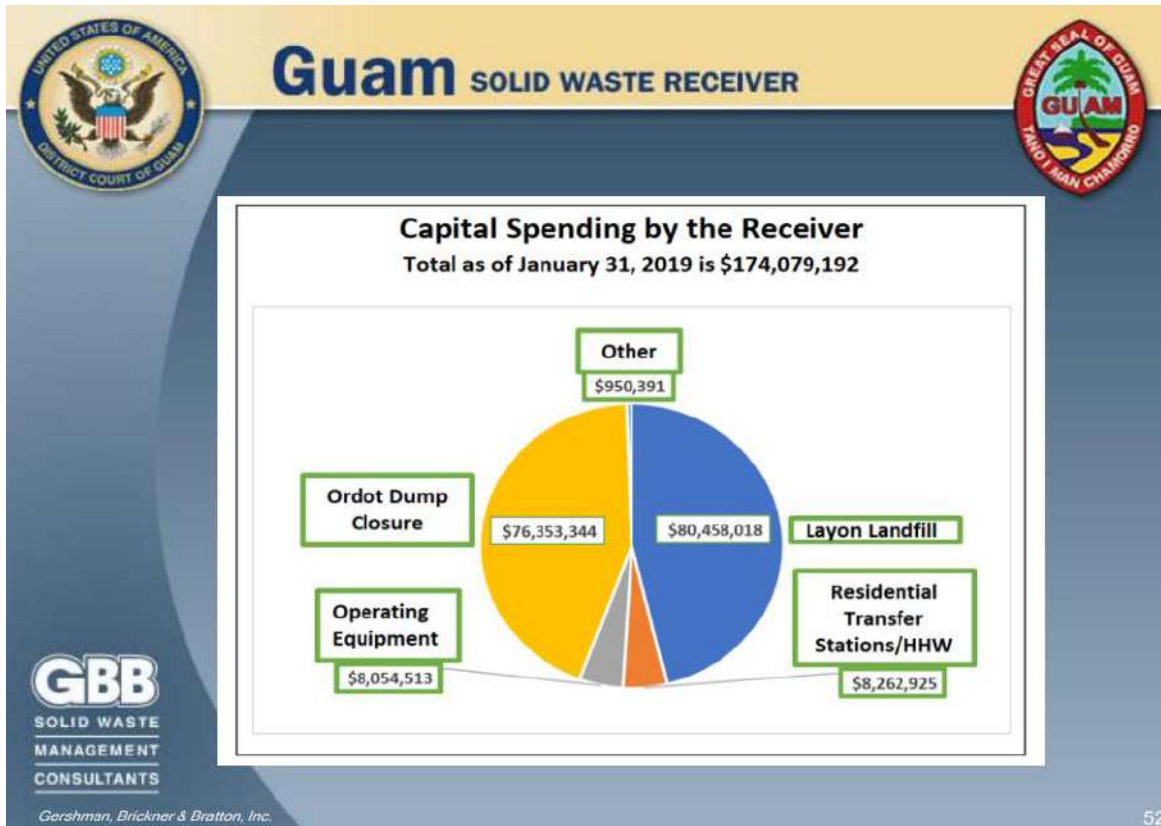
The Receiver continues to work diligently and skillfully in the interests of the people of Guam regarding the Guam solid waste management system. The remaining tasks of the Receiver include: the completion of ongoing investigations into changed conditions at the closed Ordot Dump (“Dump”) and submitting or causing the submittal of other Party’s administrative and legal filings, ultimately leading to the transfer of the Dump and its operations and maintenance to GSWA.

By way of background, the Receiver caused the Dump to be closed to receiving municipal solid waste on August 31, 2011. After the new fully compliant Layon landfill was completed under the direction of Receiver. For over 50 years (and possibly longer), the Dump, which had no controls to prevent the spread of leachate, was being operated without regard for its environmental impacts (some of which violated environmental laws). The mitigation of those adverse impacts began and has continued since the Receiver took over its operations in 2008. The Dump stopped receiving solid waste in 2011, at which time the Receiver proceeded with design/permitting and construction of the facilities needed to close the Dump so that it would comply with current laws and regulations. Construction of the closure facilities was completed in March 2016, and the construction management contractor then began operating and maintaining the Dump until a contractor for operations and maintenance was engaged through a public procurement and began the initial seven-year term of the contract on June 1, 2018.

To date, under the Receivership, over \$174 million in expenditures have been devoted to various projects to fix, upgrade, and develop new facilities and processes for the Guam solid waste management system.

¹ This version of the Special Report Originally submitted October 23, 2023, has been revised to address comments on that document provided to the Receiver, and to add updates about significant developments since October 23, 2023.

The following slide from the Receiver's presentation to the Court on March 6, 2019,² summarizes those capital expenditures.³



B. Responses to Questions Raised

1. ***Why did the Receiver structure the procurement of the Ordot Dump Closure Facility operations and maintenance contract with one party and not split it up into parts?***

Procuring the operations and maintenance contract scope of services as one contract provides for the opportunity of economies of scale in shared labor and equipment resources for efficiency and greater opportunity for lower cost of operations and maintenance. However, the RFP was structured to give the Receiver the flexibility to opt to select different proposers for different portions of the work instead of awarding it to one proposer. It was clear from the proposals received that the bidders' proposal structures relied on getting the entire work in the RFP and not splitting the work with another contractor.

² <https://www.guamsolidwastereceiver.org/pdf/1865.pdf> at slide 52.

³ The Receiver maintains a web page (www.guamsolidwastereceiver.org) that explains the Receivership and includes all the reports that the Receiver has presented to the Court.

2. How many proposals were submitted to the Receiver in response to the Ordot Dump Closure Facility operations RFP when issued in June 2017?

The RFP was initially issued in June 2017. After no responses were received to the initial solicitation, the Receiver conducted a competitive negotiation process in September 2017, and invited six (6) entities to participate in the competition for the work. Those entities were:

- Brown and Caldwell
- EA Engineering, Science and Technology, Inc. PBC.
- GGH Corp.
- Guahan Waste
- Galaide Professional Services, Inc.
- LMS (Landscape Management Systems)

Only two (2) of the above entities submitted proposals.

3. How have the Ordot Dump Closure Facility operator's (Brown and Caldwell) base contract costs changed from the beginning of its contract and why?

Initially, it was expected that there would be a decrease in monitoring costs following the quarterly monitoring needed to establish baseline groundwater standards for the site. In 2018, USEPA replaced its technical consultant following a dispute between USEPA and GEPA. The new USEPA technical consultant advised that more monitoring be performed, which increased the expenses of the project. The changes to the sampling included:

- i. Requiring all quarterly groundwater sampling to be performed for at least an additional eight (8) quarters, *i.e.*, two (2) years;
- ii. Increasing the analyte list that was to be sampled and analyzed at the laboratory;
- iii. Increasing the number of groundwater wells to be sampled by 40% (an additional four (4) wells); and
- iv. Requiring additional quality assurance protocol levels not previously required by the prior consultant.

Costs also increased significantly during and since the COVID-19 pandemic for shipping samples as the result of significant logistics delays, requiring in some cases resampling efforts. Typhoon events and other heavy weather events, or conditions unplanned for in normal operations, also increased costs. The addition of the Soil Vapor Extraction (SVE) program also increased costs. There have also been some decreases in costs resulting from: the early completion (by two (2) years) of the wetland monitoring program required by the Army Corps of Engineers for the successful establishment of wetland vegetation. Also, in 2023, the quarterly groundwater well monitoring was reduced in frequency to semi-annual monitoring. These additional costs and others to the scope of services for the contractor resulted in

change orders which amounted to a total of approximately \$1,928,719.42 over the initial five (5) years of the contract.⁴

The Receiver has been diligent in tracking and managing expenses and costs resulting in annual savings. Also, the Receiver incorporated a segmented annual inflation escalation methodology in the Brown and Caldwell contract using blended indices that resulted in savings of over \$1 million over the past five (5) years. The table below compares actual adjusted base contract values to what the base contract costs would have been if a 100% CPI adjustment were applied.

Contract Year		Base Contract Value	Annual Inflation Escalation (based on blended Indices)	Contract Costs if Annual CPI Applied	Actual Annual Inflation Adjustment Difference
2018-2019	Year 1 (Adjusted Price)	\$ 800,732		\$ 800,732	
2019-2020	Year 2	\$1,270,536	2.35%	\$1,263,122	2.95%
2020-2021	Year 3	\$1,122,067	1.41%	\$1,280,932	-11.69%
2021-2022	Year 4	\$1,137,452	2.77%	\$1,316,414	1.37%
2022-2023	Year 5	\$1,169,360	7.75%	\$1,418,436	2.81%
2023-2024	Year 6	\$1,053,258	4.78%	\$1,486,237	-9.93%
Total		\$6,553,405		\$7,565,873	

4. What are the inflation adjustments in the Ordot Dump Closure Facility operator contract based on and why?

The inflation adjustments required in the Ordot Dump Closure Facility operator contract apply to the following expenses (collectively referred to as the “LEF Expenses”):

- Labor expense
- Equipment expense; and
- Fuel expense.

⁴ The additional work and services required included, but were not limited to: hardening of leachate collection and secondary containment; biological assessment; emergency Services required before, during and after typhoons; heavy weather response support; Pond 1 embankment repair; tree removal; enhanced LCRS monitoring; non-scope water sampling; additional maintenance allowance; facility topographic survey; perimeter access road repair; stormwater swale repair; gate valve replacement in WLIT; environmental monitoring; leachate flow study; leachate surface discharge study; and seep monitoring.

The LEF Expenses are adjusted based on the Employment Cost Index (ECI) for Labor (Category: Production, Transportation, and Moving Material)⁵, the Construction Machinery & Equipment category of the Producer Price Index (PPI),⁶ and the Gasoline Fuel Series PPI from the U.S. Bureau of Labor Statistics.⁷ The contract adjustment methodology was used to reflect the cost drivers more accurately for post closure care operations than would a holistic and generalized cost index for the everyday consumer.

5. *When leachate quantities at the Ordot Dump Closure Facility were increasing after 2018, what was the Receiver doing about it?*

In 2017, even before the leachate quantities began increasing in 2018, the Receiver initiated a root-cause analysis to be developed in response to an isolated overflow event. The analysis included an evaluation to confirm leachate system design capacity. Also in 2017, USEPA noted that leachate volumes appeared to be exceeding the closure design established for the leachate collection and removal system (“LCRS”) and requested a re-evaluation of design in a root-cause analysis. From late 2017 through June 2018, the Receiver worked to put in place additional measures to minimize the potential for releases from the LCRS system, such as procuring a Supervisory Control and Data Acquisition system (“SCADA”). Also, the Receiver continued to gather data to report on LCRS Capacity through late 2018, to comply with USEPA’s November 2017 request. The first draft of the root cause analysis was completed in November 2017. Thereafter, the report was expanded to include an LCRS Capacity Evaluation.

The first draft of the expanded analysis was completed in November 2018. Following comments received from USEPA and ongoing consultation, a second draft of LCRS Capacity Evaluation report was submitted in February 2019. USEPA, having maintained close consultation with the Receiver, which was providing leachate generation data for discussion, issued comments to the February 2019, Draft of the LCRS Capacity Evaluation. USEPA’s comments were addressed in a March 22, 2019, revised version of the LCRS Capacity Evaluation report in which the data gathered and evaluated to date indicated the facility design capacity was adequate to manage the anticipated design flows, which included anticipated clean groundwater entering the system. Additionally, the report identified possible recommendations for reducing the groundwater entering the system. The USEPA directed that further data be collected on the leachate system.

Additional data continued to be collected from mid-2019 through early 2022, on leachate flow and precipitation as part of routine facility operations to further understand trends. In May 2022, USEPA began to engage the Receiver to discuss the apparent increasing trend in leachate volumes and approaches to further the investigation, which continued until October 2022, and led to the November 2022 joint site investigation. Also, in 2022, a significant leak was detected in the Guam Water Authority (“GWA”) pipe adjacent to the Dump near Dero Road. The leak was upgradient to the Dump, which caused it to flow under the Dump site. During this entire time, from September 2018 through October 2022,

⁵ <https://fred.stlouisfed.org/series/CIS2020000500000>

⁶ <https://fred.stlouisfed.org/series/WPU112>

⁷ <https://fred.stlouisfed.org/series/WPU0571>

there were no documented releases of leachate or leachate-contaminated groundwater from the facility. From November 2022 through present, the Receiver conducted an investigation into the increasing trend of leachate through December 2022 and then the subsequent correlation of a significant decrease in average monthly leachate flows since the GWA water main repairs in late December 2022. Since then, the Receiver continues to gather data and is reporting this data regularly to GSWA, GEPA and US EPA.

6. How significant are the leachate releases that have occurred at the Ordot Dump Closure Facility?

Relative to the total amount of leachate that has been collected and treated from the Ordot Facility, the leachate releases were insignificant. There were four (4) separate leachate release events since the Dump closure. The table below summarizes the leachate releases in comparison to the total volume of leachate collected and treated during the year of the release. The two largest releases resulting from Typhoon Mawar and Typhoon Manghut represented at most 0.1% and 0.3% of the leachate flows in those years.⁸

Release Event Date	Estimated Release (Gallons)	Total Annual Flow (Gallons)	Percentage of Release relative to total Annual flow
Sept. 13, 2017	6,000	8,500,000	0.07%
Oct. 18, 2017	7,300	8,500,000	0.09%
Sep. 11, 2018 (Typhoon Manghut)	40,000 – 50,000	18,400,000	0.2 – 0.3%
May 25, 2023 (Typhoon Mawar)	9,000 – 43,000	32,000,000*	0.03 – 0.1%

* This total is one year from June 2022 – May 2023.

The Sept. 2017 release was caused by a pipe break at the pump station resulting from a contractor’s maintenance work and the release was immediately secured. The Oct. 2017 release was the result of a combination of a power outage and the backup generator running out of fuel, with no one being able to reach the facility in time due to a workforce shortage. These issues have since been mitigated through additional staff redundancy and the installation of controls to remotely monitor and manage the system. In Sept. 2018, the system was overwhelmed by the high flows from Typhoon Manghut, well beyond the design capacity of the system. There was also a pipe mechanical joint failure that contributed to the issue which has been corrected. In May 2023, the system again came under extreme conditions during Typhoon Mawar, which tripped off the power to the pumps. The Receiver is in the process of hardening the system so that this type of event does not occur again. The goal is to have zero releases, and the Receiver’s team has reduced the chance for combinations of events to cause releases and will continue to look for added changes to the system to increase its resilience to extreme adverse conditions.

⁸ It should be noted that “0.3%” is equal to .003, which is three (3) thousandths of the total yearly flow, a very small portion of the total.

7. Why do leachate flows temporarily increase when rainfalls occur?

It is normal for groundwater levels to rise in response to precipitation events. The Dump is an unlined landfill with municipal solid waste materials resting on the bedrock surface. As the water table rises in response to precipitation, this groundwater potentially contacts the waste and leachate, picking up contaminants. The leachate collection trenches included in the design of the closure took this into account and were properly sized to collect this leachate. The design expected that leachate volumes would increase as a response to seasonal precipitation changes and storm events, and would have to be collected and treated as leachate.

8. What were the historical Brown and Caldwell costs for operating the Ordot Dump Closure Facility in the post-closure period? What major changes did USEPA/GEPA require to be made? What were the additional costs for complying with those changes?

The chart below lists the Brown and Caldwell operations costs for the first six (6) contract years. Note that although the costs increased significantly between years one and two, since then the costs remained relatively flat or slightly decreased and they always remained below the year two (2) level, as shown below.

Year 1*	Year 2	Year 3	Year 4	Year 5	Year 6
2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024
\$800,732	\$1,270,536	\$1,122,067	\$1,137,452	\$1,169,360	\$1,053,259

*The Ordot Dump Post-Closure Care operating year is June 1 to May 31.

The major additions that USEPA required are addressed in the response to question No. 3. The cost for complying with the additional requirements and changes, which are primarily related to additional data gathering for the purposes of complying with the Consent Decree as interpreted by USEPA, differ from year to year depending on the myriad of requirements and direction given year to year to the Receiver by the USEPA to gather more information. For example, when USEPA's new consultant came on board in 2018, new monitoring requirements increased the cost of operation by about \$400,000 between Years 1 and 2 accounting for much of the overall increase in cost between those years. While some initial requirements dropped off, it was not until Year 6 operations that groundwater monitoring is now aligned with most landfills for monitoring frequency with semi-annual events.

9. Why did the Receiver have additional Ordot Dump post-closure cost estimates prepared in 2022 that range from \$56 million to \$87 million?

During 2021 and 2022, the costs for operating the Ordot Dump Post-Closure Facility had significantly increased and the post-closure account fund balance was declining much faster than the deposits account increased. The increased costs were primarily driven by the increased quantities of leachate collected and pumped to GWA for treatment. The large quantities combined with the high GWA treatment rate were the primary reasons the projections were so much greater than earlier estimates. The projections estimated the post-closure operating cost through 2046, the end of the 30-year post-closure period, using

escalation rates based on recent experience. Separate escalation rates were used based on current experience for inflation, power purchases, and leachate treatment. The escalation rate for leachate treatment was over 6%, based on recent GWA rate experience. As required by regulation, if significant changes in costs are experienced, the cost estimate should be updated in advance of the five-year update requirement. In 2021, the official post-closure cost in the Ordot Dump Facility operating permit prepared by the Receiver was approximately \$28 million (2021\$). The updated projections shared with the parties in June 2022 had revised cost estimates ranging from \$56 million to as high as \$87 million. These projections were prepared with the assistance of PFM Financial Advisors LLC (PFM). The primary reasons these estimates were so much greater than the 2021 estimate were:

- i. Increasing leachate quantities year over year since 2018;
- ii. The then high rate charged for leachate treatment;
- iii. The high escalation rate assumption on future rate increases for leachate treatment; and
- iv. The need for additional groundwater monitoring requirements as directed by USEPA.

Since the time the GWA leaks were fixed (late December 2022), leachate treatment volumes have continued to decline. Additionally, in August 2023, the Guam Public Utilities Commission approved a reduced specific rate for leachate treatment which is significantly lower than the previous rate, effective August 1, 2023. With this new information and reduction in leachate treatment rate, the Receiver estimates that Ordot Facility costs for calendar year 2023 will be approximately \$1.15 million, rather than over \$2 million per year previously experienced, and results in the cost of post-closure (through 2046) to be closer to the Receiver's 2021 estimate of approximately \$28 million.

These projections were also used to calculate alternative monthly payments that would fully fund these higher post-closure cost projections. At that time, the Receiver was presenting alternative approaches for funding and financial assurance to the Parties.

10. *What is the Receiver's current estimate for 2023 costs to operate the Ordot Dump Closure Facility? 2024?*

For Operational Year 2023-2024, the estimated costs to operate the Ordot Dump Closure Facility is \$1,053,258.95. The Operational year for Ordot is June 1 through May 31.

11. *For Operational Year 2024-2025, the estimated costs to operate the Ordot Dump Closure Facility have not been developed at this time but active ongoing discussions are proceeding apace to have a budget developed in April of 2024. What is the Receiver's estimate of:*

i. The inflation payments that GSWA will be required to make for 2023, 2024, and 2025?

The USEPA has directed the Receiver during the Meet & Confer discussions that at the time the current monthly payments by GSWA to the Ordot Dump Post-Closure fund ends, in August 2026, as ordered by the Court, GSWA would be required to make a balloon payment of the then calculated Ordot Dump Post Closure amount to fully fund the Trust Fund. And, in calculating that amount, the 2021 Post Closure Cost estimate (\$27,740,327) would continue to be increased by the escalation rate required in the Closure Permit, *i.e.*, the Gross National Product Deflator Index, and an annual inflation payment will be required to be made to the Ordot Dump Post-Closure Trust Fund. The Receiver has prepared the following calculations which present the actual values of the inflation payments for 2022 and 2023 which USEPA and GEPA directed be made and the Court has ordered be made.⁹ (It is, of course, not possible to accurately predict future inflation rates.) The table also includes PFM’s estimate of future inflation payments GSWA would be required to make based on multiplying the estimated GNP Deflator value to the most recent escalated Post Closure Cost. USEPA’s method uses the increasing values for the Post Closure Cost as the years of the post-closure period move forward. (Note: The Receiver has asked that the Post Closure Cost be adjusted based on current experience and the number of years left in the post-closure cost period, *i.e.*, a decreasing number of years. USEPA has stated that it is premature to use this approach until more data and time goes by to observe the effect of the GWA leak fixes and the results of the seeps and leachate analysis.)

Year	Post Closure Cost Estimate As Inflated	GNP Deflator	Inflation Payment
2021	\$27,740,327		
2022	\$29,436,343	6.114%	\$1,696,016*
2023	\$31,322,256	6.407%	\$1,885,913*
2024	\$33,044,980	5.500%**	\$1,722,724**
2025	\$34,532,004	4.500%**	\$1,487,024**
2026	\$35,913,284	4.000%**	\$1,381,280**

* Payments already made by GSWA.

**Estimated by PFM.

ii. The balloon payment GSWA would be required to make to fully fund the Ordot Dump Closure Facility post closure Trust Fund when the current monthly payments end in August 2026?

With PFM’s assistance, the Receiver has also estimated the balloon payment amount using USEPA’s methodology for calculating the inflation payment and estimating interest income and updated increasing post-closure cost estimate, as inflated. The table below presents those calculations and shows that the

⁹ ECF 1992 (Order Post-May 10, 2023, Status Hearing) at pp. 2 & 3.

balloon payment, if made in 2026, following the end of the currently court-ordered monthly payments in August 2026, to be \$19,562,242.

Ordot Dump Trust Fund Status Projection Model (As of September 28, 2023)

		2023	2024	2025	2026
Trust Fund Beginning Balance		\$ 4,118,900	\$ 8,608,133	\$ 11,622,253	\$ 14,443,369
Credits					
	GSWA Monthly Payments through August 2026	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 1,333,333
	GSWA Inflation Payments**	\$ 3,561,734	\$ 1,722,724	\$ 1,487,024	\$ 1,381,280
	GWA Credit Payment(s)***		\$ -		
	Interest Income (estimated)	\$ 85,229	\$ 338,512	\$ 420,681	\$ 320,609
Total, Credits		\$ 5,646,963	\$ 4,061,236	\$ 3,907,705	\$ 3,035,222
Debits					
	Annual Post Closure Costs (Updated Receiver Estimate, inflated*)	\$ 1,157,730	\$ 1,047,117	\$ 1,086,589	\$ 1,127,548
Trust Fund Ending Balance		\$ 8,608,133	\$ 11,622,253	\$ 14,443,369	\$ 16,351,042
	Post Closure Cost (2021 value increased by annual GNP Price Deflator)	\$31,322,256	\$ 33,044,980	\$ 34,532,004	\$ 35,913,284
	GSWA Balloon Payment	\$ 22,714,122	\$ 21,422,727	\$ 20,088,635	\$ 19,562,242

Key: Real Values Estimates

	2023	2024	2025	2026
*Inflation Applied to Annual Post Closure Costs	3.77%	Based on the average Guam CPI Annual Percent Change (2001-Q1 2023)		
**GNP Price Deflator Assumption (per year)		5.50%	4.50%	4.00%
*** No credit has been included for additional amounts the Receiver has claimed are owed by GWA, currently estimated at \$2,650,222. Such GWA payments would result in lowering the balloon payment.				

12. Why can't the Receivership end sooner rather than later?

The requirements for full termination of the Receivership are complex, and certain tasks must be completed and disagreements among the Parties resolved before the process can be completed. The Court order establishing the Receivership stated the following regarding the termination of the Receivership:

This appointment shall be for the period necessary to achieve compliance with the Consent Decree, unless: (a) The Receiver recommends termination of this Order as no longer necessary, or modification thereof, and said termination or modification is accepted by this court; (b) The Receiver requests to be relieved and such request is approved by this court; (c) This Order is otherwise modified or terminated by this court.¹⁰

Ultimately, it is the Court's decision to order the full termination of the Receivership. The Court has stated that the Receiver is best suited to deal with the tasks associated with the post-closure care plan for the Ordot Dump, which has a remaining significant requirement to be fulfilled in order to achieve compliance with the Consent Decree. Therefore, the Receivership will need to continue in the meantime.

Among the items that must be addressed are:

- i. A trust agreement approved by USEPA and GEPA regarding funds for post-closure care costs needs to be finalized and executed;
- ii. RCRA-compliant post-closure care financial assurance must be provided, which will necessitate certain contracts to be in place before the termination of the Receivership;
- iii. Funds must be transferred from the Ordot Dump Post-Closure Care Reserve Account (managed by the Receiver) to a post-closure cost trust fund for which a bank is trustee;
- iv. The Receiver must determine that GSWA is able and prepared to take over responsibility for the monitoring and supervision of the operator performing post-closure work at the Dump, and complete the technical work relating to the Ordot Dump Post-Closure Care Plan, both of which are currently overseen by the Receiver;
- v. Any services required from consultants and contractors to complete the work must be paid from the Ordot Dump Post-Closure Care Reserve Account managed by the Receiver;
- vi. All remaining contracts to which the Receiver is a party, *e.g.*, the Independent Engineer Contract and the Ordot Dump Operator Contract must be assigned to an appropriate successor;
- vii. The ongoing investigation of seeps at the site, the increase in leachate generation that occurred in 2018-2022, and the identification of possible remedies if needed must be completed; and
- viii. The issues regarding the requirements of the Consent Decree including that all discharges from the Ordot Dump cease and that such cessation be certified must be resolved.

¹⁰ ECF No. 239 (Order Re Appointment of Receivership) at p. 17.

Efforts to resolve these and other issues continue to the present, and the Parties have frequently been meeting and conferring about them as ordered by the Court. The Parties have worked to accomplish tasks and resolve disagreements, although none of the remaining issues is easy to resolve. The Receiver believes that the Parties have generally worked cooperatively and in good faith to resolve them, although that cooperation is being seriously compromised by GovGuam's threat of making a claim against Receiver. The Receiver understands that GovGuam/GSWA's interests may not be fully aligned with those of USEPA, GEPA, and DOJ because of their roles in interpreting and enforcing the Consent Decree. Based on progress to date, Receiver believes that the remaining issue should be resolved without significant delay, if the threatened claim by GovGuam against the Receiver can be resolved.

GovGuam's threat referred to above was revealed In March 2023, when GovGuam requested the Receiver sign a tolling agreement regarding possible claims against the Receiver.¹¹ The Receiver refused to sign the tolling agreement and denied any liability for the alleged claims. See ECF No. 1982 at 2. Furthermore, the Receiver has immunity from liability for the alleged claims pursuant to the Order appointing the Receiver. *Id.* The request and the threatened lawsuit created an obstacle to the Court-ordered Meet and Confer process which is intended to enable the Parties to resolve all issues and the Receivership to perform its work. Because a request that a party sign a tolling agreement is a clear signal that a lawsuit is intended, GovGuam ignored the obvious intent of Section III(B)(4) of the Court Order Appointing the Receiver, before asking the Receiver to sign it, as that provision states:

The Receiver is responsible solely to this court. The Receiver shall not be personally liable for any act done in compliance with this Order. No suit shall be filed against the Receiver without the consent of the court.

ECF No. 239 at pp. 17-18.

In addition, on December 1, 2023, Kelley Drye, GovGuam's counsel, served a subpoena on the Receiver demanding the production of numerous documents. There are three major issues posed by GovGuam's threat.

First, as noted above, the threat of a claim has undermined the cooperative relationship between GovGuam and the Receiver that is essential to fully satisfying the requirements of the consent decree. For example, GovGuam has stated that it has had expert reports prepared for the CERCLA Case identifying problems regarding the work performed by contractors for the Receiver. It was essential that GovGuam make the Receiver aware of those reports and share them so that the Receiver could evaluate them and take any necessary corrective action. However, GovGuam refuses to make them available because they

¹¹ A tolling agreement extends the time after which it is too late to file suit. known as the statute of limitations. As a practical matter, a tolling agreement enables a party that believes it may have a claim against another party but is not yet have sufficient information to do so to delay filing without having a suit foreclosed by the statute of limitations. Thus, a tolling agreement is strong evidence of a party's intent to sue the party being asked to sign the agreement.

assert that the reports are not finished and are attorney work product. Thus, GovGuam's threat may have the effect of delaying final compliance with the Consent Decree.

Second, the request for a tolling agreement ignores the requirement that GovGuam obtain the Court's permission before filing a claim against the Receiver, especially given that the order so strictly limits any party's right to sue the Receiver.¹²

Third, given that the Appointment Order requires the Court's permission to file suit against the Receiver, it would have been appropriate and prudent for GovGuam to seek the Court's permission before taking an action that clearly was intended as necessary to factually filing such a claim and indicated that a suit against Receiver was planned. If for no other reason, asking the Court's position might have provided GovGuam with an indication of whether it could file such a suit before engaging in the additional effort it claims is necessary, some of which it apparently has already expended.

Accordingly, GovGuam's threat to sue the Receiver, which it has not withdrawn, undermines the trust and confidence necessary to share information and work together transparently and cooperatively, which is what is needed to enable the Receiver to finish its remaining tasks expeditiously.

13. *What is the Receiver doing now to prepare GSWA for transition of Ordot Dump Closure Facility responsibilities?*

In September 2023, the GSWA Board of Director Chair Andrew Gayle and members of the Receiver team met and agreed that GSWA and the Receiver would find ways to work more closely now to help prepare GSWA for the eventual ending of the Receivership and transfer of those duties, as follows:

- i. The Receiver would attend all future GSWA Board meetings and report on the status of the Ordot Dump Post-Closure matters, of which this Special Report is an example.
- ii. Chris Lund, Receiver Representative in charge of the Ordot Dump Post-Closure Facility, would work with GSWA.
- iii. Irv Slike, GSWA's General Manager, will review the operating costs of the Ordot Dump Post-Closure Facility and explore areas where costs reductions can be implemented under the Brown & Caldwell Operations Contract for this coming year and the next, the last two (2) years of the initial seven (7) year term contract.
- iv. If GSWA would like the Operations Contract re-procured and not extend the Brown & Caldwell contract, the Receiver, working closely with GSWA, will initiate the procurement process to select a contractor for future years.

¹² It should be noted that GovGuam, in trying to justify the request for a tolling agreement indicated that the Receiver may have engaged in an act that was not "done in compliance with [the] Order" merely because the actual expenses of implementing the closure and post closure operations of the Ordot Dump were higher than the Receiver's initial estimates. That argument is preposterous, and If it were valid, it would render the Court's grant of immunity to the Receiver essentially meaningless. Even after the Receiver raised this issue, GovGuam refused to ask the Court's permission to file suit and refused to withdraw its request that the Receiver sign the tolling agreement.

- v. The Receiver has been working with the GSWA Controller, Kathy Kakigi, in setting up the new Bank of Guam account that would allow for the earning of higher levels of interest income from the Ordot Dump Post Closure funds. Ms. Kakigi's involvement will make transitioning this account to GSWA easier as well as provide the Receivership with the benefit of her financial experience in selecting the investments for the fund.

The above efforts were initiated in September 2023.

14. What was the financial condition of GSWA when the administration and operations (except for the Ordot Dump Closure Facility) were turned over?

At the GSWA March 23, 2023, Board Meeting, there was discussion regarding the financial condition in which the Receiver left GSWA., when it turned over responsibilities not related to the closure of the Dump.¹³

At the time the Receiver turned over the administration and operations of the Guam solid waste management system to GSWA on April 29, 2019, in connection with the partial termination of the Receivership by the Court, there were significant funds left in various accounts, including reserve accounts, that the Receiver had set up during its administration of the system. As reported in the Receiver's Special Report regarding the transition,¹⁴ the following table lists the bank accounts then controlled by the Receiver, their balances as of January 31, 2019, and the Receiver's recommendation to the Court as to the control of these accounts post-Receivership to the GSWA.

¹³ See link to video at 1:04 time stamp: [GSWA Board Meeting - March 23, 2023, 1:00 PM - GovGuam.tv | Live Stream + Videos Broadcasts for the Government of Guam organizations.](#)

¹⁴ <https://www.guamsolidwastereceiver.org/pdf/1851.pdf> at p. 7.

Bank Accounts Currently Controlled by the Receiver			
Account Name	Bank or Other Financial Entity	Balance January 31, 2019	Recommended Post- Receivership Control
GSWA Utility Account Sweep Account	Bank of Guam	\$ 354,108.66	GSWA
GSWA Utility Account ¹⁰	Bank of Guam	\$ -	GSWA
GBB, Receiver for the Guam Solid Waste Authority	Bank of Guam	\$ 323,870.00	GSWA
Construction Subaccount	Bank of Guam	\$ 13,356.56	GSWA
System Operations and Maintenance Account	Bank of Guam	\$ 1,757,690.65	GSWA
System Surplus Account	Bank of Guam	\$ 1,314,568.11	GSWA
Reserve for Unfunded Expense	Bank of Guam	\$ 413,424.52	GSWA
Host Community Premium Surcharge Account	Bank of Guam	\$ 95.38	GSWA
New Cell Dev Account	Bank of Guam	\$ 360,808.94	GSWA
Cell Closure Account	Bank of Guam	\$ 360,808.94	GSWA
Layon Post-Closure Care Account ¹¹	Bank of Guam	\$ 721,617.11	GSWA
Equipment Replacement Account	Bank of Guam	\$ 1,398,345.71	GSWA
ANZ Bank Tipping Fee Account	ANZ Bank - Guam	\$ 995,325.50	GSWA
Bank Pacific Tipping Fee Account	Bank Pacific	\$ 123,781.06	GSWA
PayPal ¹²	PayPal	\$ 31,560.09	GSWA
Ordot Dump Post-Closure Care Reserve	Bank of Guam	\$ 6,129,490.19	Trustee

¹⁰ The GSWA Utility Account is the Tipping Fee Account at the Bank of Guam. The GSWA Utility Sweep Account is an interest-bearing account into which the tipping fees, almost all of which are residential fees, are transferred each day.

¹¹ The name of this account is Post-Closure Care Account. The word Layon is added to distinguish this account from the Ordot Post-Closure Care Reserve account.

¹² The Receiver is the Administrator of the PayPal Account. This will need to be changed to the person designated by GSWA. The funds deposited to this account are automatically transferred to the System Operations and Maintenance Account on a weekly basis.

The table above confirms there were numerous accounts set up by the Receiver that totaled approximately \$14.2 million. In particular, it should be noted that the following reserve funds were in the listed accounts:

- New Cell Dev(elopment) Account (for Layon Landfill) - \$360,808.94;
- Cell Closure Account (for Layon Landfill) - \$360,808.94;
- Layon Post-Closure Care Account - \$721,617.11;
- Equipment Replacement Account - \$1,398,345.71; and
- Ordot Dump Post-Closure Care Reserve - \$6,129.490.19.

When the Receivership started, none of these accounts and funds existed.¹⁵ Any implication that it was the duty of the Receiver to fund the GSWA with substantially more than necessary to continue operations and to establish funds intended to cover future costs is baseless. In fact, the financial structure established by the Receiver more than adequately funded both current operations and reserve funds, although the

¹⁵ <https://www.guamsolidwastereceiver.org/pdf/1851.pdf> at pp. 6 & 7.

amount required to be in the Post-Closure Care Reserve was and is the subject of ongoing discussions. After the partial transition from the Receiver to GSWA, it became GSWA's responsibility to continue to evaluate future needs and to develop mechanisms to obtain the necessary funding for future costs.

* * * * *

We thank the GSWA Board for its consideration of our views in this matter.

Dated this 16th day of January, 2024.



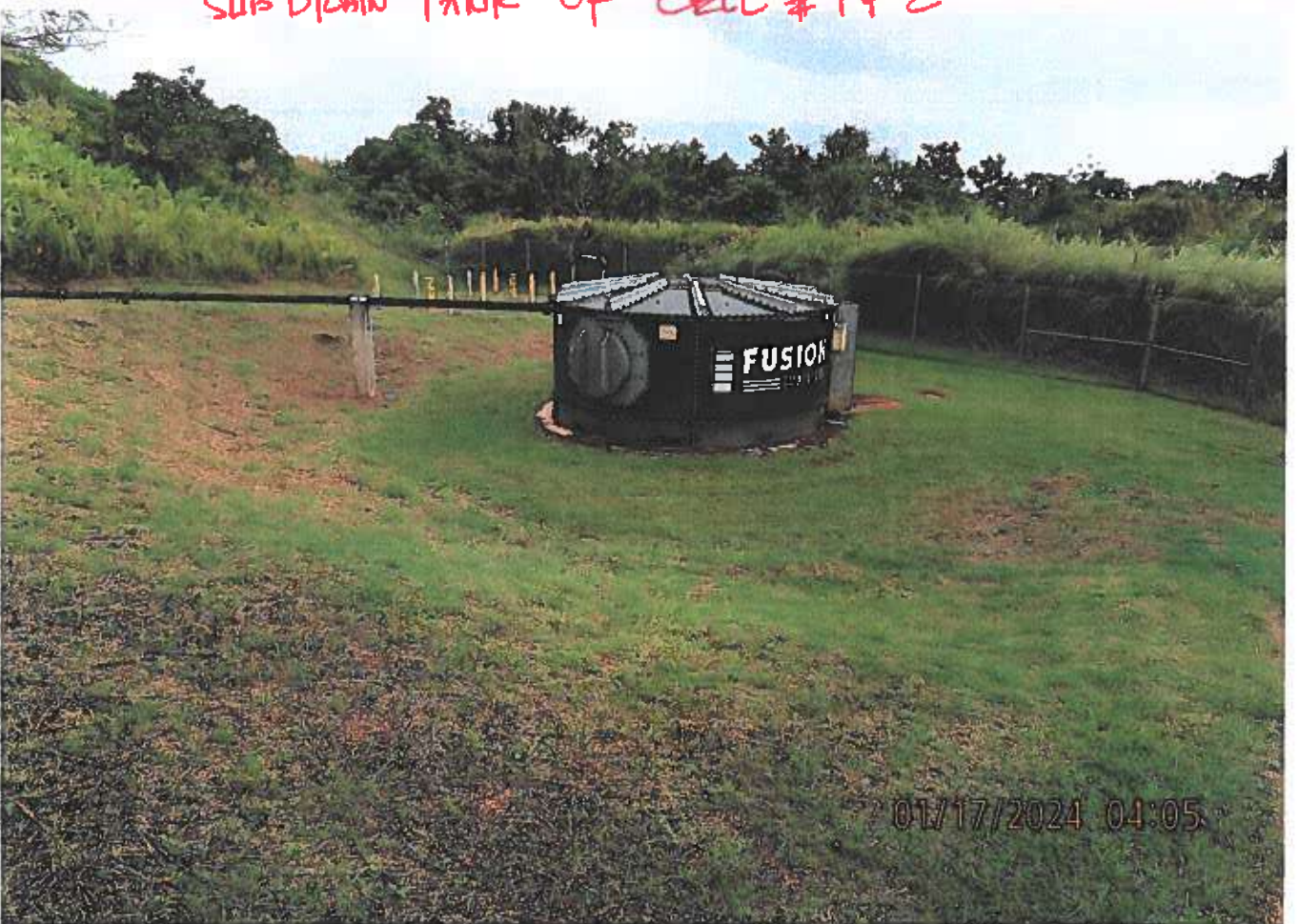
Harvey W. Gershman
Receiver Representative

01.17.24



01/17/2024 04:05

SUB DRAIN TANK OF CELL # 192



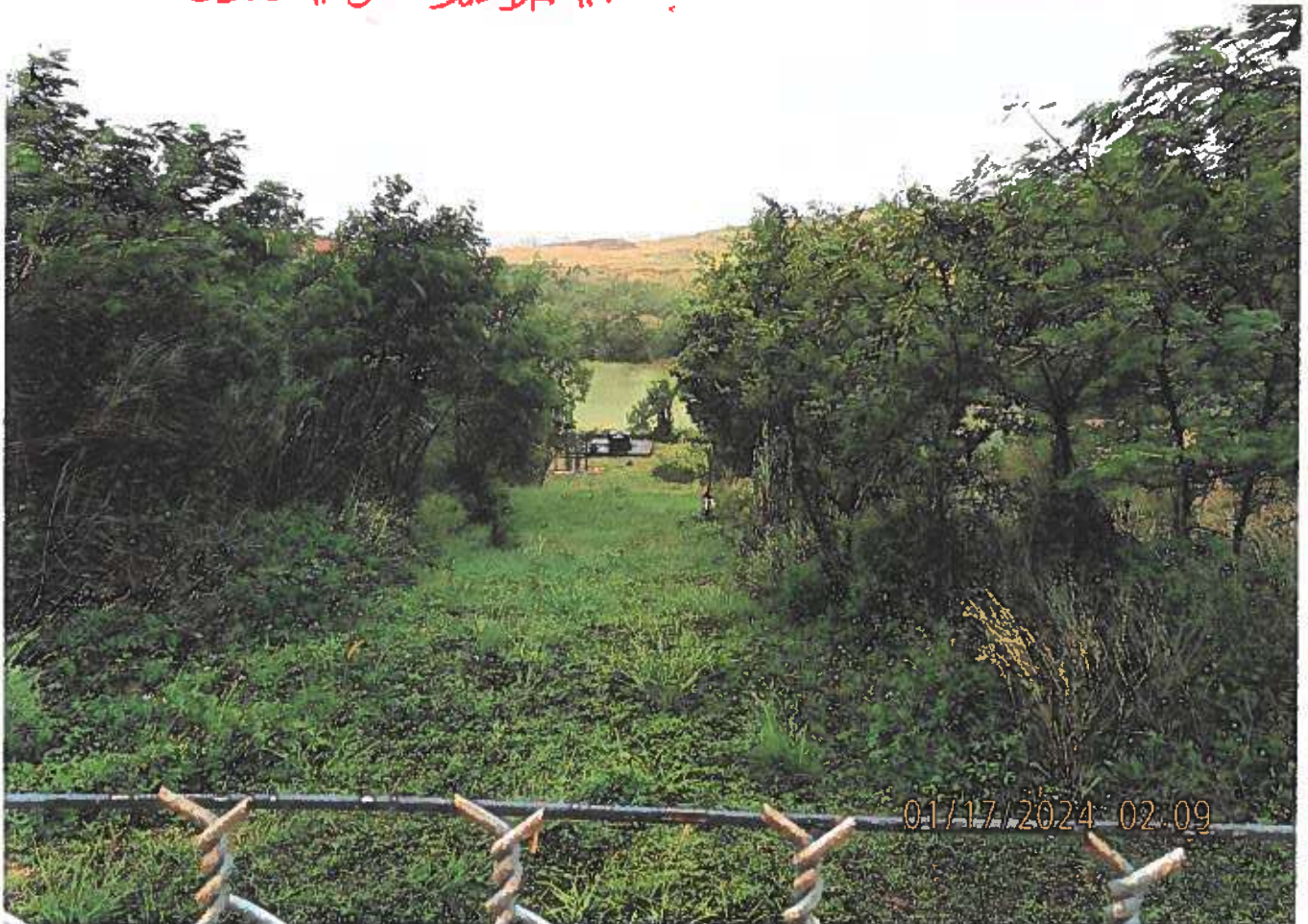
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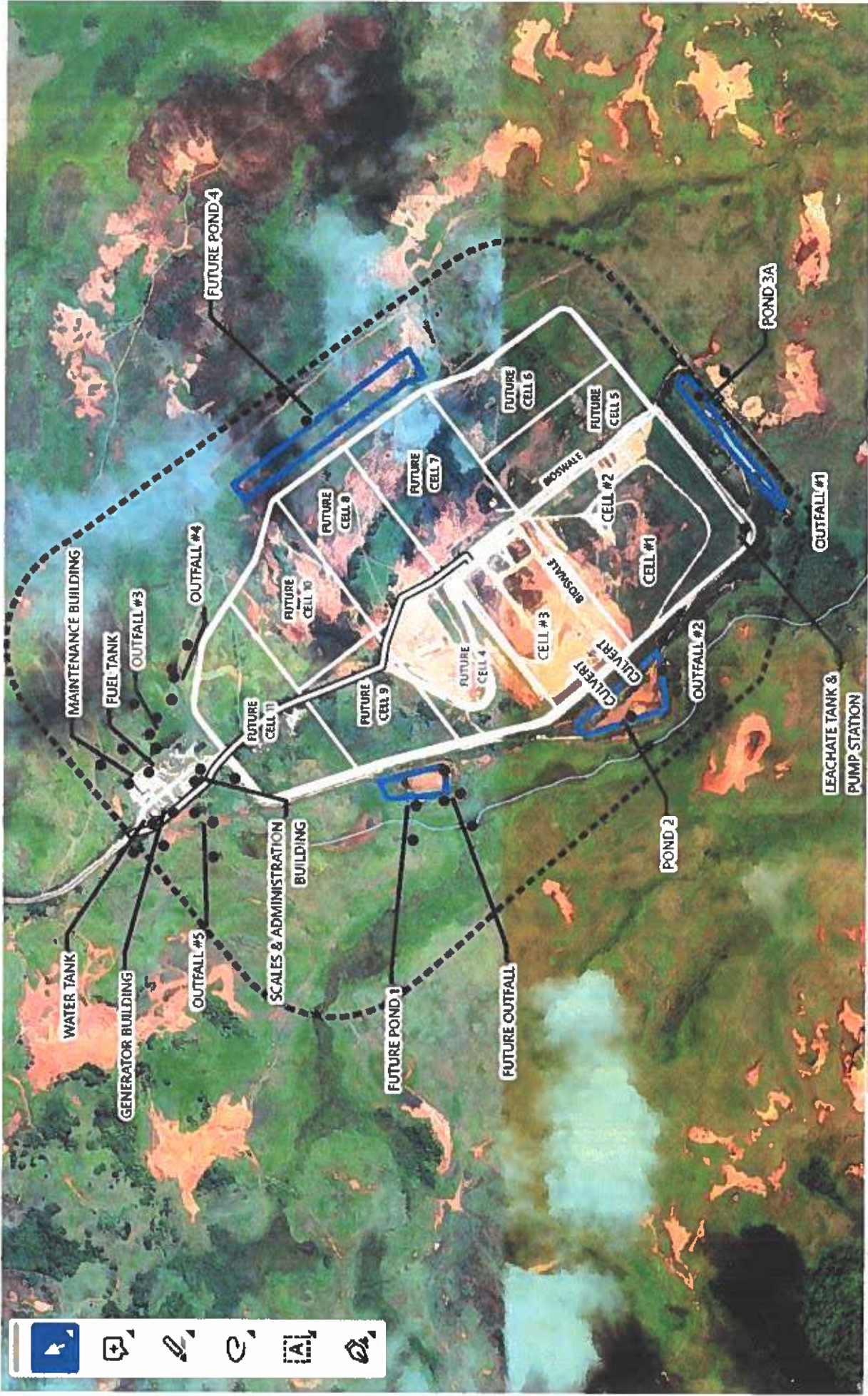


01/17/2024 02:09

CELL #3 SUB DRAIN :

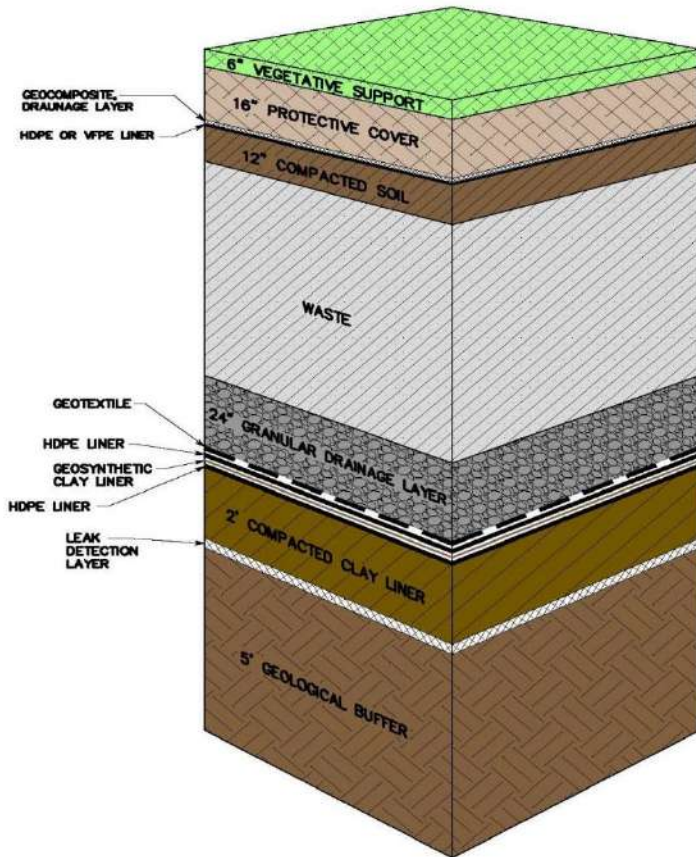


01/17/2024 02:09



Date : January 22, 2024
To : GSWA Board Members
From : Irvin Slike, General Manager
Subject : Justification for Re-Examination of Layon Infrastructure Plan

GSWA will issue an RFP for a landfill infrastructure master plan for Layon landfill. There are several compelling reasons for this re-examination. The first is the depth to which landfill cells are constructed. Currently all three cells intercept and collect groundwater during the rainy season. This liquid must be sampled and in some cases is automatically introduced into the leachate collection system. The second reason is that the final cover layer and protective soil layer may not be necessary. This alone could save \$7 million dollars in excavation costs as well as provide three additional feet over planned excavation depths (potentially reducing groundwater collection). The last planning activity is to use standard industry techniques for cell access. We are currently removing the existing cell access road because it is in the way of cell 4 construction.



This is a typical cross section of a double lined landfill. You will notice that the leak detection layer is located above the 5-foot geologic buffer. This buffer is typically 5 feet above the seasonally high ground water table. At Layon the leak detection layer is within the groundwater table, especially during rainy season. Consequently, it intercepts this water and is transported into holding tanks for Cells 1&2 and Cell 3. GSWA is required to test this liquid to insure that it is not contaminated by a potential liner breach. If it is clean it is released to a pond from Cells 1&2 holding tank. Cell 3 holding tank is also tested but its liquid is pumped back into the leachate collection system.

The entire purpose of the leak detection system is to be monitored and tested very infrequently. The majority of the time it does not detect a complete breach of the liner containment system, but rather an upwell of ground water table. The secondary collection system is the most prevalent way that a liner breach is detected.

GSWA is incurring costs in monitoring liquid collected from a collection layer constructed artificially low as to intercept the seasonally high groundwater table, and to pay for its treatment.

Soil quantities for final cover (earthen cap) and “protective” layer. The current design calls for four feet of soil to be used on construction of cell closure. The industry standard is two feet, ie a six inch foundation layer and 18 inches for cover over HDPE cap. The Layon layer is 24 inches foundation layer and 24 inches cover over HDPE cap. With the potential to use 24 inches as foundation layer for exposed cap, the need for final earth cover could be halved. Both layers could save approximately 800,000 CY of soil, enough to raise the remaining floor depth of landfill cells by 3 feet.

The two feet of protective layer over the drainage layer is not typically used. Normally a select layer of refuse is placed directly onto the drainage layer. This is derived from waste picked up from curbside customers and would be placed in a 6 to 8 foot lift, and loosely compacted, thus protecting the liner system beneath. The drainage layer could also be used as protective layer if tire chips were used.

This is how access is constructed in a typical newly created lined landfill cell. An earthen ramp is constructed down a sideslope from a paved perimeter landfill haul road. The earthen road will eventually be replaced as refused is used to create a suitable pathway into the cell. The soil used to create the initial access ramp is used as cover. The current access road is made from soil and corral and will need to be moved in advance of Cell 4 construction



All in all, this re-examination of the long -term capital construction program at Layon could offer significant cost savings. The estimated soil excavation savings are \$7 million dollars in 2018 construction costs. The predominate reason cells 1,2 and 3 were expensive, was because they had to be built in haste. Soil had to be moved quickly, liner orders had to be placed quickly and thus the manufacturer could not offer a lower scheduled cost. The construction also spanned wet/dry season probably due to time for soil excavation and liner delivery.



GUAM SOLID WASTE AUTHORITY

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Governor of Guam

JOSHUA F. TENORIO
Lt. Governor of Guam

IRVIN L. SLIKE
General Manager



GSWA BOARD RESOLUTION NO.2024-004

**GSWA Board Resolution No. 2024-004
RELATIVE TO APPROVING THE PETITION TO AMEND THE SCALE HOUSE
ATTENDANT AND SCALE HOUSE SUPERVISOR POSITIONS AT THE GUAM SOLID
WASTE AUTHORITY**

WHEREAS, Public Law 34-58 which amended 10 GCA Chapter 51A, GSWA’s Statute, authorizes the amendment of positions in Autonomous Agencies and Public Corporations; and

WHEREAS, 4GCA, §6303(d) authorizes the General Manager to petition to the Board of Directors to amend positions in the classified service; and

WHEREAS, the General Manager submits the attached petition to the Board of Directors providing justification for the need to amend the compensation of the Scale House Attendant I and Scale House Supervisor in light of the recently updated compensation plan; and

WHEREAS, to ensure transparency and disclosure in the amendment of the Scale House Series positions and to comply with 4GCA Ch.6 § 6205 and §6303, management provided to the media a news release on January 5, 2024 and posted its petition on the GSWA website from January 3, 2024 to January 19, 2024; and

THEREFORE, BE IT HEREBY RESOLVED by the Board of Directors as the Governing Body of the Guam Solid Waste Authority approves and authorizes the following:

1. Management’s petition to amend the positions of the Scale House Attendant I and Scale House Supervisor in the classified service.
2. To adopt the proposed amended minimum and maximum range of compensation for GSWA in accordance with the Strategic Pay Methodology as follows:

Positions	Hay Points	Grade	Min	Max
Scale House Attendant I	166	H	\$32,355	\$57,023
Scale House Supervisor	220	J	\$37,913	\$66,821

3. Board of Directors authorizes Management to transmit copies of such petitions to the Director of Department of Administration and the Legislative Secretary as required under 4GCA §6303(d).



GUAM SOLID WASTE AUTHORITY



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Governor of Guam

JOSHUA F. TENORIO
Lt. Governor of Guam

IRVIN L. SLIKE
General Manager

GSWA BOARD RESOLUTION NO.2024-004

Ayes: 4

Nays: 0

Absent: 1

Abstain: 0

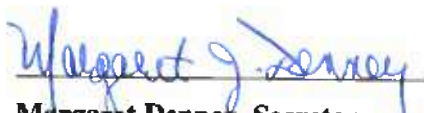
Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Guam Solid Waste Authority, Guam, on the 23rd day of January 2024.

**GUAM SOLID WASTE AUTHORITY
BOARD OF DIRECTORS**


Andrew Gayle, Chairman

**ATTEST:
ALICIA FEJERAN, CLERK**

BY: 


Margaret Denney, Secretary



GUAM SOLID WASTE AUTHORITY

LOURDES A. LEON GUERRERO
Governor of Guam

JOSHUA F. TENORIO
Lt. Governor of Guam

IRVIN L. SLIKE
General Manager



NEWS RELEASE

GUAM SOLID WASTE AUTHORITY AMENDMENT OF POSITIONS

The Guam Solid Waste Authority (GSWA) petitions the GSWA Board of Directors for the approval of the following amendment of positions (Classified):

**SCALE HOUSE ATTENDANT I (GSWA)
SCALE HOUSE SUPERVISOR (GSWA)**

This petition is in compliance with Public Law 34-58 and 4GCA §6303 (e)(1) which authorizes the amendment of positions in Autonomous Agencies and Public Corporation. The petition is also required by 4 GCA § 6205 and § 6303 as public documents for the purposes of 5 GCA, Ch.10, Art. 1 (Sunshine Law).

For more information, please visit GSWA's website at www.gswa.guam.gov/jobs.html or contact GSWA Administrative Office at 671-646-3111.

A handwritten signature in blue ink that reads 'Irvin L. Slike'.

IRVIN L. SLIKE
General Manager

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 Website: www.portguam.com

INVITATION FOR BID:

BID NO: IFB-PAG-003-24
FOR: VARIOUS LUBRICANTS AND DEGREASERS BID
BID SUBMISSION DEADLINE: 2 p.m., THURSDAY, JANUARY 18, 2024
LOCATION TO SUBMIT: PAG PROCUREMENT OFFICE, 1st FLOOR, ADMIN. BLDG.
BID OPENING LOCATION: PAG BOARD OF DIRECTORS CONFERENCE ROOM, 1st FLOOR, ADMIN. BLDG.

The Port Authority of Guam (PAG) is issuing an Invitation for Bid for Various Lubricants and Degreasers. A PDF copy of the bid packet is available for download at www.portofguam.com, or a hard copy can be obtained at the PAG Procurement Office located on the 1st floor of the PAG Admin Bldg. from 8:00 a.m. - 5:00 p.m., Monday through Friday, beginning Friday, January 5, 2024 until Thursday, January 18, 2024.

Bidders must register their current contact information with PAG to ensure they receive any notices regarding changes or updates to the IFB. The Port will not be liable for failure to provide notice to any party who did not register current contact information.

The PAG reserves the right, in its sole and absolute discretion, to reject any and all bids, cancel in its entirety, or waive informalities and minor irregularities in the bids, which in its sole and absolute judgment, will under all circumstances best serve the Government's interests. This right to reject and/or cancel is pursuant to 2 GAR Div. 4 Procurement Regulations § 3115 (d)(2)(A). This project is funded by the Port Authority of Guam.

/s/ RORY J. RESPICIO
 General Manager

THIS ADVERTISEMENT WAS PAID WITH GOVERNMENT FUNDS: PORT AUTHORITY OF GUAM

GUAM SOLID WASTE AUTHORITY
 LOURDES A. LEON GUERRERO Governor of Guam
 JOSHUA E. TENORIO Lt. Governor of Guam
 IRVIN L. SUJKE General Manager

NEWS RELEASE

GUAM SOLID WASTE AUTHORITY AMENDMENT OF POSITIONS

The Guam Solid Waste Authority (GSWA) petitions the GSWA Board of Directors for the approval of the following amendment of positions (Classified):

SCALE HOUSE ATTENDANT I (GSWA)
SCALE HOUSE SUPERVISOR (GSWA)

This petition is in compliance with Public Law 34-58 and 4GCA §6303 (e)(1) which authorizes the amendment of positions in Autonomous Agencies and Public Corporation. The petition is also required by 4 GCA § 6205 and § 6303 as public documents for the purposes of 5 GCA, Ch. 10, Art. 1 (Sunshine Law).

For more information, please visit GSWA's website at www.gswa.guam.gov/jobs.html or contact GSWA Administrative Office at 671-646-3111.

/s/ IRVIN L. SUJKE
 General Manager

546 H. MARINE CORPS DRIVE, TAMUNING, GU 96913 | TEL: 671-646-3111 | FAX: 671-649-3777
<http://www.guam.solidwasteauthority.com>

GUAM VISITORS BUREAU
 SETSIBION BISITAN GUÅHAN

INVITATION FOR BID
SAN VITORES STREETLIGHT SYSTEM UPGRADE
GVB IFB 2024-001

The Guam Visitors Bureau (GVB), a public, non-stock, non-profit, membership corporation, issues this invitation for Bid ("IFB") GVB IFB 2024-001 SAN VITORES STREETLIGHT SYSTEM UPGRADE to secure solar-powered LED lights for the streets and sidewalks.

The Invitation for Bid packages can be downloaded at no cost from GVB's website at https://go.openeogv.com/bids/bids_list/gvb or obtained (in USB format) at the GVB Office, 401 Pale San Vitores Road, Tumon, Guam, 8:00 AM - 5:00 PM, Monday - Friday, excluding Guam holidays. A non-refundable \$25.00 fee will be charged if packet is picked up at the GVB office (payable in US\$ cash, bank wire transfer or major credit card (Visa, MasterCard, Discover, JCB)).

Questions, if any, should be made in writing to the President and CEO, which can be dropped off at the GVB office; emailed to procurement@visitguam.org; or sent by fax to 671-646-8861 according to the timeline provided in the IFB packet.

GVB hereby notifies all bidders that it will affirmatively ensure that minority business enterprises will be afforded full opportunity to submit a response to this invitation for bid and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.

GVB reserves the right to reject any or all bids, solicit new bids, waive minor informalities or irregularities for this procurement. Except to the above person named, direct or indirect contact with the GVB Management or Staff, Board Member, or any person participating in the selection process is prohibited.

Bid submission deadline is at 3:00 p.m. Chamorro Standard Time on Monday, January 29, 2024.

/s/ CARL T. C. GUTIERREZ
 President and CEO

This advertisement was paid for by the Tourist Attraction Fund

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 401 Pale San Vitores Road | Tumon, Guam 96913 | (671) 646-3270 | (671) 646-8861 fax

GUAM VISITORS BUREAU
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INVITATION FOR BID
ISLANDWIDE GRASS-CUTTING MAINTENANCE PROJECT
GVB IFB 2024-002

The Guam Visitors Bureau (GVB), a public, non-stock, non-profit, membership corporation, issues this Invitation for Bid ("IFB") GVB IFB 2024-002 ISLANDWIDE GRASS-CUTTING MAINTENANCE PROJECT for the manicuring of grass bordering the primary roads on the designated routes as detailed in the IFB package.

The Invitation for Bid packages can be downloaded at no cost from GVB's website at https://go.openeogv.com/bids/bids_list/gvb or obtained (in USB format) at the GVB Office, 401 Pale San Vitores Road, Tumon, Guam, 8:00 AM - 5:00 PM, Monday - Friday, excluding Guam holidays. A non-refundable \$25.00 fee will be charged if packet is picked up at the GVB office (payable in US\$ cash, bank wire transfer or major credit card (Visa, MasterCard, Discover, JCB)).

A pre-bid conference is scheduled for Thursday, January 11, 2024, at 9:00AM in the GVB main conference room. Attendance is highly encouraged.

Questions, if any, should be made in writing to the President and CEO, which can be dropped off at the GVB office; emailed to procurement@visitguam.org; or sent by fax to 671-646-8861 according to the timeline provided in the IFB packet.

GVB hereby notifies all bidders that it will affirmatively ensure that minority business enterprises will be afforded full opportunity to submit a response to this invitation for bid and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.

GVB reserves the right to reject any or all bids, solicit new bids, waive minor informalities or irregularities for this procurement. Except to the above person named, direct or indirect contact with the GVB Management or Staff, Board Member, or any person participating in the selection process is prohibited.

Bid submission deadline is at 3:00 p.m. Chamorro Standard Time on Tuesday, January 30, 2024.

/s/ CARL T. C. GUTIERREZ
 President and CEO

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Guam Solid Waste Authority (GSWA)

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Governor of Guam

JOSHUA P. TENOBO
1st Lieutenant of Guam

IRVIN L. SLIKE
General Manager



NEWS RELEASE

GUAM SOLID WASTE AUTHORITY AMENDMENT OF POSITIONS

The Guam Solid Waste Authority (GSWA) petitions the GSWA Board of Directors for the approval of the following amendment of positions (Classified):

SCALE HOUSE ATTENDANT I (GSWA) SCALE HOUSE SUPERVISOR (GSWA)

This petition is in compliance with Public Law 34-58 and 4GCA §6303 (e)(1) which authorizes the amendment of positions in Autonomous Agencies and Public Corporation. The petition is also required by 4 GCA § 6205 and § 6303 as public documents for the purposes of 5 GCA, Ch 10, Art. 1 (Sunshine Law)

For more information, please visit GSWA's website at www.gswa.guam.gov/jobs.html or contact GSWA Administrative Office at 671-646-3111

IRVIN L. SLIKE
General Manager

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https://gswa.guam.gov/sites/default/files/signed_news_release_-_scale_series_amend.pdf

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Governor of Guam

JOSHUA F. TENORIO
Lt. Governor of Guam

IRVIN L. SLIKE
General Manager



PETITION **AMENDMENT OF POSITIONS**

I. REQUEST:

The Guam Solid Waste Authority (GSWA) petitions the GSWA Board of Directors to amend the following positions in the classified service pursuant to PL 34-58 and 4GCA §6303(d) Amendment of positions in the Autonomous Agencies and Public Corporations:

- **Scale House Attendant I**
- **Scale House Supervisor**

II. AUTHORITY:

Title 4, Guam Code Annotated, Section 6303(e)(1)

(1) If a position created pursuant to § 6303 is amended in pay range, position description, or qualifications, the amendment shall be subject to a petition of the head of a line agency, department, autonomous agency, or public corporation listed in 4 GCA § 4105(a). Said petition shall include:

A. The justification for the amendment of the position;

In light of the recently updated compensation plan and our commitment to maintaining a competitive and equitable compensation structure, we revisited the classification of the Scale House position series. During this review, older classified positions were subsequently reverted back to their previous assigned pay grades. However, the Scale House Attendant I and the Scale House Supervisor positions, being a relatively newer addition, did not have a previously assigned pay grade and remains at a pay grade J and pay grade K respectively.

With the implementation of the revised compensation plan and the restoration of pay grades for older positions, we recognized the need to ensure uniformity and fairness across all positions within the organization. This includes the Scale House position series, which currently remains at the same pay grade due to its absence from the earlier reversion process.



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General Manager



Our commitment to transparency and equality in compensation compels us to address any discrepancies and to uphold consistency throughout the organization. By applying the same process to the Scale House series that we have applied to others, we aim to eliminate any potential disparities and foster an environment of mutual respect and equity.

B. The essential details concerning the amendment of the position;

A proposed amendment for the Scale House Attendant I and Scale House Supervisor positions has been recommended in response to recent adjustments in the pay structure at the Guam Solid Waste Authority. Initially, these positions were established using the "benchmark" classification method, which involved examining proposed position descriptions, GSWA's organizational chart, staffing pattern, and similar position standards. However, to ensure the ongoing alignment of pay grades with the updated pay structure, an external HR consultant recently conducted an evaluation and review of each position. The consultants utilized the Hay Guide Chart – Profile Method, assessing Hay points based on factors such as Know-How, Problem Solving, and Accountability supporting the amendment to both positions pay grades.

C. The amended pay range and position description;

See attached.

D. Any other pertinent information.

(2) The petition for the amendment shall be posted on the line agency, department, autonomous agency, or public corporation's website for ten (10) days (Saturdays, Sundays, and government of Guam holidays excepted), and must comply with § 6303.1(a) of this Article. The head of an autonomous agency or public corporation shall forward the petition, along with evidence of his compliance with § 6303.1(a), to the governing board or commission, who, if it approves the same, shall approve the petition by resolution and file the petition and resolution for record with the



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Director of Administration and the Legislative Secretary.

(3) No amended position may be filled until after compliance with the provisions of this Section, and one hundred eighty (180) days have elapsed from the date of filing with the Legislative Secretary.

(4) If a positions qualifications were amended and the position must be filled prior to the one hundred eighty (180) day period, the last approved position qualification shall be used for selection. No penalty shall be applied to any applicant who does not meet requirements from an amended position description that did not complete the one hundred eighty (180) day period.

III. **METHODOLOGY:**

The “benchmark” classification methodology was followed and a review of the proposed position descriptions, GSWA’s organizational chart, staffing pattern, and comparable position standards.

To determine the original pay grade of each position, an outside consultant was utilized to conduct an evaluation using the Hay Guide Chart – Profile Method. The Hay points were determined based on the factors of *Know-How, Problem Solving, & Accountability*.

IV. **BACKGROUND**

Since the creation of these positions, GSWA has implemented changes to the compensation plan which has led to the need for paygrade reassignment. The classifications of the Scale House series have been revisited using the same benchmark methodology. It is important that GSWA maintain internal consistency and external competitiveness in compensation. The requested pay grade amendment aligns with GSWA’s commitment to internal equity by ensuring fair compensation among positions within the agency.

V. **Classification Review**

A. **Scale House Attendant I**



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Position Title: Performs routine work requiring use of computer-generated software program to account for vehicles, payloads, weights, and solid waste disposal charges with day-to-day operations of the scale house.

Illustrative Examples of Work: The nature of work reflects that of basic technical processes surrounding successfully and safely operating the scale house weight measurement systems.

Minimum Knowledge, Abilities, & Skills: The minimum knowledge, abilities, and skills reflect the work characteristics necessary to the basic understanding of computer software applications and systems necessary to operate scale house weight measurements.

Minimum Experience & Training: The quantity and quality of training and experiences take into consideration the minimum knowledge, abilities and skills required to operate the scale house weight measurement systems successfully and safely.

Hay Evaluation: The staff evaluated the position of Scale House Attendant I to assess the pay grade. The Know-How, Problem Solving, and Accountability points of the job are as follows:

KH	PS	ACCT	Profile	TP	PG
C 1 115	C 2 (22%) 22	B 1 C 29	+2	166	H

The job entails performing a routine work that requires using a computer-generated software program to account for vehicles, payloads, weights, and solid waste disposal charges.

The Know How is placed at a C which is characterized as general/process/procedural, which means the knowledge at this level is applying practical methods and techniques, work procedures and processes, and or



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proficiency in the specialized use in materials and tools typically required through specialized training. The managerial skill is I which means specific - the performance or supervision of multiple activities are specific as to the objective and content. The position's human relation skill is at a 1. The job involves dealing with others as primarily concerned with requesting and providing information. Required for effective communication are courtesy and tact.

For Problem Solving, the evaluation is C or semi-routine. This position's thinking is within well-defined, somewhat diversified procedures with many precedents covering most situations and readily available assistance. The thinking challenge is a 2 or patterned because the position deals with similar situations that require solutions by the discriminating choice between known alternatives.

For Accountability, the freedom to act is a B or controlled because the position is subject to instruction and established work routines, under close supervision. The area of impact is 1 or very small only dealing with areas within the organization and the nature of impact is C or Contributory because the position interprets, advises, or facilitates services for use by others to achieve results.

The position's profile is +2 which means that the job's accountability is higher than the problem-solving. The evaluation resulted in the total hay points of 166 which is at Pay Grade H under the General Pay Plan (GPP).

B. Scale House Supervisor

Position Title: Performs first-line supervision to Scale House Attendants involving the processing of all incoming and outbound vehicles that are disposing of solid waste materials at the landfill and/or Haulers Only Transfer Stations.

Illustrative Examples of Work: The nature of work reflects the supervision of Scale House Attendants and ensuring all comply with policies and procedures and successful and safe operations of the scale house weight measurement systems.



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General Manager



Minimum Knowledge, Abilities, & Skills: The minimum knowledge, abilities, and skills reflect the work characteristics necessary to the intermediate understanding of proper procedures regarding Scale House Systems and practices.

Minimum Experience & Training: The quantity and quality of training and experience takes into consideration the prior years of the minimum knowledge, abilities and skills required to operate weigh scale administrative and clerical work successfully and safely.

Hay Evaluation: The staff evaluated the position of Scale House Supervisor to assess the pay grade. The Know-How, Problem Solving, and Accountability points of the job are as follows:

KH	PS	ACCT	Profile	TP	PG
C 1 2 132	C 3 (29%) 38	D 1 C 50	+2	220	J

The job entails providing first-line supervision to Scale House Attendants involving the processing of all incoming and outbound vehicles that are disposing of solid waste materials at the landfill and/or Haulers Only Transfer Station.

The Know How is placed at a C which is characterized as general/process/procedural, which means the knowledge at this level is applying practical methods and techniques, work procedures and processes, and or proficiency in the specialized use in materials and tools typically required through specialized training. The managerial skill is I which means specific - the performance or supervision of multiple activities are specific as to the objective and content. The position's human relation skill is at a 2 or reason. The job involves interaction with others requiring understanding, influencing, and supporting people, through



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General Manager



applying technical knowledge or rational arguments, aimed at causing actions or acceptance of others.

For Problem Solving, the evaluation is C or semi-routine. This position's thinking is within well-defined, somewhat diversified procedures with many precedents covering most situations and readily available assistance. The thinking challenge is a 3 or variable meaning that differing situations require identification of issues, the application of judgement, and the selection of solutions within the area of expertise and acquired knowledge.

For Accountability, the freedom to act is a D or generally regulated, operating within practices and procedures, covered by precedents or well-defined policies and review of end results. The area of impact is 1 or very small only dealing with areas within the organization and the nature of impact is C or Contributory because the position interprets, advises, or facilitates services for use by others to achieve results.

The position's profile is +2 which means that the job's accountability is higher than the problem-solving. The evaluation resulted in the total hay points of 220 which is at Pay Grade J under the General Pay Plan (GPP).

VI. RECOMMENDATION:

1. To approve the amendment of the following positions in the classified service.
 - **Scale House Attendant I**
 - **Scale House Supervisor**

2. To adopt proposed minimum and maximum range of compensation for GSWA in accordance with the Strategic Pay Methodology as follows:

Positions	Hay Points	Grade	Min	Max
Scale House Attendant I	166	H	\$32,355	\$57,026
Scale House Supervisor	220	J	\$37,913	\$66,821



GUAM SOLID WASTE AUTHORITY

LOURDES A. LEON GUERRERO
Governor of Guam

JOSHUA F. TENORIO
Lt. Governor of Guam

IRVIN L. SLIKE
General Manager



3. Upon approval of the amendment and the completion of the one hundred eighty (180) day period, GSWA shall proceed to prepare and execute pay grade and salary adjustment requests for personnel actions concerning all affected employees.

A handwritten signature in black ink, appearing to read "Alicia Fejeran", written over a horizontal line.

Alicia Fejeran
GSWA Chief of Administration

A handwritten signature in black ink, appearing to read "Irvin L. Slike", written over a horizontal line.

Irvin L. Slike
GSWA General Manager

A handwritten signature in blue ink, appearing to read "Kathrine B. Kakigi", written over a horizontal line.

Kathrine B. Kakigi
GSWA Controller