

FILE COPY

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

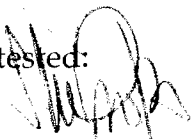
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 473-30 (COR), "AN ACT TO REPROGRAM AND APPROPRIATE FUNDS FROM THE LIMITED OBLIGATION HIGHWAY BONDS AUTHORIZED BY PUBLIC LAW 19-2, RELATIVE TO IMPROVING THE AVAILABILITY OF DEPARTMENT OF PUBLIC WORKS (DPW) SCHOOL BUSES BY THE REFURBISHING OF SELECTED SCHOOL BUSES; PERFORMING OVERDUE PREVENTATIVE MAINTENANCE SERVICES; PURCHASING OF TOOLS AND EQUIPMENT FOR BUS MAINTENANCE; AND THE REPAIRING OF FACILITIES AT DPW BUS SUBSTATIONS; AND TO REPAIR VEHICLES OF THE GUAM POLICE DEPARTMENT, AND THE GUAM FIRE DEPARTMENT", was on the 30th day of November 2010, duly and regularly passed.



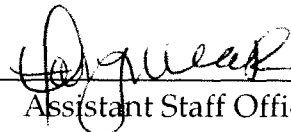
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 1st day of DEC, 2010, at 1100 o'clock A.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____
Public Law No. _____

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 473-30 (COR)

As substituted by Committee on Economic Development,
Health & Human Services, and Judiciary, and
amended on the Floor.

Introduced by:

T. C. Ada
F. B. Aguon, Jr.
Judith T. Won Pat, Ed.D.
Adolpho B. Palacios, Sr.
v. c. pangelinan
Judith P. Guthertz, DPA
V. Anthony Ada
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
J. V. Espaldon
T. R. Muña Barnes
R. J. Respicio
Telo Taitague
Ray Tenorio

AN ACT TO REPROGRAM AND APPROPRIATE FUNDS FROM THE LIMITED OBLIGATION HIGHWAY BONDS AUTHORIZED BY PUBLIC LAW 19-2, RELATIVE TO IMPROVING THE AVAILABILITY OF DEPARTMENT OF PUBLIC WORKS (DPW) SCHOOL BUSES BY THE REFURBISHING OF SELECTED SCHOOL BUSES; PERFORMING OVERDUE PREVENTATIVE MAINTENANCE SERVICES; PURCHASING OF TOOLS AND EQUIPMENT FOR BUS MAINTENANCE; AND THE REPAIRING OF FACILITIES AT DPW BUS SUBSTATIONS; AND TO REPAIR VEHICLES OF THE GUAM POLICE DEPARTMENT, AND THE GUAM FIRE DEPARTMENT.

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

2 **Section 1. Legislative Findings and Intent.** Following a series of
3 oversight hearings, *I Liheslaturan Guåhan* finds that the Department of Public
4 Works (DPW) has in its inventory two hundred eleven (211) school buses. The
5 status of these buses can be described as follows: eighty-seven (87), or forty-one
6 percent (41%), are operational; thirty-six (36), or seventeen percent (17%), are *not*
7 operational and are awaiting repair parts; and the remaining eighty-eight (88), or
8 forty-two percent (42%), are inoperable and require major repairs. According to
9 the DPW Bus Operations Superintendent, the optimum number of buses needed to
10 provide timely bus services is one hundred seventy-nine (179). However, the
11 average number of buses available to provide the pick-up services is only eighty-
12 eight (88), or forty-nine percent (49%) of the optimal number.

13 The shortage of operating buses has been exacerbated by the travel delays
14 caused by the highway construction that is ongoing at the tri-intersection of Routes
15 8, 10 and 16. The combined impact of both shortcomings has resulted in student
16 pick-ups being delayed for as long as two (2) hours, before and after school. Many
17 in the community have raised concerns that the loss of up to four (4) hours daily
18 waiting for a school bus to arrive has a significant negative impact on students.
19 The most significant concern, however, relates to the public safety aspect of
20 standing at the bus stops, which are generally unsupervised.

21 *I Liheslaturan Guåhan* finds that there exists an unreserved balance of
22 approximately Two Million Two Hundred Fifty-four Thousand Four Hundred
23 Thirteen Dollars (\$2,254,413) in the Limited Obligation Highway Bonds, 1985
24 Series A Account authorized by Public Law 19-2. *I Liheslatura* intends to
25 appropriate the amount of Two Million Two Hundred Fifty-four Thousand Four

1 Hundred Thirteen Dollars (\$2,254,413) for the purpose of refurbishing DPW buses
2 requiring major repairs, performing overdue preventative maintenance services,
3 purchasing maintenance tools and equipment needed to effectively maintain the
4 DPW buses, repair DPW's bus substations, build bus shelters, and to repair public
5 safety vehicles as specified below.

6 **Section 2. Appropriation.**

7 (a) *I Liheslaturan Guåhan* hereby appropriates the total sum of
8 Two Million Two Hundred Fifty-four Thousand Four Hundred Thirteen
9 Dollars (\$2,254,413) from the unreserved balance of the Limited Obligation
10 Highway Bonds, 1985 Series A Account authorized by Public Law 19-2 to
11 the Department of Public Works (DPW) for the amounts and purposes, and
12 in the order of priority, as follows:

- 13 (1) One Million Two Hundred Thousand Dollars (\$1,200,000) for
14 the repair and restoration of *no less than* twenty (20) of the
15 inoperable DPW school buses;
- 16 (2) Three Hundred Thousand Dollars (\$300,000) for the
17 performance of, at a minimum and in accordance with the
18 original equipment manufacturer's specifications, a quarterly
19 preventative maintenance service on *no less than* sixty (60) of
20 the currently operating DPW school buses;
- 21 (3) One Hundred Thousand Dollars (\$100,000) for the purchase of
22 tools and equipment to support the maintenance of DPW's
23 school buses;
- 24 (4) One Hundred Thousand Dollars (\$100,000) for the procurement
25 of rental buses to temporarily augment the DPW school bus
26 fleet;

1 (5) Fifty-four Thousand Four Hundred Thirteen Dollars (\$54,413)
2 for the maintenance and repair of facilities at the seven (7)
3 DPW bus substations;

4 (6) One Hundred Thousand Dollars (\$100,000) for the construction
5 of wooden school bus shelters;

6 (7) Two Hundred Thousand Dollars (\$200,000) for the repair of
7 Guam Fire Department Advance Life Support vehicles,
8 ambulances and fire trucks; and

9 (8) Two Hundred Thousand Dollars (\$200,000) for the repair of
10 Guam Police Department marked patrol cars and motorcycles.

11 (b) Any surplus funds resulting from the purposes referenced above
12 *shall* be used *solely* to fund preventative maintenance for additional school
13 buses as specified in (a) (2) of this Section.

14 **Section 3. Timely Completion of Maintenance Services.**

15 (a) The DPW Director *shall* exercise best management practices to
16 ensure that Subsections (1), (2) and (6) of Section 2(a) of this Act can
17 be completed within ninety (90) days, but *not* later than one hundred
18 twenty (120) days.

19 (b) The Department of Public Works, Guam Fire Department and
20 Guam Police Department are hereby authorized, through the
21 applicable procurement rules and regulations of the General Services
22 Agency, to augment maintenance service capacity by procuring the
23 services of private sector maintenance businesses capable of
24 completing the purposes referenced in Section 2 of this Act.

25 (c) All amounts appropriated by this Act which are *not* encumbered
26 or expended within one hundred twenty (120) days of the effective
27 date of this Act *shall* revert to the original sources.

1 (d) The Department of Public Works is hereby authorized to
2 maximize the funding for and the construction of wooden bus shelters
3 as authorized by this Act by partnering with the Guam Trades
4 Academy.

5 **Section 4.** This appropriation is *not* subject to *I Maga'lahaen Guåhan's*
6 transfer authority *or* the Bureau of Budget and Management Research's allotment
7 process. The Department of Administration *shall* release this appropriation for
8 immediate expenditure and encumbrance of the Department of Public Works upon
9 receipt of certification by the Director of the Department of Public Works that the
10 Limited Obligation Highway Bonds projects have been completed and vendors
11 have been paid.