

*I Mina "Trental Kadtro Na Libesaturan Gudhan*  
**APPOINTMENTS**

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPT. DATE	TERM LENGTH	CMTE REFERRED	DATE REFERRED	PUBLIC HEARING DATE	CMTE REPORT FILED	DATE CONFIRMED	NOTES
35GL-19-0169	Vincent P. Arriola	Director	Department of Public Works	2/19/19	To serve at the pleasure of the Governor	Committee on Public Safety, Border Safety, Military and Veteran Affairs, Mayors Council, Infrastructure and Public Transit	4/17/19	5/3/19 9:00 a.m.	5/15/19 1:14 p.m.		



## Sinadót Jose "Pedo" Terlaje

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

May 6, 2019

The Honorable Tina Rose Muña Barnes  
Speaker  
*I Mina'trentai Singko na Liheslaturan Guåhan*  
163 Chalan Santo Papa  
Hagåtña Guam, 96910

**VIA:** The Honorable Régine Biscoe Lee  
Chairperson, Committee on Rules



**RE:** Committee Report on the Appointment of Vincent P. Arriola

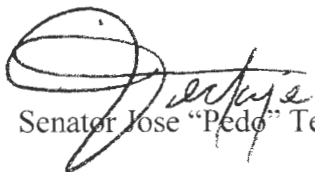
*Håfa Adai* Speaker Muña Barnes:

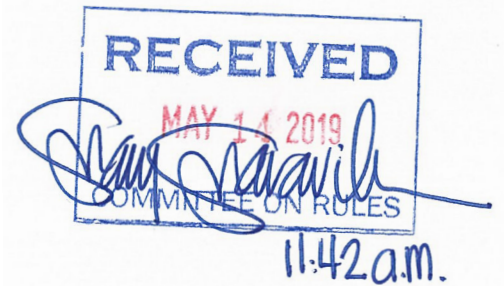
Transmitted herewith is the Committee Report on the appointment of Vincent P. Arriola to serve as Director, Department of Public Works, which was referred to the Committee on Public Safety, Border Safety, Military and Veterans Affairs, Mayors' Council, Infrastructure and Public Transit.

Committee votes are as follows:

<u>7</u>	TO CONFIRM
<u>0</u>	TO NOT CONFIRM
<u>0</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Sincerely,

  
Senator Jose "Pedo" Terlaje



2019 MAY 15 PM 1:14



*Sinadót Jose “Pedo” Terlaje*

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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# COMMITTEE REPORT

## Nomination of

**Vincent P. Arriola as  
Director, Department of Public Works  
to serve at the pleasure of  
I Maga'Hågan Guåhan**



## *Sinadót Jose “Pedo” Terlaje*


*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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May 6, 2019

### **MEMORANDUM**

**To:** All Members  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit

**From:** Senator Jose “Pedo” Terlaje   
Committee Chairperson

**Subject:** Committee Report on the Appointment of Vincent P. Arriola

Transmitted herewith for your consideration is the Committee Report on the appointment of Mr. Vincent P. Arriola to serve as Director, Department of Public Works.

This report includes the following:

- Copy of COR Referral of the Appointment
- Copy of the Appointment Letter to the Speaker
- Copy of the Appointment Packet & Supporting Documents
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimonies & Supporting Documents
- Committee Report Digest
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

*Si Yu'os Ma'åse'*

Senator Amanda L. Shelton,  
Vice Chairperson

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telenia Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), Ph.D.,  
Member

Senator Sabina Flores Perez  
Member

Senator Clynton E. Ridgell  
Member



**COMMITTEE ON RULES**  
**SENATOR RÉGINE BISCOE LEE, CHAIR**  
*I MINA 'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN*  
**35<sup>TH</sup> GUAM LEGISLATURE**

Senator Joe S. San Agustin,  
Member

Senator Jose T. Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and  
Chair, Subcommittee on Protocol

April 17, 2019

# MEMO

**To:** **Rennae Meno**  
Clerk of the Legislature  
**Attorney Julian Aguon**  
Legislative Legal Counsel

**From:** **Senator Régine Biscoe Lee**  
Chairperson, Committee on Rules

**Re:** **Referral of Appointment**

*Buenas yan Háfa adai.*

As Chairperson of the Committee on Rules, I am forwarding the referral of the following appointment:

**Appointee:** **Vincent P. Arriola**  
**Position:** **Director, Department of Public Works**  
**Term Length:** **To serve at the pleasure of the Governor**

The appointee's nomination packet may be referenced in the Guam Legislature's website at [http://guamlegislature.com/35th\\_mess\\_comms.htm](http://guamlegislature.com/35th_mess_comms.htm). Please refer to the following document:

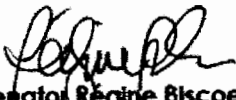
**"35GL-19-0169- Office of the Governor of Guam - Appointment and Supporting Documents for Vincent P. Arriola, Director, Department of Public Works."**

Please ensure that the aforementioned appointment is referred to **Senator Jose T. Terlaje, Chairperson of the Committee on Public Safety, Border Safety, Military and Veteran Affairs, Mayors Council, Infrastructure and Public Transit.**

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

  
**Senator Régine Biscoe Lee**  
Chairperson, Committee on Rules

*J. Mike Tenen Auditor - No Labels/Issues/Grades*  
**APPOINTMENTS**

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPL. DATE	TERM LENGTH	COMTE REFERRED	DATE REFERRED	PUBLIC HEARING DATE	COMTE REPORT FILED	DATE CONFIRMED	NOTES
35C2-19-0169	Vincent P. Arriola	Director	Department of Public Works	2/19/19	To serve at the pleasure of the Governor	Committee on Public Safety, Border Safety, Military and Veteran Affairs, Mayors Council, Infrastructure and Public Transit	4-17-19				

UEFSINAN I MAGA HAGA  
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO  
MAGA HAGA • GOVERNOR



JOSHUA F. TENORIO  
SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

February 19, 2019

Honorable Tina Muna Barnes  
Speaker  
*I Mina'trentai Singko Na Liheslaturan Guåhan*  
Guam Congress Building  
163 Chalan Santo Papa  
Hagatna, Guam 96932

3562-19-0169  
Speaker Tina Rose Muña Barnes

FEB 19 2019  
Time 3:34 ( )AM ( )PM  
Received By:

2019 FEB 19 PM 4:09

**RE: Cabinet Appointment**

Dear Madame Speaker:

By virtue of the authority vested in me pursuant to the Organic Act of Guam and the local laws applicable to the following position, I am pleased to transmit the following appointment and supporting documents for:

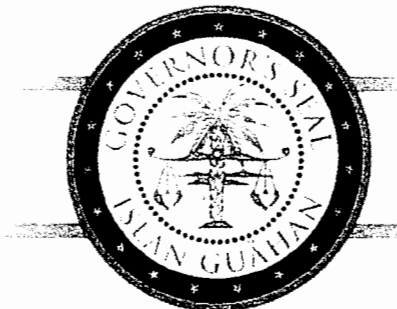
APPOINTEE: Vincent P. Arriola  
POSITION: Director, Department of Public Works  
TERM LENGTH: **To serve at the pleasure of the Governor**

The appointment is subject to the consent of *I Liheslaturan Guåhan*. Please schedule a hearing at your earliest convenience.

*Senseramente,*

JOSHUA F. TENORIO  
Åkto Maga'låhen Guahån  
Acting Governor of Guam

0169



February 5, 2019

Vincent P. Arriola

**Re: Appointment as Director, Department of Public Works**

Dear Mr. Arriola:

Pursuant to my authority under 5 GCA § 3106, it is with pleasure that I appoint you

**DIRECTOR, DEPARTMENT OF PUBLIC WORKS**

This appointment shall be at

**THE PLEASURE OF THE GOVERNOR**

Appointing you to this position comes with great responsibility because you will have a vital role to perform which will place many demands on your time and energy. Integrity and honesty are virtues that I prioritize for my Administration to exemplify, and I know that you will do the same while in service to the people of Guam. Your responsibilities shall be significant and consequential. I trust that you will fulfill your duties and set a standard for others to follow.

I appreciate your willingness to serve in this position, and I am confident that your time will be spent in a manner to improve the island of Guam.

This appointment is subject to the advice and consent of *I Liheslaturan Guåhan*. Pending the consent of, and confirmation of this appointment by *I Liheslaturan Guåhan*, you are hereby appointed as **DIRECTOR** in an acting capacity.

This appointment is effective February 5, 2019. If you have any questions or concerns, please contact the Office of the Governor.

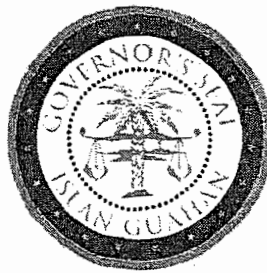
*Senseramente,*

A handwritten signature in black ink, appearing to read "Lourdes A. Leon Guerrero".

**LOURDES A. LEON GUERRERO**

*I Maga'hågan Guåhan*  
Governor of Guam





**OFFICE OF THE GOVERNOR OF GUAM**  
**Nomination and Appointment Information Sheet**

The following information is required for submission to the  
Speaker of *I Liheslaturan Guåhan* in accordance with Title 4, Guam Code Annotated Section 2103

**NOMINEE INFORMATION**

<b>Last Name</b> ARRIOLA	<b>First Name</b> VINCENT	<b>Middle Initial</b> P
<b>Mailing Address</b> [REDACTED]		<b>Apartment/Unit #</b>
<b>City</b> [REDACTED]	<b>State</b> [REDACTED]	<b>Zip Code</b> [REDACTED]
<b>Phone</b> [REDACTED]	<b>E-mail Address</b> [REDACTED]	
<b>Position to which Appointment is Made</b> Director, Department of Public Works		
<b>Are you a citizen of the United States?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
<b>If no, are you authorized to work in the United States?</b> Yes <input type="checkbox"/> No <input type="checkbox"/>		

**EDUCATION**

<b>SCHOOL (Name, City and State)</b>	<b>DATES OF ATTENDANCE</b>	<b>TYPE OF DEGREE</b>	<b>YEAR EARNED</b>
<b>High School</b> Father Duenas High School Mangilao, Guam	1970 - 1974	High School Diploma	1974
<b>College</b> University of Guam, Mangilao, GU St. Mary's College, Moraga, CA	1975-1977 1977-1979	BS	1979
<b>Graduate School</b>			
<b>Other Degree</b>			

## EMPLOYMENT HISTORY

<b>Name of Present/Last Employer and Mailing Address</b> Department of Administration Government of Guam	<b>Position Title</b> Deputy Director
	<b>Dates Held</b> 2017 - 2019

<b>Previous Employer and Mailing Address</b> Guam Legislature Government of Guam Hagatna, Guam	<b>Position Title</b> Executive Director
	<b>Dates Held</b> 2010 - 2016

<b>Previous Employer and Mailing Address</b> Guam Legislature, Office of Sen. Tina Muna Barnes Government of Guam Hagatna, Guam	<b>Position Title</b> Legislative Assistant
	<b>Dates Held</b> 2006 - 2010

<b>Previous Employer and Mailing Address</b> Guam Telephone Authority Tamuning, Guam	<b>Position Title</b> General Manager
	<b>Dates Held</b> 1997 - 2003

<b>Previous Employer and Mailing Address</b> Bureau of Planning Government of Guam	<b>Position Title</b> Director
	<b>Dates Held</b>

## PRIOR GOVERNMENT OF GUAM SERVICE

<b>Agency or Department Name</b> Guam Legislature, Sen. Joe T. San Agustin		<b>Position Title</b> Special Assistant
<b>Address</b> Hagatna, Guam	<b>Phone No.</b>	<b>Dates Held</b> 1983 - 1988

<b>Agency or Department Name</b>		<b>Position Title</b>
<b>Address</b>	<b>Phone No.</b>	<b>Dates Held</b>

**PRIOR GOVERNMENT SERVICE (EXCLUDING GOVERNMENT OF GUAM)**

<i>Agency or Department Name</i>		<i>Position Title</i>	
<i>Address</i>	<i>Phone No.</i>	<i>Dates Held</i>	

<i>Agency or Department Name</i>		<i>Position Title</i>	
<i>Address</i>	<i>Phone No.</i>	<i>Dates Held</i>	

**TRAINING**

<i>INSTITUTE/SEMINARS/ON-THE-JOB TRAINING</i>	<i>DATE</i>

**AWARDS**

<i>List all educational, professional, civic awards, and recognition for public service:</i>

**PROFESSIONAL INVOLVEMENT**

<i>List involvement on a local/national/international level. List organizations, activities participated in, and offices held:</i>

**COMMUNITY / CIVIC INVOLVEMENT**

*List organizations, activities participated in, and offices held:*

**PUBLICATIONS AND PRESENTATIONS**

*List any published articles, papers delivered at professional meetings, etc.:*

**MILITARY SERVICE (Please attach Form DD-214)**

<i>BRANCH</i>	<i>DATES OF SERVICE</i>	<i>RANK AT DISCHARGE</i>	<i>TYPE OF DISCHARGE</i>

**OTHER INFORMATION**

(1) Have you ever been found guilty of a felony in any court, whether within or without the United States?

Yes  No  If so, please specify in detail: \_\_\_\_\_

Address of the Court: \_\_\_\_\_

Date(s) of Conviction: \_\_\_\_\_

Specific Infraction Committed: \_\_\_\_\_

**(2) Have you ever been declared mentally incompetent by any court, whether within or without the United States?**

Yes  No  If so, please specify in detail the reasons and facts related to such declaration:

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**(3) Have you ever been found not guilty or not punishable in any criminal proceedings by reason of insanity?**

Yes  No

**(4) Have you ever been confined to a mental institution for any reason?**

Yes  No  If so, please specify in why the appointing authority believes you that you are not suffering from any mental illness or affliction:

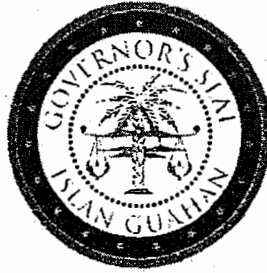
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OFFICE OF THE GOVERNOR OF GUAM

Statement of Financial Interests  
(Required by 4 G.C.A. §13104.1)

TO: The Honorable Lourdes A. Leon Guerrero  
Governor of Guam  
Ricardo J. Bordallo Governor's Complex  
Adelup, Guam 96910

FROM: Vincent P. Arriola

- I have no financial interest in any business
- I do have interest(s) in the following business(es):

NAME AND ADDRESS OF BUSINESS INTEREST	TYPE AND AMOUNT OF INTEREST
<i>Guam Savings &amp; Loan</i>	<i>Stocks</i>
<i>Magnus Finance Corp</i>	<i>Stocks</i>

*V. Arriola*  
Signature

*2-13-19*  
Date

**AFFIDAVIT / DECLARATION UNDER PENALTY OF PERJURY**

I, the undersigned, do hereby depose and say that: (1) I have read and reviewed the information contained in the attached Appointment/Nomination letter from the Governor of Guam; (2) that the matters contained in the Appointment/Nomination letter, together with all attachments thereto, are true and correct and that I am competent to testify to said matters; and (3) that this Declaration is made for the purpose of complying with the requirements of 4 G.C.A. Section 2103.5.

I declare under penalty of perjury under the laws of Guam (4 G.C.A. Section 4308) that the foregoing is true and correct.

[Signature]  
Print Name and Signature

2-13-19  
Date

Vincent P. Arzue



# SUPERIOR COURT OF GUAM

Guam Judicial Center • 120 West O'Brien Drive • Hagatña, Guam 96910

Telephone (671) 475-3370/475-3449

Fax (671) 472-2856

**DANIELLE T. ROSETE**  
Clerk of Court

Name: **VINCENT P ARRIOLA**

SS#:

ID# **GU DL#** [REDACTED]

Date of Birth: [REDACTED]

## CERTIFICATE OF SEARCH

The undersigned Clerk hereby certifies the following results of a diligent search of the records of this Court:

### Criminal Cases:

- A.  No Case Found
- B. 1. Criminal Case No.
- 2. Criminal Case No.
- 3. Criminal Case No.
- 4. Criminal Case No.
- 5. Criminal Case No.

Criminal Record: Page **1** of **1**

### Civil Cases:

- A.  No Case Found
- B. 1. Civil Case No.
- 2. Civil Case No.
- 3. Civil Case No.
- 4. Civil Case No.
- 5. Civil Case No.

Civil Record: Page **1** of **1**

Request for further information may be addressed at the Records Division of the Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagatña, Guam. Hours of operation are Monday – Friday, 8:00 a.m. to 5:00 p.m. Closed Saturday, Sunday and local/federal holidays. Court Clearances are Non-Refundable.

Dated: **02/04/2019**

**DANIELLE T. ROSETE**  
Clerk of Court

BY: **EVAN L. TOPASNA**  
Deputy Clerk

Prepared By: **ET**



The absence of an original Court Seal invalidates this document





**Government of Guam  
 GUAM POLICE DEPARTMENT  
 RECORDS & IDENTIFICATION SECTION  
 P.O. Box 23909  
 Guam Main Facility, Guam 96921**



February 4, 2019

**SUBJECT: CRIMINAL HISTORY RECORD**

<b>NAME:</b>	Vincent P. ARRIOLA		
<b>DATE OF BIRTH:</b>	██████████	<b>FINGERPRINT#:</b>	██████████
■	The individual has no record of criminal conviction(s) in GPD files that are subject to Guam law and rules and regulations of the Department.		

\*\*\*\*\*NOTHING FOLLOWS\*\*\*\*\*

*THIS INFORMATION MAY BE LIMITED TO A LOCAL CRIMINAL OFFENSE ONLY AND IS NOT INTENDED FOR USE FOR ANY LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT AGENCY.*

The absence of an original GUAM POLICE seal invalidates this police clearance.  
 REVISED 01/27/19

**By Direction: priscilla**

**STEPHEN C. IGNACIO  
 Acting Chief of Police**



## *Sinadót Jose “Pedo” Terlaje*

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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April 25, 2019

VIA E-MAIL: Vincent P. Arriola  
[REDACTED]@gmail.com

Subject: Invitation to Confirmation Hearing- 9:00 a.m. Friday, May 3, 2019

Dear Mr. Arriola,

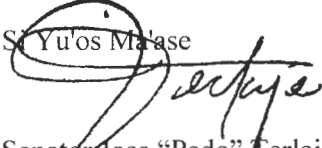
*Buenas yan Håfa adai!*

Please be advised that the Committee on Public Safety, Border Safety, Military and Veterans' Affairs, Mayors' Council, Infrastructure and Public Transit will be conducting a **Confirmation Hearing on your executive appointment on Friday, May 3, 2019, at 9:00 a.m.**, in *I Liheslaturan Guåhan's* Public Hearing Room.

I invite you to appear before this Committee and provide testimony on your appointment. Please feel free to extend this invitation to your friends and family and other interested members of our community.

Testimonies should be addressed to Senator Jose “Pedo” Terlaje, Chairperson, Committee on Public Safety, Border Safety, Military and Veterans Affairs, Mayors' Council, Infrastructure and Public Transit, and may be hand-delivered to my office at Bridge Pointe Bldg., Suite 202, 140 Aspinall Ave. *Hagåtña*, Guam 96910, or via email to [senatorpedo@senatorjpterlaje.com](mailto:senatorpedo@senatorjpterlaje.com)

Individuals requiring special accommodations, auxiliary aids, or service, who plan to attend your confirmation hearing should contact and submit their request to my office at 989-5301/3218. Please do not hesitate to contact me, should you have any questions or concerns. I look forward to your attendance and participation.

Si Yu'os Ma'ase  
  
Senator Jose “Pedo” Terlaje



Senator Pedo Terlaje <senatorpedo@senatorjpterlaje.com>

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**Invitation to Confirmation Hearing- 9:00 a.m Friday, May 3, 2019**

1 message

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**Senator Pedo Terlaje** <senatorpedo@senatorjpterlaje.com>  
To: [REDACTED]@gmail.com

Thu, Apr 25, 2019 at 2:22 PM

Please see attached

Thank you,

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 **Invitation Arriola.pdf**  
59K



Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>

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**First Notice of Confirmation Hearings – Friday, May 3, 2019 beginning at 9 a.m.**

1 message

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Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>

Thu, Apr 25, 2019 at 2:22 PM

To: phnotice@guamlegislature.org

April 25, 2019

**MEMORANDUM**

**To: All Senators, Stakeholders and Media**

**From: Senator Jose “Pedo” Terlaje  
Chairperson, Committee on Public Safety, Border Safety, Military and Veterans Affairs, Mayors’ Council, Infrastructure and Public Transit**

**Subject: First Notice of Confirmation Hearings – Friday, May 3, 2019 beginning at 9 a.m.**

*Buenas yan Háfa adai,*

Please be advised that the Committee on Public Safety, Border Safety, Military and Veterans Affairs, Mayors’ Council, Infrastructure and Public Transit, will convene confirmation hearings on **Friday, May 3, 2019 beginning at 9 a.m.**

in *I Liheslaturan Guåhan*’s public hearing room.

On the agenda is the following:

- **Confirmation hearings**

**Vincent P. Arriola, Director, Department of Public Works**

**Bernard S. Benavente, Member, Guam Contractors**

**License Board**

*The confirmation and public hearings will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via I Liheslaturan Guåhan’s live feed. If written testimonies are to be presented at the hearings, the committee requests that copies be submitted prior to the hearings date and should be addressed to Senator Jose “Pedo” Terlaje. Testimonies may be submitted via hand delivery to the Office of Senator Jose “Pedo” Terlaje at 140 Aspinall Avenue, Bridge Pointe Bldg., Suite 202, Hagåtña, Guam 96910; or to the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; or via email to senatorpedo@senatorjpterlaje.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Jose “Pedo” Terlaje at (671) 989-5301 or by sending an email to senatorpedo@senatorjpterlaje.com.*



## **Sinadót Jose “Pedo” Terlaje**

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

April 25, 2019

### **MEMORANDUM**

**To:** All Senators, Stakeholders and Media

**From:** Senator Jose “Pedo” Terlaje  
Chairperson, Committee on Public Safety, Border Safety, Military and Veterans Affairs, Mayors' Council, Infrastructure and Public Transit

**Subject:** First Notice of Confirmation Hearings – Friday, May 3, 2019 at 9:00 a.m.

*Håfa Adai!*

Please be advised that the Committee on Public Safety, Border Safety, Military and Veterans Affairs, Mayors' Council, Infrastructure and Public Transit, will convene confirmation hearings **on Friday, May 3, 2019 beginning at 9 a.m.**

On the agenda is the following:

- **Confirmation hearings**

**Vincent P. Arriola, Director, Department of Public Works**

**Bernard S. Benavente, Member, Guam Contractors License Board**

*The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via [I Liheslaturan Guåhan's live feed](#). A recording of the hearing will be available online via [Guam Legislature Media](#) on YouTube after the hearing. If written testimonies are to be presented at the Public Hearing, the author requests that copies be submitted prior to the public hearing date and should be addressed to Senator Jose “Pedo” Terlaje. Testimonies may be submitted via hand delivery to the Office of Senator Jose “Pedo” Terlaje at 140 Aspinall Avenue, Bridge Pointe Bldg., Suite 202, Hagåtña, Guam 96910; to the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; or via email to [senatorpedo@senatorjpterlaje.com](mailto:senatorpedo@senatorjpterlaje.com). In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Jose “Pedo” Terlaje at (671) 989-5301 or by sending an email to [senatorpedo@senatorjpterlaje.com](mailto:senatorpedo@senatorjpterlaje.com).*

I look forward to your attendance and participation.

*Si Yu'os Ma'åse'!*



Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>

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**Second Notice of Confirmation Hearings – Friday, May 3, 2019 at 9:00 a.m.**

1 message

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Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>

Wed, May 1, 2019 at 8:50 AM

To: phnotice@guamlegislature.org

May 1, 2019

**MEMORANDUM**

**To: All Senators, Stakeholders and Media**

**From: Senator Jose “Pedo” Terlaje  
Chairperson, Committee on Public Safety, Border Safety, Military and  
Veterans Affairs, Mayors’ Council, Infrastructure and Public Transit**

**Subject: Second Notice of Confirmation Hearings – Friday, May 3, 2019 at 9:00 a.m.**

*Håfa Adai!*

Please be advised that the Committee on Public Safety, Border Safety, Military and Veterans Affairs, Mayors’ Council, Infrastructure and Public Transit, will convene confirmation hearings **on Friday, May 3, 2019 beginning at 9 a.m.**

On the agenda is the following:

- **Confirmation hearings**

**Vincent P. Arriola, Director, Department of Public Works**

**Bernard S. Benavente, Member, Guam Contractors License Board**


*The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via I Liheslaturan Guåhan’s live feed. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. If written testimonies are to be presented at the Public Hearing, the author requests that copies be submitted prior to the public hearing date and should be addressed to Senator Jose “Pedo” Terlaje. Testimonies may be submitted via hand delivery to the Office of Senator Jose “Pedo” Terlaje at 140 Aspinall Avenue, Bridge Pointe Bldg., Suite 202, Hagåtña, Guam 96910; to the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; or via email to senatorpedo@senatorjpterlaje.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator*

*Jose "Pedo" Terlaje at (671) 989-5301 or by sending an email to senatorpedo@senatorjpterlaje.com.*

I look forward to your attendance and participation.

*Si Yu'os Ma'ase'!*

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 **Second Notice May 3rd Confirmation Hearing.pdf**  
82K



## **Sinadót Jose “Pedo” Terlaje**

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

May 1, 2019

### **MEMORANDUM**

**To: All Senators, Stakeholders and Media**

**From: Senator Jose “Pedo” Terlaje  
Author**

**Subject: SECOND NOTICE of Confirmation Hearings – Friday, May 3, 2019  
beginning at 9:00 a.m.**

*Håfa Adai!*

Please be advised that the Committee on Public Safety, Border Safety, Military and Veterans Affairs, Mayors' Council, Infrastructure and Public Transit, will convene confirmation hearings on **Friday, May 3, 2019 at 9:00 a.m.** in *I Liheslaturan Guåhan's* public hearing room.

On the agenda is the following:

- **Confirmation hearings**

**Vincent P. Arriola, Director, Department of Public Works**

**Bernard S. Benavente, Member, Guam Contractors License Board**

*The confirmation hearings will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via [I Liheslaturan Guåhan's live feed](#). A recording of the hearing will be available online via [Guam Legislature Media](#) on YouTube after the hearing. If written testimonies are to be presented at the Public Hearing, the committee requests that copies be submitted prior to the public hearing date and should be addressed to Senator Jose “Pedo” Terlaje. Testimonies may be submitted via hand delivery to the Office of Senator Jose “Pedo” Terlaje at 140 Aspinall Avenue, Bridge Pointe Bldg., Suite 202, Hagåtña, Guam 96910; to the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; or via email to [senatorpedo@senatorjpterlaje.com](mailto:senatorpedo@senatorjpterlaje.com). In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Jose “Pedo” Terlaje at (671) 989-5301 or by sending an email to [senatorpedo@senatorjpterlaje.com](mailto:senatorpedo@senatorjpterlaje.com).*

I look forward to your attendance and participation.

*Si Yu'os Ma'åse'!*



*I Mina'trentai Singko Na Liheslaturan Guåhan*

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Updated as of 4.25.19



## ***Sinadót Jose “Pedo” Terlaje***

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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# **AGENDA**

## **CONFIRMATION HEARINGS**

**beginning at**

**9:00 a.m., Friday, May 3, 2019**

***I Liheslaturan Guåhan's Public Hearing Room  
Guam Congress Building, Hagåtña***

**I. Call to Order**

**II. Opening Remarks**

**III. Items(s) for Discussion**

**IV. Confirmation Hearings**

- Appointment of Mr. Vincent P. Arriola to serve as Director, Department of Public Works
- Appointment of Mr. Bernard S. Benavente to serve as Member, Guam Contractors License Board

**V. Closing Remarks/Announcements**

**VI. Adjournment**



# SINADÓT JOSE "PEDO" TERLAJE

COMMITTEE ON PUBLIC SAFETY, BORDER SAFETY, MILITARY AND VETERANS AFFAIRS,  
MAYORS' COUNCIL, INFRASTRUCTURE AND PUBLIC TRANSIT

I Mina' Trentai Sinko Na Liheslaturan Guahan • 35<sup>th</sup> Guam Legislature



## Confirmation Hearing Sign-In Sheet Friday, May 3, 2019

Appointee: Vincent P. Arriola

Position: Director

Agency: Department of Public Works

PRINT NAME	SIGNATURE	AGENCY / ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	CONTACT NUMBER	EMAIL
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DUKE A. MARRAS	<i>[Signature]</i>					
Peter de la Cruz	<i>[Signature]</i>	Arriola	✓		4881957	
Arriola P. Arriola	<i>[Signature]</i>		None			
Theresa G. Arriola	<i>[Signature]</i>					
Dorleen Camacho	<i>[Signature]</i>					
JESSE GARCIA	<i>[Signature]</i>	DPW		✓	646-3131	
Linda J. Tex	<i>[Signature]</i>	"			" "	
<del>John</del>	<i>[Signature]</i>					
ROBERT S. LI ZAMA	<i>[Signature]</i>	Gov. off.			685-1113	

**Vincent P. Arriola**  
145 Guzman Way  
Barrigada, Guam 969163  
735-8873 727-9009

**Testimony**

***I Mina' Trentai Singko na Liheslaturan Guahan, 35<sup>th</sup> Guam Legislature***  
**Committee on Public Safety, Border Safety, Military & Veterans Affairs,**  
**Mayors' Council, Infrastructure & Public Transit**

**Honorable Senator Jose "Pedo" Terlaje, Chairman**

Hafa Adai Mr. Chairman and Honorable Senators,

I am very pleased to appear before you and other distinguished Senators for my confirmation hearing as the Director of the Department of Public Works. Before I begin, please allow me to publicly thank Governor Lou Leon Guerrero and Lieutenant Governor Josh Tenorio for their confidence and leadership in appointing myself to this highly important position within our government. I am honored to serve in this position.

Senators, I am here today to let you know, I am prepared, capable, and qualified to serve as the director. It is a challenging job, there's so much work to do, and much needed improvements we can contribute to our island. I believe it's a matter of how much passion we have for our island, how far we are willing to work to better our island, and how we as a community, determine our direction.

This administration has pledged safer and improved roadways and village streets.....a newer fleet of modern and safe school buses.....improved village streetlighting.....better drainage from rainstorms....and increased protection of our natural resources, specifically our ocean, rivers, and aquifer.

And at the forefront of these issues, and many more, is the Department of Public Works. DPW is the most visible GovGuam department on this island. Everywhere you look, everywhere you go, there is a connection to DPW.

As an example, DPW is responsible for just some of the following :

- 166+ miles of Primary roads and road shoulders
- 800+ miles of secondary roads, streets, and public easements
- 50+ bridges and culverts
- 115+ ponding basins
- 600+ bus shelters

- 170+ school buses transporting thousands of students on school days
- Maintenance of all government owned buildings
- Over 15,000 public streetlights
- All government funded Capital Improvement Projects
- The review and issuance of Building Permits
- Reviewing building plans for homes, commercial buildings, hotels
- Ensuring that buildings and structures conform to current laws and Building Codes.
- Maintenance of hundreds of government vehicles.
- Compliance with federal mandates for our coral pit in Dededo
- Compliance with Federal mandates for our ponding basins, outfalls, and rivers

These are just a few of the major responsibilities the department is faced with. This is a huge task with a little over 270 employees. I may stand corrected, but I don't believe there was a line of individuals, waiting up at Adelup, hoping to be appointed as the next director.

Having said this, this is what I hope to accomplish, short and mid-term, as the new director at the department.

1. Funding: Seek additional funding and resources to include local funding, Federal Government funding, Federal and Private Grants, business partnerships and community sponsorships.
2. Training: Employees should be trained at all levels....Professional disciplines, technical studies, transportation issues, legal, administrative, clerical, and customer service. Professional and intensive training and education for our employees.....leads to improved efficiencies, better outcomes....and hopefully cost savings.
3. Maintenance: Establish strict maintenance and performance standards throughout the agency.....beginning with the maintenance for vehicles, equipment, roads, road shoulders and guardrails, Bus Stops, government buildings, etc.
4. Community Partnerships: Strengthen and improve our relationship with our Mayor's, other GovGuam agencies, our Business community, and of course our Military partners.
5. Road Paving: Having been on the outside of DPW, looking in, our road pavement just does not seem to last for any reasonable amount of time. We need to find the right mix, the right ingredients, the right application for future road paving projects especially on our primary roads and intersections. The same holds true for road repair....the old practice of shoveling cold mix asphalt into a pothole has to end. There are newer technologies and products available to perform quality road repairs.
6. Municipal Separate Storm Sewer System (MS4): Federal compliance requires the implementation of a storm water management program to control discharges and pollutants entering our rivers, ocean, and aquifers.
7. U.S. Department of Labor, Mine, Safety, Health Administration (MSHA): A review was conducted at our coral pit in Dededo a couple of years back. Heavy equipment that complies with MSHA standards must be procured and utilized. Additionally, securing and protecting the entire site, must take place for obvious safety reasons.



Senators, these are just some of the issues, that I wish to lead, direct, and have accomplished at the department. There are many other issues related to the island's growth, economic stability, and government resources that the department will eventually be faced with. This will be addressed with the proper leadership and planning from within our government, our business community, and our island residents.

There are good, hard-working employees at DPW. The agency is also very fortunate to have Mr. Jesse Garcia as the Deputy Director. He is seasoned, having worked there previously, and well-versed in most, if not all, the operational aspects of the department. My job, as Director, would be to get the most productivity and efficiency out of each and every one of our employees, and have them function as one team, one unit, one professional organization within this government.

In closing, it would be a privilege to continue my public service at the Department of Public Works. The future for our island is "promising" as our Governor Leon Guerrero stated earlier. I would be honored to be an important part of our island's direction, future, and success.

I humbly request your support for my nomination.

Si Yu'us Maase,

A handwritten signature in black ink, appearing to read 'V. P. Arriola', written in a cursive style.

Vincent P. Arriola

May 3, 2019

The Honorable Jose "Pedo" Terlaje  
Committee on Public Safety, Border Safety, Military and Veteran Affairs,  
Mayors Council, Infrastructure and Public Transit  
Senator, 35<sup>th</sup> Guam Legislature  
Bridge Pointe Bldg., Suite 202  
140 Aspinall Ave.  
Hagåtña, Guam 96910

**REFERENCE:** The Appointment of Vincent P. Arriola as the new Department of Public Works Director

Buenas yan Hafa Adai Senator Jose "Pedo" Terlaje and Members of the Committee on Public Safety, Border Safety, Military and Veteran Affairs, Mayors Council, Infrastructure and Public Transit

My name is Peter Roy Martinez. I recently retired from the Government of Guam as Deputy Executive Manager of the A. B. Won Pat International Airport Authority, Guam (GIAA).

I am here in support of Vincent P. Arriola's appointment as the new Director for the Department of Public Works.

I have known Vincent for over 30 years on a professional and personal level.

From 1997 to 2003, Vincent was the General Manager for the Guam Telephone Authority (GTA) which at the time was a government agency preparing for privatization. I was a member and chairman of the GTA Board of Directors from 1997 to 2002. It was during this period that I got to know him better and to observe his management style. I found him to be a well-respected, committed and hard-working general manager who was open-minded and was always ready to take on a challenge. He was well versed on the entire operations of the agency, its finances, and Federal Communications Commission (FCC) policies and procedures. He kept the Board of Directors informed of pertinent matters and was always prepared for our board meetings. Vincent worked and communicated well with the employees and with the board.

As you know, GTA officially became a part of the private sector on December 31, 2004.

You can depend on Vincent to lend a hand when needed. I had an opportunity to work with him in preparing the strategic plans, goals, and objectives of the Father Duenas

Memorial School Endowment Foundation. He was very knowledgeable and instrumental in the completion of this project.

As an alumni of Father Duenas Memorial School (Class of 1974), Vincent is very active and supportive of the FDAA (Father Duenas Alumni Association). You can be sure of his presence at events to benefit the school or at functions for the Alumni Association. During the annual FD alumni basketball tournament you can always find him at the bleachers cheering on his classmates and just having a great time with all the other alumni—young and old.

Vincent is a long time friend of mine. There are so many words that I can use to describe him—courteous, trustworthy, caring, fair, understanding, compassionate, practical, firm, friendly, patient, religious, and a family man. He is truly all of these.

I humbly ask that you confirm Vincent as the Director for DPW. With his work ethics, experience, and wealth of knowledge I know that he will do well for DPW.

Thank you for the opportunity to come before your committee and this legislature to express my support for Vincent P. Arriola.

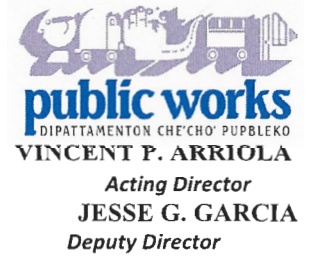
Regards and Si Yu'osMa'ase,

Pedro Roy Martinez  
PO Box 1285  
Hagatna, Gu. 96932



*The Honorable*  
**LOURDES A. LEON GUERRERO**  
*Maga' Håga - Governor*

*The Honorable*  
**JOSHUA F. TENORIO**  
*Sigundo Maga' Låhi - Lieutenant Governor*



**VINCENT P. ARRIOLA**  
*Acting Director*  
**JESSE G. GARCIA**  
*Deputy Director*

**Department of Public Works**  
**Written Testimony – Confirmation of Vincent P. Arriola**  
**Director of Public Works**  
**May 3, 2019**

**Good morning Honorable Senator Jose “Pedo” Terlaje and Committee Members:**

**I am respectfully submitting my written testimony in support of the confirmation for Vincent P. Arriola, to serve as our Director of Public Works.**

**I have personally known Vince to be a leader that possess the necessary skills to administer the daily operations of the department. He is an integral part of the team that is committed to achieving the goals of this administration in an honest, transparent, accountable and responsive manner. One of his attributes that I am sure everyone is aware of, is his expert administrative and budget skills that will serve as an asset to the department as a whole. We believe Vince has the proven experience and record put together to be the right choice to lead the cohesive team at DPW, and bring needed efficiencies to both government and public entities, starting by his own example.**

**Vince values every opportunity given to strive and succeed and shares that amongst his fellow employees. So, we take this as a positive transformation change and contribution for DPW’s diversified work force. With no doubt, having an established track record that has proven him to be an individual who is a doer, and innovative strategist, Vince understands the challenging issues that can be pushed to a more reflective and perspective level.**

**Overall, he is eminently qualified to serve as the Director, and ask your utmost support to confirm him as DPW’s leader.**

**Thank you and Si Yuus Maase!**

  
**JESSE G. GARCIA**  
**Deputy Director, DPW**



*The Honorable*  
**LOURDES A. LEON GUERRERO**  
*Maga' Håga · Governor*

*The Honorable*  
**JOSHUA F. TENORIO**  
*Sigundo Maga' Låhi · Lieutenant Governor*



**VINCENT P. ARRIOLA**  
*Acting Director*  
**JESSE G. GARCIA**  
*Deputy Director*

**Department of Public Works**  
**Written Testimony – Confirmation of Vincent P. Arriola**  
**Director of Public Works**  
**May 3, 2019**

**Good morning Honorable Senator Jose “Pedro” Terlaje and Committee Members:**

**The DPW Office of Highway Safety is respectfully submitting written testimony in support of the confirmation for Vincent P. Arriola, to serve as our Director of Public Works.**

**Vince has the administrative expertise and experience to successfully lead the Department of Public Works. He is a collaborative and excellent team leader and manager who is committed to serving the public. His political and government experience is invaluable, and his ability to work with a multitude of people will prove to be a significant asset to the DPW team, together with his professionalism and logical approach to critical situations which only qualifies him moreover for this title.**

**His known participation in community activities is a testament to his dedication to public service, which is considered a definite asset for DPW. In addition, shared by many former co-workers and constituents, they all expressed the same sentiments of his strong background in entrepreneurship and innovation. Assuming Mr. Arriola will be confirmed (should be no brainer considering his vast accomplishments) we believe he will be an excellent fit in DPW’s organization.**

**We extend our gratitude for the opportunity to provide written testimony and urge to move forward with his confirmation.**

**Thank you for your time and consideration.**

**Respectfully submitted,**

  
**Cil Javier & the DPW Office of Highway Staff**

# ***Guam Inspection and Certification Bureau, Inc.***

156-9 Perez Way, Tamuning, Guam 96913-4053, phone (671) 989-8564

Email: safe@gicbi.com

Senator Jose "Pedo" Terlaje  
Chair of the Committee on Infrastructure and Public Transit  
Office of Senator Terlaje at Bridge Pointe Bldg.  
Suite 202, 140 Aspinall Ave. Hagåtña, Guam 96910

March 25, 2019  
ref: 19032501

## **Re: Written Testimony for the Department of Public Works Director Confirmation**

Senator Jose "Pedo" Terlaje,

Please accept this letter as my written testimony for addressing unethical practices, corruption, and incompetence issues plaguing the Department of Public Works (DPW) at both the Director's level and in the Building Permits and Inspection section (BP&I).

For the past five years the laws of Guam have been violated by persons in the Department of Public Works regarding elevator and escalator safety. This practice is being promoted in the DPW BP&I Section and was condoned, and at times initiated, by the previous administration's Director and Deputy Director at DPW.

Elevator safety and maintenance laws have been in Guam since 1975. In 2004 the elevator safety laws of Guam were updated for two main reasons. One was because owners and operators of elevators were not complying with the laws of Guam regarding two inspections in a twelve (12) month period, so the operating permits were changed with validity from twelve (12) months to six (6) months. This practice continues today and is being promoted by the very agency tasked to enforce these laws.

Reference: Public Law 17-216, 1975

Reference: Public Law 27-147, 2006

Reference: 21 GCA, CH 67, Article 2, paragraph § 67210 (g) (1)

The second change was to ensure inspections were performed by competent and Qualified Elevator Inspectors (QEI) as defined in the American Society of Mechanical Engineers (ASME), Safety Code for Elevators and Escalators.

Reference: Public Law 27-147, 2006

Reference: 21 GCA, CH 67, Article 2, paragraph § 67201 (d)

Reference: 21 GCA, CH 67, Article 2, paragraph § 67201 (e)

Reference: 21 GCA, CH 67, Article 2, paragraph § 67208 (b)

Reference: 21 GCA, CH 67, Article 2, paragraph § 67202 (a)

Reference: ASME, QEI-1, 2007, 1-1.3

Reference: ASME A17.1, 2007, 8.10.1.1.3 & 8.11.1.1

Other sections of the Guam law that are being violated include, but are not limited to;

New installations are being placed into service without acceptance testing, including governors, safeties, valves, and load tests for brakes. Existing elevator installations are not being tested annually or going through the five-year tests (load tests). Some escalators have never been tested. How do you guarantee the public this equipment is safe to operate?

Reference: 21 GCA, CH 67, Article 2, paragraph § 67205 (a)

Reference: 21 GCA, CH 67, Article 2, paragraph § 67210 (b)

Elevator companies performing installations that are not registered, installing elevators without installation permits, installing elevators without licensed individuals, and using individuals that are not legally allowed to even work in the US Territory.

Reference: Public Law 14-51, Contractors License Board, Specialty Contractor C-16

Reference: 21 GCA, CH 67, Article 2, paragraph § 67205 (a) & (b)

Reference: 21 GCA, CH 67, Article 2, paragraph § 67202 (a) & (b)

Exhibit A: GCA list of C-16 licenses, registered contractors

Inspections are knowingly being performed at hotels, schools, the airport, and many other facilities by uncertified and unqualified individuals. Requests for inspections at government facilities are being issued for facilities/buildings specifically requesting QEI documentation but work is not being awarded based on qualifications.

Reference: 21 GCA, CH 67, Article 2, paragraph § 67201 (d)

Reference: 21 GCA, CH 67, Article 2, paragraph § 67208 (b)

Reference: ASME A17.1, 2007, QEI-1, 1-1.3

Reference: ASME A17.1, 2007, 8.10.1.1.3 & 8.11.1.1

Exhibit B 1 & 2: Airport RFQ and GDOE letter for OPA

There are elevators in Guam that have not had an inspection in 5 years, 10 years, and some have never had an inspection. It is unsafe for the riders of the equipment, and a loss in revenue for the government of Guam. Buildings need periodic inspections, or at least every 3 years. An elevator not ever being inspected is not only out of compliance; but just does not make sense.

Reference: 21 GCA, CH 66, Article 4, paragraph § 66402 (a) & (c)

Reference: 21 GCA, CH 67, Article 2, paragraph § 67210 (g) (1) & (2)

Reference: 21 GCA, CH 67, Article 2, paragraph § 67211 (a)

Reference: 21 GCA, CH 67, Article 2, paragraph § 67217

Operating permits for elevators are not being posted.

Reference: 21 GCA, CH 67, Article 2, paragraph § 67211 (d)

Reference: OSHA, 29 CFR, 1917.116 (e)

Exhibit C: photograph of missing operating permit

Permits have been extended past the legal validity date, with a QEI inspector's name, my name, for no apparent reason.

Reference: 21 GCA, CH 67, Article 2, paragraph § 67211 (c)

Reference: OSHA, 29 CFR, 1917.116 (e)

Exhibit D: photograph of operating permit extended past 6 months

Some elevator owners are being charged for two inspections simultaneously.

Reference: 21 GCA, CH 67, Article 2, paragraph § 67213 (b)

Exhibit E 1 & 2: photographs of permits within same period

Maintenance is not being performed properly, and sometimes not at all, on many elevators and escalators. There are units in Guam that are out of service, or partially out of service, that have never received a final inspection.

Reference: 21 GCA, CH 67, Article 2, paragraph § 67202 (a) & (b)

Reference: 21 GCA, CH 67, Article 2, paragraph § 67203

Accidents are happening, and entrapments are occurring almost weekly. This even includes the platform lift outside the office of Senator Jose "Pedo" Terlaje, DPW Oversight Chair.

Was this unit inspected?

Is it being maintained?

Is everything in working order?

Does the owner have emergency evacuation procedures?

Does it have an operating permit?

Is an operating permit posted?

Does the owner have any records?

Does the DPW have any records?

There is currently no enforcement of existing elevator safety laws here in Guam. The very authority that is tasked to enforce the laws is going out of its way to circumvent them. There is not even a basic data base of elevators, escalators, moving walks, dumbwaiters, platform lifts, and stairway lifts in Guam. The DPW has stated in news reports that there are 3,000 to 5,000 elevators in Guam during a news interview, when in actuality it is probably in the hundreds.

The DPW BP&I Section has often complained to me that there were too many comments in the inspection reports. Yet they have never issued a letter of compliance, cease to operate, or penalty fines of any type. They have even informed me that I would have to rectify any findings in the reports submitted. The reality is; they do nothing, but will not issue a permit.

My commission to inspect has been held up with the Director's office for up to 6 months (12-month validity), and permits have not been released for up to 4 months (6-month validity). Currently; as of this writing there are 200 permits pending release. This is not acceptable.

As the Certified QEI (Qualified Elevator Inspector); I can help with these issues, but I need support. Since January of 2015 DPW has not provided any support and have been knowingly and very actively promoting uncertified inspectors, while simultaneously running an unethical campaign to put me out of business. This has been done through various news articles, threats against me, and often times by intimidating our clients.

Exhibit F: uncertified, commissioned inspectors

This is in effect; a serious issue and a sure recipe for disaster.



Laws that are not enforced are useless and an endangerment to the public. This safety concern is endangering; the people of Guam, elevator maintenance personnel, military personnel, and one of Guam's most valuable assets, the tourists.

Reasonable safety must be ensured.

Reference; 21 GCA, CH 67, Article 2, 67202 (a)

My company, Guam Inspection and Certification Bureau, has reached out to the office of every senator by phone call, email, or personal visits. Unfortunately; we did not have the chance to discuss all these issues with every law maker, but many were interested in assisting by changing or revising the elevator safety laws. Although this is a noble gesture; it does not matter what the law states, if the laws cannot be enforced.

It does not make any sense to write laws that are not enforced. But laws that are being broken by the very people tasked to enforce them is preposterous.

Whoever is confirmed as Director for the Department of Public Works must be ready, willing, and capable of enforcing the laws of Guam, as written, and without fear or prejudice.

The people of Guam deserve better than having to tolerate corrupt and incompetent officials, and they should not be allowed to continue working as protected or untouchable individuals. If the laws are broken by these individuals the laws must also apply to them and they should not only be removed from office but prosecuted as offenders. No one should stand above the law.

There have been recent renewals of boards against corruption, ethics commissions, and executive orders which are aimed at streamlining government processes.

At the beginning of February 2019; Executive Order 2019-04 was set up to look into the issues at DPW's permit section by Lt Governor Josh Tenorio.

*Daily Post, January 7, 2019 (in part)*

*The Leon Guerrero-Tenorio administration will, for the first time in decades, establish the Guam Ethics Commission to hold government officials to a high ethical standard.*

*"The commission will serve as a venue for honest complaints, fair hearing and resolution," Leon Guerrero said.*

This is sorely needed; as the previous Director was directly involved in much of the inept and illegal practices happening within the Department.

Doesn't it make sense to just weed out government individuals who circumvent the laws of Guam? Why would elevator owners proceed with an inspection to possibly save a few dollars, yet expose themselves to unnecessary liability, unless it was under duress, and how are some elevator owners exempt from following the law?

People employed within the DPW have been trying to tarnish my name and reputation for the last 5 years because I am pushing for enforcement of the laws and safer elevators and escalators. This means that the DPW Director and BP&I section would have to do their job.

Laws in Guam supposedly do not allow gambling; yet we are gambling everyday with someone's life when we turn a blind eye to incompetent and/or corrupt officials. We do not know where, or when, or who will be the victim when the fatal accident occurs, but it will happen!

We need to stop tolerating this practice and turn the tables for everyone's benefit.



Tom O'Connor, QEI Certified  
Guam Inspection and Certification Bureau

Attachments: 21 GCA, CH 67, Article 2 Elevator Installations (in full)  
21 GCA, CH 66, Article 4 Building Inspections, paragraph § 66402 (a) & (c)  
OSHA, 29 CFR, 1917.116 (e)  
ASME A17.1, 2007, 8.10.1.1.3  
ASME A17.1, 2007, 8.11.1.1  
ASME QEI-1, 2007, 1-1.3  
Exhibit A: GCA list of C-16 licenses, registered contractors  
Exhibit B 1 & 2: Airport RFQ and DOE letter for OPA  
Exhibit C: photograph of missing operating permit  
Exhibit D 1 & 2: photographs of operating permit extended past 6 months  
Exhibit E 1 & 2: photographs of permits within same period  
Exhibit F: uncertified, commissioned inspectors

In December of 2004 the Guam Legislature, in order to bring Elevators, Escalators, Platform and Stairway Chairlifts, Dumbwaiters, Moving Walks, and other conveyances into conformance with the American National Standards, passed Bill 400 in law.

Public Law 27-147 had 2 goals;

To ensure conveyances were inspected twice yearly  
*and*

To ensure conveyances were inspected by Certified QEI persons (Qualified Elevator Inspector)

*I Liheslaturan Guahan* also finds that there is a critical need to ensure and to provide for the safety of life and limb; and to promote public safety awareness about elevators and similar conveyances.

*I Liheslaturan Gudhan* further finds that the use of unsafe and defective lifting devices imposes a substantial probability of serious and preventable injury to employees and the public who are exposed to unsafe conditions.

The prevention of these injuries and protection of employees and the public from unsafe conditions is in the best interest of the people of Guam.

It is, therefore, the intent of *I Liheslaturan Gudhan* to *amend* Article 2 of Chapter 67 of Title 21, Guam Code Annotated, relative to upgrading elevator inspection and installation requirements to the existing American National Standard. Elevator personnel performing work covered by this Code shall, by documented training or experience, or both, be familiar with the operation and safety functions of the components and equipment.

Effective January 1, 2006



OFFICE OF SENATOR  
ANTOINETTE (TONI) SANFORD  
GSCD  
DEC 01 2004

Senator Lou Leon Guerrero RN, MPH

TIME: \_\_\_\_\_ AM( ) PM( )

REC'D BY: \_\_\_\_\_

DEC 01 2004

**MEMORANDUM**

- Democrat Majority Leader
- Committee on Rules & Health  
Chairwoman
- Committee on Utilities & Land  
Member
- Committee on Appropriation  
& Budgeting, General  
Government Operations  
Reorganization & Reform  
Member
- Committee on Community,  
Culture, Recreation &  
Public Broadcasting  
Member
- Committee on Economic  
Development, Retirement,  
Investments, Public Works,  
& Regulatory Functions  
Member
- Committee on Education  
& Housing  
Member
- Committee on Judiciary  
& Transportation  
Member
- Committee on Youth &  
Senior Citizens,  
Federal & Foreign Affairs  
Member

To: Senator Toni Sanford, Chairwoman  
Committee on Economic Development, Retirement,  
Investments, Public Works & Regulatory Functions

From: Speaker vicente c. pangelinan  
Acting Chairman, Committee on Rules and Health

Subject: Principal Referral -- Bill No. 400 (COR)

In accordance with Section 6.04.04.01 of the Standing Rules of the Mina' Bente Siete na Liheslaturan Guahan,

**Bill No. 400 (COR) AN ACT TO AMEND ARTICLE 2 OF CHAPTER 67, TITLE 21 GUAM CODE ANNOTATED, RELATIVE TO CHANGING INSPECTION AND INSTALLATION REQUIREMENTS FOR ELEVATORS, ESCALATORS, PLATFORM AND STAIRWAY CHAIR LIFTS, DUMBWAITERS, MOVING WALKS, AUTOMATED PEOPLE MOVERS AND OTHER CONVEYANCES TO BRING THEM INTO CONFORMANCE WITH AMERICAN NATIONAL STANDARDS.**

is referred to your Committee on Economic Development, Retirement Investments, Public Works & Regulatory Functions as the principal committee.

**A copy of this bill may be obtained at the office of the Clerk of the Legislature.**

Also in accordance with Section 7.01 of the Standing Rules, the Principal Committee shall notify the Speaker, the Chairwoman of the Committee on Rules and the Executive Director, the date, time, subject matter, number and title of the bill for which a public hearing will be held.

Thank you

OFFICE OF SENATOR  
ANTOINETTE (TONI) SANFORD

DEC 01 2004

Cc: Clerk of the Legislature

TIME: 4:10 AM( ) PM( )

REC'D BY: \_\_\_\_\_

27th Guam Legislature  
155 Hesler Street Hagatña, Guam 96910  
Office 671 . 472-3582 - 5 / 472-3576 Facsimile 671 . 472-3591 Email

ARTICLE 2  
ELEVATOR INSTALLATION  
21 GCA REAL PROPERTY  
CH. 67 THE BUILDING CODE

- § 67201. Definitions
- § 67202. Reasonable Safety Required.
- § 67203. Out of service.
- § 67204. Exemptions.
- § 67205. Installation Permit.
- § 67206. Notice of Location.
- § 67207. Variance.
- § 67208. Elevator Inspector.
- § 67209. Revocation, Cancellation or Denial of Commission, Permits, Certificates; Appeal.
- § 67210. Required Inspections.
- § 67211. Permit to Operate.
- § 67212. Safe Operation.
- § 67213. Inspection Fees.
- § 67214. Temporary Use of Permanent Elevators.
- § 67215. Disposition of Fees.
- § 67216. Safety Notices & Orders.
- § 67217. Penalties.
- § 67218. Severability.
- § 67219. Disaster Precautions.

**§ 67201. Definitions.**

For the purposes of this Article the following terms shall have the meanings indicated herein:

(a) All definitions contained in the American standard Safety Code for Elevators, Dumbwaiters, Escalators, Moving Walks and Manlifts shall be applicable to this Article.

(b) *Director* means the Director of the Department of Public Works.

(c) *Department* means the Department of Public Works.

(d) Inspector means any person, as defined in the American Society of Mechanical Engineers (ASME) as a Qualified Elevator Inspector (QEI), who is commissioned by the Director as prescribed in § 67207.

(e) *ASME A17.1* is the Safety Code for Elevators and Escalators, an American National Standard;

**21 GCA REAL PROPERTY  
CH. 67 THE BUILDING CODE**

(f) *ASME A17.3* is the Safety Code for Existing Elevators and Escalators, an American National Standard;

(g) *ASME A18.1* is the Safety Code for Platform Lifts and Stairway Chairlifts, an American National Standard.

**SOURCE:** GC § 36000 added by P.L. 12-216. This entire Article was added by P.L. 12-216 unless otherwise indicated. Subsection (d) amended and subsections (e), (f) and (g) added by P.L. 27-147:2 (Dec. 30, 2004)

**NOTE:** Pursuant to P.L. 27-147:9, amendments therein became effective on January 1, 2006.

**§ 67202. Reasonable Safety Required.**

(a) All new and existing installations of elevators, dumbwaiters, escalators, moving walks and manlifts shall be reasonably safe to persons and property and in conformity with the American National Standards set forth in ASME A17.1, ASME A17.3 and ASME A18.1.

(b) Conformity of all new and existing installations of elevators, dumbwaiters, escalators, moving walks and manlifts with applicable regulations set forth by the American Standard Safety Code, in force at the time of their installation. and the provisions of this Chapter, shall be prima facie evidence that such installations are reasonably safe to persons and property.

**SOURCE:** GC § 36001. Subsection (a) amended by P.L. 27-147:3 (Dec. 30, 2004).

**NOTE:** Pursuant to P.L. 27-147:9, amendments therein became effective on January 1, 2006.

**§ 67203. Out of service.**

When it is intended to discontinue the service of an elevator or other hoisting device covered by this Article, the Department shall be so notified by the owner or user. The hoistway doors or entrance shall be permanently boarded up or barricaded. The cables shall be removed and the car and counterweights landed at the bottom of the hoistway. On elevators or devices not suspended by cables. the power must be satisfactorily disconnected. Plunger elevators shall have the liquid line to the plunger disconnected. Prior to placing the hoisting device back into service the Department shall be notified and an inspection made.

**SOURCE:** GC § 36002.

**§ 67204. Exemptions.**

The following elevators, dumbwaiters, escalators, moving walks or manlifts are exempt from the requirements of this Article:

(a) Those under the jurisdiction of the United States Government.

(b) Those serving only a private residence and not accessible by the general public.

SOURCE: GC § 36003.

**§ 67205. Installation Permit.**

(a) No person shall install, construct, reconstruct, relocate or make major alteration to any elevator, dumbwaiter, escalator, moving walk or manlift without first obtaining an installation permit from the Department.

(b) Installation permit as required under subsection (a) above shall be issued only to a person who is licensed to engage in the business of maintaining elevators, dumbwaiters and escalators in accordance with the rules and regulations of the Contractors' License Board of the Department of Regulatory Agencies, State of Hawaii until such time as the Department of Public Works shall issue such rules and regulations for the Government of Guam.

(c) The plans and specifications for such elevator, dumbwaiter, escalator, moving walk or ramp or manlift, together with such building details as are pertinent to the installation shall be submitted to the Department before any work is begun on the installation. Final shop drawings shall be submitted to the Department.

(d) The Department shall, before issuance of permit for installing, constructing, reconstructing or relocating as required under Subsection (a) of this Section, charge and collect a fee for each permit as follows, or as determined by the Director through the Administrative Adjudication process::

Dumbwaiter . . . . .	\$ 10.00
Manlift . . . . .	\$ 15.00
Escalator, electric stairway or moving sidewalk or ramp . . . . .	\$ 25.00
Elevator	
5 floor rise & under . . . . .	\$ 25.00
6 floors . . . . .	\$ 30.00
7 floors . . . . .	\$ 35.00

**21 GCA REAL PROPERTY  
CH. 67 THE BUILDING CODE**

8 floors . . . . .	\$ 40.00
9 floors . . . . .	\$ 45.00
10 floors . . . . .	\$ 50.00
11 floors . . . . .	\$ 55.00
12 floors . . . . .	\$ 60.00
13 floors . . . . .	\$ 65.00
14 floors . . . . .	\$ 70.00
15 floors . . . . .	\$ 75.00
16 floors . . . . .	\$ 80.00
17 floors . . . . .	\$ 85.00
18 floors . . . . .	\$ 90.00
19 floors . . . . .	\$ 95.00
20 floors . . . . .	\$100.00
Above 20 . . . . .	\$5.00 for each additional floor.

(e) The Department shall, before issuance of an installation permit for a major alteration as required under subsection (a) of this section, charge and collect a fee of \$25.00 for each permit.

(f) The installation permit fee shall be used to provide, among other things, the following services:

(1) The data inspection and witnessing the acceptance tests on the installation.

(2) The processing and issuance of the temporary permit to operate the installation.

(g) Fees in accordance with the foregoing schedule shall be charged and collected on all permits issued after the effective date of this rule; provided that, if a successful bid for the installation [of] amu elevator, dumbwaiter, escalator, moving walk or ramp or manlift has been tendered prior to the effective date of this rule, no fee shall be charged for the permit.

**SOURCE:** GC § 36004. The first paragraph of subsection (d) was amended by P.L. 21-147:4 (Dec. 30, 2004).

**NOTE:** Pursuant to P.L. 27-147:9, amendments therein became effective on January 1, 2006.

**§ 67206. Notice of Location.**

(a) The owner or lessee of any sidewalk elevator or manlift operating in the territory shall report to the Department in writing the location thereof within 90 days of the effective date of this Article.



**21 GCA REAL PROPERTY  
CH. 67 THE BUILDING CODE**

(b) The owner or lessee of any elevator, dumbwaiter, escalator, moving walk or manlift who sells, lends, gives or removes said device shall report the transaction and the name and address of the new owner or use[r] within 10 days of such transaction to the Department.

**SOURCE:** GC § 36005.

**§ 67207. Variance.**

(a) When the Department finds that a variation from the terms set forth in this Article will not impair the safety of employees, which would otherwise be secured by compliance with the terms of said Article, the Department, upon written application, after investigation and such hearings as the Department may direct, may issue an order permitting such variation upon such conditions as it may specify and upon the provision and use of such safety measures and appliances as shall, in the judgment of the Department, secure the safety of employees.

(b) Non-compliance with the conditions specified in the variance shall automatically suspend such variance for as long as the non-compliance exists.

(c) Upon receipt of a complaint and satisfactory proof that a variation imperils the safety of employees, which could otherwise be secured by compliance with this Article, the Department may suspend, revoke or modify the variance and/or the conditions specified.

(d) No declaration, act or omission of the Department other than a written notice authorizing a variation, shall be deemed to exempt, either wholly or in part, expressed or implied, any owner from full compliance with the terms of this Article.

**SOURCE:** GC § 36006.

**§ 67208. Elevator Inspector.**

(a) Any person making inspections of elevators as required by this Article shall first secure from the Department, a commission to make such inspections.

(b) Applicants for commissions as elevator inspectors shall be mentally and physically sound; citizens of the United States; able to read, write and understand the English language; of good moral character; and meet the standards set forth in the ASME QEI.

(c) All commissions to inspect, unless suspended, revoked or

**21 GCA REAL PROPERTY  
CH. 67 THE BUILDING CODE**

cancelled, shall expire on December 31, of the year of issuance. The commission may be renewed within thirty (30) days after expiration, without examination, upon application to the Department and upon payment of a renewal fee of Two Dollars (\$2.00), or as determined by the Director through the Administrative Adjudication process.

(d) Commissions to inspect shall be carried at all times by inspectors while engaged in the performance of inspectional duties. Commissions are non-transferrable.

**SOURCE:** GC § 36007. Amended by P.L. 27-147:5 (Dec. 30, 2004).

**NOTE:** Pursuant to P.L. 27-147:9, amendments therein became effective on January 1, 2006.

**§ 67209. Revocation, Cancellation or Denial of Commission, Permits, Certificates; Appeal.**

(a) Any commission, permit or certificate may be revoked, cancelled or denied for cause at any time by the Director after affording a; interested parties reasonable opportunity for a fair hearing. *Cause* shall mean violation of any provision of this Article or a finding by the Director that the holder of the commission, permit or certificate is no longer qualified.

(b) Any person aggrieved by the Director's action in denying, granting, revoking or cancelling a commission, permit or certificate may, within 20 days after such action, appeal in writing to the Territorial Land Use Commission under § 66508 of this Title.

**SOURCE:** GC § 36008.

**§ 67210. Required Inspections.**

Safety inspections of elevators, dumbwaiters, escalators, moving walks and manlifts, as required under this Article, may be made by authorized employees of the Department; individuals providing inspection services for a fee; or by employees of insurance companies upon the following conditions:

(a) Required safety inspections shall be made only by commissioned inspectors.

(b) Acceptance inspections of new installations and major alterations shall be made only by commissioned inspectors in the employ of the Department who shall witness all required tests made by [the] person or firm installing the elevator, dumbwaiter, escalator, moving walk or manlift.

**21 GCA REAL PROPERTY  
CH. 67 THE BUILDING CODE**

(c) Reports of all required safety inspections shall conform to the requirements of, and shall be made on forms approved by, the Department.

(d) A copy of all reports shall be forwarded to the Department within 30 days after the safety inspection is made, unless an extension of time is granted by the Department. Where notations of discrepancies, recommendations, or requirements are made, such notations shall refer to the applicable rule of the current American Standard Safety Code for elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts or of this Article.

(e) Insurance companies shall promptly report to the Department the name of the owner or lessee and the location of every elevator, dumbwaiter, escalator, moving walk or manlift on which insurance has been issued, cancelled or discontinued, giving the reason for cancellation or discontinuance.

(f) Commissioned inspectors shall promptly report to the Department the name of the owner or lessee and the location of every elevator, dumbwaiter, escalator, moving walk or manlift for which they have refused to recommend issuance of a permit to operate, giving the reason for such refusal.

(g) The owner or lessee of any elevator, dumbwaiter, escalator, moving walk or manlift operated within the territory, except those exempted by § 67204, shall cause the same to be inspected as follows:

(1) Elevators, escalators, manlifts and moving walks twice in each 12 month period. The period between the first inspection, or the inspection used as the basis for the issuance of a permit to operate, and the second or interim inspection each year shall not exceed seven months nor be less than five months.

(2) Dumbwaiters, annually.

**§ 67211. Permit to Operate.**

(a) No elevator, dumbwaiter, escalator, moving walk or manlift shall be operated in any place of employment in this territory unless a permit for the operation thereof is issued by the Department, and unless such permit remains in effect.

(b) A permit to operate an elevator, dumbwaiter, escalator, moving walk or manlift shall be issued to the owner or lessee only after a commis-

**21 GCA REAL PROPERTY  
CH. 67 THE BUILDING CODE**

sioned inspector has found that such device has met all requirements of this Article.

(c) A permit to operate shall be valid for six (6) months unless sooner revoked and may be renewed only upon completion of an inspection by a commissioned inspector.

(d) The permit to operate shall indicate the type of equipment for which it is issued and, in the case of elevators, shall state whether passenger or freight, and shall also state the rated load and speed for such elevator, dumbwaiter, escalator, moving walk or manlift. The permit to operate shall be posted conspicuously in the elevator and on or near the dumbwaiter, escalator, moving walk or manlift.

(e) There shall be *no* charge for the processing and issuance of subsequent elevator operating permits issued as a result of a periodic inspection. However, the Department shall reserve the right to make a nominal charge *not to exceed* Two Dollars (\$2.00), or as determined by the Director through the Administrative Adjudication process, for the processing and issuance of duplicate permits.

**SOURCE:** GC § 36010. Subsections (c) and (e) amended by P.L. 21-147:6 (Dec. 30, 2004).

**NOTE:** Pursuant to P.L. 27-147:9, amendments therein became effective on January 1, 2006.

**§ 67212. Safe Operation.**

(a) All elevators coming within the following descriptions shall be operated only by designated operators who have received instruction in the proper operation thereof:

(1) All elevators intended for public use and having operating devices of the car switch, constant pressure push button, shipper rope, lever or wheel type; or dual operation elevators while "on manual operation"; and

(2) All car switch or constant pressure push button operated elevators having a rated speed in excess of one hundred fifty (150) minute [*sic*].

(b) No persons shall be allowed to operate an elevator unless they are free from mental or physical defects which would hamper their safe operation of the car and unless they have received instruction in the proper and safe operation thereof.

(c) Elevators shall be operated in a safe manner at all times.

(d) Elevator operators shall report to their employers whatever unsafe actions or conditions or defects in mechanism that may come under their notice. The operator shall not leave the elevator car unattended without having first secured the car against unauthorized use.

SOURCE: GC § 36011.

**§ 67213. Inspection Fees.**

(a) The owner or lessee of an elevator required by this Article to be inspected shall, if the inspection is performed by an inspector other than those employed by insurance companies, pay the inspection fee directly to the inspector or his employer, upon demand.

(b) No charge shall be made for inspections made other than those required by this Article except that where safety orders have not been complied with and subsequent inspections are necessary an addition fee may be charged for not more than one subsequent inspection annually.

SOURCE: GC § 36012.

**§ 67214. Temporary Use of Permanent Elevators.**

An elevator installed for permanent use may be used before completion, during construction of the building, for carrying workmen and materials, if:

(a) Such elevator and its hoistway are provided with the following minimum equipment:

(1) An approved type governor and car safety;

(2) A car with solid top and sides, except at car openings;

(3) A suitable hoistway enclosure of plywood or other materials extending from the floor to the ceiling;

(4) Approved type doors or gates which fill the entire hoistway opening, equipped with interlocks and contact locks;

(5) A competent operator who shall be in charge of such elevator, with controls arranged so the operator will have control of the elevator at all times; and

(6) A car door or gate equipped with an electric contact.

(b) The elevator has satisfactorily met the following tests:

(1) A running test with rated load with stops at various landings and at authorized speed;

(2) A test of the normal and final terminal stopping devices; and

(3) A test of the care safety device and speed governor.

(c) Upon payment of Twenty-Five Dollars (\$25.00), or as determined by the Director through the Administrative Adjudication process, for inspection fee; and

(d) Upon inspection and approval by the Department.

**SOURCE:** GC § 36013. Subsection (c) amended by P.L. 21-147:7 (Dec. 30, 2004).

**NOTE:** Pursuant to P.L. 27-147:9, amendments therein became effective on January 1, 2006.

#### **§ 67215. Disposition of Fees.**

All fees received by the Department under this Article shall be deposited with the Director of Administration to the credit of the General Fund of the Government of Guam.

**SOURCE:** GC § 36014. *Director of Finance* changed to *Director of Administration* to conform to current law.

#### **§ 67216. Safety Notices & Orders.**

The Director may issue notices or orders to enforce the provisions of this Article.

**SOURCE:** GC § 36015.

#### **§ 67217. Penalties.**

Any owner or lessee who violates or fails to comply with any notice or order made under or by virtue of this Article, or who defaces, destroys or removes, without the authority of the Department, any notice or order issued under this Article, shall be fined in an amount not to exceed One Thousand Five Hundred Dollars (\$1,500.00), or be imprisoned for a period not exceeding thirty (30) days, or both.

**SOURCE:** GC § 36016. Amended by P.L. 13-187:199 and P.L. 27-147:8 (Dec. 30, 2004).

#### **§ 67218. Severability.**

If any section, subsection, paragraph, sentence, clause or phrase of this Article is held unconstitutional or invalid, such decision shall not affect the remaining portions of this Article.

21 GCA REAL PROPERTY  
CH. 67 THE BUILDING CODE

SOURCE: GC § 35017.

**§ 67219. Disaster Precautions.**

Because of the frequent power outages and earthquakes on island:

(a) each elevator car shall be equipped with retainer plates and counterweight guide shoes to prevent the car or counterweight from leaving the rail; and

(b) each elevator car shall be equipped with a detection device which will stop the elevator car at the nearest floor if the counterweight leaves its rails.

SOURCE: Added as § 5105 of the UBC by P.L. 14-112:10.

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**ARTICLE 3  
BOILER INSTALLATION**

§ 67301. Definition.

§ 67302. Standard.

§ 67302. Inspection.

§ 67303. Safety Orders.

§ 67304. Exemptions.

**§ 67301. Definition.**

As used in this Article, *boiler* means any fired or unfired pressure vessel, subject to this Article, used to generate steam pressure by the application of heat.

SOURCE: GC § 36300 added by P.L. 4-82 (eff. 1/1/59). This entire Article was added by the same public law unless otherwise indicated.

**§ 67302. Standard.**

The American society of Mechanical Engineers' Boiler and Pressure Vessel Code shall be accepted as the generally recognized standard for the design, construction, installation, inspection, operation and repair of boilers in Guam.

SOURCE: GC § 36301.

**§ 67302. Inspection.**

The Director of Public works, pursuant to the provisions of § 66116 and § 66117 of this Title, shall formulate and promulgate rules and

ARTICLE 4  
BUILDING INSPECTION

- § 66401. Building Inspection.
- § 66402. Same.
- § 66403. Same.
- § 66404. Tests As Proof of Compliance.
- § 66405. Same: Prefabricated Buildings.
- § 66406. Stoppage of Work for Noncompliance.
- § 66407. Revocation of Permit.
- § 66408. Fees.
- § 66409. Contractual Review of Plans & Permits.

**§ 66401. Building Inspection.**

The building official or his authorized representative, insofar as may be necessary in the performance of his duties, upon showing proper credentials, may enter at any reasonable time any building, structure or premises in the Territory of Guam to perform any duty imposed upon him by this Chapter. Any person or persons interfering with the building official or his authorized representative in the performance of such duties shall be liable to the penalties hereinafter provided.

SOURCE: GC § 31040.

**§ 66402. Same.**

(a) The building official, in order to accomplish the express purpose of this law as set forth in § 66102, shall inspect or cause to be inspected from time to time, but not less than once every three (3) years, all buildings, structures, appurtenances and equipment in order to verify proper maintenance, continues compliance with the applicable provisions of this Chapter and with such other laws, rules and regulations as may be applicable.

(b) Whenever in the opinion of the building official, any part of the structural frame or construction of any building, structure, or equipment is in an unsafe or unsanitary condition, he may order such portions of the structural frame or construction of the building, structure or equipment exposed for inspection.

(c) The building official shall record the findings from such inspections in the current record as provided for in § 66113.



# UNITED STATES DEPARTMENT OF LABOR

## Occupational Safety and Health Administration

### Regulations (Standards - 29 CFR) - Table of Contents

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- Part Number: 1917
  - Part Title: Marine Terminals
  - Subpart: F
  - Subpart Title: Terminal Facilities
  - Standard Number: 1917.116
  - Title: Elevators and escalators.
  - GPO Source: [e-CFR](#)
- 

#### 1917.116(a)

"Elevator" means a permanent hoisting and lowering mechanism with a car or, platform moving vertically in guides and serving two or more floors of a structure. The term excludes such devices as conveyors, tiering or piling machines, material hoists, skip or furnace hoists, wharf ramps, lift bridges, car lifts and dumpers.

#### 1917.116(b)

"Escalator" means a power-driven continuous moving stairway principally intended for the use of persons.

#### 1917.116(c)

No elevator or escalator with a defect which affects safety shall be used.

#### 1917.116(d)

Elevator safety devices shall not be overridden or made inoperable.

#### 1917.116(e)

Elevators and escalators shall be thoroughly inspected at intervals not exceeding one year. Additional monthly inspections for satisfactory operation shall be conducted by designated persons. Records of the results of the latest annual elevator inspections shall be posted in elevators. Records of annual escalator inspections shall be posted in the vicinity of the escalator or be available at the terminal.

**..1917.116(f)**

1917.116(f)

Elevator landing openings shall be provided with doors, gates or equivalent protection which shall be in place when the elevator is not at that landing, to prevent employees from falling into the shaft.

1917.116(g)

The elevator's or escalator's maximum load limits shall be posted and not exceeded. Elevator load limits shall be posted conspicuously both inside and outside of the car.

1917.116(h)

Elevators shall be operated only by designated persons except for automatic or door interlocking elevators which provide full shaft door closing and automatic car leveling.

[48 FR 30909, July 5, 1983, as amended at 49 FR 28551, July 13, 1984; 61 FR 5507, Feb. 13, 1996]

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Occupational Safety and Health Administration  
200 Constitution Ave., NW,  
Washington, DC 20210  
800-321-6742 (OSHA)  
TTY  
[www.OSHA.gov](http://www.OSHA.gov)

**FEDERAL GOVERNMENT**

### 8.8.3 Welding Metals Other Than Steel

Where required elsewhere in this Code, welding of materials other than steel shall be done in accordance with the latest AWS or CSA requirements applicable to the specific materials used.

## SECTION 8.9 CODE DATA PLATE

Requirement 8.9 contains requirements for all new and existing equipment within the Scope of this Code.

### 8.9.1 Required Information

Data plate shall be provided and maintained that shall indicate the Code to be used for inspections and tests (see 8.10.1.2). The data plate shall indicate the Code and edition in effect at the time of installation. The data plate shall also indicate the Code in effect at the time of any alteration and indicate the applicable requirements of 8.7.

### (07) 8.9.2 Location

The data plate shall be in plain view, securely attached to the main line disconnect or on the controller. An additional data plate shall be installed in the vicinity of the starting switch on the exterior of escalators and moving walks.

### 8.9.3 Material and Construction

The data plate shall be of such material and construction that the letters and figures stamped, etched, cast, or otherwise applied to the face shall remain permanently and readily legible. The height of the letters and figures shall be not less than 3.2 mm (0.125 in.).

## SECTION 8.10 ACCEPTANCE INSPECTIONS AND TESTS

Requirement 8.10 covers acceptance inspections and tests of new or altered installations.

NOTE: Compliance with certain requirements is verifiable through review of design documents, engineering, or type tests.

### 8.10.1 General Requirements for Acceptance Inspections and Tests

#### 8.10.1.1 Persons Authorized to Make Acceptance Inspections and Tests

**8.10.1.1.1** The acceptance inspection shall be made by an inspector employed by the authority having jurisdiction, or by a person authorized by the authority having jurisdiction.

**8.10.1.1.2** The person installing or altering the equipment shall perform all of the tests required by 8.10.2 through 8.10.5 in the presence of the inspector specified in 8.10.1.1.1.

**8.10.1.1.3** The inspector shall meet the qualification requirements of the ASME QEI-1. Inspectors and inspection supervisors shall be certified by an organization accredited by ASME in accordance with the requirements of ASME QEI-1. Requirement 8.10.1.1.3 does not apply in Canadian jurisdictions.

**8.10.1.2 Applicability of Inspection and Test Requirements.** Inspections and tests required by 8.10.2 through 8.10.5 are to determine that the equipment conforms with the following applicable requirements:

- (a) the Code at the time of installation
- (b) the Code effective as applicable to and for each alteration
- (c) the ASME A17.3 Code if adopted by the authority having jurisdiction

NOTES (8.10.1.2):

- (1) The appropriate ASME A17.2 Inspectors' Manual (see Preface, ASME Elevator Publications) is a guide for inspections and tests.
- (2) References to "Items" and "Divisions" of the Inspectors' Manual, and to the requirements of this Code, are indicated in parentheses as a convenient reference to the applicable testing procedures and requirements.

**8.10.1.3 Making Safety Devices Inoperative or Ineffective.** No person shall at any time make any required safety device or electrical protective device inoperative or ineffective, except where necessary during tests and inspections. Such devices shall be restored to their normal operating condition in conformity with the applicable requirements prior to returning the equipment to service (see 2.26.7).

**8.10.1.4 Unique or Product-Specific Procedures or Methods.** Where unique or product-specific procedures or methods are required to inspect or test equipment, such procedures or methods shall be provided by the manufacturer or installer. (07)

### 8.10.2 Acceptance Inspection and Tests of Electric Elevators

**8.10.2.1 Inspection and Tests Required.** New installations shall be inspected and tested as required by 8.10.2.2 before being placed in service.

Altered installations shall be inspected as specified in 8.10.2.3.1. Altered installations shall be tested as specified in 8.10.2.3.2 before being placed back in service.

#### 8.10.2.2 Inspection and Test Requirements for New Installations

##### 8.10.2.2.1 Inside Car

- (a) Door Reopening Device (2.13.5) (Item 1.1)
- (b) Stop Switches (Item 1.2)
  - (1) emergency stop switch (2.26.2.5)
  - (2) in-car stop switch (2.26.2.21)
- (c) Operating Control Devices (Item 1.3)

Inspection from the car top of material lifts with automatic transfer devices shall only be permitted when top-of-car operating devices and car safeties are provided and the material lift has a rated load sufficient for the inspector and any tools and adequate horizontal and vertical clearance.

Inspection from the car top of a dumbwaiter with an automatic transfer device is only permitted when top-of-car operating devices and car safeties conforming to 7.2.12.4 are provided.

**8.10.5.6 Special Purpose Personnel Elevators.** Special purpose personnel elevators shall be subject to the applicable acceptance inspections and tests specified in 8.10.1 through 8.10.3.

The inspection and test requirements shall apply to the corresponding requirements in 5.7. Any additional requirements for this equipment shall also be checked during these inspections and tests.

**8.10.5.7 Inclined Elevators.** Inclined elevators shall be subject to the applicable acceptance inspections and tests specified in 8.10.1 through 8.10.3. The inspection and test requirements shall apply to the corresponding requirements in 5.1. Any additional requirements for this equipment shall also be checked during these inspections and tests.

**8.10.5.8 Shipboard Elevators.** Shipboard elevators shall be subject to the applicable acceptance inspections and tests specified in 8.10.1 through 8.10.3. The inspection and test requirements shall apply to the corresponding requirements of 5.8. Any additional requirements for this equipment shall also be checked during these inspections and tests.

**8.10.5.9 Screw-Column Elevators.** Screw-column elevators shall be subject to the applicable acceptance inspections and tests specified in 8.10.1 through 8.10.3.

The inspection and test requirements shall apply to the corresponding requirements of 4.2. Any additional requirements for this equipment shall also be checked during these inspections and tests.

**8.10.5.10 Elevators Used for Construction.** Elevators used for construction shall be subject to the applicable acceptance inspections and tests specified in 8.10.1 through 8.10.3.

The inspection and test requirements shall apply to the corresponding test requirements of 5.10. Any additional requirements for this equipment shall also be checked during these inspections and tests.

**8.10.5.11 Rooftop Elevators.** Rooftop elevators shall be subject to the applicable acceptance inspections and tests specified in 8.10.1 through 8.10.3.

The inspection and test requirements shall apply to the corresponding requirements of 5.6. Any additional requirements for this equipment shall also be checked during these inspections and tests.

**8.10.5.12 Rack-and-Pinion Elevators.** Rack-and-pinion elevators shall be subject to the acceptance inspections and tests specified in 8.10.1 through 8.10.3. The inspection and test requirements shall apply to the corresponding requirements of 4.1. Any additional requirements for this equipment shall also be checked during these inspections and tests.

**8.10.5.13 Limited-Use/Limited-Application Elevators.** Limited-use/limited-applications elevators shall be subject to the applicable acceptance inspections and tests specified in 8.10.1 through 8.10.3.

The inspection and test requirements shall apply to the corresponding requirements of 5.2. Any additional requirements for this equipment shall also be checked during these inspections and tests.

## SECTION 8.11 PERIODIC INSPECTIONS AND TESTS

Requirement 8.11 covers periodic inspections and tests of existing installations.

NOTE: Compliance with certain requirements is verifiable through review of design documents, engineering, or type tests.

### 8.11.1 General Requirements for Periodic Inspections and Tests

**8.11.1.1 Persons Authorized to Make Periodic Inspections and Tests.** The inspector shall meet the qualification requirements of the ASME QEI-1. Inspectors and inspection supervisors shall be certified by an organization accredited by ASME in accordance with the requirements of ASME QEI-1. This requirement does not apply to Canadian jurisdictions.

**8.11.1.1.1 Periodic Inspections.** Periodic inspections shall be made by an inspector employed by the authority having jurisdiction or by a person authorized by the authority having jurisdiction.

#### 8.11.1.1.2 Periodic Tests

(a) Periodic tests shall be witnessed by an inspector employed by the authority having jurisdiction, or by persons authorized by the authority having jurisdiction.

(b) The owner or the owner's authorized agent shall have all of the tests required by 8.11.2, 8.11.3, 8.11.4, and 8.11.5 made by persons qualified to perform such service in the presence of the inspector specified in 8.11.1.1.2(a).

**8.11.1.2 Applicability of Inspection and Test Requirements.** Inspections and tests required by 8.11.2 through 8.11.5 are to determine that the existing equipment conforms with the following applicable Code requirements:

(a) the Code at the time of installation

(b) the Code effective as applicable to and for each alteration

(c) the ASME A17.3 Code, if adopted by the authority having jurisdiction

# STANDARD FOR THE QUALIFICATION OF ELEVATOR INSPECTORS

## Part 1 Introduction

### 1-1 SCOPE

#### (07) 1-1.1 Inspectors and Inspection Supervisors

This Standard includes requirements for the qualification, duties, and responsibilities of inspectors and inspection supervisors engaged in the inspection and testing of

(a) hoisting and lowering mechanisms, equipped with a car or platform, that move between two or more landings. This equipment includes, but is not limited to, the following:

(1) elevators (ASME A17.1/CSA B44)  
(2) platform and stairway chairlifts (ASME A18.1 or CSA B355)

(b) power-driven stairways and walkways for carrying persons between landings. This equipment includes, but is not limited to, the following:

(1) escalators (ASME A17.1/CSA B44)  
(2) moving walks (ASME A17.1/CSA B44)

(c) hoisting and lowering mechanisms equipped with a car that serves two or more landings and is restricted to the carrying of material by its limited size or limited access to the car. This equipment includes, but is not limited to, the following:

(1) dumbwaiters (ASME A17.1/CSA B44)  
(2) material lifts and dumbwaiters with automatic transfer devices (ASME A17.1/CSA B44)

NOTE: Nonmandatory Appendix B also includes recommended qualifications and duties of inspector trainees.

#### 1-1.2 Accreditation

This Standard includes requirements for accreditation of organizations that certify inspectors and inspection supervisors.

#### (07) 1-1.3 Certification

ASME A17.1/CSA B44, requirements 8.10.1.1 and 8.11.1.1 require inspectors and inspection supervisors to be certified by an organization accredited by ASME in accordance with the requirements contained in this Standard.

#### 1-1.4 Covered Inspections

(07)

This Standard applies to any person who is making an inspection to determine compliance with the requirements of ASME A17.1/CSA B44, ASME A17.3, CSA-B44.1/ASME A17.5, and ASME A18.1 or CSA B355. It applies to persons typically employed by, but is not limited to, the following:

(a) jurisdictional authorities.  
(b) independent inspection agencies and elevator consultants.  
(c) insurers of the equipment.  
(d) manufacturers, installers, and maintainers of the equipment.  
(e) building owners and managers.  
(f) testing laboratories performing field inspections and tests. See also para. 1-1.5.

#### 1-1.5 Exempt Inspections

(07)

This Standard does not cover personnel engaged in engineering and type testing as covered in Section 8.3 of ASME A17.1/CSA B44, Section 8 of ASME A18.1 or Appendix A of CSA B355, and CSA-B44.1/ASME A17.5, including inspection by laboratories in association with these tests.

### 1-2 DEFINITIONS

(07)

Terms used in this Standard shall have the meanings specified in the following definitions. Other terms used shall have the meanings specified in Section 1.3 of ASME A17.1/CSA B44.

*accredited certifying organization*: a certifying organization that holds a valid Certificate of Accreditation.

*ASME*: The American Society of Mechanical Engineers.

*Certificate of Accreditation*: a certificate issued by ASME to a certifying organization that verifies the adequacy of the organization to meet the requirements of Part 4 of this Standard.

*certification manual*: the documentation of a certification program.





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Page:

Name		Scope of Work
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Core Tech International Corporation		51
J&B Modern Tech		16
Kevin & Steve Corp		5
Oceania Elevator Company, LLC		1
Otis Elevator		2
P & S Construction, Inc.		33
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SE Construction Corp		18

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Exhibit A



A.B. Won Pat  
 International Airport Authority, Guam  
 P. O. Box 3770, Tamuning, Guam 96931

## REQUEST FOR PRICE QUOTATION (RFQ)

URGENT RESPONSE APPRECIATED!!

Vendor  
**Guam Inspection & Certification Bureau**  
 Tel: 989-3564  
 Fax No.:  
 Tom O'Connor  
 ATTN:

BUYER: Joe Onedera jonedera@guamairport.net REQ. NO. M-148-FY19  
 PHONE #: 642-5148, 642-5144/5/7/9 FAX NO. 646-2048

DEADLINE FOR SUBMISSION OF QUOTE: 2/05/19 4:00 p.m. 01/30/19

Item No.	Item	Qty Unit of Measure Requested	Qty UOM Available	Qty Unit of Measure Cost	Total Cost
	ASME/QEI Certification and Inspection for Elevators, Escalators, and Moving Walkways Inspection and Operating Permits.	33 units			
	Please attach your most current copy of your Guam Business License, Your Current DPW License and your current QEI/NAESA Int'l Certification.				
2)					
	Any questions please contact Eric Ada @ 642-4482				

TO AVOID ANY DELAYS, PLS. INDICATE THE FOLLOWING OR INCLUDE THE FOLLOWING:  
**SUBMIT COPY OF CURRENT BUSINESS LICENSE WITH QUOTE**  
 JUSTIFICATION: ASME/QEI Inspection Services for Elevators, Escalators and Moving Walkways Bi-Annual Inspection as required by DPW.

INSTALLATION CHARGES (if applicable):  
 SHIPPING & HANDLING CHARGES:  
 SUBTOTAL:  
 DISCOUNT:  
**TOTAL:**

**SPECIAL INSTRUCTIONS TO VENDORS:**  
 TO AVOID ANY DELAYS, PLS. INDICATE THE FOLLOWING:  
 \*\* QUANTITY AVAILABLE ON HAND MUST BE STATED ABOVE.  
 \*\* THE NUMBER OF DAYS THE PRICE QUOTATION IS GOOD FOR. INDICATE YOUR RESPONSE HERE ~~~~~  
 \*\* ESTIMATE TIME OF DELIVERY OR SPECIAL ORDER OR BACK ORDER MUST BE STATED ABOVE.  
 \*\* INCLUDE APPLICABLE DISCOUNT, IF ANY.

**VENDOR MUST COMPLETE THIS PORTION (Signature Required)**

CHECK ONE		THIS FORM IS SUBMITTED BY: PRINT NAME: _____ SIGNATURE OR INITIALS: _____ DATE: _____
<input type="checkbox"/>	30 DAYS	
<input type="checkbox"/>	60 DAYS	
<input type="checkbox"/>	90 DAYS	



**DEPARTMENT OF EDUCATION  
OFFICE OF THE SUPERINTENDENT**

www.gdoe.net  
500 Mariner Avenue  
Barrigada, Guam 96913  
Telephone: (671) 300-1547/1536 • Fax: (671) 472-5001  
Email: jonfernandez@gdoe.net



**JON J. P. FERNANDEZ**  
Superintendent of Education

March 24, 2017

The Honorable Benjamin J. F. Cruz  
Speaker  
Thirty-fourth Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96932

GL# 34-17-325  
Speaker Benjamin J.F. Cruz

MAR 24 2017

Time: 2:23 [ ] AM [ ] PM File No.  
Received By:

Dear Speaker Cruz,

*Håfa Adai!* I am submitting the Guam Education Board packet for the regular Board meeting scheduled for March 28, 2017, 6 pm at J. P. Torres Success Academy, Cafeteria.

Should you have any questions, please contact me at 300-1547.

Attachment

- GEB Meeting Packet

cc: File

2017 MAR 24 PM 4: 27

0325

Exhibit B - 2





**PETER ALEXIS D. ADA**  
Chairman

**GUAM EDUCATION BOARD**  
500 Mariner Avenue  
Barrigada, Guam 96913-1608  
Telephone Number: (671) 300-1627  
Facsimile Number: (671) 472-5001  
Website Address: [www.gdoe.net/geb](http://www.gdoe.net/geb)



**MARIA A. GUTIERREZ**  
Vice Chair

**VOTING MEMBERS**

Peter Alexis D. Ada, Chairman  
Maria A. Gutierrez, Vice Chair  
Lourdes M. Benavente  
James C. Lujan  
Ron L. McNinch, PhD  
Mark B. Mendiola  
Lourdes B. San Nicolas

**EX-OFFICIO MEMBERS**

Devin Duenas (JPTSA)  
IBOGS Representative  
  
Franklin R. Perez (AJMS)  
GFT Representative  
  
Mayor, Rudy M. Matanane  
MCOG Representative

**EXECUTIVE SECRETARY**

Jon J. P. Fernandez  
GDOE Superintendent

**Guam Education Board  
REGULAR MONTHLY MEETING  
Tuesday, March 28, 2017**

**6 PM**

**J. P. Torres Success Academy, Cafeteria**

**AGENDA**

- I. Meeting Call to Order
- II. Roll Call of Members
- III. Public Participation
- IV. Approval of Minutes
  - 1) Minutes on January 30, 2017 Special meeting
  - 2) Minutes on January 31, 2017 Regular Board meeting
  - 3) Minutes on February 2, 2017 Continuation of Board meeting
  - 4) Minutes on February 21, 2017 Regular Board meeting
  - 5) Minutes on March 7, 2017 Special meeting
- V. Receipt of Communication and Reports
  - 1) Superintendent's Report and Communication
  - 2) Head Start Program Director's Report
- VI. Unfinished Business
  - 1) Approval of the Pilot Career Skills Development Courses
  - 2) Board Policy 901- Prohibiting Harassment, Intimidation, Bullying, Cyberbullying, Sexting, Sexual Misconduct & Fraternization
  - 3) Modification of Superintendent's Employment Contract
- VII. New Business
  - 1) Committee Reports
    - a) Executive Committee
    - b) Instructional and Academic Support Committee
      - Special Education Part B and C Grant Application

- 
- c) Safe and Healthy Schools Committee
  - d) Organizational Efficiency and Development Committee
  - e) Accreditation Subcommittee
  - f) Budget & Finance Subcommittee
- 2) IBOGS Report
  - 3) GFT Report
  - 4) Mayor's Council Report

**VIII. Executive Session**

**IX. Announcements and Adjournment**

	<p>work orders at the end of February:</p> <table border="1"> <thead> <tr> <th>Discipline</th> <th>Open Orders</th> <th>Work</th> </tr> </thead> <tbody> <tr> <td>Carpentry</td> <td>348</td> <td></td> </tr> <tr> <td>Air Conditioning (HVAC)</td> <td>156</td> <td></td> </tr> <tr> <td>Electrical</td> <td>80</td> <td></td> </tr> </tbody> </table> <p>The following schools had the largest number of open work orders at the end of February:</p> <table border="1"> <thead> <tr> <th>Discipline</th> <th>Open Orders</th> <th>Work</th> </tr> </thead> <tbody> <tr> <td>MU Lujan Elementary</td> <td>73</td> <td></td> </tr> <tr> <td>Simon Sanchez High</td> <td>61</td> <td></td> </tr> <tr> <td>Jose Rios Middle</td> <td>43</td> <td></td> </tr> </tbody> </table> <p>See ATTACHMENT 4.4-1 for a summary of work orders.</p>	Discipline	Open Orders	Work	Carpentry	348		Air Conditioning (HVAC)	156		Electrical	80		Discipline	Open Orders	Work	MU Lujan Elementary	73		Simon Sanchez High	61		Jose Rios Middle	43	
Discipline	Open Orders	Work																							
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Discipline	Open Orders	Work																							
MU Lujan Elementary	73																								
Simon Sanchez High	61																								
Jose Rios Middle	43																								
<p><b>TIYAN HEADQUARTERS</b> The Tiyan Headquarters is scheduled to finish in March 2017. Water pressure in Tiyan is an issue and may delay occupancy of the new building. Coretech is working with GWA to try to resolve.</p>	<p>GDOE has requested the Governor's Office for no cost modification on the Tiyan Lease related to the three (3) warehouses adjacent to the GDOE offices. The amendment is currently with the Attorney General's Office for approval. Coretech has suspended the building of the two (2) new warehouses called for in the original lease agreement while amendment is being considered.</p> <p>Construction of the parking lot adjacent to Tiyan High School is 95% complete. All office furnishing, have arrived and are being installed. Air handler units, fire pump and generator are operational. Water pressure is an issue that may affect occupancy. Coretech hopes to obtain occupancy permit by March 2017. Building is estimated at 90% complete.</p>																								
<p><b>ELEVATOR MAINTENANCE</b> The Department of Public Works has not commissioned any elevator inspectors as of December 31, 2016. GDOE has requested a formal letter to allow the continued use of elevators as a number of permits expired in January; no response as of March 7, 2017.</p>	<p>Below is status of the elevators at March 7, 2017:</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Notes</th> </tr> </thead> <tbody> <tr> <td>HS Truman Elementary</td> <td>Status ongoing, permit expired 9/2017</td> </tr> <tr> <td>Finegayan Elementary</td> <td>Passed inspection, replacing solid state controller, permit expired 1/17/17</td> </tr> <tr> <td>George Washington High</td> <td>Passed inspection, permit expired 1/17/17</td> </tr> <tr> <td>Jose Rios Middle</td> <td>Passed inspection, permit expired 1/17/17</td> </tr> <tr> <td>Tamuning Elementary units A&amp;B</td> <td>Passed inspection, door sensors repaired, permit expired 1/17/17</td> </tr> </tbody> </table>	Location	Notes	HS Truman Elementary	Status ongoing, permit expired 9/2017	Finegayan Elementary	Passed inspection, replacing solid state controller, permit expired 1/17/17	George Washington High	Passed inspection, permit expired 1/17/17	Jose Rios Middle	Passed inspection, permit expired 1/17/17	Tamuning Elementary units A&B	Passed inspection, door sensors repaired, permit expired 1/17/17												
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**GUAM DEPARTMENT OF EDUCATION**

Facilities and Maintenance Division  
P.O. Box DE, Hagatna, Guam 96932  
Tel: 300-2466/2467/2478 Fax: 472-7040

DATE: Nov. 29, 2017

**REQUEST FOR PRICE QUOTATION**

<b>VENDOR NAME:</b>	<b>GUAM INSPECTION AND CERTIFICATION BUREAU, INC.</b>	<b>RETURN FAX TO :</b>	<b>YOLANDA DUENAS</b>
<b>TEL:</b>	<b>989-8564 safe@gicbi.com</b>	<b>TEL:</b>	<b>300-2466</b>
<b>FAX:</b>		<b>FAX:</b>	<b>472-7040</b>
<b>QUOTED BY:</b>		<b>PLEASE RESPOND BY : Dec. 4, 2017</b>	
<b>VALIDITY OF QUOTATION:</b>		<b>REF: GDOE ELEVATOR INSPECTION FOR PERMITTING</b>	
<b>DAYS:</b>			

Item No.	Description	Qty	Unit Price	Amount	Delivery Time	Available in Stock
1	ELEVATOR INSPECTION AND OPERATING PERMIT AT VARIOUS GDOE SCHOOLS 15 TOTAL UNITS	2 SEMI ANNUALLY				
2	30 TOTAL INSPECTIONS AND PERMITS 2 SEMI-ANNUALLY					
3	PLEASE PROVIDE A COPY OF YOUR ASME QEI CERTIFICATION					
4						
5						
6						
7						
8						
9						
10						
11						

Quantities may Increase or Decrease upon Availability of Funds.  
Availability: Indicate whether immediate or ETA (Estimated Time or Arrival)

INSPECTION  
CERTIFICATE  
ON FILE  
BUILDING  
OFFICE

Exhibit C


 The Honorable  
**EDDIE BAZA CALVO**  
 Governor  
  
 The Honorable  
**RAY TENORIO**  
 Lt. Governor

GOVERNMENT OF GUAM  
**DEPARTMENT OF PUBLIC WORKS**

  
**public works**  
 DIPARTAMENTON CHEKO' PUBLIKO  
  
**CARL V. DOMINGUEZ**  
 Director  
*Jessie R. Pulican*  
 Deputy Director

## PERMIT TO OPERATE

Equipment: **ELEVATOR** Permit No. **OP14000570**

LOCATION	EQUIPMENT TYPE	SPEED			
881 Pale San Vitores Road, Tumon Holiday Resort & Spa Guam	Passenger	300 fpm			
EQUIPMENT NO.	MAKE	NO. OF PASSENGERS	CAPACITY		
3358633-Elevator 1	Otis	16	2500 lbs		
<b>THIS EQUIPMENT MEETS ASME CODE REQUIREMENTS.</b>					
DATE OF INSPECTION	INSPECTION DETAILS				DATE OF EXPIRATION
	INSPECTED BY:	ACTIVITY	APPROVED BY:	ACTIVITY	
10/15/2014	Tom O'Connor	Comm. #1	<i>Joseph D. Guevara</i> Joseph D. Guevara	BI&P Administrator	04/14/2015
<b>THIS PERMIT TO OPERATE MUST BE POSTED CONSPICUOUSLY IN AND OR NEAR INSPECTED EQUIPMENT.</b>					


 The Honorable  
**EDDIE BAZA CALVO**  
 Governor  
  
 The Honorable  
**RAY TENORIO**  
 Lt. Governor

GOVERNMENT OF GUAM  
**DEPARTMENT OF PUBLIC WORKS**

  
**public works**  
 DIPARTAMENTON CHEKO' PUBLIKO  
  
**Glenn Leon Guerrero**  
 Director  
**Felix C. Benavente**  
 Deputy Director

## PERMIT TO OPERATE

Equipment: **ELEVATOR** Permit No. **OP15000224**

LOCATION	EQUIPMENT TYPE	SPEED			
881 Pale San Vitores, Tumon Holiday Resort & Spa Guam	Passenger	300 fpm			
EQUIPMENT NO.	MAKE	NO. OF PASSENGERS	CAPACITY		
3358633-Elevator - 1	Otis	16	2500 lbs		
<b>THIS EQUIPMENT MEETS ASME CODE REQUIREMENTS.</b>					
DATE OF INSPECTION	INSPECTION DETAILS				DATE OF EXPIRATION
	INSPECTED BY:	ACTIVITY	APPROVED BY:	ACTIVITY	
10/15/2014	Tom O'Connor	Comm. #1	<i>Joseph D. Guevara</i> Joseph D. Guevara	BI&P Administrator	10/14/2015
<b>THIS PERMIT TO OPERATE MUST BE POSTED CONSPICUOUSLY IN AND OR NEAR INSPECTED EQUIPMENT.</b>					

The Honorable  
**EDDIE BAZA CALVO**  
Governor

The Honorable  
**RAY TENORIO**  
Lt. Governor

GOVERNMENT OF GUAM  
DEPARTMENT OF PUBLIC WORKS

**public works**  
DIPARTAMENTON CHEKOK' PUBLIKO

**CARL V. DOMINGUEZ**  
Director  
Jessie B. Pelican  
Deputy Director

## PERMIT TO OPERATE

Equipment: **ESCALATOR** Permit No. **OP14000602**

LOCATION		EQUIPMENT TYPE	SPEED		
1296 Pale San Vitores Road, Tumon DFS Galleria		Escalator	N/A		
EQUIPMENT NO.	MAKE	NO. OF PASSENGERS	CAPACITY		
2433-1- Elevator ES1	Hyundai	N/A	N/A		
<b>THIS EQUIPMENT MEETS ASME CODE REQUIREMENTS.</b>					
INSPECTION DETAILS					
DATE OF INSPECTION	INSPECTED BY:	ACTIVITY	APPROVED BY:	ACTIVITY	DATE OF EXPIRATION
10/16/2014	Tom O'Connor	Comm. #1	Joseph D. Guevara <i>[Signature]</i>	BI&P Administrator	04/15/2015
<b>THIS PERMIT TO OPERATE MUST BE POSTED CONSPICUOUSLY IN AND OR NEAR INSPECTED EQUIPMENT.</b>					

The Honorable  
**EDDIE BAZA CALVO**  
Governor

The Honorable  
**RAY TENORIO**  
Lt. Governor

GOVERNMENT OF GUAM  
DEPARTMENT OF PUBLIC WORKS

**public works**  
DIPARTAMENTON CHEKOK' PUBLIKO


**Glenn Leon Guerrero**  
Director  
Felix C. Benavente  
Deputy Director

## PERMIT TO OPERATE

Equipment: **ESCALATOR** Permit No. **OP15000119**


LOCATION		EQUIPMENT TYPE	SPEED		
1296 Pale San Vitores Road, Tumon DFS Galleria		Escalator	N/A		
EQUIPMENT NO.	MAKE	NO. OF PASSENGERS	CAPACITY		
2433-1- Elevator ES1	Hyundai	N/A	N/A		
<b>THIS EQUIPMENT MEETS ASME CODE REQUIREMENTS.</b>					
INSPECTION DETAILS					
DATE OF INSPECTION	INSPECTED BY:	ACTIVITY	APPROVED BY:	ACTIVITY	DATE OF EXPIRATION
10/16/2014	Tom O'Connor	Comm #1	Joseph D. Guevara <i>[Signature]</i>	BI&P Administrator	07/15/2015
<b>THIS PERMIT TO OPERATE MUST BE POSTED CONSPICUOUSLY IN AND OR NEAR INSPECTED EQUIPMENT.</b>					

GOVERNMENT OF GUAM  
DEPARTMENT OF PUBLIC WORKS



The Honorable  
**EDDIE BAZA CALVO**  
Governor

The Honorable  
**RAY TENORIO**  
Lt. Governor



**public works**  
DIPARTAMENTO DE OBRAS PÚBLICAS

GLENN LEON GUERRERO  
Director  
FELIX BENAVENTE  
Deputy Director

## PERMIT TO OPERATE

Equipment: **ELEVATOR** Permit No. **OP17000361**

LOCATION		EQUIPMENT TYPE	SPEED		
LADERA TOWER 310 LADERA LANE MANGILAO GUAM		PASSENGER	500 FPM		
EQUIPMENT NO.	MAKE	NO. OF PASSENGERS	CAPACITY		
1	OTIS	19	3,000 LBS		
<b>THIS EQUIPMENT MEETS ASME CODE REQUIREMENTS.</b>					
<b>INSPECTION DETAILS</b>					
PERMIT ISSUE DATE	INSPECTED BY:	ACTIVITY	APPROVED BY:	ACTIVITY	DATE OF EXPIRATION
05/22/2017	TOM O'CONNOR	COMMISSIONED #01	JOSEPH D. GUEVARA 	BI&P ADMINISTRATOR	11/21/2017
THIS PERMIT TO OPERATE MUST BE POSTED CONSPICUOUSLY IN AND OR NEAR INSPECTED EQUIPMENT.					

GOVERNMENT OF GUAM  
DEPARTMENT OF PUBLIC WORKS



The Honorable  
**EDDIE BAZA CALVO**  
Governor

The Honorable  
**RAY TENORIO**  
Lt. Governor



**public works**  
DIPARTAMENTO DE OBRAS PÚBLICAS

GLENN LEON GUERRERO  
Director  
FELIX BENAVENTE  
Deputy Director

## PERMIT TO OPERATE

Equipment: **ELEVATOR** Permit No. **OP17000335**

LOCATION		EQUIPMENT TYPE	SPEED		
LADERA TOWER 310 MANGILAO GUAM		PASSENGER	500 FPM		
EQUIPMENT NO.	MAKE	NO. OF PASSENGERS	CAPACITY		
E-1	OTIS	19	3,000 LBS		
<b>THIS EQUIPMENT MEETS ASME CODE REQUIREMENTS.</b>					
<b>INSPECTION DETAILS</b>					
PERMIT ISSUE DATE	INSPECTED BY:	ACTIVITY	APPROVED BY:	ACTIVITY	DATE OF EXPIRATION
05/01/2017	PAUL PEREZ	COMMISSIONED #02	JOSEPH D. GUEVARA 	BI&P ADMINISTRATOR	11/01/2017
THIS PERMIT TO OPERATE MUST BE POSTED CONSPICUOUSLY IN AND OR NEAR INSPECTED EQUIPMENT.					



GOVERNMENT OF GUAM  
DEPARTMENT OF PUBLIC WORKS



The Honorable  
**EDDIE BAZA CALVO**  
Governor

The Honorable  
**RAY TENORIO**  
Lt. Governor



**public works**  
DIPARTAMENTON CHU'CHU' PUPLEKO

**GLENN LEON GUERRERO**  
Director  
**FELIX BENAVENTE**  
Deputy Director

## PERMIT TO OPERATE

Equipment: **ELEVATOR** Permit No. **OP17000381**

LOCATION		EQUIPMENT TYPE	SPEED		
JULALAE SHOPPING CENTER 424 WEST O'BRIEN DR HAGATNA GUAM		PASSENGER			
EQUIPMENT NO.	MAKE	NO. OF PASSENGERS	CAPACITY		
1	OTIS	15	2,500 LBS		
<b>THIS EQUIPMENT MEETS ASME CODE REQUIREMENTS.</b>					
<b>INSPECTION DETAILS</b>					
PERMIT ISSUE DATE	INSPECTED BY:	ACTIVITY	APPROVED BY:	ACTIVITY	DATE OF EXPIRATION
05/31/2017	TOM O'CONNER	COMMISSIONED #01	JOSEPH D. GUEVARA 	BI&P ADMINISTRATOR	11/30/2017
<b>THIS PERMIT TO OPERATE MUST BE POSTED CONSPICUOUSLY IN AND OR NEAR INSPECTED EQUIPMENT.</b>					

GOVERNMENT OF GUAM  
DEPARTMENT OF PUBLIC WORKS



The Honorable  
**EDDIE BAZA CALVO**  
Governor

The Honorable  
**RAY TENORIO**  
Lt. Governor

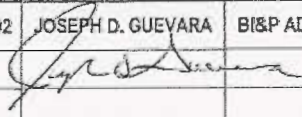


**public works**  
DIPARTAMENTON CHU'CHU' PUPLEKO

**GLENN LEON GUERRERO**  
Director  
**FELIX BENAVENTE**  
Deputy Director

## PERMIT TO OPERATE

Equipment: **ELEVATOR** Permit No. **OP17000314**

LOCATION		EQUIPMENT TYPE	SPEED		
JULALE SHOPPING CENTER HERNAN CORTEZ AVE HAGATNA GUAM		PASSENGER	100 FPM		
EQUIPMENT NO.	MAKE	NO. OF PASSENGERS	CAPACITY		
E-1	OTIS	15	2,500 LBS		
<b>THIS EQUIPMENT MEETS ASME CODE REQUIREMENTS.</b>					
<b>INSPECTION DETAILS</b>					
PERMIT ISSUE DATE	INSPECTED BY:	ACTIVITY	APPROVED BY:	ACTIVITY	DATE OF EXPIRATION
05/01/2017	PAUL PEREZ	COMMISSIONED #02	JOSEPH D. GUEVARA 	BI&P ADMINISTRATOR	11/01/2017
<b>THIS PERMIT TO OPERATE MUST BE POSTED CONSPICUOUSLY IN AND OR NEAR INSPECTED EQUIPMENT.</b>					



*The Honorable*  
**EDDIE BAZA CALVO**  
*Governor*

*The Honorable*  
**RAY TENORIO**  
*Alt. Governor*



**GLENN LEON GUERRERO**  
Director  
**ANDREW S. LEON GUERRERO**  
Deputy Director

January 02, 2019

Leo Brady  
Island Elevator  
P.O. Box 6147  
Merizo, Guam 96916

Dear Mr. Brady,

The Department of Public Works (DPW) approves your request to be commissioned as Elevator Inspector No. 02 from January 01, 2019 – December 31, 2019. This commission is approved under the condition you obtain ASME QEI certification before its expiration.

We are authorizing you to inspect and certify elevators and escalators except those elevators and escalators installed or maintained by your company.

Should you have any questions, please contact Mr. Joseph D.U. Guevara, Building Inspection & Permits Administrator at 646-3104. Thank you for your cooperation.

Sincerely,

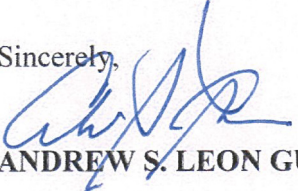
 1/2/19  
**ANDREW S. LEON GUERRERO**

Exhibit F

*The Honorable*  
**EDDIE BAZA CALVO**  
*Governor*

*The Honorable*  
**RAY TENORIO**  
*Lt. Governor*



**GLENN LEON GUERRERO**  
Director

**FELIX C. BENAVENTE**  
Deputy Director

May 11, 2015

Paul A. Perez  
P.O. Box 915  
Hagatna, Guam 96932

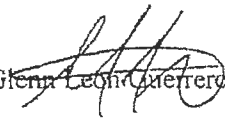
Dear Mr. Perez,

The Department of Public Works (DPW) approves your request to be commissioned as Elevator Inspector No. 02 from May 11, 2015 – May 10, 2016. This commission is approved under the condition you obtain ASME QEI certification before its expiration.

We are authorizing you to inspect and certify elevators and escalators except those elevators and escalators installed or maintained by your company.

Should you have any questions, please contact Mr. Joseph D.U. Guevara, Building Inspection & Permits Administrator at 646-3104. Thank you for your cooperation.

Sincerely,

  
Glenn Leon Guerrero

GIAAGICBI00001

Exhibit F



## **Sinadót Jose “Pedo” Terlaje**

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

---

### **COMMITTEE REPORT DIGEST**

#### **I. OVERVIEW**

The Committee on Public Safety, Border Safety, Military and Veterans Affairs, Mayors' Council, Infrastructure and Public Transit, convened a confirmation hearing on Friday, May 3, 2019, at 9:00 a.m. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of the appointment of **Vincent P. Arriola** to serve as **Director of Department of Public Works**, and whose appointment history is as follows:

- Appointed by **I Maga'Hågan Guåhan Lou Leon Guerrero** on **February 05, 2019**, to serve at the pleasure of **I Maga'Håga**;
- Appointment packet forwarded to *I Liheslatura* on **February 19, 2019**;
- Appointment packet forwarded to this committee for public consideration on **Wednesday, April 17, 2019**.

#### **Public Notice Requirements**

Notices were disseminated via e-mail to all Senators and all main media broadcasting outlets on Thursday, April 25, 2019 (5-Day Notice), and again on Wednesday, May 1, 2019 (48-Hour Notice).

#### **Senators Present**

Senator Jose “Pedo” Terlaje, Chairman  
Senator Régine Biscoe Lee, Committee Member  
Senator Kelly Marsh (Taitano), PhD, Committee Member



## *Sinadót Jose “Pedo” Terlaje*

*I Mina'trentai Singko na Liheslaturan Guahan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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### II. SUMMARY OF TESTIMONY & DISCUSSION

The confirmation hearing was Called-to-Order at 9:08 a.m.

**Chairman Jose “Pedo” Terlaje:** Good morning ladies and gentlemen. Thank you very much to you all that's here.

(spoken in Chamorro translated in English) For those of you who are going to speak on behalf of Vince Arriola, please sign in the sign in sheet.

Before we start with this confirmation hearing I would like to just kind of just put out some of the administrative announcement that I wanted to do it merits that you know before we do this we have to have knowledge what needs to be done because you know after this we have to do some paper work to make sure that this confirmation goes through right quickly and before we start please if you're gonna make your testimony please make sure that you signed in and if you're gonna submit a written testimony either you read it here or you send it to my address and I'll present my address later on. Before we start also, I want to recognize the former Speaker of the legislature, Mr. Joaquin Arriola, the father of the principal. I want to recognize the wife of the principal, Therese Arriola.

Thank you very much. I also want to recognize the Deputy Director of the Department of Public Works, Mr. Garcia and I want to recognize all of you here for having that interest to make sure that you know we support the Principal. Thank you very much. Let me just can I just introduce the Senators that are here today, this morning. Senator Biscoe Lee on my left. She says, hello. And also Senator Marsh (Taitano) on my right.

Usually what you know if anybody is gonna present testimonies right you can take your seat up front and also Vince, I wanna probably ask you to speak also first before anybody else and those that are giving testimony this morning go ahead and join Vince. I know we do have a sign in sheet here but usually I would go from the left to the right or the right to the left whichever. I wanna recognize Mr. Martinez the former Deputy Manager of the Airport, thank you, pari. Hello to you all.

This Confirmation hearing by the Committee on Public Safety, Border Safety, Military and Veterans Affairs, Mayors' Council of Guam, Infrastructures, Public



## *Sinadót Jose “Pedo” Terlaje*

*I Mina'trentai Singko na Liheslaturan Guahan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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Transit is hereby called to order. For the record and in accordance of Section 8107 of Chapter 8 25GCA.

The First Confirmation Hearing notice was sent out on April 25, 2019 adhering to the 5 working days. Notice on the Second Confirmation notice adhering to the 48 hours was sent out Wednesday, May 01, 2019, and in addition to this Confirmation or this Confirmation Hearing was given to the Legislature notice on website.

The time now is 9:08 a.m. On the agenda this morning is the executive appointment of Mr. Vince Arriola to serve as the Director of Public Works. We're gonna start with Vince first and then to my left to your right, and then we'll go from there to your left we go that way, ok. So, go ahead Vince. Thank you very much for taking the challenge to accept this confirmation.

**Mr. Vince Arriola:** Yes. Thank you very much Senator. Good morning and also good morning to the other members of your distinguish committee, Good morning Senators. (Written testimony provided, see attached)

**Chairman Terlaje:** *Si Yu'os Ma'ase*, Vince. I also want to recognize Mr. Robert Lizama, former Mayor of Yigo and I guess Robert is here as a representative from the Governor's Office and you did mention Vince, I want to thank the Governor also and the Lieutenant Governor for making that right choice because I know you're the right choice and you had mentioned there's nobody else at the Governor's Office that will take over the job so thank you very much.

**Mr. Vince Arriola:** Thank you.

**Chairman Terlaje:** Ok, we will start from my left here, go ahead.

**Mr. John Burchard:** Senator I was actually here for testimony and support for Mr. Benavente although I would like to lean my support for you as well Mr. Arriola after listening to your commentary but that's the primary reason I was here, so, ahh... Anyway good speech and hopefully you can meet those criteria. Although, I will say one thing since I'm up here. Um, you mentioned about the roads and the conditions of the roads. You know I used to live here on Guam for many, many, years and I have been off-island for about 17 years. I just came back last year and I will say the same pot holes and the same ripple there in Agana Heights are there so I agree with



## **Sinadót Jose “Pedo” Terlaje**

*I Mina'trentai Singko na Liheslaturan Guahan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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your assessment that needs to be address because that's a real issue for us local people. So, ok that was it for me. I'll come back up for Mr. Benavente, thank you.

**Chairman Terlaje:** Thank you very much. Go ahead, Mr. Deputy Manager before, over at the Airport. Go ahead, pari.

**Mr. Pedro Martinez:** (Written testimony provided, see attached)

**Chairman Terlaje:** Si yu'os Ma'ase, Mr. Peter Roy.

At this time, I wanna allow my colleague, Senator Biscoe Lee to address some of the questions that she wanted to ask the principle. Is there anybody else that wants to present testimonies? You got a testimony? Ok, go ahead Senator.

**Senator Régine Biscoe Lee:** *Si yu'os Ma'ase*, Mr. Chair and *Hafa Adai* everyone. Welcome to your Guam Congress Building. I also want to take the time to thank our Governor *Maga Håga Lou* for nominating you. Mr. Arriola, I want to thank you and your family for accepting the Governor's nomination. I know it's a really big job and I know that you are equal to the task. I also want to thank you for your work, your hard work and your dedication in the planning of restoring us to this building and bringing back this building to life. So, I really want to thank you for all your work in that.

**Mr. Arriola:** It was an honor, thank you Senator.

**Chairman Terlaje:** Thank you Senator Lee.

**Senator Biscoe Lee:** I'm sorry; I just have a few more questions.

**Chairman Terlaje:** You're not...

**Senator Biscoe Lee:** No, no. I'm really not done yet. I think it was interesting that someone before you had mentioned that you never step away from a challenge and in all my years that I've known you my entire life I've known that to be true. There are a couple of things that were listed in the Governor's transition report and I know that you are previewed to all that information. So, I wanted to just ask you three questions on the transition report. So, under number eight on the transition report with regard to DPW. The Governor's transition team talked about building permits and what a challenge it's been to just kind of get that whole mess in line. So, I wanted to ask you in the transition report they noted that there were only 3 building



## *Sinadót Jose “Pedo” Terlaje*

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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inspectors for the entire Government of Guam. So, I wanted to ask you how many building inspectors are there currently and when will additional support be provided.

**Mr. Arriola:** Yes, thank you Senator. We just picked up another building inspector. I think to get the full force we need a total of six. One of the things in the transition report is of course is to automate the building inspection the building permit center. But you know everyone has to understand and I've already have been faced with it. Individuals, companies, construction companies, corporations- coming in with their building permits.

I know how long it takes to put together draft plans, architectural drawings and plans for let's say a commercial building or even a building of this size it takes well over a year. Typically, they come in and they want to get the whole the plans done and approved within ten days or two weeks, that just is not gonna happen. There's building codes, there's local building codes, there's national building codes and there's professional building codes that we have to review. In the end, the liability falls on DPW, and if my signature is gonna go on any of those permits or the Administrator Mr. Joe Rivera.

If his signature is gonna go on any of those permits we're gonna make sure that everything follows code and to do that we have to do a thorough and complete analysis. I can understand the request out there to move things as fast as we can and we will. You know I think a lot of that is just to get additional personnel so that we can in fact review them. I think one of the issues that we're able to address is that we'll be bringing on a new Chief Engineer. He's scheduled to start June 1<sup>st</sup>, so that's gonna help us quite a bit. So, are we going to address that, absolutely. But still keep in mind and you know I've got a couple of lawyers behind me and I've learned the big L word that's liability. Before my signature goes on anything in that department I'm gonna make sure it's perfect or darn perfect.

**Senator Biscoe Lee:** Thank you very much. Thank you for the update but also you know I think it's important to address the island's growing need along with the importance for safety of our the public so thank you. One other thing that was mentioned in the transition report was the one stop permitting centers automation of all functions has been unsuccessful in previous years and past attempts have turned up negative. I just wanted to ask you or give you an opportunity to remark on that and what can be done or what is being done to hem a streamline and automate that process the permitting process.





## *Sinadót Jose “Pedo” Terlaje*

*I Mina'trentai Singko na Liheslaturan Guahan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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**Mr. Arriola:** Yes, thank you. Very good question. I think some of the issues that have happened is you know individuals get involved with the permitting process and then they either leave or they transfer and there's no succession plan. That has to happen. I mentioned in my testimony training for my employees uh that has to be strict, that has to be complied with and that's the only way we're gonna move forward. We're in the year 2019 almost 2020 and some of the um the technologies that we have at DPW are so old it's pretty surprising. So, you know absolutely are we gonna go after a updating our processes, our technology and so on and so forth absolutely we have to. We're way behind the times if we will.

**Senator Biscoe Lee:** Thank you. So we covered building permits, one stop permitting center. I also wanted to talk with you a little bit about school bus safety. You've seen several incidences in the past few months where we've had challenges in that area so I just wanted to give you an opportunity to inform the committee and the public who might be watching any plans that you have to address that.

**Mr. Arriola:** The issue with school bus safety is really just a matter of additional school busses and additional school bus drivers. Um, right now to be at a comfortable operational level for school bus transportation we need an additional eighty school busses and eighty school bus drivers. That's all, that's a tall order. Each school bus cost about a hundred fifteen to about a hundred twenty thousand dollars. Each school bus driver starts at about maybe twenty-six, twenty-seven thousand a year. So if you do the math that's a heavy load. Right now some of the school busses are... most are... not all the school busses are doing double routes. So, in other words they start so early in the morning they drop off those kids they go and do another route. Some are doing triple routes. So that leads the safety issues as well. So, the bottom line is you know and I've mentioned it there we need to think outside the box. We need to go and look at additional grants. We need to talk to the Feds. We need to find money to buy more school busses and hire more school bus drivers. It's a tall order but were gonna get on it.

**Senator Biscoe Lee:** Will this also be included in your budget that you submit.

**Mr. Arriola:** That might be as an add-on to the budget.

**Senator Biscoe Lee:** Okay, I understand. Um, my last question Mr. Chair, if I may. Have the appropriate DPW staff completed the mandatory procurement modules



## ***Sinadót Jose “Pedo” Terlaje***

*I Mina'trentai Singko na Liheslaturan Guahan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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required by law. I know that we have had issues in the past about costly protests and so I just want to make sure that DPW's on the right track.

**Mr. Arriola:** Some have taken the models, not all of them and that goes back again to my training. Again, having been at DOA with GSA directly under my wing, I know the problems and the issues that have risen and I'll say it for the record-- I have told the staff, I have told the management at DPW-- we will not have any lapses for any fiscal year that I am there, we will not return any federal funds, we will spend every single penny that comes to DPW.

**Senator Biscoe Lee:** Thank you very much. I know that you've mentioned in your testimony you want to increase community partnerships, you want to improve our street lights, safer roads and I'll just leave you with this. I think in you were talking a little bit about road paving how that's a constant challenge for us. I've seen on the internet I don't know how well it might work here on Guam but the fact that they might be able to use recycled plastic pellets. I know that the first dude is really jazzed up about recycling so if we were able to maybe convert some of our plastic recycling waste in to plastic pellets that we can use for road construction and filling our potholes. I'm not sure again about withstanding the islands heat and all of this special kind of weather conditions here on Guam. But, if that's something you can look into that would certainly make me really happy and I think a lot of people's cars and their tires and all of those things.

**Mr. Arriola:** Senator, when you're in the hospital for four weeks you become a YouTube junky and that's where I did a lot of my work I found a lot of equipment, a lot of products that we are not using today that we really should be using.

**Senator Biscoe Lee:** Well on that note I really want to take that opportunity to thank our Doctors and Nurses at GMH I'm really glad that you are here and that I'm able to tell you that I fully support your confirmation and I thank you so much for answering my questions.

**Mr. Arriola:** Thank you so much Senator.

**Chairman Terlaje:** Thank you so much Senator Lee. At this time, I want to allow our Senator Marsh (Taitano) to go ahead and do your questions.

**Senator Kelly Marsh (Taitano):** *Si Yu'os Ma'ase*, Chair. Good morning to everybody here. This is rather full hearing room so that's very good to see. It's



## *Sinadót Jose “Pedo” Terlaje*

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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always good to see family out in support so that's very nice as well and I just want to mention I have known the Arriola family for quite some years. I've known Vince in his capacities from quite a few years and I know that he has devoted his life to public service. Following in on family traditions of sorts, right. Maybe filling in some different positions but that is a family tradition of sorts and in whatever position I've seen him hold he's always embraced it energetically and with passion he deeply cares about what he is doing. So I think those are all excellent skills that he's bringing with him to DPW. We need some energy some new energy into DPW. We need somebody who deeply cares about these things.

As you mentioned in your testimony there's a lot to tackle thousands of street lights, hundreds of well a hundred or more of ponding stations and so forth and we rely on all of them very much. They're part of our safety, they're part of our neighborhoods being able to be safe and safer those sort of things. So, it was excellent to hear about some of what you plan on tackling. A funding is a perennial issue so being able to leverage federal funds as much as possible is incredibly important. It's excellent that you have plans there. Training of staff is always really important and that should always be also ongoing. Making sure that we have maintenance standards in place.

I think all of us in the community would be very grateful to be seeing those be updated or implemented and having them followed and the list goes on and on of all the important things that you plan on tackling. So, of those many things I'd like to ask and maybe it's a bit difficult because there are so many needs but do you do see some priorities there like what would be your top three priorities would you say.

**Mr. Arriola:** I think the top priority is it's always going to be funding, you know. I like I said having been there at DOA funding is an issue for every single Gov Guam Department and we really need to think smarter think larger and look at additional resources. We can't just rely on local resources anymore we have to go look at private grants, we have to go look at federal grants, we need to go and talk to our counterparts in the federal government and see and really just...just squeeze them for every penny that we can get and every penny that we believe is due us. So that that's number one number two I think it's really important that we look at our current government facilities and when I say facilities I mean our government buildings, our government roads and specifically back to our government buildings we are spending a lot probably in the millions of rental out there.



## *Sinadót Jose “Pedo” Terlaje*

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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The previous legislature that we were in when I was director. I think for the 21 or 22 years that we were in there and all the rental we spent maybe about 12 million dollars in rental. That's a lot of money. We could have renovated this place two times over yeah this is this cost us seven eight million to renovate. So there's a lot of you know and trust me that's on the governor's table that's on her to-do list to get the government agencies concentrated in one area.

If you will as oppose to being spread out all over the place and rented in a lot of private buildings, you know a lot of the private sector folks probably won't appreciate it but you know we're spending a lot of money in buildings that we don't own and we really should have one central area for the government so those are probably my two top issues and then of course you know Public Works as expanded as we are throughout the entire island we've got to look at our natural resources. That is huge. We have a we have a compliance issue coming down based on the Clean Water Act and that has to do with all the out falls, all the rivers out fall from ponding basins, from the roadways and things like that so we have to address that VIA an updated storm management program storm water management program and plan.

**Senator Marsh (Taitano):** It's very good to hear it that excuse me that your time in you see the tie in the work that you're doing and how connected it is to our environment because that is that's important to all of us in maintaining our environment is part of our Guam brand, it's in a part important part of the Chamorro culture and the way that our community lives and so it's important to see those ties because you know I you as a government agency DPW how it can have very big impact on that environment and I have oversight over the Hagatna we restoration Redevelopment Authority and so I very much support being able to bring back in as many agencies as possible.

And I've been speaking with the administration as well about some of the buildings in *Hagåtña* constructing some of them but also may be looking at the landscape as how we might be best using some of the buildings that are here and so I think that is a direction that we'll all be moving in and that we're going to see some real progress on that and while you've been in place so you've been able to be in place for a few months now granted that some of them you were doing your on Island I mean excuse me your online research in Hawaii. But, what initiatives have you been able to put in place or at least initiatives that you started maybe in the list that you've mentioned if we could hear a little bit about the ones that you've started putting into place.



## *Sinadót Jose “Pedo” Terlaje*

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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**Mr. Arriola:** I think one of the huge initiatives I did just at the start there is to get an inventory of what we own. What does... what does Public Works own, what is the government of Guam own in terms of equipment, vehicles, cars, trucks things of that nature. That's number one so that we can we can get a handle on all that.

Number two, what kind of human resources and professional... professional resources do we have within the within the department. Right now a number of our tasks are done by consultants. If you if you recall many, many years ago I believe as I understand DPW had a workforce of well over a thousand. We are down to about 270 today. A lot of, a lot of the work is contracted out; a lot of the work just doesn't get done. Because we just don't have enough people. So, the two initiatives that I did was that I'm still doing that is just to get an idea of where do we stand today.

What are our resources, both in terms of Human Resources, professional resources, contractual resources, funding resources and logistical resources because, DPW is highly logistical. Sad to say we've got some quite high number of heavy equipment that down. They're nonfunctioning so we've got like I mentioned earlier I've got one I've got two individuals just nothing but bird dogging every single procurement there is to get these pieces of equipment that backup. We're not gonna wait until July or August, cause like I said I've been down a DOA I know how most of not all the departments work.

They wait until the end of the fiscal year, they look at are they going to have lapses or do they have funds to spend and all of a sudden all the requisitions go down to GSA for purchase orders. That's just not the way I run. We will spend our money today and throughout the fiscal year.

**Senator Marsh (Taitano):** Thank you very much. Those are really important. I'm like minded in that when I get into an area the first thing I want to do is really understand the landscape so that we have a sure footing and understanding about how to move forward and where the gaps are that need to be worked on. So the one other thing that I'll ask about is in addition to having issues with the school busing and so forth I've been hearing that there are some issues with having enough bus shelters and that sometimes those processes have been really, really lengthy. That certain neighborhoods or certain areas need bus shelters and yet here they are still



## *Sinadót Jose “Pedo” Terlaje*

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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waiting five years later. So we really want to ensure the safety for those children, we really want to ensure that they're not out standing out there in the Sun or the rain. Have you been able to tackle some of that or what are your some of your plans for the bus shelter.

**Mr. Arriola:** Yes; we have about six hundred twenty bus shelters that are out there. We have an additional 100 pickup sites without bus shelters. So we need another 100 bus shelters. Probably to get over the seven twenty-seven hundred thirty limit. Again a good number of that is funding a good number of that is Community Partnerships. I think I have a lot of business friends I know there's a lot of businesses out there probably just waiting to be asked. We also have the GCC Academy up there, we have the trades Academy we need we need to get into partnerships with them if we can buy the materials perhaps or we can get partnerships with say some of the hardware stores for contributions, lumber contributions we give it to GCC or the trades academy they will build it we put them out there there's all kinds of resources that we need to explore. We can't just wait for the general fund or the Guam highway fund or federal funds we need to like... I keep saying we got to think outside the box and be a little bit more aggressive in tackling a lot of these issues.

**Senator Marsh (Taitano):** That's very good. Government the way that the federal government and our local governments have to operate these days is to leverage what we can and I think it's so important to have that community stakeholder ship it's too easy to separate them and to sit back and not see ourselves as being associated with being part of the solution but also just needing to be part of it. I'm a strong believer in community service by our youth and our community members. Because, we can't keep the entire island clean like we need to be working together so this is slightly different island clean but if it's in with where you're going the model that you're working on also but it can also create some proactivity being embedded in our minds with that stakeholder ship.

I just wanted to mention as well and maybe you have already started this or this has already been a practice but the military with the military buildup and their lengthy presence here I see them as being able to provide some real support in your seeking federal funds that they could be making it known that they have a strong support that that's part of their mission here because they are heavy users of the roads. So if that's



## *Sinadót Jose “Pedo” Terlaje*

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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not already in place I'm sure that they would be very supportive of providing you that support and really strengthen that appeal to the federal government.

**Mr. Arriola:** Yes, yes ma'am. We do have one road paving project that we are in discussions with the military here. I believe they use the road more than we do and so we're trying to get them to have some skin in the game and... and give us some money to help pave that road. In addition to other federal funding and the like. So you know we're working with them but on the other side we're also working with them as community partners to beef up the resources of the department.

**Senator Marsh (Taitano):** Thank you very much. So thank you very much of your time, and I will turn it over to our Chair.

**Chairman Terlaje:** Thank you very much, Senator. Vince, when I came here someone had told me what you've done with our people, before you even got confirmed. There's some... there's something that's very spectacular that you did for the short term that you've been Acting Director. Can you give us can you elaborate on that, pari.

**Mr. Arriola:** I, not just as Acting Director, but I, in... in my previous term here as Director here at legislature and not to be coy about it but you are sitting in it, you are working in it, and we are operating it, and this is the Guam Congress building. It took us four or five years to get this rehabilitated and renovated. This stood empty for well over 20 years.

This was home to a lot of pigeons and some of the home homeless people and frankly... frankly Senator it was a just disgrace. It was a disgrace to the previous legislators who had actually worked here. My father included he was the speaker here at the time. Two-term Speaker and it's a proud it was a very proud moment to reopen this institution and it's a wonderful facility for the people of Guam to use your selves included, and I'm very proud to have been a part of that.

**Chairman Terlaje:** (spoken in Chamorro translated in English) Way back when I was with Mark Forbes and you were the Director of the Legislature, you were always at work and always doing something for the good. When I was in the Philippines for my back surgery, I don't know what's wrong with my back, when they took me to Hawaii, I said, hopefully my friend he's a good person. I was... I just want to thank



## *Sinadót Jose “Pedo” Terlaje*

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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you again, Vince, for taking the challenge because your challenge is humungous, man. I'm telling you public works actually does the bulk of the work not only in this government but also in the districts.

So, I thank you very much for taking that challenge. I am sure that you're gonna do a good job with DPW as DPW Director and I believe it's one of the most challenging position in government of Guam and that you're very capable in leading the agency to meet the missions of the people, and the mission of our island.

The Committee on Public Safety, Border Safety, Military and Veterans Affairs, Mayors' Council, Infrastructure and Public Transit has duly heard the executive appointment of Vince Arriola to serve as the Director of the Department of Public Works and written testimony may be submitted via email to my email [senatorpedo@senatorpj.com](mailto:senatorpedo@senatorpj.com)

(spoken in Chamorro translated in English) it's not P it's Pedo. Someone will get it wrong .com or maybe hand delivered to my office within 10 days at Bridge Pointe building Suite 202, 140 Aspinall Ave. Hagatna.

But, to be clear, because a lot of people will call my office where is it at? Because there's no sign saying this is upstairs, is Pedo's office. (spoken in Chamorro translated in English) Where is the office at? As soon as you pass the post office before the traffic light. I can guarantee that. This confirmation hearing is a now adjourned and the time is...

**Mr. Arriola:** Senator, if I may I just have one more comment, and my good friend Pedro Martinez---I have to disagree with you---He mentioned that I was patient. That was like 20 years ago, not anymore. I am the most impatient guy there is. I don't like slow, I don't like slow traffic, I don't like slow cooking, I don't like slow people, so I like to move on things. I like to move very fast, and so... and that's just the way I operate now. And then lastly, I would like to... I hope he's here, my little brother, Jay...Happy Birthday.

**Chairman Terlaje:** I saw him...I saw him.

**Mr. Arriola:** Well, he might be in Court. Happy Birthday.





## **Sinadót Jose “Pedo” Terlaje**

*I Mina'trentai Singko na Liheslaturan Guåhan • 35<sup>th</sup> Guam Legislature  
Committee on Public Safety, Border Safety, Military and Veterans Affairs,  
Mayors' Council, Infrastructure and Public Transit*

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**Chairman Terlaje:** But I have to agree with you, Vince. The older you get the more impatient you get right. I bet that we're on the same status on that one. And like I said, it's about 9:50 right now and don't forget you can send your testimony written testimony to my office and congratulation. Thank you, Vince.  
(spoken in Chamorro translated in English) I want you to know when I do my public confirmation hearing, right... I don't ask Senators to vote, I tell them.

The confirmation hearing was adjourned at 9:50 a.m.

### **III. FINDINGS & RECOMMENDATIONS**

The Committee on Public Safety, Border Safety, Military and Veterans Affairs, Mayors' Council, Infrastructure and Public Transit hereby reports on the appointment of **Vincent P. Arriola** to serve as **Director, Department of Public Works**, with the recommendation to confirm.



COMMITTEE ON  
PUBLIC SAFETY, BORDER SAFETY, MILITARY AND VETERANS AFFAIRS,  
MAYORS' COUNCIL, INFRASTRUCTURE AND PUBLIC TRANSIT



*I Mina' Trentai Sinko Na Liheslaturan Guahan • 35 Guam Legislature*

COMMITTEE VOTING SHEET

APPOINTEE: Vincent P. Arriola

POSITION: Director

AGENCY: Department of Public Works

**Senator**  
JOSE "PEDO" TERLAJE  
Chairman

**Speaker**  
Tina Muña Barnes  
*Ex- Officio member*

**Vice Chair**  
Military, Veterans Affairs  
and Mayors' Council of  
Guam

**Vice Speaker**  
Telena Cruz Nelson

**Vice Chair**  
Public Safety

**Senator**  
Joe S. San Agustin  
**Vice chair**  
Infrastructure

**Senator**  
William M. Castro  
**Vice Chair**  
Border Safety

**Senator**  
Therese M. Terlaje  
Member

**Senator**  
Régine Biscoe Lee  
Member

**Senator**  
Mary Camacho Torres  
Member

**Senator**  
Louise B. Muña  
Member

**Senator**  
James Moylan  
Member

**Senator**  
Amanda L. Shelton  
Member

COMMITTEE MEMBERS	SIGNATURE	TO CONFIRM	TO NOT CONFIRM	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
TERLAJE, JOSE "PEDO" Committee Chairman	 5/13/19	✓				
MUÑA BARNES, TINA Committee Member						
NELSON, TELENA CRUZ Committee Member	 5/13/2019	✓				
LEE, RÉGINE BISCOE Committee Member		✓				
SHELTON, AMANDA L. Committee Member	 5/13/19	✓				
TERLAJE, THERESE M. Committee Member	 5/13/19	✓				
SAN AGUSTIN, JOE S. Committee Member	 5/13/19	✓				
TORRES, MARY CAMACHO Committee Member						
MUÑA, LOUISE B. Committee Member						
MOYLAN, JAMES Committee Member	 5/13/19	✓				
CASTRO, WILLIAM M. Committee Member						