


I Mina'trentai Siette Na Lihelaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
330-37 (COR)	Roy A. B. Quinata	AN ACT TO AMEND §12401(d), ARTICLE 4, CHAPTER 12, TITLE 25, GUAM ADMINISTRATIVE RULES AND REGULATIONS RELATIVE TO UPDATING THE DEFINITIONS OF SUB-CLASSIFICATIONS OF LICENSES ISSUED BY THE CONTRACTORS LICENSE BOARD.	7/19/24 2:03 p.m.			Waiver: 8/2/24			Referred Version 9/17/24 Exhibit A

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

Bill No. 330-37 (COR)

Introduced by:

Roy A. B. Quinata 

AN ACT TO *AMEND* §12401(d), ARTICLE 4, CHAPTER 12, TITLE 25, GUAM ADMINISTRATIVE RULES AND REGULATIONS RELATIVE TO UPDATING THE DEFINITIONS OF SUB-CLASSIFICATIONS OF LICENSES ISSUED BY THE CONTRACTORS LICENSE BOARD.

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

2 **Section 1. Legislative Findings and Intent.** On April 11, 2024, the
3 Contractors License Board (CLB) submitted Doc. No. 37GL-24-1930 - Transmittal
4 to *I Liheslaturan Guåhan* of the Proposed Rules and Regulations pursuant to the
5 Administrative Adjudication Law. Doc. No. 37GL-24-1930 was then referred the to
6 the oversight committee, the Committee on Infrastructure, Economic Development,
7 Simon Sanchez High School, Disability Services, Self-Determination and Historic
8 Preservation, Housing, Public Accountability, and Guam Buildup on April 12, 2024.

9 Pursuant to the §9303(b), Article 4, Chapter 9, Title 5, Guam Administrative
10 Rules and Regulations, the oversight committee conducted one public hearing on the
11 proposal which took place on May 14, 2024, within the seventy-five (75) calendar
12 days from the date of filing of the rules with the Speaker. During the Public Hearing,
13 CLB Director submitted testimony requesting for a correction on the definition for
14 C-53, citing a typo. Additionally, CLB submitted an email to the oversight

1 committee on June 6, 2024, requesting the removal of the prerequisite of C-13
2 license on the C-51 license.

3 On July 11, 2024, the Contractors License Board Rules and Regulations
4 Amendments to the Rules and Regulations that will Repeal 29 GAR Article 4, and
5 Repeal and Reenact 25 GAR Chapter 12 in accordance with 5 GCA Chapter 9 was
6 approved by default in compliance with the provisions of the Administrative
7 Adjudication Law contained in 5 GCA, Chapter 9 §9303(c). Attached hereto as
8 “Exhibit A,” entitled: “Proposed Rules and Regulations pursuant to the
9 Administrative Adjudication Law.” It is therefore the intent of the Legislature to
10 amend §12401(d) of Article 4, Chapter 12, Title 25 Guam Administrative Rules and
11 Regulations at the request of the Guam Contractors License Board.

12 **Section 2.** *I Liheslaturan Guåhan*, hereby amend §12401(d) of Article 4,
13 Chapter 12, Title 25 Guam Administrative Rules and Regulations to read as follows:

14 (d) DEFINITIONS OF SUB-CLASSIFICATIONS

15 **C-1 Acoustical Tile Contractor:** A specialty contractor whose
16 contracting business is the execution of the contracts requiring
17 the ability to execute preparatory work necessary to bring
18 surfaces to a condition where acoustical tile can be laid and to
19 lay such tile by the use of adhesive or other acceptable
20 installation media and to install metal suspension members and
21 place acoustical materials for suspended ceilings.

22 **C-2 Aluminum Shingle & Siding Contractor:** A specialty
23 contractor whose contacting business is the execution of
24 contracts requiring the ability to install aluminum shingles and
25 siding so that an acceptable watertight surface is obtained.

26 **C-3 Asphalt Paving & Surfacing Contractor:** A specialty contractor
27 whose contracting business is the execution of contracts requiring

1 the ability to intelligently proportion, mix and place paving and
2 surfacing consisting of graded mineral aggregates bonded with
3 asphalt or bituminous materials so that a firm, smooth surface
4 suitable for roadways, runways and parking areas is obtained.

5 **C-4 Boiler, Hot Water Heating & Steam Fitting Contractor:** A
6 specialty contractor whose contracting business is the execution of
7 contracts requiring the ability to intelligently install fire-tube and
8 water- tube power boilers and hot water heating boilers, including
9 all fitting and piping, valves, gauges, pumps, radiators, convectors,
10 fuel/oil tanks, fuel/oil lines, chimneys, fuels, heat insulation and all
11 other devices, apparatus and equipment pertinent thereto.

12 **C-5 Cabinet & Millwork Contractor:** A specialty contractors
13 whose contracting business is the execution of contracts
14 requiring the ability to intelligently cut, surface, join and frame
15 wood and wood products into cabinets, cases, sash, doors, trim,
16 non-bearing partition and such other mill products as are by
17 custom and usage accepted in the building and construction
18 industry as cabinet and millwork. Included is the placing and
19 finishing in buildings of such cabinet and millwork.

20 **C-6 Carpentry Framing Contractor:** A specialty contractor whose
21 contracting business is the execution of contracts requiring the
22 ability to intelligently do carpentry framing. Such work to include
23 floor framing and siding, roof framing including wood truss, roof
24 sheathing and such other work as is by custom and usage accepted
25 in the construction industry as carpentry framing. This
26 classification also includes work of the C-58 (Wood Flooring
27 contractor).

- 1 **C-7 Carpet Laying Contractor:** A specialty contractor whose
2 contracting business is the execution of contracts requiring the
3 ability to intelligently prepare floor surfaces to a condition where
4 acceptable fabric floor covering can be laid thereon and to lay such
5 covering.
- 6 **C-8 Cement Concrete Contractor:** A specialty contractor whose
7 contracting business is the execution of contracts requiring the
8 ability to intelligently proportion and mix aggregates, cement and
9 water to make acceptable concrete and to pour, place and finish the
10 same, including the placing and setting of screens and forms for
11 driveways and sidewalks. Excluded in this classification is the
12 work covered by classification C-3 (Asphalt, Paving & Surfacing
13 Contractor)
- 14 **C-9 Septic Tank Contractor:** A specialty contractor whose
15 contracting business is the execution of contracts requiring the
16 ability to excavate and install septic tanks in compliance with the
17 requirements of the Department of Public Health, Guam
18 Environmental Protection Agency, and any other local Guam or
19 federal government agencies. **Individuals holding a C-43**
20 **classification license may also perform work under this**
21 **classification.**
- 22 **C-10 Concrete Paving & Surfacing Contractor:** A specialty contractor
23 whose contracting business is the execution of contracts requiring
24 the ability to intelligently proportion, mix and place paving and
25 surfacing consisting of graded mineral aggregates bonded with
26 cement so that a firm, smooth surface suitable for roadways,
27 runways and parking areas is obtained.

- 1 **C-11 Demolition Contractor:** A specialty contractor business is the
2 execution of contracts requiring the ability to intelligently demolish
3 all types of buildings or structures and to remove all of such
4 buildings or structures from the premises on which it was built.
- 5 **C-12 Drywall Contractor:** A specialty contractor whose contracting
6 business is the execution of contracts requiring the ability to
7 intelligently install cement board, gypsum wallboard systems and
8 sheathing; to tape and fill joints and indentation of wallboard with
9 simulated acoustic or gypsum texture. This classification does not
10 include work performed by classification C-33 (Painting) and C-36
11 (Plastering) contractors.
- 12 **C-13 Electrical Contractor:** A specialty contractor whose contracting
13 business is the execution of contracts requiring the ability to place,
14 install, erect or connect any electrical wires, fixtures, appliances,
15 apparatus, generators, raceways or conduits and lines which
16 transmit, transform or utilize electrical energy, including repair and
17 maintenance.
- 18 **C-13A Electrical Pole & Line Contractor:** A specialty contractor
19 whose contracting business is the execution of contracts requiring
20 the ability to dress, ground, anchor and erects poles designed to
21 carry high voltage and/or high distribution of electrical wiring, and
22 to connect and string electrical wires and fixtures and apparatus to
23 and between such poles. A C-13 (Electrical Contractor) is a
24 prerequisite to obtaining this classification.
- 25 **C-14 Electrical Sign Contractor:** A specialty contractor whose
26 contracting business is the execution of contracts requiring the
27 ability to intelligently fabricate, install and erect electrical signs.

1 Includes the maintenance of electrical signs.

2 **C-15 Electronic System Contractor:** A specialty contractor whose
3 contracting business is the execution of contracts requiring the
4 ability to intelligently install, maintain, repair and service
5 electronic equipment and electronic controls for public address,
6 intercommunication, master antenna and music distribution
7 systems. Electronic controls include those controls in conjunction
8 with other specialty contracting work.

9 **C-16 Elevator Installation Contractor:** A specialty contractor whose
10 contracting business is the execution of contracts requiring the
11 ability to intelligently fabricate, install and erect sheaves beams
12 motors, sheaves, cable and wire rope, guides, cab, counter weight,
13 doors (including sidewalk elevator doors), hydraulic systems,
14 automatic and manual controls, signal systems, and all other
15 devices, apparatus and equipment appurtenances for the usage and
16 efficient installation and operation of electrical, hydraulic and
17 manually-operated elevators.

18 **C-17 Excavating, Grading & Trenching Contractor:** A specialty
19 contractor whose contracting business is the execution of contracts
20 requiring the ability to intelligently dig, move and place earthen
21 materials for a cut, fill, grade or trench, including stockpiling of
22 materials.

23 **C-18 Fencing Contractor:** A specialty contractor whose contracting
24 business is the execution of contracts requiring the ability to
25 intelligently assemble, fabricate, install, alter, or repair metal
26 fencing, gates, guard rails, and concrete fencing.

27 **C-19 Fire & Burglar Alarm Contractor:** A specialty contractor whose

1 contracting business is the execution of contracts requiring the
2 ability to intelligently install, maintain and require fire and burglar
3 alarm systems.

4 **C-20 Fire Protection Contractor:** A specialty contractor whose
5 contracting business is the execution of contracts requiring the
6 ability to intelligently layout, fabricate and install approved types
7 of fire prevention and protection systems including all mechanical
8 apparatus, devices, piping and equipment appurtenances thereto
9 except electrical devices, apparatus and wiring which shall be
10 installed by specialty contractors in the classifications C-13 or C-
11 15. The licensee shall have the ability to comply with applicable
12 provisions of the National ~~ELectrical~~ Electrical Code to meet all
13 requirements of any authorities having jurisdiction.

14 **C-21 Floor Covering Contractor:** A specialty contractor whose
15 contracting business is the execution of contracts requiring the
16 ability to intelligently prepare floor surfaces to a condition where
17 he can lay acceptable flooring with the use of linoleum, rubber,
18 vinyl, cork, asphalt, plastic aluminates or such other materials as
19 are by custom and usage in the construction industry known as
20 composition flooring.

21 **C-22 Glazing Contractor:** A specialty contractor whose contracting
22 business is the execution of contracts requiring the ability to
23 intelligently cut glass and to glaze frames, panels, sash and doors.
24 It shall also include fabrication and installation of shower doors,
25 tub enclosures, metal jalousies, storefront metal and trim plastics,
26 tempered glass doors including such items as frames and hardware
27 and any allied products not stipulated above but affiliated with the

1 glass and glazing industry.

2 **C-23 Gunite Contractor:** A specialty contractor whose contracting
3 business is the execution of contracts requiring the ability to
4 intelligently proportion and mix aggregates, cement and water and
5 to pneumatically apply and finish the mix including the setting of
6 ground wires and pencil rods to establish the finished surface
7 planes.

8 **C-24 House & Building Moving and Wrecking Contractor:** A
9 specialty contractor whose contracting business is the execution of
10 contracts requiring the ability to intelligently raise and underpin
11 buildings so that alteration, additions, repairs and new sub-
12 structures may be built under the permanently retained portions of
13 such building and to move or wreck buildings provided; however,
14 that wrecking shall be limited to those buildings which could
15 otherwise be moved in whole or not more than three sections.

16 **C-25 Institutional & Commercial Equipment Contractor:** A
17 specialty contractor whose contracting business is the execution of
18 contracts requiring the ability to intelligently install laboratory
19 equipment, food services equipment, folding and sliding partitions,
20 stationary metal partitions, and such other equipment and materials
21 as are by custom and usage accepted in the construction industry as
22 institutional and commercial equipment work. Excluded is the
23 work done by classification C-13 (Electrical) and C-37 (Plumbing)
24 Contractors.

25 **C-26 Insulation Contractor:** A specialty contractor whose contracting
26 business is the execution of contracts requiring the ability to
27 intelligently install any insulating media in buildings and structures

1 for the sole purpose of temperature control.

2 **C-27 Landscaping Contractor:** A specialty contractor whose
3 contracting business is the execution of contracts requiring the
4 ability to intelligently prepare plots of land for architectural
5 horticulture and to provide decorative treatment and arrange
6 gardens, lawns, shrubs, vines, bushes, trees and other decorative
7 vegetation; construct conservatories, hot and greenhouses, drainage
8 and sprinkler systems and ornamental pools, tanks, and to fabricate
9 and place garden furniture, statuary and monuments in connection
10 therewith.

11 **C-28 Lathing Contractor:** A specialty contractor whose contracting
12 business is the execution of contracts requiring the ability to
13 intelligently apply wood and metal lath, or any other materials
14 which provide a key or suction base for the support of plaster-
15 coating; including the light gauge metal shapes for the support of
16 metal or other fireproof lath.

17 **C-29 Lift Slab Contractor:** A specialty contractor whose contracting
18 business is the execution of contracts requiring the ability to
19 intelligently lift or lower concrete slabs or pre-fabricated steelwork,
20 in a vertical dimension, into predesignated positions through the
21 use of jacks.

22 **C-30 Limited Home Improvement & Renovation Contractor:** A
23 specialty contractor whose contracting business is the execution of
24 contracts requiring the ability to intelligently perform the carpentry
25 work to remodel and/or to make repairs to existing building or
26 structures and to do any other work which would be incidental and
27 supplemental to such remodeling or repairing. This contractor shall

1 be licensed only for contracts not exceeding thirty thousand dollars
2 (\$30,000.00).

3 **C-31 Masonry Contractor:** A specialty contractor whose contracting
4 business is the execution of contracts requiring the ability to
5 intelligently select, cut, and lay brick and other baked clay
6 products, rough stone, cut and dressed stone, artificial stone and
7 precast blocks, structural glass brick or block, laid at random or in
8 courses with or without mortar.

9 **C-32 Ornamental Metal Contractor:** A specialty contractor, whose
10 contracting business is the execution of contracts requiring the
11 ability to intelligently cast, cut, shape, stamp, forge, weld, braze,
12 solder, and fabricate any metal used in the building construction
13 industry for the architectural treatment and ornamental decoration
14 of buildings and structures. Excluded in this classification is the
15 work done by classification C-44 (Sheet Metal Contractor) and C-
16 48 (Structural Steel Contractor).

17 **C-33 Painting & Decorating Contractor:** A specialty contracting
18 business is the execution of contracts requiring the ability to
19 intelligently prepare surfaces, including the taping of joints in
20 wallboard, and to apply acceptable finishes thereon with the use of
21 paints, varnishes, stains, fillers, waxes and any other vehicles and
22 materials that may be mixed and applied as finish to surfaces of
23 buildings including texture coating and coverings. This includes
24 lead based paint removal & abatement.

25 **C-34 Pest Control Contractor:** A specialty contractor whose
26 contracting business is the execution of contracts requiring a
27 practical knowledge of the life cycles, habits and habitat of insects

1 or pests in wood to enable them to determine where the insects or
2 pests are and the proper method to use in ridding a building of such
3 insects or pests. Excluded in this classification is the work done by
4 classification C-47 (Structural Pest Control Contractor).

5 **C-35 Pile Driving & Foundation Contractor:** A specialty contractor
6 whose contracting business is the execution of contracts requiring
7 the ability to intelligently drive pilings of wood, concrete or steel
8 to cut off the same and prepare pilings for permanent foundations.

9 **C-36 Plastering Contractor:** A specialty contractor whose contracting
10 business is the execution of contracts requiring the ability to
11 intelligently prepare mixtures of sand, gypsum, plaster, quicklime
12 or hydrated lime and water, or materials to create a permanent
13 surface coating; including coloring for same, and to apply such
14 mixtures by use of a plasterer's trowel, brush or spray gun to any
15 surface which offers a mechanical key for the support of such
16 mixture, or to which such mixture will adhere by suction; and to
17 apply lath or any other material that will provide a base for such
18 mixture.

19 **C-37 Plumbing Contractor:** A specialty contractor whose contracting
20 business is the execution of contracts requiring the ability to
21 intelligently install water supply piping systems, waste water
22 piping systems within such structures and works where people or
23 animals live, work and/or assemble. Includes tapping into water
24 lines and leak detection to indicate any leaks in water lines.

25 **C-38 Post Tensioning/Pre-stress Contractor:** A specialty contractor
26 whose contracting business is the execution of contracts requiring
27 the ability to intelligently apply compression to concrete structures

1 or various components by the use of steel bars or wires and to bring
2 such bars or wires to proper tension after the structures or
3 components are built or placed. To include prestressed concrete
4 methods.

5 **C-39 Reconditioning Concrete Pipeline Contractor:** A specialty
6 contractor business is the execution of contracts requiring the
7 ability to intelligently recondition or restore concrete water or
8 sewer lines through the use of manually or machine applied grout.

9 **C-40 Refrigeration Contractor:** A specialty contractor whose
10 contracting business is the execution of contracts requiring the
11 ability to intelligently construct, erect and install devices,
12 machinery and units including temperature insulation units, ducts,
13 blowers, registers, humidity and thermostatic controls for the
14 control of air temperature below fifty degrees Fahrenheit in
15 refrigerators, refrigerator rooms and insulated refrigerator spaces.

16 **C-41 Reinforcing Steel Contractor:** A specialty contractor whose
17 contracting business is the execution of contracts requiring the
18 ability to intelligently fabricate, place and tie steel reinforcing bars
19 (rods) of any profile, perimeter or cross section that are or may be
20 used to reinforce concrete buildings and structures.

21 **C-42 Roofing Contractor:** A specialty contractor whose contracting
22 business is the execution of contracts requiring the ability to
23 intelligently prepare surfaces and apply a water-tight covering to
24 such surfaces with the use of any or all of the following: asphalt,
25 pitch, tar, felt, glass, flax composition, shingles, roof tile, slate and
26 such other materials that are established by use and costumed as
27 suitable for a water-tight cover.

1 **C-43 Sewer, Sewage Disposal, Drain, Cement Pipe Laying**

2 **Contractor:** A specialty contractor whose contracting business is
3 the execution of contracts requiring the ability to intelligently
4 fabricate concrete and masonry sewers, sewage disposal, and drain
5 structures, packaged sewer disposal plants, sewage lift stations,
6 septic tanks and appurtenances thereto; to lay iron, steel, concrete,
7 vitreous and non-vitreous pipe; including the excavation, grading,
8 trenching, backfilling, paving and surfacing in connection
9 therewith.

10 **C-44 Sheet Metal contractor:** A specialty contractor whose contracting

11 business is the execution of contracts requiring the ability to
12 intelligently cut, shape, fabricate and install sheet metal such as
13 cornices, flashings, gutters, ladders, rainwater downspout, and,
14 kitchen equipment, ductwork and metal flues.

15 **C-45 Spray texture Coating Contractor:** A specialty contractor whose

16 contracting business is the execution of contracts requiring the
17 ability to intelligently prepare surfaces and apply acceptable texture
18 coating finishes. Includes cathodic protection to protect metal
19 structure from corrosion. Sand /Water blasting also is included.

20 **C-46 Stone Masonry Contractor:** A specialty contractor whose

21 contracting business is the execution of contracts requiring the
22 ability to intelligently select, cut and dress stone, and to construct
23 ornamental walls, veneer walls and structure walls or columns from
24 such stones; to lay stone in such manner that an acceptable paved
25 surface is obtained and to construct stone retaining walls with or
26 without mortar, sufficient in strength and weight to retain the earth
27 which it was built to retain.

1 **C-47 Structural Pest Control Contractor:** A specialty contractor
2 whose contracting business is the execution of contracts requiring
3 the practical knowledge of the life cycles, habits and habitats of
4 wood-destroying insects and household pests; the ability to destroy
5 same and to intelligently repair any damage resulting from such
6 insects and pests. Included in these classifications is the work
7 performed by classification C-34 (Pest Control) Contractor.

8 **C-48 Structural Steel Contractor:** A specialty contractor whose
9 contracting business is the execution of contracts requiring the
10 ability to intelligently fabricate and erect structural steel shapes,
11 bars, rods and plated of any profile, perimeter or cross-section that
12 are or may be used as structural members for buildings and
13 structures, including riveting, bolting, welding and rigging in
14 connection therewith.

15 **C-49 Swimming Pool Contractor:** A specialty contractor whose
16 contracting business is the execution of contracts requiring the
17 ability to construct or repair swimming pools using construction
18 industry trades and standards as are necessary for the construction
19 of such pools.

20 **C-50 Tile Contractor:** A specialty contractor whose contracting
21 business is the execution of contracts requiring the ability to prepare
22 a base upon which ceramic and other tile work, including all
23 ceramic tile products, will adhere by suction or by adhesive and to
24 install such tiles.

25 **C-51 Warm Air Heating, Ventilating & Air Conditioning**
26 **Contractor:** A specialty contractor whose contracting business is
27 the execution of contracts requiring the ability to intelligently

1 fabricate and install warm air heating and cooling systems,
2 complete air conditioning systems, repair and maintain air
3 conditioning systems, except those air conditioning systems
4 requiring refrigeration as an integral part of the system. ~~The C-13
5 Electrical Contractor classification licenses is a prerequisite to
6 obtaining this classification.~~

7 **C-52 Traffic Lights Contractor:** Traffic Lights Contractor installs,
8 services, maintains and repairs, traffic lights and lights for
9 pedestrian traffic. This contractor must follow any/all local laws
10 regarding Traffic Lights. **The C-13 Electrical Contractor and the
11 C13A Pole and Line Contractor classification licenses are
12 prerequisites to obtaining this classification.**

13 **C-53 Solar Contractor:** A specialty contractor whose contracting
14 business is the execution of contracts requiring the ability to place,
15 install and erect apparatuses for heating, water heating, air
16 conditioning, refrigeration or other devices powered by solar
17 energy or conversion of solar energy to electromotive forces used
18 or to be used for specialties listed in Public Law 14-51 as amended
19 or these Rules & Regulations. Prerequisites for the classification
20 are: C-13 (Electrical), C-37 (Plumbing), C-40 (refrigeration) & C-
21 51 (Warm Air heating, Ventilating & Air conditioning). ~~This
22 includes installation of Photovoltaic panels, batteries, controls and
23 related low voltage Direct Current (DC) wiring.~~

24 **C-53A Solar Power Systems Contractor:** A specialty contractor whose
25 contracting business is the execution of contracts requiring the
26 ability to place, install and erect photovoltaic panels, batteries,
27 controls and related low voltage D.C. wiring. Prerequisite for the

1 classification is C-13 (Electrical).

2 **C-54 Water Chlorination Contractor:** A specialty contractor whose
3 contracting business is the execution of contracts requiring the
4 ability to install, repair and maintain water machines, reverse
5 osmosis systems and to chlorinate water lines so that tests approved
6 by the Department of Public Health show that the water in such
7 lines meets the standards acceptable to it. Electrical work if
8 necessary must be done by a C-13 (Electrical) contractor. Plumbing
9 work if necessary must be done by a C-37 contractor.

10 **C-55 Waterproofing Contractor:** A specialty contractor whose
11 contracting business is the execution of contracts requiring the
12 ability to intelligently apply felt, flax, glass, asphalt, pitch, latex,
13 silicon or other materials or any combination for any thereof to
14 surfaces to prevent, hold, keep and stop water vapor from
15 penetrating and passing such materials. This includes epoxy coating
16 and injection.

17 **C-56 Welding Contractor:** A specialty contractor whose contracting
18 business is the execution of contracts requiring the ability to
19 intelligently use gasses and electrical energy or other heating
20 media, fluxes and metal rods to cause materials to become fused or
21 jointed together.

22 **C-57 Well Drilling Contractor:** A specialty contractor whose
23 contracting business is the execution of contracts requiring some
24 practical knowledge of geology, hydrology, the occurrence of water
25 in the ground, water levels in wells, the prevention of surface and
26 subsurface contamination, pollution of the ground-water supply;
27 and the ability to intelligently bore, drill, excavate, and cover

1 ground surfaces as necessary to complete the work. Includes testing
2 and analyzing of soil samples in the laboratory.

3 **C-58 Wood Flooring Contractor:** A specialty contractor whose
4 contracting business is the execution of contracts requiring the
5 ability to intelligently lay and repair wood floors and to finish such
6 floors by sanding, filling, and sealing.

7 **C-59 Above/Underground Fuel Tank, Gas Line Installation &**
8 **Fuel/Gas Leak Monitoring Contractor:** A specialty contractor
9 who installs and/or removes above/underground fuel storage tanks
10 up to 20,000 gallons which have been or are to be used for
11 dispensing gasoline, diesel fuel, waste oil or kerosene (no
12 chemicals). This work involves the installation and/or removal of
13 all incidental tank related piping, electrical work, including the
14 installation of vapor probes in back fill areas of the tanks and any
15 associated calibration work, including but not limited to the testing
16 and adjustment of leak detection and vapor recovery equipment,
17 such as automatic tank gauges, leak line detectors, vapor recovery
18 lines, and in-station diagnostics. A C-59 contractor also performs
19 work on pumps, hoists, or other related equipment for facilities such
20 as, but not limited to, service stations.

21 **C-60 Asbestos Abatement or Removal Contractor:** A specialty
22 contractor who engages in any asbestos abatement or removal
23 activity involving the enclosure, removal, encapsulation,
24 renovation, repair, demolition or other disturbances of asbestos or
25 asbestos-containing material that may become friable. This
26 contractor shall follow all local and federal government laws
27 regarding the abatement or removal of asbestos or asbestos-

1 containing material.

2 **C-61 Communications/Telecommunications Contractor:** A specialty
3 contractor who installs, services, repairs and maintains all types of
4 communication and/or telecommunication systems. These systems
5 include, but are not limited to telephone systems, sound systems,
6 cable television systems, Closed-Circuit video systems, satellite
7 dish antennas, computer repair, computer networking and data
8 systems including any associated cabling, wiring, or fiber optics.
9 Prerequisite to this classification is C-13 Electrical.

10 **C-62 Garage Door Installation (Doors and Windows Shutters)**
11 **Contractor:** A garage door installation contractor installs, services,
12 repairs and maintains all types of residential, commercial or
13 industrial, mechanical, overhead and sliding garage doors,
14 including installation of window shutters which involves similar
15 installation methods.

16 **C-63 Horizontal Directional Drilling Contractor:** Horizontal
17 Directional Drilling Contractors do sub-surface trenchless drilling
18 for the installation of underground utilities.

19 **C-64 Painting & Road Marking Contractor:** A painting & road
20 marking contractor prepares and applies, without limitation,
21 roadways, runways, driveways, parking areas, curbs, pavements,
22 and other areas with the appropriate painted parking stripes,
23 highway stripes, pavement markings, or play court lines. Includes
24 the installation of epoxy buttons or white dome dividers on
25 highways.

26 **C-65 Prefabricated Steel Building Contractor:** A Prefabricated steel
27 building contractor installs, maintains, and repairs prefabricated

1 steel buildings for, but not limited to, commercial, agricultural,
2 industrial and residential use. The structure must meet all local
3 government building codes. A “B” General Building Contractor
4 license is a prerequisite to obtaining this classification.

5 **C-66 Shutter/Typhoon Shutters & Blinds Installation**
6 **(Shutter/Typhoon Shutter and Window Coverings)**

7 **Contractor:** A Shutter/Typhoon Shutters & Blinds Installation
8 contractor fabricates, maintains, repairs and installs decorative
9 architectural functional window/glass or door covering products for
10 the protection against typhoon force winds and criminal intrusion
11 products. Including but not limited to the materials and fabrics that
12 constitute louvers, shutters, Venetian and mini-blinds, residential or
13 commercial draperies, and typhoon shutters, including expanded
14 metal, aluminum, accordion, and panel-type window or door
15 shutters/ typhoon shutters.

16 **C-67 Sign/Sign Installation Contractor:** A sign/sign installation
17 contractor fabricates, maintains, repairs and installs all types of
18 nonelectrical signs, including but not limited to, post or pole-
19 supported signs, signs attached to structures, painted wall signs, and
20 modifications to existing signs.

21 **C-68 Water Tanks Contractor:** A water tank contractor installs,
22 maintains and repairs water storage tanks for the purpose of
23 residential, commercial, agricultural and other related uses. Potable
24 water tanks must meet National Sanitation Foundation (NSF)
25 requirements for the pipesafe storage of drinking water. Electrical
26 work if necessary must be done by specialty contractors in the
27 classification of C-13 Electrical Contractor. Plumbing work if

1 necessary must be done by specialty contractors in the classification
2 of C-36 Plumbing Contractor.

3 **C-69 Mold Remediation Contractor:** Mold Remediation Contractor
4 identifies the extent of the mold hazard in a structure. Then
5 removes or cleans contaminated materials in a way that prevents the
6 emission of fungi and dust contaminated with fungi from leaving a
7 work area and entering an occupied or non-abatement area, while
8 protecting the health of workers performing the abatement.
9 Including the maintenance and prevention of mold from
10 reoccurring.

11 **Section 3. Effective Date.** This Act shall be effective upon enactment.

12 **Section 4. Severability.** If any provision of this Act or its application to any
13 person or circumstance is found to be invalid or contrary to law, such invalidity shall
14 not affect other provisions or applications of this Act which can be given effect.

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From: committeeonrules@guamlegislature.org
Sent: Friday, April 12, 2024 8:24 AM
To: 'Clerks'
Cc: 'Speaker Therese M. Terlaje'
Subject: Messages & Communications Doc. No. 37GL-24-1930.
Attachments: 041224 COMM Doc. No. 37GL-24-1930.pdf

Håfa Adai Clerk's Office,

Please see attached, **Messages & Communications Doc. No. 37GL-24-1930** for processing:

37GL-24-1930	Contractors License Board	Proposed Amended Rules and Regulations Packet Transmittal to <i>I Liheslaturan Guåhan</i> of the Proposed Rules and Regulations pursuant to the Administrative Adjudication Law.*
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Kindly reply to this email.



si Yu'os ma'åse',
 Beatrice Cruz
 Committee on Rules Assistant
COMMITTEE ON RULES
 Senator Chris Barnett, Chairperson
I Mina'trentai Siette Na Liheslaturan Guåhan
 37th Guam Legislature

Disclaimer: The content of this email is intended for the person or entity to which it is addressed only. This email may contain confidential information. If you are not the person to whom this message is addressed, be aware that any use, reproduction, or distribution of this message is strictly prohibited. If you received this in error, please contact the sender at committeeonrules@guamlegislature.org and immediately delete this email and any attachments.



37th Committee On Rules <committeeonrules@guamlegislature.org>

(HARD COPY) Messages and Communications for 37GL-24-1930

2 messages

Speaker Therese M. Terlaje <speaker@guamlegislature.org> Thu, Apr 11, 2024 at 8:16 PM
To: 37th Committee On Rules <committeeonrules@guamlegislature.org>, Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>

Håfa adai,

Please see attached M&C Doc. No. 37GL-24-1930

37GL-24-1930	Contractors License Board	Proposed Amended Rules and Regulations Packet
--------------	---------------------------	---

Si Yu'os ma'åse',
Patsy Cruz
Office Manager



Office of Speaker Therese M. Terlaje
Committee on Health, Land, Justice, and Culture
I Mina'trentai Siette na Liheslaturan Guåhan 37th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
☎ (671) 472-3586
✉ senatorterlajeguam@gmail.com
🌐 www.senatorterlaje.com

37GL-24-1930.pdf
1677K

committeeonrules@guamlegislature.org <committeeonrules@guamlegislature.org> Fri, Apr 12, 2024 at 7:58 AM
To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>, Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>

Håfa Adai!

Received and thank you.



si Yu'os ma'åse',

Beatrice Cruz
Committee on Rules Assistant
COMMITTEE ON RULES
Senator Chris Barnett, Chairperson
I Mina'trentai Siette Na Liheslaturan Guåhan

EXHIBIT A

37th Guam Legislature

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image001.png
97K



CONTRACTORS LICENSE BOARD

Inetnon Malisensiyen Kontratista

542 North Marine Corps Drive A. – Tamuning, Guam 96913
(671) 649-2211, (671) 649-9676, (671) 649-2210 (Fax)
Website: www.clb.guam.gov



LOURDES A. LEON GUERRERO
Maga'håga

JOSHUA F. TENORIO
Sigundo Maga'låhi

JOHN P. AGUON
Direktot Eksekatibu

April 11, 2024

37GL-24-1930
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

APR 11 2024

Time: 11:13 AM
Received: [Signature]

Honorable Therese M. Terlaje
Speaker
I Mina'Trentai Siete Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: This is a Transmittal to *I Liheslaturan Guåhan* of Proposed Rules and Regulations pursuant to the Administrative Adjudication Law.

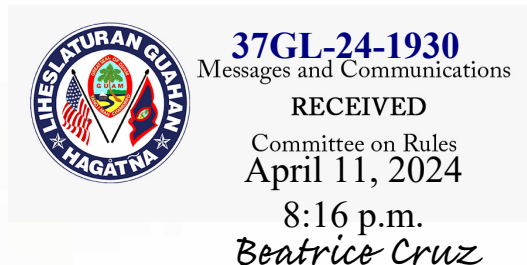
Dear Speaker Terlaje,

In accordance with § 9303 of 5 GCA Ch. 9 we are hereby submitting our proposed amended Rules and Regulations to be filed with the Guam Legislature. Included in our packet is:

1. A printed version of the proposed amended Rules and Regulations.
2. A copy of our Economic Impact Statement
3. The minutes to our Board Meeting held on February 21, 2024 where the Board Members voted and approved to accept the proposed amendments and forward it to take all the necessary steps in the adjudication process.
4. A copy of the transcript from the public hearing held on February 15, 2024.
5. Signed approvals by the Attorney General's Office as well as Governor Leon Guerrero.

A PDF version of this packet with the proposed amended Rules and Regulations will be submitted via email to speaker@guamlegislature.org.

Should there be any questions or concerns please contact our office at (671) 647-2965.




Sincerely,

[Signature]
John P. Aguon
Executive Director

cc: Senator Roy A.B. Quinata (*via electronic mail*)

Amendments to the Rules and Regulations that will Repeal 29 GAR Article 4, and Repeal and Re-Enact 25 GAR Chapter 12 in accordance with 5 GCA Ch.9 were approved on Wednesday, February 21, 2024, following a public hearing held on February 15, 2024.

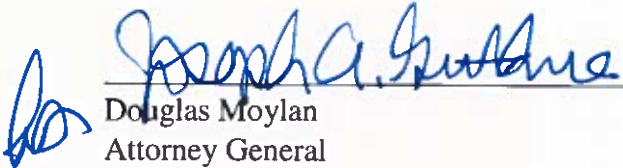
These rules shall take effect ninety (90) days after filing with the Guam Legislature.



Bernard Benavente, Chairman
Contractors License Board

APPROVED:


Date: 4/4/24



Douglas Moylan
Attorney General

APPROVED:


Date: 4/5/24



John P. Aguon
Executive Director, Contractors License Board

APPROVED:

Date: 4/10/24



Lourdes A. Leon Guerrero
Governor of Guam



CONTRACTORS LICENSE BOARD

Inetnon Malisensiayen Kontratista

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JOSHUA F. TENORIO
Sigundo Maga'låhi

JOHN P. AGUON
Direktot Eksekatibu

ECONOMIC IMPACT STATEMENT Proposed Rules and Regulations

With Public Law 14-51, the 14th Guam Legislature established Contractors License Board in 1977. Public Law 14-51 was later amended to Public Law 30-11, 21 GCA Real Property Chapter 70 Contractors.

The 7-member Board is comprised of the following members; two (2) of which are appointed by the Governor from the construction industry; three (3) of which are appointed by the Governor from the general public and that have no interest in the construction industry; and the Director of Revenue and Taxation and the Director of Public Works are Ex-Officio's. These members are subject to confirmation by the Legislature.

The Board was granted the authority to make, amend or repeal such rules and regulations as it may deem to effectuate and carry out the purpose thereof which purpose is the protection of the General Public.

Proposed Rules and Regulations

The authority to promulgate Rules and Regulations by the Contractors License Board is found in Section 10503 (b) Chapter VII, Title XI of the Government Code of Guam, as enacted by Public Law 14-51 (Bill 140). Repealed and re-enacted by P.L. 30-11 (April 2009).

The Contractors License board proposes to adopt rules and regulations governing the issuance of licenses to contractors, different classification of licenses, license fees, citation and fines for violations of the rules and regulations and 21 GCA Real Property Chapter 70 Contractors.

Purpose and Need for Rules and Regulations

The purpose of this Rules and Regulations is for the protection and safety of the Public. The Board interprets the primary intent of the Legislature in creating the Board to be the protection of the public health, safety and general welfare in dealing with persons engaged in the construction industry, and the affording to the public of an effective and practical protection against incompetent, inexperienced, unlawful and unfair practices of contractors with whom they contract. All rules and regulations or orders adopted by the Board shall be interpreted and construed in light of the policies announced herein.

Assessment of Economic or Cost Impact


The Contractors License Board finds no additional financial impact, potential increase or decrease in the cost of living on Guam. The License fees and penalties being imposed to the contractors has not changed.

The Contractors License Board further finds that the promulgation of these proposed rules and regulations will have \$0.00 impact to the General Public.

Pursuant to 5GCA § 9301 (i), the proposed rules and regulations are exempted from the economic impact statement requirements of 5 GCA§ 9301

Title 5 GCA § 9301 (i): Exemptions. Any proposed rule, change of rule, regulation or request to impose or raise fees or rates shall be exempted from the economic impact statement requirements of Subsection (d), (e), (f), (g), and (h) of this Section if the annual economic impact to the general public is Five Hundred Thousand Dollars (\$500,000) or less, as determined by a preliminary cost impact assessment performed by the Bureau of Budget and Management Research, or the department, agency, autonomous agency, office or instrumentality proposing the rule, change of rule, regulation or request to impose or raise fees. The preliminary cost impact assessment must be completed and made available to the public prior to any required hearings on the proposed rules or regulations, and must be transmitted to I Liheslatura (the Legislature) as part of the agency record.

Si Yu'os Ma'ase'


John P. Aguon
Executive Director

1/28/2024
Date


Bernard S. Benavente
Board Chairman

1/17/2024
Date



LOURDES A. LEON GUERRERO
Maga'hága

JOSHUA F. TENORIO
Sigundo Maga'láhi

CONTRACTORS LICENSE BOARD

Inetnon Malisensiyen Kontratista

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Website: www.clb.guam.gov



JOHN P. AGUON
Direktot Eksekatibu

Regular Board Meeting Minutes of February 21, 2024 CLB Conference Room

I. Call to Order:

The Regular Board Meeting of the Guam Contractors License Board was called to order at **10:06 a.m.** by **Board Vice-Chairwoman, Selina Ashland.**

II. Roll Call

Board Members Present:

- a. Selina Ashland; Vice Chair-woman
- b. Rena Borja; Board Member
- c. Michele Santos; Board Member Ex-Officio, Department of Rev & Tax
- d. Vince Arriola; Board Member
- e. Matthew Cruz; Board Member (attended via zoom)

CLB Staff Members Present:

- f. John P. Aguon; Executive Director
- g. Nida Bailey; CLB Investigator Supervisor
- h. Marcus Finona; CLB Investigator
- i. Aaron T. Aragon; CLB Investigator
- j. Andrew A Mesa; CLB Investigator
- k. Geralynn T. Stanley; Private Secretary
- l. Maria D. Perez; Administrative Officer

III. Affirmation of public notices – Public notices were advertised in the Guam Daily Post on February 14th and February 19th.

IV. Review of the Minutes for Regular Board Meeting held on 9/20/23 & continued on 1/17/24. – Board Member Michele Santos stated that on page 8 of the minutes it was noticed that C-86 was documented however it should read C-68.

- **Board Member Michele Santos made a motion to approve the minutes subject to correction of the clerical error. Board Member Vince Arriola seconded the motion.**
All in Favor – Unanimous. Motion carried.

V. **Public Comments** – Vice Chairwoman Ashland stated that there was nobody present from the public at this time. Therefore no comments to be made.

VI. **Section Reports:**

1. **Administrative Division – Maria Perez (Administrative Officer) – Review report of individuals newly licensed in various classifications and total amount of contractors on Guam, both active and inactive.** – Administrative Officer Maria Perez reported that there is a total of eight new contractors as of February 20, 2024. She then read the names of the newly licensed contractors and the classifications they hold. She concluded her report stating that there were 938 active contractors, 23 inactive contractors, and 32 Master electricians.
2. **Investigation Division – Nida Bailey (Investigator Supervisor) – Review of open and closed cases.** - Investigator Supervisor Nida Bailey reported that there are six cases currently open, they have closed four, issued four citations, and have cleared 75 building permits. Board Member Michele Santos asked what the clearing of permits means. Ms. Bailey responded that CLB tracks approved permits to measure the activity on ongoing construction.

Open Cases:

- **2021-09-04 (JMI Edison vs. Menzies) - Pending hearing.** - Ms. Bailey informed the board that this case is still pending a hearing as a citation has already been issued and Menzies has contested it, but we haven't received a hearing officer. Board Member Vince Arriola asked if there was a specific time frame to hold the hearing. Ms. Bailey responded that it's out of our control now and is on the AG's timeline, however a letter was sent to us to follow up on the hearing officer by JMI's attorney. Executive Director John P. Aguon explained further that the letter that was sent was forwarded to attorney Tom Keeler, and that it was requesting that Mr. Keeler be present at this meeting. The letter also requests that we push for a hearing. Mr. Aguon stated that he feels that it is beyond us, as we can only request that action be taken, however we can send another letter to attorney Keeler to inquire about the status. Board Member Michele Santos suggested that it be addressed to the AG, not Mr. Keeler. Board member Arriola asked when the decision was made on this issue. Ms. Bailey stated that it was in March of 2023. Mr. Arriola was surprised that it has been so long, Vice-Chairwoman Selina Ashland stated that the delay was from not being assigned a hearing officer. Director Aguon reminded the board that Mr. Keeler is aware that we are waiting for his word as to what's the next movement for this case. Mr. Arriola asked who the attorneys for each party were. Ms. Bailey responded that it was Razzano, Walsh and Torres for JMI, and Blair, Sterling, and Johnson for Menzies. Mr. Arriola stated that this is not a way to conduct business as it is almost a year and for the board to be diligent in their efforts he suggested that a letter be written to the AG's office explaining the situation and putting it on record that we need to move forward. Ms. Ashland agreed stating that the letter be addressed to the AG himself as opposed to Mr.

Keeler so we can escalate this and implore the urgency as this has been a sitting case for some time. Director Aguon stated that we will do that and the Chairman and Vice-Chairwoman will be cc'd in this letter.

- **2022-09-01 (K. Perez vs. Jianhua Const. Inc.) - Pending Electrical Inspection** - Ms. Bailey reported that this is a tank and leaching field issue. The engineers that have designed this have made the corrections and it has been inspected and being monitored. She stated that as the issues have been corrected she is recommending that the case be closed. Board Member Arriola asked what the correction made. Ms. Bailey responded that they have redesigned and rebuilt the location of the septic tank. Mr. Arriola asked if all was good. Ms. Bailey responded yes, but is still being monitored because of the land situation. The percolation test was performed but there are some incidents where its not as expected because according to them it's the location. Mr. Arriola asked where it is located. Ms. Bailey responded that it is in Yona.
- **2023-09-02 (J. Fisher/J. Cruz vs. Hang Out Builders) - Pending Settlement/Civil Matter** - Ms. Bailey reported that this is an unfinished residential project and will possibly go to civil court because of a breach of contract clause as they had reached a time limit they were understood to complete. She also stated that they were given a citation of \$5,000 because they had violated the law by not having this project inspected. Vice-Chairwoman Ashland asked if this was Hang Out Builders first offense. Ms. Bailey responded that it was. Board Member Santos asked what happens when they come up for renewal. Executive Director Aguon stated that as of 2/20/24 they signed a promissory note of making a \$1000 payment every month and as long as the payments are consistent then we shouldn't have any issues renewing their license. Board Member Borja asked if there was a "3 strike" type of thing implemented. Ms. Bailey responded that there is suspension. Mr. Aguon stated that those cases would be brought to the board. Vice-Chairwoman Ashland asked how payment plans were determined, is it something that the contractor would request and it would be given consideration? Mr. Aguon responded that it would have to be approved by the director with that power having been given by the board, then we would make a recommendation and see what is feasible. Ms. Bailey added that the case will remain open until the payment is complete.
- **2023-03-02 (M. Parks vs. Jianhua Const. Inc.) – Update on case after multi-agency meeting** - Ms. Bailey reported that this case is similar to Krysta Perez's. The only difference is that the designer of the septic tank and leaching field had passed away so there wasn't anyone to do the correction. She stated that there was a meeting held with other government agencies; EPA, DPW, and PEALS Board, and they recommended to the homeowner that they hire an engineering firm to inspect the septic tank and leaching field as they don't want the representative of the contractor to do it. Ms. Bailey stated that this case is still ongoing and we will be following up. Board Member Arriola asked who was paying for the hiring if the engineering firm. Ms. Bailey responded that it will be the homeowner because since the beginning they had

given the plan to the contractor, and she believes that the designer was not licensed architect with PEALS. Mr. Arriola stated to get clarification that the review or investigation is going to determine if what was on the plans was actually constructed by the contractor. Ms. Bailey responded yes, then after if it is necessary there will be a redesign. Mr. Arriola asked what about if it was built to specs? Vice Chairwoman Ashland stated that then the contractor should be responsible for the work. Ms. Bailey stated that if it is to specs then the contractor is not at fault but based on the condition of the leaching field she doesn't think it can be used again because there were no percolation tests conducted in the beginning. Mr. Arriola stated "that is the key", there was no percolation test and it just doesn't operate the way it's supposed to. He continued by stating that by his knowledge as well on the PEALS side they may have to move the septic tank and leaching field because it's just in the wrong place. Director Aguon stated that in this particular case there is a lot of finger pointing, the meeting they had was productive but at the same time it was built to specs but the work was questionable. He stated that he believes they are coming to a resolution, however it isn't clear as who is going to pay what. Mr. Arriola asked if the retention was still being held by the bank. Ms. Bailey stated yes, and it isn't being released yet. After being asked, Ms. Bailey stated that the retention amount was \$30,000. Board Member Borja asked where this was located. It was stated that it is in Yona. Ms. Bailey stated that as of now we are waiting on the homeowner to provide the engineering firms recommendation then we will move on from there.

- **2023-12-02 (CLB vs. American C&T Corp. RME: Young Man Kim)** – Ms. Bailey reported that this project is located at Hotel Tano in Tumon, they did not have a permit and were issued the citation of \$50,000. She stated that they have signed a promissory note and will be paying \$5,000 a month, first payment has been made and they are due for their second payment this month. Board Member Arriola asked if the construction was complete. Ms. Bailey responded that yes, as far as American C&T's scope of work is complete. He asked about the fire alarms. Ms. Bailey stated that they are done. Director Aguon stated that according to GFD Chief Castro they are good to go on the fire side and are in regular operation.
- **2023-01-05 (Ronald Nesbit vs. RPG Construction)** – Ms. Bailey reported that this is a warranty issue and they are working on a punch list as doors are falling apart before the 18 month warranty is up. She stated that it isn't major, but they are working on the issues and once all the punch lists are corrected then it will be reported the board and possibly close the case.

Ms. Bailey concluded her report by listing the closed cases. Upon reporting on closed case # 2023-11-05 Carbullido vs. Sunyes (dba Midea), she stated that this contractor was cited because it was the second offense of a similar nature within this year. Upon reporting on case # 2024-01-03 Huang vs. Liu's Construction, she stated that there was a \$1,000 citation issued because of the unauthorized use of an EPA certificate. Board Member Michele Santos asked what will happen to this company come renewal. Director Aguon stated that when they were brought in they were advised of their offense and now are on the monitor list, and should they do this again they will be penalized. Ms. Santos stated, possibly lose their license.

Director Aguon agreed, and stated that they were advised and counseled and their license will be re-issued.

II. Directors Report – Review report presented by Executive Director Aguon.

- 1. Support to the Guam Energy Office – Training for Residential Energy Contractors** – Director Aguon reported that the Guam Energy Office Director Rebecca Respicio has requested some help and CLB got involved and supported.

He informed the board that we are ready for upcoming renewals. Board Member Arriola asked if CLB is aware of how many construction projects are actively ongoing right now. Investigator supervisor Bailey stated that in just January alone CLB approved 75 permits, but in 2023 there was over 900 approved permits. Director Aguon stated that it is noticed that there is a lot more activity going on. Mr. Arriola stated that he was curious to the numbers compared to the amount of citations issued by CLB which he thinks is minimal. Ms. Bailey stated that the investigators are out there on their fieldwork and though there aren't many citations, it's could be viewed positively as they are in compliance. Board Member Santos stated that the increase in activity could also be due to the recent typhoon.

III. Old Business

- 1. Review update on Rules and Regulations after interest heard at the Public Hearing – Proposed action: To formally approve updated rules and regulations to take all necessary steps in the adjudication process.** – Vice-Chairwoman Ashland stated that CLB held the Public Hearing for the draft updated Rules and Regulations on February 15. Board Member Michele Santos asked if anyone had attended. Ms. Ashland responded unfortunately not, however we are about halfway through the process and at this time puts it to the board to formally approve the updated rules and regulations and move it forward.
- Board Member Michele Santos moved to formally approve the updated rules and regulations to take all necessary steps in the adjudication process. Board Member Rena Borja Seconded the motion. All in Favor: Motion Passed

Vice-Chairwoman Ashland stated that she would like to take the time to thank the Director and the CLB Staff for getting the updates done. She understands the industry has been looking forward to getting these rules formalized. Board Member Santos asked what did we do notify the public about the public hearing. Ms. Ashland stated that the public notices were published in the newspaper and on our website and will continue to be posted on our website throughout the adjudication process.

Director Aguon informed the board of the process the amendments will take.

IV. New Business

1. None

V. Announcement

1. Scheduled Regular Board Meeting for March 20, 2024 at 10:00 AM.

VI. Adjournment : 10:44 AM

-Board Member Vince Arriola moved to adjourn the meeting. Board Member Michele Santos seconded the motion. All in Favor: Motion Passed



CONTRACTORS LICENSE BOARD

Inetnon Malisensiyen Kontratista

542 North Marine Corps Drive A. – Tamuning, Guam 96913
(671) 649-2211, (671) 649-9676, (671) 649-2210 (Fax)

Website: www.clb.guam.gov



LOURDES A. LEON GUERRERO
Maga'hága

JOSHUA F. TENORIO
Sigundo Maga'láhi

JOHN P. AGUON
Direktor Eksekatibu

February 15, 2024

Contractors License Board Public Hearing Sign In

CLB Board Members and Staff Present

<i>BB</i>	<i>JD</i> - Giralyn T. Stalling
<i>J.P. Aguon</i>	
<i>John P. Aguon</i>	
<i>John P. Aguon</i>	
<i>John P. Aguon</i>	

Public Present

Name	Representing	Phone Number
1. NO PUBLIC PRESENT DURING THIS PUBLIC HEARING.		
2.		
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14.		



LOURDES A. LEON GUERRERO
Maga'hága

JOSHUA F. TENORIO
Sigundo Maga'láhi

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JOHN P. AGUON
Direktor Eksekatibu

Contractors License Board

Public Hearing Transcription of Public Testimonies.
February 15, 2024

No person from the public was present at this hearing in Person or Via Zoom.

No electronic testimonies were submitted via post mail or electronic mail.

At 10:41 am Board Chairman Bernard Benavente adjourned the session.



Sesteman Laibrihan Puplekon Guåhan

GUAM PUBLIC LIBRARY SYSTEM

Government of Guam

Bill No. 330-3 (COR) Exhibit A

LOURDES A. LEON GUERBERO
Governor - Magsa'ngal
JOSHUA T. TENORIO
1st Governor - Segunido 'Aapaliån

Guam Public Library System (GPLS) Regular Board Meeting

Wednesday, February 07, 2024, 4:00 pm at the Hagatna Library.

AGENDA
Call to Order, Roll Call, Approval of Minutes of 05 18 23 & 11 30 23 & 12 14 23, Director's Report (IMLS Budget), Old Business (Presentation of Library Policy for the Library Resource Fund 30% Library Board Manual (updates), Internet Cafe), New Business (DOI/TAP Grant, Director's Evaluation), Open Discussion and Adjournment.
Please call June Aflague for those requiring special accommodations, auxiliary aid or services at 671-475-4755/54
This ad is paid for by government funds



Contractors License Board

Inetnon Malisensiayen Kontratista
542 North Marine Corp Drive A. - Tamuning Guam 96913
(671) 649-2211, (671) 649-9676, (671) 649-2210 (Fax)
Website: www.clb.guam.gov



PUBLIC HEARING NOTICE

Please take notice that the Contractors License Board will be holding a public hearing to review the proposed amendments to their Rules and Regulations.

All parties having interest in the proposed amendments shall be heard by the Board at this Public Hearing.

Date: February 15, 2024
Time: 10:00 AM
Where: Contractors License Board Conference Room
Or via Zoom Meeting ID: 882 3855 6030 Passcode: CLB

Copies of the proposed Rules and Regulation with amendments, can be accessed at our office as well as on our website www.clb.guam.gov for examination. It is important to note that the validity of any rule shall not be affected if the reference to the subject matter in this notice is deemed inadequate or insufficient.

For more information, please contact CLB Private Secretary Geralynn T. Stanley at geralynn.stanley@clb.guam.gov or (671) 647-2965. Persons needing a telecommunication device for the Hearing/Speech Impaired (TDD) may contact 475-8339. This advertisement was paid for with CLB Funds.

GUAM WATERWORKS AUTHORITY

"Better Water. Better Lives."
Gloria B. Nelson Public Service Building
688 Route 15, Mangilao, Guam 96913 • Telephone No.: (671) 300-6846/48 • Fax: (671) 648-3290
*THIS AD IS PAID FOR BY GWA (PUBLIC LAW 26-12)

INVITATION TO BID

The Guam Waterworks Authority invites sealed bids for Submersible Pumps and Motors in GWA IFB NO. 2024-04. Bids will be received until 10:00 a.m. Chamorro Standard Time on February 20, 2024 at the GWA Procurement Office, situated on the first floor of the Gloria B. Nelson Public Services Building in Mangilao. At this appointed time and location, all bids will be publicly opened and read aloud.

Each bid must be accompanied by a Bid/Performance Bond, amounting to fifteen percent (15%) of the total bid price. Acceptable bid securities include Bid/Performance Bonds, Surety Bonds, or certified/casher's checks payable to the Guam Waterworks Authority.

A non-refundable fee of \$15.00 is required for each set of bidding documents, available for purchase at the GWA Procurement Office. Alternatively, bidders can access the bid package for download at www.waterworks.org without charge. However, vendors are strongly encouraged to register via email at psbids@guamwaterworks.org or visit the GWA Procurement Office to ensure receipt of updated information, notices, or bid amendments.

GWA retains the right to amend, reject, or revise any or all proposals and to waive minor imperfections in the bid proposal in the best interest of the Guam Waterworks Authority.

/s/ Miguel C. Bordallo, P.E.
General Manager



SPEAKER THERESE M. TERLAJE

Committee on Health, Land, Justice & Culture

I Mina'trentai Siette na Liheslaturan Guåhan

NOTICE OF PUBLIC HEARING • MONDAY, FEBRUARY 12, 2024

Guam Congress Building, Public Hearing Room

AGENDA

2:00PM:

- **Bill No.199-37(COR)**-Committee on Maritime Transportation, Air Transportation, Parks, Tourism, Higher Education and the Advancement of Women, Youth, and Senior Citizens by request of I Kongressun Manhoben Guahan, the Guam Youth Congress, in accordance with 2 GCA §7102- AN ACT TO AMEND § 23101 AND TO ADD A NEW § 23110, BOTH OF CHAPTER 23, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO SUGARY DRINKS.

3:00PM:

- **Bill No. 162-37(COR)**- William A. Parkinson/ Thomas J. Fisher-AN ACT TO AMEND §3218 1 OF CHAPTER 3, ARTICLE 2, TITLE 10 GUAM CODE ANNOTATED AND REPEALING RELATIVE TO UPDATING THE WOMEN S REPRODUCTIVE HEALTH ACT OF 2012.

The public is invited to provide oral testimony on the agenda items. Written testimony may be submitted to senatorterlaje@guam@gmail.com or hand delivered to the Office of Speaker Therese M. Terlaje at the Guam Congress Building. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations should contact the Office of Speaker Terlaje at (671) 472-3586 or senatorterlaje@guam@gmail.com. All hearings broadcast on GTA TV Channel 21, Docomo Channel 117 and livestreamed on the Guam Legislatura YouTube:

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BID INVITATION

Bid No: GCC-FB-24-009
For: Multi Factor Authentication Solution: Implementation, Integration, and Support Services
Pre-Bid Conference (Mandatory): 10:00 a.m., Wednesday, February 7, 2024
GCC Student Services & Administration Conference Room, 2nd floor, Building 2000
Bid Submission: 10:00 a.m., Thursday, February 22, 2024
GCC Student Services & Administration Building (Building 2000)
GCC Materials Management Office, 1st Floor, Room 2105
Bid Opening Date: 10:15 a.m., Thursday, February 22, 2024
GCC President's Conference Room, 2nd floor, Building 2000
Place: Guam Community College Student Services & Administration Building

Interested bidders may purchase a bid package at the Cashier's Office (Building 2000, Room 2119, 1st floor, during the hours of 8:00 a.m. to 4:00 p.m., Monday thru Friday (excluding Government of Guam holidays). A non-refundable fee of \$25.00 must be paid on or by 4:00 pm on the Pre-Bid Conference date for a hard copy. Upon issuance of a receipt, a bid packet must be picked up from the Materials Management Office, Room 2105 (1st floor). However, interested bidders may request for a PDF file of the bid packet on or by 4:00 pm on the Pre-Bid Conference Date to be sent via email, free of charge. Attendance at the Pre-Bid Conference is Mandatory, failure to attend will result in disqualification.

For further information, please contact the Materials Management Office at 735-5540 ext. 5541 or 5547 or email: materialsmanagement@guamcc.edu.

This project is funded by Guam Community College
GCC is an equal opportunity provider and employer

/s/ MARY A.Y. OKADA, Ed.D.

EXHIBIT

25 GAR – Professional and Vocational Regulations

**CHAPTER 12
CONTRACTORS LICENSE BOARD**

**THESE RULES AND REGULATIONS REPEAL 29 GAR ARTICLE 4,
AND REPEAL AND RE-ENACT 25 GAR CHAPTER 12**

**ARTICLE 1
AUTHORITY AND PURPOSE OF REGULATIONS,
EXEMPTIONS AND ENFORCEMENT**

- § 12101. Authority
- § 12102. Purpose Of Law Protection, Safety Of Public.
- § 12103. Exemptions
- § 12104. Violation And Penalties
- § 12105. Definitions

**ARTICLE 2
LICENSE APPLICATION PROCESS**

- § 12201. Processing License Application
- § 12202. Individual Licenses Required
- § 12203. Management Of Applicant To Furnish Information
- § 12204. Signing And Verification Of Application.
- § 12205. Exhibits Required.
- § 12206. Rejection Of Applications
- § 12207. When A Joint Venture Requires A License
- § 12208. Classification Of License For Joint Venture.
- § 12209. Power Of The Board To Prorate Licensing Fees

**ARTICLE 3
EXPERIENCE AND QUALIFICATIONS**

- § 12301. Experience Requirement
- § 12302. Power Of The Board To Approve Other Experience
- § 12303. Power Of The Board To Accept Equivalent Knowledge

**ARTICLE 4
CLASSIFICATIONS**

- § 12401. All Contractors Classified
- § 12402. Temporary Classifications

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ARTICLE 5
SCOPE OF CLASSIFICATIONS

- § 12501. General Engineering, General Building And Specialty Contractors
- § 12502. Limitation Of Classifications
- § 12503. Work Incidental And Supplemental
- § 12504. Additional Classification

ARTICLE 6
EXAMINATIONS

- § 12601. Examination On Law And Related Subjects
- § 12602. Examination Subject Matter
- § 12603. Kinds of Examination
- § 12604. New Examinations
- § 12605. Time And Place Of Examination
- § 12606. Passing Score
- § 12607. Written Examination Not Required
- § 12608. Time Element For Examination
- § 12609. Failure To Pass Examination
- § 12610. Appeal Process

ARTICLE 7
RENEWAL OF LICENSE

- § 12701. Renewal of License: Date Of Filing
- § 12702. Failure To Submit Renewal Application
- § 12703. Proper Filing Authorizes Contractor To Operate
- § 12704. Suspension
- § 12705. Board May Refuse To Renew
- § 12706. Bond Requirement
- § 12707. Waiving A Bond
- § 12708. Renewal Application Availability
- § 12709. Renewal Application File Date
- § 12710. Conditions For Renewal Of License

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ARTICLE 8

REVOCAION, SUSPENSION AND LAPSE OF LICENSE

- § 12801. Causes Of Revocation Or Suspension.
- § 12802. Procedure For Hearing And Appeals.
- § 12803. Notice Due to Contractors License Board Upon Death, Dissociation Or Disability.
- § 12804. Board Jurisdiction To Proceed

ARTICLE 9

OWNERSHIP AND MANAGEMENT OF LICENSE

- § 12901. A License Issued By The Board Shall Not Be Transferable.
- § 12902. Change In Management Personnel
- § 12903. Place Of Business
- § 12904. Change Of Address

ARTICLE 10

REPORTS TO THE CONTRACTORS LICENSE BOARD BY CONTRACTORS

- § 121001. Reports To The Executive Director

ARTICLE 11

RESPONSIBILITY OF GOOD WORKMANSHIP

- § 121101. Responsibility Of Good Workmanship.
- § 121102. Identification Display

ARTICLE 12

CONFLICT WITH LAW

- § 121201. Conflict With Law

ARTICLE 13

PROVISIONAL LICENSE; MASTER ELECTRICIAN CERTIFICATE

- § 121301. Power Of The Board To Issue Provisional License.
- § 121302. Power Of The Board To Issue Master Electrician Certificate.

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ARTICLE 1
AUTHORITY AND PURPOSE OF REGULATIONS,
EXEMPTIONS AND ENFORCEMENT

§12101. Authority.

(a) Authority to promulgate rules and regulations by the Contractors License Board is found in 21 GCA Chapter 70 at §70103.

(b) All references to “Board” are to the Contractors License Board. All references hereinafter to “this Chapter” are to this Title 25, GAR Chapter 12. As used herein, a pronoun in the masculine gender shall be considered as including the feminine and non-binary genders, and vice versa, unless the context clearly indicates otherwise.

§ 12102. Purpose Of Law Protection, Safety Of Public. The Board interprets the primary intent of the Legislature in creating the Board to be the protection of the public health, safety and general welfare in dealing with persons engaged in the construction industry, and the affording to the public of an effective and practical protection against the incompetent, inexperienced, unlawful and unfair practices of contractors with whom they may contract. All rules, regulations or orders adopted by the Board shall be interpreted and construed in light of the policies announced herein.

§ 12103. Exemptions. These Rules and Regulations exempt those persons and projects identified in 21 GCA § 70101.

§ 12104. Violations And Penalties. Shall be as set forth in § 70121 of 21 GCA Real Property Chapter 70 (Contractors), as amended.

§ 12105. DEFINITIONS.

(a) *CONTRACTOR* means any person who undertakes to construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, railroad, excavation or other structure, project development or improvement or do any part thereof, including the erection of scaffolding or other structure of works in connection therewith for another person for a fee. *Contractor* includes a subcontractor and a specialty contractor. [21 GCA § 70100(b)-(c)].

(b) *DIRECT MANAGEMENT OF THE CONTRACTING BUSINESS* as used in these rules and regulations means the general supervision of the construction projects undertaken by the licensee, the control of technical and administrative decisions, personnel management, the review of construction contracts and enforcing compliance with all laws and regulations affecting the contracting business.

(c) *LICENSEE* means a Contractor licensed by the Contractor License Board.

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- (d) *RESPONSIBLE MANAGEMENT EMPLOYEE* means the individual responsible for the direct management of the contracting business of the licensee. [21 GCA § 70100(g)]. A Responsible Management Employee shall not be deemed to have the direct management of the licensee’s contracting business unless he is:
- (1) A bona fide employee principally employed by the licensee, provided, however, that an individual may be a Responsible Management Employee for more than one firm if:
 - (A) There is a common ownership of at least fifty-one percent (51%) of the equity of each, for which he acts as Responsible Management Employee; or
 - (B) each additional firm for which he acts as a Responsible Management Employee is a subsidiary of, or joint venture with the first; or
 - (C) there is a direct family relationship between the Responsible Management Employee and the officers of each additional firm for which he acts as the Responsible Management Employee.
 - (D) Notwithstanding (d)(1)(A), (d)(1)(B), and (d)(1)(C) above, no person shall act as a Responsible Management Employee for more than three (3) companies or entities at a time. A separate Responsible Management Employee license shall be obtained for each company or entity.
 - (2) In a position to secure full compliance with the rules and regulations as set forth by the Board.
 - (3) Familiar with all contracts the firm enters into and is responsible for all contract provisions. To verify such familiarity, the Responsible Management Employee shall sign or initial all contracts.
 - (4) Familiar with all projects the firm undertakes and is responsible for enforcement of record keeping of such projects, such records to include amount of time the Responsible Management Employee spends with the firm and payroll record of the Responsible Management Employee.
 - (5) In residence within the Territory of Guam during the period in which the license is in effect or during the period a project is under construction.

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- (e) *EMPLOYEE* means an individual who, with wages as his sole compensation, works under the supervision of an employer who is liable for paying his social security, unemployment and workmen's compensation contributions on behalf of the employee.
- (f) *OWNER BUILDER* means a person who undertakes to perform a project or operation for himself for personal needs on personal premises, such as a person who builds a structure on his own premises for his own personal needs with no intent to sell, rent or lease such structure to someone else and which structure is not for use by the general public.
- (g) *PERSON* means an individual, partnership, joint venture, corporation or any combination thereof. *CORPORATION* includes an association, business trust or any organized group of persons. [21 GCA § 70100(d)].
- (h) *SELF-CONSTRUCTION* means a project or operation performed by the Owner for personal needs on personal premises; a self-constructed/performed project or operation shall otherwise be deemed performed by a contractor. [21 GCA § 70100(e)]. A Provisional License is **REQUIRED** for all self-construction operations and projects by an Owner Builder. [Article 13 - §121301 of this chapter]

ARTICLE 2
LICENSE APPLICATION PROCESS

§ 12201. Processing License Application. All applications for an original contractor's license shall be made in writing upon a form to be prescribed by the Board, which form shall be designed to seek from the applicant the following information:

- (a) A complete statement of the general nature of the applicant's contracting business.
- (b) If the applicant is an individual, his name and address; if a Partnership, the names and addresses of all partners, and the names and addresses of the Responsible Management Employee(s); if a Corporation, the names and addresses of the Responsible Management Employee(s) and all officers; if a Joint Venture, the names and addresses of the parties thereto and of their officers and the Responsible Management Employee(s). For the purpose of this article, any persons in any of the capacities set forth in this rule shall be deemed to be members of the personnel of applicant.

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- (c) A record of previous experience of applicant and applicant's Responsible Management Employee(s) in the field of construction. Designates the projects associated with by name, size, location and title of position held.
- (d) In the case of an individual, the application shall be accompanied by a declaration signed by not less than two (2) persons who have known the applicant for a period of not less than six (6) months, certifying that the applicant bears a good reputation for honesty, truthfulness and fair dealings. Declarations must be in a form compliant with 6 GCA § 4308.
- (e) Nothing contained herein shall be construed to limit the Board's authority to seek from the applicant such other information pertinent to the character, experience, past and future methods of doing business as may be deemed necessary to determine the applicant's qualifications.
- (f) License applications and their exhibits or supporting documents shall not be subject to public inspection or disclosure; although nothing in this Chapter shall be construed to prohibit the disclosure of information required by 21 GCA § 70108.

§ 12202. Individual Licenses Required. Responsible Management Employees must be individually licensed. The Corporation, Partnership or Joint Venture that employs a Responsible Management Employee shall also be licensed as a contractor under the same classification which the Responsible Management Employee is licensed.

§ 12203. Management Of Applicant To Furnish Information. An Officer, Director or Partner of an applicant shall furnish the information requested in the application form prescribed by the Board.

§ 12204. Signing And Verification Of Application. Every application for a contractors license shall be signed by the individual applying if the applicant is an individual; if a Partnership, by a co-partner; if a Corporation or Joint Venture, by its President or its authorized representative; and by all other persons concerning whom information is given in the application form. All persons signing the application shall swear to the truth of the statements contained therein. A declaration evidencing the authority of an authorized representative of a Joint Venture or Corporation shall be filled with its application. Declarations must be in a form compliant with 6 GCA § 4308.

§ 12205. Exhibits Required. Every applicant shall be required to furnish the Board with the following documents:

- (a) If the applicant is an individual, the declarations of not less than two (2) persons who have known the applicant for a period of not less than six (6) months

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certifying that the applicant bears a good reputation for honesty, truthfulness and fair dealings. Declarations must be in a form compliant with 6 GCA § 4308.

- (b) Not less than three (3) certificates in support of experience qualifications as set forth hereinafter in Article Three (Experience Qualifications) of this Chapter.
- (c) Proof of financial solvency from a United States bank or a bank located in the Territory of Guam such as a bank letter of credit attesting to solvency or a current monthly financial statement. Applicant must have a net worth of no less than \$15,000.00.
- (d) Evidence that the applicant has obtained workmen's compensation insurance if applicable.
- (e) Evidence, upon the Board's request, that an individual applicant is aged eighteen (18) years old or more.
- (f) Proof of Identity - U.S. Passport, U.S. Citizen certificate, Permanent resident card.

§ 12206. Rejection Of Applications.

- (a) The Board shall reject any application that is insufficient or incomplete; or where the applicant has failed to satisfy the Board that the applicant:
 - (1) demonstrates a record of integrity of fair dealings and fulfillment of prior contracts and possesses or demonstrates reasonable availability of adequate finances and facilities to undertake and successfully complete a contractual project.
 - (2) is qualified by experience for the license sought.
- (b) The Board is empowered to deny approval of any application wherein the applicant is found to have violated regulatory statutes of any governmental agency of which violations demonstrate the lack of moral or professional integrity necessary to fulfill contract responsibilities. The Board will further reject the application if review of the record of the applicant indicates that the applicant was denied or had a license revoked by any regulatory agency for professional misconduct.
- (c) An application for an original contractors license will be automatically rejected when:
 - (1) the applicant or Responsible Management Employee for the applicant, after having been notified to do so, fails to appear for the examination on the date and time notified.

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(2) the applicant or Responsible Management Employee for the applicant fails the examination and, after having been notified to do so, fails to appear for re-examination on the date notified;

(3) the applicant, after having been notified to do so, fails to comply with any of the requirements in these Rules and Regulations or as may be established by the Board, within thirty (30) days from date of notification.

(d) An application rejected pursuant to these provisions shall remain in possession of the Board for a time to be determined by the Board and shall not be returned.

§ 12207. When A Joint Venture Requires A License.

(a) No further licensing is required when all parties in the Joint Venture submit evidence to the Board that they hold current licenses.

(b) If the Joint Venture itself is licensed, none of the parties in the Joint Venture are required to be licensed.

§ 12208. Classification Of License For Joint Venture. The Board shall issue a license to a "Joint Venture" for the classification in which one of its members thereof is licensed.

§ 12209. Power Of The Board To Prorate Licensing Fees.

(a) The Board establishes the following quarterly prorated schedule on licensing fees for new contractors and new Responsible Management Employee(s):

FIRST QUARTER	(July, August, September)	\$400.00
SECOND QUARTER	(October, November, December)	\$300.00
THIRD QUARTER	(January, February, March)	\$200.00
FOURTH QUARTER	(April, May, June)	\$100.00

**ARTICLE 3
EXPERIENCE AND QUALIFICATIONS**

§ 12301. Experience Requirement. Every individual applicant must have had, within the past ten (10) years immediately preceding the filing of an application, not less than

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four (4) years experience as a foreman, supervising employee or contractor in the particular field of contracting in which the applicant intends to engage as a contractor. Corporations, Partnerships, and Joint Venture must qualify through a Responsible Management Employee who meets these experience requirements.

§ 12302. **Power Of The Board To Approve Other Experience.** The Board in its discretion may approve certain technical training or business administration training as acceptable experience, but in no case will such training count as more than one (1) year experience.

§ 12303. **Power Of The Board To Accept Equivalent Knowledge.** The Board in its discretion, may accept any reasonably equivalent knowledge, training or experience of the applicant in lieu of a specific experience requirement if, upon investigation, it makes a detailed finding to that effect.

**ARTICLE 4
CLASSIFICATIONS**

§ 12401. **All Contractors Classified.** All persons heretofore or hereinafter licensed under these Rules and Regulations will be classified by the Board into one or more classifications and/or sub-classifications as follows:

- General Engineering Contractor "A" License
- General Building Contractor "B" License
- Specialty Contractor "C" License

(a) **GENERAL ENGINEERING CONTRACTOR:** More than two (2) unrelated heavy construction trades or crafts including but not limited to the following:

- Asphalt, Paving & Surfacing
- Bridges, Overpasses, Underpasses
- Cement Concrete
- Concrete Paving & Surfacing
- Classified Specialties
- Drain, Cement, Pipe Laying
- Dock and Wharves
- Dams and Hydroelectric Projects
- Demolition
- Drainage
- Excavating, Grading & Trenching

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Fencing
Fuel Lines, Systems
Flood Control
Guniting
House and Building, Moving and Wrecking
Irrigations
Landscaping
Laying
Parks, Playgrounds & other Recreational works
Pest Control
Pile Driving and Foundation
Power Plants
Roads, Highways, Streets
Post Tension/Prestressed
Reinforcing Steel
Retaining Walls
River Control and Reclamation work
Shipyards & Ports
Septic Tank Sewage
Sewer, Sewage; Disposal Drain, Cement Pipe
Stone Masonry
Structural Steel
Water Proofing
Welding

(b) GENERAL BUILDING CONTRACTOR: More than two (2) unrelated building trades or crafts including but not limited to the following:

Acoustical tile
Aluminum Shingle & Siding
Cabinet & Millwork
Carpentry Framing
Carpet Laying
Cement Concrete
Concrete Paving & Surfacing
Demolition
Drywall
Electrical
Fencing

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Floor Covering
Glazing
Guniting
House & Building moving & Wrecking
Institutional & Commercial equipment
Insulation
Landscaping
Lift Slab
Limited House Improvement & Renovation
Masonry
Ornamental Metal
Painting & Decorating
Pest Control
Pile Driving & Foundation
Plastering
Plumbing
Post Tension/Prestressed
Prefabricated Steel Building
Reinforcing Steel
Roofing
Septic Tank
Sheet Metal
Spray texture coating
Stone masonry
Structural Pest Control
Structural Steel
Swimming Pool
Tile
Water Proofing
Welding
Wood Flooring
Wood Shingle & Shake
Classified Specialties

- (c) SPECIALTY CONTRACTOR. This classification shall not prohibit a Specialty Contractor from taking and executing a contract involving the use of two (2) or more crafts or trades, if the performance of the work is less than thirty- five percent (35%) of the value of the project and supplemental to the performance of work in the craft for which the specialty contractor is licensed.

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- C-1 Acoustical Tile
- C-2 Aluminum Shingle & Siding
- C-3 Asphalt Paving & Surfacing
- C-4 Boiler, Hot Water Heating & Steam Fitting
- C-5 Cabinet & Millwork
- C-6 Carpentry Framing Contractor
- C-7 Carpet Laying Contractor
- C-8 Cement Concrete Contractor
- C-9 Septic Tank
- C-10 Concrete Paving & Surfacing
- C-11 Demolition
- C-12 Drywall
- C-13 Electrical
- C-13A Electrical Pole & Line
- C-14 Electrical Sign
- C-15 Electronic System
- C-16 Elevator Installation
- C-17 Excavating, Grading & Trenching
- C-18 Fencing Contractor
- C-19 Fire & Burglar Alarm
- C-20 Fire Protection
- C-21 Floor Covering
- C-22 Glazing
- C-23 Gunite
- C-24 House & Building Moving & Wrecking
- C-25 Institutional & Commercial Equipment
- C-26 Insulation
- C-27 Landscaping
- C-28 Lathing
- C-29 Lift Slab
- C-30 Limited House Improvement & Renovation
- C-31 Masonry
- C-32 Ornamental Metal
- C-33 Painting & Decorating
- C-34 Pest Control
- C-35 Pile driving & Foundation
- C-36 Plastering
- C-37 Plumbing
- C-38 Post Tensioning & Pre-Stress
- C-39 Reconditioning Concrete Pipeline
- C-40 Refrigeration
- C-41 Reinforcing Steel

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- C-42 Roofing
- C-43 Sewer; Sewage Disposal, Drain, Cement Pipe laying
- C-44 Sheet Metal
- C-45 Spray, Texture Coating
- C-46 Stone Masonry
- C-47 Structural Pest Control
- C-48 Structural Steel
- C-49 Swimming Pool
- C-50 Tile
- C-51 Warm Air Heating, Ventilating & Air Conditioning
- C-52 Traffic Lights
- C-53 Solar
- C-53A Solar Power Systems
- C-54 Water Chlorination
- C-55 Waterproofing
- C-56 Welding
- C-57 Well Drilling
- C-58 Wood Flooring
- C-59 Above/Underground Fuel Tank Installation & Fuel Leak Monitoring
- C-60 Asbestos Abatement or Removal
- C-61 Communications/Telecommunications
- C-62 Garage Door Installation (Doors & Window shutters)
- C-63 Horizontal Directional Drilling
- C-64 Painting & Road Marking
- C-65 Prefabricated Steel Building
- C-66 Shutter/Typhoon Shutter & Blinds Installation (Shutter/Typhoon shutter and window covering)
- C-67 Sign/Sign Installation
- C-68 Water Tanks
- C-69 Mold Remediation
- C-70 Classified Specialist

(d) DEFINITIONS OF SUB-CLASSIFICATIONS

- C-1 Acoustical Tile Contractor:** A specialty contractor whose contracting business is the execution of the contracts requiring the ability to execute preparatory work necessary to bring surfaces to a condition where acoustical tile can be laid and to lay such tile by the use of adhesive or other acceptable installation media and to install metal suspension members and place acoustical materials for suspended ceilings.

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- C-2 Aluminum Shingle & Siding Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to install aluminum shingles and siding so that an acceptable watertight surface is obtained.
- C-3 Asphalt Paving & Surfacing Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently proportion, mix and place paving and surfacing consisting of graded mineral aggregates bonded with asphalt or bituminous materials so that a firm, smooth surface suitable for roadways, runways and parking areas is obtained.
- C-4 Boiler, Hot Water Heating & Steam Fitting Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install fire-tube and water-tube power boilers and hot water heating boilers, including all fitting and piping, valves, gauges, pumps, radiators, convectors, fuel/oil tanks, fuel/oil lines, chimneys, fuels, heat insulation and all other devices, apparatus and equipment pertinent thereto.
- C-5 Cabinet & Millwork Contractor:** A specialty contractors whose contracting business is the execution of contracts requiring the ability to intelligently cut, surface, join and frame wood and wood products into cabinets, cases, sash, doors, trim, non-bearing partition and such other mill products as are by custom and usage accepted in the building and construction industry as cabinet and millwork. Included is the placing and finishing in buildings of such cabinet and millwork.
- C-6 Carpentry Framing Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently do carpentry framing. Such work to include floor framing and siding, roof framing including wood truss, roof sheathing and such other work as is by custom and usage accepted in the construction industry as carpentry framing. This classification also includes work of the C-58 (Wood Flooring contractor).
- C-7 Carpet Laying Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently prepare floor surfaces to a condition where acceptable fabric floor covering can be laid thereon and to lay such covering.
- C-8 Cement Concrete Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently proportion and mix aggregates, cement and water to make acceptable concrete and to pour, place and finish the same, including the placing and setting of screens and forms for driveways and

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sidewalks. Excluded in this classification is the work covered by classification C-3 (Asphalt, Paving & Surfacing Contractor)

- C-9 Septic Tank Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to excavate and install septic tanks in compliance with the requirements of the Department of Public Health, Guam Environmental Protection Agency, and any other local Guam or federal government agencies. **Individuals holding a C-43 classification license may also perform work under this classification.**
- C-10 Concrete Paving & Surfacing Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently proportion, mix and place paving and surfacing consisting of graded mineral aggregates bonded with cement so that a firm, smooth surface suitable for roadways, runways and parking areas is obtained.
- C-11 Demolition Contractor:** A specialty contractor business is the execution of contracts requiring the ability to intelligently demolish all types of buildings or structures and to remove all of such buildings or structures from the premises on which it was built.
- C-12 Drywall Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install cement board, gypsum wallboard systems and sheathing; to tape and fill joints and indentation of wallboard with simulated acoustic or gypsum texture. This classification does not include work performed by classification C-33 (Painting) and C-36 (Plastering) contractors.
- C-13 Electrical Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to place, install, erect or connect any electrical wires, fixtures, appliances, apparatus, generators, raceways or conduits and lines which transmit, transform or utilize electrical energy, including repair and maintenance.
- C-13A Electrical Pole & Line Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to dress, ground, anchor and erects poles designed to carry high voltage and/or high distribution of electrical wiring, and to connect and string electrical wires and fixtures and apparatus to and between such poles. A C-13 (Electrical Contractor) is a prerequisite to obtaining this classification.
- C-14 Electrical Sign Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to

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intelligently fabricate, install and erect electrical signs. Includes the maintenance of electrical signs.

- C-15 Electronic System Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install, maintain, repair and service electronic equipment and electronic controls for public address, intercommunication, master antenna and music distribution systems. Electronic controls include those controls in conjunction with other specialty contracting work.
- C-16 Elevator Installation Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently fabricate, install and erect sheaves beams motors, sheaves, cable and wire rope, guides, cab, counter weight, doors (including sidewalk elevator doors), hydraulic systems, automatic and manual controls, signal systems, and all other devices, apparatus and equipment appurtenances for the usage and efficient installation and operation of electrical, hydraulic and manually-operated elevators.
- C-17 Excavating, Grading & Trenching Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently dig, move and place earthen materials for a cut, fill, grade or trench, including stockpiling of materials.
- C-18 Fencing Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently assemble, fabricate, install, alter, or repair metal fencing, gates, guard rails, and concrete fencing.
- C-19 Fire & Burglar Alarm Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install, maintain and require fire and burglar alarm systems.
- C-20 Fire Protection Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently layout, fabricate and install approved types of fire prevention and protection systems including all mechanical apparatus, devices, piping and equipment appurtenances thereto except electrical devices, apparatus and wiring which shall be installed by specialty contractors in the classifications C-13 or C-15. The licensee shall have the ability to comply with applicable provisions of the National Electrical Code to meet all requirements of any authorities having jurisdiction.

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- C-21 Floor Covering Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently prepare floor surfaces to a condition where he can lay acceptable flooring with the use of linoleum, rubber, vinyl, cork, asphalt, plastic aluminates or such other materials as are by custom and usage in the construction industry known as composition flooring.
- C-22 Glazing Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently cut glass and to glaze frames, panels, sash and doors. It shall also include fabrication and installation of shower doors, tub enclosures, metal jalousies, storefront metal and trim plastics, tempered glass doors including such items as frames and hardware and any allied products not stipulated above but affiliated with the glass and glazing industry.
- C-23 Guniting Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently proportion and mix aggregates, cement and water and to pneumatically apply and finish the mix including the setting of ground wires and pencil rods to establish the finished surface planes.
- C-24 House & Building Moving and Wrecking Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently raise and underpin buildings so that alteration, additions, repairs and new sub-structures may be built under the permanently retained portions of such building and to move or wreck buildings provided; however, that wrecking shall be limited to those buildings which could otherwise be moved in whole or not more than three sections.
- C-25 Institutional & Commercial Equipment Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install laboratory equipment, food services equipment, folding and sliding partitions, stationary metal partitions, and such other equipment and materials as are by custom and usage accepted in the construction industry as institutional and commercial equipment work. Excluded is the work done by classification C-13 (Electrical) and C-37 (Plumbing) Contractors.
- C-26 Insulation Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install any insulating media in buildings and structures for the sole purpose of temperature control.
- C-27 Landscaping Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently prepare plots of land for architectural horticulture and to

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provide decorative treatment and arrange gardens, lawns, shrubs, vines, bushes, trees and other decorative vegetation; construct conservatories, hot and greenhouses, drainage and sprinkler systems and ornamental pools, tanks, and to fabricate and place garden furniture, statuary and monuments in connection therewith.

- C-28 Lathing Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently apply wood and metal lath, or any other materials which provide a key or suction base for the support of plaster-coating; including the light gauge metal shapes for the support of metal or other fireproof lath.
- C-29 Lift Slab Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently lift or lower concrete slabs or pre-fabricated steelwork, in a vertical dimension, into predesignated positions through the use of jacks.
- C-30 Limited Home Improvement & Renovation Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently perform the carpentry work to remodel and/or to make repairs to existing building or structures and to do any other work which would be incidental and supplemental to such remodeling or repairing. This contractor shall be licensed only for contracts not exceeding thirty thousand dollars (\$30,000.00).
- C-31 Masonry Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently select, cut, and lay brick and other baked clay products, rough stone, cut and dressed stone, artificial stone and precast blocks, structural glass brick or block, laid at random or in courses with or without mortar.
- C-32 Ornamental Metal Contractor:** A specialty contractor, whose contracting business is the execution of contracts requiring the ability to intelligently cast, cut, shape, stamp, forge, weld, braze, solder, and fabricate any metal used in the building construction industry for the architectural treatment and ornamental decoration of buildings and structures. Excluded in this classification is the work done by classification C-44 (Sheet Metal Contractor) and C-48 (Structural Steel Contractor).
- C-33 Painting & Decorating Contractor:** A specialty contracting business is the execution of contracts requiring the ability to intelligently prepare surfaces, including the taping of joints in wallboard, and to apply acceptable finishes thereon with the use of paints, varnishes, stains, fillers, waxes and any other vehicles and materials that may be mixed and applied as finish to surfaces of buildings including texture coating

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and coverings. This includes lead based paint removal & abatement.

- C-34 Pest Control Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring a practical knowledge of the life cycles, habits and habitat of insects or pests in wood to enable them to determine where the insects or pests are and the proper method to use in ridding a building of such insects or pests. Excluded in this classification is the work done by classification C-47 (Structural Pest Control Contractor).
- C-35 Pile Driving & Foundation Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently drive pilings of wood, concrete or steel to cut off the same and prepare pilings for permanent foundations.
- C-36 Plastering Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently prepare mixtures of sand, gypsum, plaster, quicklime or hydrated lime and water, or materials to create a permanent surface coating; including coloring for same, and to apply such mixtures by use of a plasterer's trowel, brush or spray gun to any surface which offers a mechanical key for the support of such mixture, or to which such mixture will adhere by suction; and to apply lath or any other material that will provide a base for such mixture.
- C-37 Plumbing Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install water supply piping systems, waste water piping systems within such structures and works where people or animals live, work and/or assemble. Includes tapping into water lines and leak detection to indicate any leaks in water lines.
- C-38 Post Tensioning/Pre-stress Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently apply compression to concrete structures or various components by the use of steel bars or wires and to bring such bars or wires to proper tension after the structures or components are built or placed. To include prestressed concrete methods.
- C-39 Reconditioning Concrete Pipeline Contractor:** A specialty contractor business is the execution of contracts requiring the ability to intelligently recondition or restore concrete water or sewer lines through the use of manually or machine applied grout.
- C-40 Refrigeration Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently construct, erect and install devices, machinery and units including temperature insulation units, ducts, blowers, registers,

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humidity and thermostatic controls for the control of air temperature below fifty degrees Fahrenheit in refrigerators, refrigerator rooms and insulated refrigerator spaces.

- C-41 Reinforcing Steel Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently fabricate, place and tie steel reinforcing bars (rods) of any profile, perimeter or cross section that are or may be used to reinforce concrete buildings and structures.
- C-42 Roofing Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently prepare surfaces and apply a water-tight covering to such surfaces with the use of any or all of the following: asphalt, pitch, tar, felt, glass, flax composition, shingles, roof tile, slate and such other materials that are established by use and costumed as suitable for a water-tight cover.
- C-43 Sewer, Sewage Disposal, Drain, Cement Pipe Laying Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently fabricate concrete and masonry sewers, sewage disposal, and drain structures, packaged sewer disposal plants, sewage lift stations, septic tanks and appurtenances thereto; to lay iron, steel, concrete, vitreous and non-vitreous pipe; including the excavation, grading, trenching, backfilling, paving and surfacing in connection therewith.
- C-44 Sheet Metal contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently cut, shape, fabricate and install sheet metal such as cornices, flashings, gutters, ladders, rainwater downspout, and, kitchen equipment, ductwork and metal flues.
- C-45 Spray texture Coating Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently prepare surfaces and apply acceptable texture coating finishes. Includes cathodic protection to protect metal structure from corrosion. Sand /Water blasting also is included.
- C-46 Stone Masonry Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently select, cut and dress stone, and to construct ornamental walls, veneer walls and structure walls or columns from such stones; to lay stone in such manner that an acceptable paved surface is obtained and to construct stone retaining walls with or without mortar, sufficient in strength and weight to retain the earth which it was built to retain.
- C-47 Structural Pest Control Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the practical

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knowledge of the life cycles, habits and habitats of wood-destroying insects and household pests; the ability to destroy same and to intelligently repair any damage resulting from such insects and pests. Included in these classifications is the work performed by classification C-34 (Pest Control) Contractor.

- C-48 Structural Steel Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently fabricate and erect structural steel shapes, bars, rods and plated of any profile, perimeter or cross-section that are or may be used as structural members for buildings and structures, including riveting, bolting, welding and rigging in connection therewith.
- C-49 Swimming Pool Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to construct or repair swimming pools using construction industry trades and standards as are necessary for the construction of such pools.
- C-50 Tile Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to prepare a base upon which ceramic and other tile work, including all ceramic tile products, will adhere by suction or by adhesive and to install such tiles.
- C-51 Warm Air Heating, Ventilating & Air Conditioning Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently fabricate and install warm air heating and cooling systems, complete air conditioning systems, repair and maintain air conditioning systems, except those air conditioning systems requiring refrigeration as an integral part of the system. **The C-13 Electrical Contractor classification licenses is a prerequisite to obtaining this classification.**
- C-52 Traffic Lights Contractor:** Traffic Lights Contractor installs, services, maintains and repairs, traffic lights and lights for pedestrian traffic. This contractor must follow any/all local laws regarding Traffic Lights. **The C-13 Electrical Contractor and the C13A Pole and Line Contractor classification licenses are prerequisites to obtaining this classification.**
- C-53 Solar Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to place, install and erect apparatuses for heating, water heating, air conditioning, refrigeration or other devices powered by solar energy or conversion of solar energy to electromotive forces used or to be used for specialties listed in Public Law 14-51 as amended or these Rules & Regulations. Prerequisites for the classification are: C-13 (Electrical), C-37 (Plumbing), C-40 (refrigeration) & C-51 (Warm Air heating, Ventilating & Air conditioning). This includes installation of Photovoltaic panels,

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batteries, controls and related low voltage Direct Current (DC) wiring.

- C-53A Solar Power Systems Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to place, install and erect photovoltaic panels, batteries, controls and related low voltage D.C. wiring. Prerequisite for the classification is C-13 (Electrical).
- C-54 Water Chlorination Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to install, repair and maintain water machines, reverse osmosis systems and to chlorinate water lines so that tests approved by the Department of Public Health show that the water in such lines meets the standards acceptable to it. Electrical work if necessary must be done by a C-13 (Electrical) contractor. Plumbing work if necessary must be done by a C-37 contractor.
- C-55 Waterproofing Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently apply felt, flax, glass, asphalt, pitch, latex, silicon or other materials or any combination for any thereof to surfaces to prevent, hold, keep and stop water vapor from penetrating and passing such materials. This includes epoxy coating and injection.
- C-56 Welding Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently use gasses and electrical energy or other heating media, fluxes and metal rods to cause materials to become fused or jointed together.
- C-57 Well Drilling Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring some practical knowledge of geology, hydrology, the occurrence of water in the ground, water levels in wells, the prevention of surface and subsurface contamination, pollution of the ground-water supply; and the ability to intelligently bore, drill, excavate, and cover ground surfaces as necessary to complete the work. Includes testing and analyzing of soil samples in the laboratory.
- C-58 Wood Flooring Contractor:** A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently lay and repair wood floors and to finish such floors by sanding, filling, and sealing.
- C-59 Above/Underground Fuel Tank, Gas Line Installation & Fuel/Gas Leak Monitoring Contractor:** A specialty contractor who installs and/or removes above/underground fuel storage tanks up to 20,000 gallons which have been or are to be used for dispensing gasoline,

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diesel fuel, waste oil or kerosene (no chemicals). This work involves the installation and/or removal of all incidental tank related piping, electrical work, including the installation of vapor probes in back fill areas of the tanks and any associated calibration work, including but not limited to the testing and adjustment of leak detection and vapor recovery equipment, such as automatic tank gauges, leak line detectors, vapor recovery lines, and in-station diagnostics. A C-59 contractor also performs work on pumps, hoists, or other related equipment for facilities such as, but not limited to, service stations.

- C-60 Asbestos Abatement or Removal Contractor:** A specialty contractor who engages in any asbestos abatement or removal activity involving the enclosure, removal, encapsulation, renovation, repair, demolition or other disturbances of asbestos or asbestos-containing material that may become friable. This contractor shall follow all local and federal government laws regarding the abatement or removal of asbestos or asbestos-containing material.
- C-61 Communications/Telecommunications Contractor:** A specialty contractor who installs, services, repairs and maintains all types of communication and/or telecommunication systems. These systems include, but are not limited to telephone systems, sound systems, cable television systems, Closed-Circuit video systems, satellite dish antennas, computer repair, computer networking and data systems including any associated cabling, wiring, or fiber optics. Prerequisite to this classification is C-13 Electrical.
- C-62 Garage Door Installation (Doors and Windows Shutters) Contractor:** A garage door installation contractor installs, services, repairs and maintains all types of residential, commercial or industrial, mechanical, overhead and sliding garage doors, including installation of window shutters which involves similar installation methods.
- C-63 Horizontal Directional Drilling Contractor:** Horizontal Directional Drilling Contractors do sub-surface trenchless drilling for the installation of underground utilities.
- C-64 Painting & Road Marking Contractor:** A painting & road marking contractor prepares and applies, without limitation, roadways, runways, driveways, parking areas, curbs, pavements, and other areas with the appropriate painted parking stripes, highway stripes, pavement markings, or play court lines. Includes the installation of epoxy buttons or white dome dividers on highways.
- C-65 Prefabricated Steel Building Contractor:** A Prefabricated steel building contractor installs, maintains, and repairs prefabricated steel buildings for, but not limited to, commercial, agricultural, industrial

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and residential use. The structure must meet all local government building codes. A "B" General Building Contractor license is a prerequisite to obtaining this classification.

- C-66 Shutter/Typhoon Shutters & Blinds Installation (Shutter/Typhoon Shutter and Window Coverings) Contractor:** A Shutter/Typhoon Shutters & Blinds Installation contractor fabricates, maintains, repairs and installs decorative architectural functional window/glass or door covering products for the protection against typhoon force winds and criminal intrusion products. Including but not limited to the materials and fabrics that constitute louvers, shutters, Venetian and mini-blinds, residential or commercial draperies, and typhoon shutters, including expanded metal, aluminum, accordion, and panel-type window or door shutters/ typhoon shutters.
- C-67 Sign/Sign Installation Contractor:** A sign/sign installation contractor fabricates, maintains, repairs and installs all types of nonelectrical signs, including but not limited to, post or pole-supported signs, signs attached to structures, painted wall signs, and modifications to existing signs.
- C-68 Water Tanks Contractor:** A water tank contractor installs, maintains and repairs water storage tanks for the purpose of residential, commercial, agricultural and other related uses. Potable water tanks must meet National Sanitation Foundation (NSF) requirements for the pipesafe storage of drinking water. Electrical work if necessary must be done by specialty contractors in the classification of C-13 Electrical Contractor. Plumbing work if necessary must be done by specialty contractors in the classification of C-36 Plumbing Contractor.
- C-69 Mold Remediation Contractor:** Mold Remediation Contractor identifies the extent of the mold hazard in a structure. Then removes or cleans contaminated materials in a way that prevents the emission of fungi and dust contaminated with fungi from leaving a work area and entering an occupied or non-abatement area, while protecting the health of workers performing the abatement. Including the maintenance and prevention of mold from reoccurring.
- C-70 Classified Specialist Contractor:** A Classified Specialist is a specialty contractor whose operation is the performance of construction work requiring special skills, and whose contracting business involves the use of specialized building trades in crafts not listed above and who meets the standards set by the Board for such classification.

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§ 12402. **Temporary Classifications.** Temporary classifications under the C-70, Classified Specialist may be established and issued by the Board until the work performed is defined and the proper classification is established. Temporary Classifications are valid for no more than one (1) year after issuance.

ARTICLE 5
SCOPE OF CLASSIFICATIONS

§ 12501. **General Engineering, General Building, And Specialty Contractors.**

- (a) A *General Engineering Contractor* is a contractor whose principal contracting business is in connection with fixed works requiring specialized engineering knowledge and skill including the following divisions or subjects: irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, docks and wharves, shipyards and ports, dams and hydro-electric projects, levees, river control and reclamation works, highways, streets and roads, tunnels, airports and airways, sewer, sewage disposal plants and systems, waste reduction plants, bridges, overpasses, underpasses and other similar works; pipelines and other systems for transmission of petroleum and other liquid or gaseous substances, parks, playgrounds and other recreational works, refineries, chemical plants and similar industrial plants requiring specialized engineering knowledge and skill, houses, power plants and other utility plants and installations mines and metallurgical plants, land leveling and earth-moving projects, excavating, grating, trenching, paving and surfacing work, and cement and concrete works in connection with the above mentioned fixed works.
- (b) A *General Building Contractor* is a contractor whose principal contracting business is in connection with any structure built, being built or to be built for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind requiring in its construction the use of more than two (2) unrelated building trades or crafts or to do or superintend the whole or any part thereof.
- (c) A *Specialty Contractor* is a contractor whose operations as such are the performance of construction work requiring special skills and whose principal contracting business involves the use of specialized building trades or crafts or licensing to meet safety standards. Plumbers, painters, carpenters, masonry, and ornamental decorations are some examples of Specialty Contractors licensed with the Contractors License Board.
- (d) Any person who qualifies by written examinations after the effective date of these Rules and Regulations for a contractors license in the General Building Contractor classification shall automatically be deemed to hold or be qualified for a license in the specialties listed under Article Four of this chapter.

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- (e) Any person who holds or qualifies for a Specialty Contractor's license shall automatically be deemed to hold or be qualified for the subclassification of his particular specialty.

§ 12502. Limitation Of Classifications. All license classifications are subject to the following limitations:

- (a) A licensee classified as a General Engineering Contractor or as a General Building Contractor shall not act, assume to act or advertise as a Specialty Contractor except in specialties for which he is licensed.
- (b) A General Building Contractor license entitles the holder to undertake a contract with one or more unrelated building trades or crafts.
- (c) A licensee classified as a Specialty Contractor shall not act, assume to act or advertise as a contractor in any classification(s) other than those in which he is licensed.
- (d) General Building Contractors and Specialty Contractors holding proper licenses need not have a C-30 Limited Home Improvement and Renovation contractors license to engage in home improvement and renovation contracting in their own field.

§ 12503. Work Incidental And Supplemental. Nothing contained in this Article shall prohibit the performance of a contract in the classification in which any contractor is licensed by the Board.

§ 12504. Additional Classification. A licensee may obtain additional classifications by filing an application and meeting the requirements regarding experience in the classification requested.

**ARTICLE 6
EXAMINATIONS**

§ 12601. Examination On Law And Related Subjects. All applicants for an original contractors license shall be required to take and successfully pass a written examination designed to test the applicant's experience and general knowledge of the building, safety,

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health, labor and lien laws of the territory and of the rudimentary administrative principles of the contracting business. This shall be called Examination Part I. Examination Part I shall be given in standardized format.

§ 12602. Examination Subject Matter. Separate specific written examinations shall be given for each classification in order to test the applicant's specialized knowledge in the field in which he desires to be licensed. This shall be called Examination Part II. Examination Part II may be given in standardized format or essay format.

§ 12603. Kinds of Examinations. There shall be two (2) principal kinds or types of examinations: a "specific" examination which is the examination approved and prescribed for a particular classification, and a "blanket" examination which is an examination approved and required for several or a group of classifications.

§ 12604. New Examinations. The Board shall from time to time as need arises cause new examinations to be prepared for the several classifications for contractors.

§ 12605. Time And Place Of Examination. The Contractors License Board shall set the time and place for the examination. The Contractors License Board personnel are authorized to select the examinations in the classification applied for from a list of examinations approved by the Board of Directors; fix the time to be allotted to examinees; and determine the manner and conditions under which the examination shall be given which shall be uniform for all applicants for a particular classification.

§ 12606. Passing Score. All examinations shall be in two (2) parts and shall be graded as follows.

- (a) A grade of seventy-five percent (75%) shall be the minimum passing grade for any examination. No examinee shall be deemed to have attained a passing grade unless he has attained a grade of seventy-five percent (75%) or above in Examination Part I and seventy-five percent (75%) OR (PASSED) in Examination Part II.
- (b) When an examinee has failed to attain a passing grade for either Examination Part I or Examination Part II, such examinee shall be required to submit to re-examination in the Part where he failed.

§ 12607. Written Examination Not Required. No written examination shall be required of any applicant who shall have previously qualified by written examination within a period of **four (4) years** prior to their application; provided he applies for a license in the

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same classification for which the previous examination was given. The Board may waive the requirement for a written examination at its discretion for any applicant who has previously qualified by written examination.

§ 12608. Time Element For Examination. Upon approval of his application, an applicant who is subject to examination must take such examination when notified or again file an original application for contractors license.

§ 12609. Failure To Pass Examination.

- (a) An examinee who fails to attain a passing grade on an examination for an original license may be given a re-examination within ninety (90) days without the necessity of reapplications or additional fee.
- (b) An applicant failing two (2) full testing cycles (original examination and re-examination) will be administered another examination in the same classification for a period of one (1) year immediately following the last re-examination administered.
- (c) At any time that re-examination is necessary, a letter will be addressed to the Board by the examinee. Re-examination will be administered upon approval.
- (d) In the event of a failure, after the period of one (1) year, applicants must then again file an original application which must meet all requirements of Article 2 of these Rules and Regulations and again be approved by the Board.

§ 12610. Appeal Process. Applicants have five (5) working days after receiving a failed exam result to submit an appeal to the Board.

**ARTICLE 7
RENEWAL OF LICENSE**

§ 12701. Renewal of License: Date Of Filing. The office of the Contractors License Board will begin processing of renewal applications on the 15th of March each year. All renewal applications received will be processed only after applicants have obtained clearances from: Department of Land Management; Department of Revenue and Taxation; Department of Labor; and Department of Public Works.

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- (a) In addition, applicants with an “A” Engineering classification will need to obtain a clearance from the PEALS Board.
- (b) In addition, applicants with H2 workers will need to obtain a clearance from the Department of Public Health and Social Services.

§ 12702. Failure To Submit Renewal Application. A renewal application must be made upon forms prescribed by the Board. Failure to apply for renewal or file as an inactive contractor on or before June 30th of each year shall automatically void a license.

- (a) A licensee whose license is voided and would like to have it reactivated will have the opportunity to appeal to the Contractors License Board within a period of one (1) year. If approved, licensees must pay the required fee plus an amount equal to ten percent (10%) of the required fee.
- (b) A licensee whose license is voided and would like to file as an inactive contractor must fill out forms prescribed by the board and pay applicable fees.

§ 12703. Proper Filing Authorizes Contractor To Operate. The proper filing of a renewal application authorizes a contractor to continue operation until the actual issuance of the renewal license for the ensuing fiscal year; provided the license of said applicant is not otherwise under suspension by reason of the decision of the Board in a disciplinary proceeding.

§ 12704. Suspension. No license which is under suspension by order of the Board or by operation of law shall be renewed until the suspension has been lifted and in such a case the filing of a renewal application form does not authorize operation as a contractor until the actual issuance of the renewal license.

§ 12705. Board May Refuse To Renew. The Board may deny the renewal of a license upon the failure or refusal of the licensee to file and fully complete the renewal application form as prescribed by the Board, including the answering of any questions, and/or to otherwise fail to comply with Guam law or these Rules and Regulations.

§ 12706. Bond Requirement. If an application is made for reinstatement of a suspended or revoked license as a result of violation of the Government Code of Guam, the Board may require as an added requirement for the reinstatement, proof of financial integrity such as a bond in an amount and under terms to be determined by the Board. The sum of any such bond shall be based on the magnitude of the operations of the applicant.

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§ 12707. Waiving A Bond. The Board may waive the requirement of a bond where the applicant or licensee has made a full restitution to all parties injured, if any, as a result of the act for which a license was suspended or revoked.

§ 12708. Renewal Application Availability. By the fifteenth (15th) day of March each year, renewal applications will be made available. The renewal application form approved by the Board shall contain instructions to the licensee for the completion of the application. As a condition of renewal, licensees shall be required to answer all questions. Pursuant to § 12705 of this Article, the failure of the licensee to complete the renewal application form or to fully answer all questions may result in denial of the renewal.

§ 12709. Renewal Application File Date. The date upon which renewal application shall be deemed to be filed with the Board shall be

- (a) the date of the postmark appearing upon the envelope containing the application, if sent by mail.
- (b) the stamp marked there on immediately upon receipt, if submitted personally to the Contractors License Board.
- (c) the date received as indicated on the timestamp, if submitted electronically.

§ 12710. Conditions For Renewal Of License.

- (a) A renewal of license will not be made until the applicant establishes that he continues to have financial integrity which may be demonstrated by the absence of unpaid wage claims, mechanic's liens, material man's claims or unpaid tax assessments related to the activity for which the renewal is sought.
- (b) The applicant must show proof of financial solvency from a United States bank or a bank located in the Territory of Guam such as a bank letter of credit attesting to solvency or a current monthly financial statement.
- (c) At the time of renewal after examination of such materials as well as other information brought to its attention, if the Board has reasonable cause to believe that an applicant has not maintained satisfactory financial integrity, the Board shall, by registered mail, notify the applicant stating that the allegations upon which such a finding may be made and setting a place for Board's decision. An applicant may continue to do business on their existing license, subject to such action as may be taken by the Board to suspend the applicant's privilege of operation.

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ARTICLE 8

REVOCAION OR SUSPENSION OF LICENSE

§ 12801. Causes Of Revocation Or Suspension.

(a) The Board may revoke any license issued hereunder, suspend the right of licensee to use such licenses, or refuse to renew any such license for any of the following causes:

1. Conviction of any felony or misdemeanor involving moral turpitude;
2. Any dishonest, fraudulent or deceitful act as a contractor which causes substantial damage to another;
3. Pursuing a continued and flagrant course of misrepresentation or of making false promises through advertising or otherwise;
4. Abandonment of any construction project or operation without reasonable or legal excuse;
5. Willful departure from or willful disregard of plans or specifications in any material respect without consent of the owner or his duly authorized representative, which is prejudicial to a person entitled to have the construction project or operation completed in accordance with such plans and specifications;
6. Willful violation of any law of the Territory or of any political subdivision thereof, relating to building, including any violation of any applicable rule or regulation of the Department of Public health, or of any applicable safety, environmental, or labor law;
7. Failure to make and keep records showing all contracts, documents, records, receipts and disbursements by a licensee of all his transaction as a contract for a period of not less than three (3) years after completion of any construction project or operation to which the records refer or to permit inspections of such records by the Board;

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8. When the licensee being a partnership or a joint venture permits any member of such partnership or joint venture who does not hold a license to actively participate in the contracting business thereof;
9. When the licensee being a corporation permits any officer or employee of such corporation who does not hold a license to have the direct management of the contracting business thereof;
10. Misrepresentation of a material fact by an applicant in obtaining a license;
11. Failure of a licensee to complete in a material respect any construction project or operation for the agreed price if a failure is without legal excuse;
12. Willful failure in any material respect to comply with any part of this Chapter or with 21 GCA Chapter 70.
13. Willful failure or refusal to prosecute a project or operation to completion with reasonable diligence;
14. Willful failure to pay when due a debt incurred for services of materials rendered or purchased in connection with operations as a contractor when he has the ability to pay or when he has received sufficient funds thereof as payment for the particular operation for which the services or materials were rendered or purchased;
15. The false denial of any debt due or the validity of the claim therefore with intent to secure for licensee, his employer or other person, any discount of such debt or with intent to hinder, delay or defraud the person to whom such debt is due;
16. Failure to secure or maintain workmen's compensation insurance;
17. Knowingly entering into a contract with an unlicensed contractor involving work or activity for the performance of which licensing is required under this chapter;

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18. When the Responsible Management Employee and/or the majority stockholders have, under another corporate or company structure, caused the non-payment of employees' wages and/or the abandonment of alien workers to become a burden on the government;
 19. Upon certification of failure of payment of taxes by the Department of Revenue and Taxation; or
 20. Knowingly taps into any power, water, sewer line, or facility belonging to the Guam Power Authority and/or the Guam Waterworks Authority without first obtaining permission through the established service rules and regulations of each respective governmental agency.
- (b) No license shall be suspended for longer than two (2) years and no person whose license is revoked shall be eligible for a new license until the expiration of two (2) years. At such time, a new original application shall be submitted and subject to the requirements of Article Two of these Rules and Regulations.
- (c) For purposes of this Section, the Contractors License Board in cooperation and in conjunction with the Department of Public Works, Department of Revenue and Taxation and the Department of Labor shall have investigative powers for purposes of carrying out the intent of this Section.

§ 12802. Procedure For Hearing And Appeals.

- (a) Hearings over a proposal to refuse to grant a license or to revoke or suspend a license or to refuse to renew a license shall be governed by 21 GCA § 70117, as amended.
- (b) Appeals over decisions of the Board shall be governed by 21 GCA § 70118, as amended.

§ 12803. Notice Due to Contractors License Board Upon Death, Dissociation, Or Disability.

- (a) A licensee whose contracting business is under the direct management of an Responsible Management Employee shall within thirty (30) days of the death, dissociation or disability of such responsible managing employee notify the Board of such death, dissociation, or disability. If notice is given, the license

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shall remain in force for a reasonable length of time not less than thirty (30) days from such death, dissociation, or disability to be determined by the Board.

- (b) Disability includes any situation in which the direct management of a licensee's contracting business is no longer under the control of a Responsible Management Employee.
- (c) Failure of the licensee to notify the Board within thirty (30) days shall result in the license being automatically suspended without a hearing. The license may be reinstated when the licensee qualifies another individual as the Responsible Management Employee.

§ 12804. Board Jurisdiction To Proceed. The lapsing or suspension of a license by operation of law, by order or decision of the Board or a court of law, or by the voluntary surrender of a license by the licensee shall not deprive the Board of jurisdiction to proceed with any investigation of or action or disciplinary proceeding against such license or to render a decision suspending or revoking such license.

**ARTICLE 9
OWNERSHIP AND MANAGEMENT OF LICENSE**

§ 12901. A License Issued By The Board Shall Not Be Transferable. No licensee shall permit a contracting business to be under the direct management of an unlicensed Responsible Management Employee.

§ 12902. Change In Management Personnel. Any change in the management personnel of the licensee as listed in the licensee's most recent application shall be reported to the Board within ten (10) days of such change.

§ 12903. Place Of Business. With the exception of a Responsible Management Employee, no license shall be issued or renewed by the Board to any person who does not maintain a permanent place of business within the Territory wherein he may be served with notice and/or legal proceedings and wherein his license is prominently displayed.

§ 12904. Change Of Address. The licensee shall notify the Board of any change of address within thirty (30) days of such change.

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ARTICLE 10

REPORTS TO THE CONTRACTORS LICENSE BOARD BY CONTRACTORS

§ 121001. Reports To The Executive Director. All contractors, including general building contractors engaged in home improvement and renovation shall maintain with the Board a current file containing the following:

- (a) The form of contract used in the business. This form shall provide a clear statement of:
 - (1) The contract amount;
 - (2) The date work is to commence and the anticipated number of days for completion;
 - (3) The work to be performed, materials to be used, cost breakdown, and detailed scope of work; and
 - (4) The approximate percentage of work to be subcontracted if applicable.

- (b) Signatures of the licensee and his Responsible Management Employee.

ARTICLE 11

RESPONSIBILITY OF GOOD WORKMANSHIP

§ 121101. Responsibility Of Good Workmanship. No licensee may, by failing to prepare written specifications or otherwise, relieve himself or attempt to relieve himself of the responsibility of good workmanship.

§ 121102. Identification Display. All contractors must publicly display a sign or building permit on all building project sites identifying the licensee performing the project, the title of the project, the licensee's phone number and other relevant contact information. The building permit or copy of the permit shall be kept on the site of the work until the completion of the project as prescribed by IBC 09 105.7 (Placement of Permit).

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**ARTICLE 12
CONFLICT WITH LAW**

§ 121201. Conflict With Guam Law. To the extent that any part of these Rules and Regulations conflict with Guam law, then Guam law shall prevail.

**ARTICLE 13
PROVISIONAL LICENSE; MASTER ELECTRICIAN CERTIFICATE**

§ 121301. Power Of The Board To Issue Provisional License.

- (a) In its sole discretion, the Board may issue a provisional license provided the applicant submits a written request for the license agreeing to comply with any condition the Board may establish for the licensee, including the provision that the license may be withdrawn at any time with after a hearing upon determination by the Board that the holder of the license has violated the law or these Rules or Regulations or is otherwise not acting in the best interest of the public.
- (b) The provisional license will only be issued by the Board when:
 - (1) The applicant has not met all requirements for the issuance or renewal of a license but the Board determines it to be in the best interest of the public to issue or renew the license on a provisional or conditional basis.
 - (2) The licensee has committed an act which may be grounds for the revocation, suspension, or refusal to renew the license under 21 GCA § 70116, but the Board in lieu of revoking, suspending, or refusing to renew the license, determines it to be in the best interest of the public to have the licensee retain the license on a provisional or conditional basis.
 - (3) Under other circumstances in which the Board determines it to be in the best interest of the public that a person be issued a provisional license. "Other circumstances" include the consideration of self-construction projects.
- (c) The applicant must have four (4) years of experience as a foreman supervising employees or contractors in the particular field of contracting in which the applicant intends to engage as a contractor with the provisional license.
- (d) The provisional license shall be valid for one (1) year and can be renewed annually until the job is complete provided the applicant pays all applicable

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renewal fees.

- (e) A person issued a provisional license for self-construction must possess knowledge in general engineering or general building contracting.
- (f) A person issued a provisional license has the option to hire assistance. In such cases, the provisional licensee may be responsible for procuring workers compensation insurance and addressing any other insurance obligations and taxes if the hired party or company does not provide these services. Hired contractors or sub-contractors hired must be licensed with the Contractors License Board.

§ 121302. Power Of The Board To Issue Master Electrician Certificate. The Board may issue a Master Electrician Certificate for two (2) years upon payment of a fee of \$100 provided the applicant has ten (10) or more years of experience in that specialty trade, has passed the written test with seventy percent (70%) or higher in this trade and the oral examination to be performed by the Board, and must not have been in violation of any provision of 21 GCA Chapter 70 or of these Rules and Regulations within the past five (5) years before time of application.

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