



PORT OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
1026 Cabras Highway, Suite 201, Piti, Guam 96925
Telephone: 671-477-5931/35 Facsimile: 671-477-2689/4445
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Eddie Baza Calvo
Governor of Guam
Ray Tenorio
Lieutenant Governor

REGULAR MEETING OF THE BOARD OF DIRECTORS
Jose D. Leon Guerrero Port Authority of Guam
Tuesday, April 30, 2013
11:45am

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES
 - a. March 28, 2013 – Regular Board Meeting
 - b. April 10, 2013 – Special Board Meeting
- III. PUBLIC COMMENT:
 - a. Public Comments
 - b. Employee Comments
 - c. PAGGMA Association
- IV. GENERAL MANAGERS REPORT
- V. OLD BUSINESS
 - a. Cementon Micronesia
 - b. KM&T
 - c. Tariff Adjustment and PUC
 - d. GEDA Loan Status
 - e. Port Modernization Program – Implementation Plan
 - f. Workers Compensation Insurance
 - g. Merit Bonus
 - h. Travel Plan
- VI. NEW BUSINESS
 - a. Ratification of Comptroller
 - b. MOU with Revenue & Taxation
 - c. Board Tenure
 - d. Travel Request:
 - 1. ATOSSCOM 2013 Annual Membership, July 10-14, 2013, Palau
 - 2. Center of Domestic Preparedness Training, June 16-29, 2013, New Mexico
 - 3. E0963: NIMS ICS All-Hazards Planning Section Chief Train-the-Trainer, May 13-16, 2013, Maryland
- VII. EXECUTIVE SESSION
 - a. Open Legal Issues
 - b. Personnel Matters
- VIII. ADJOURNMENT



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Eddie Baza Calvo
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REGULAR MEETING OF THE BOARD OF DIRECTORS
Jose D. Leon Guerrero Port Authority of Guam
Reconvened Meeting of April 30, 2013 to Thursday, May 9, 2013
11:00am

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES
 - a. March 28, 2013 – Regular Board Meeting
 - b. April 10, 2013 – Special Board Meeting
- III. PUBLIC COMMENT:
 - a. Public Comments
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**MINUTES OF THE
REGULAR MEETING OF THE BOARD OF DIRECTORS
Thursday, March 28, 2013**

I. CALL TO ORDER

There being a quorum, the regular meeting of the Board of Directors was called to order at 12:00 p.m., Thursday, March 28, 2013. Present at the meeting were:

Daniel Tydingco, Chairman
Christine Baleto, Vice Chairperson
Shelly Gibson, Board Secretary
Michael Benito, Member
Eduardo Ilaio, Member
Joanne M.S. Brown, General Manager
Atty. Mike Phillips, Legal Counsel

Absent was Mr. Felix R. Pangelinan, Interim Deputy General Manager. Also present were Cementon Micronesia-Esther Rebadulla, Johnson Ma; William Brennan-Office of Senator Tom Ada; John Bell-Office of Phillips & Bordallo; John Dennett-Tristar; AM Insurance-AnnMarie Muna, Tricia Granillo and Port Management staff.

II. APPROVAL OF MINUTES

a. **February 15, 2013:** Before the approval of minutes, a correction was made on page 1, line 1 which should reflect that "Mr. Benito" introduced a motion to approve the January 31, 2013 board minutes rather than "Mr. Baleto". Additionally, correction was made on page 6, line 6 which should reflect: "Legal Counsel said aside from other details, he understands that it is a mutual goal of Mobil to ensure Cementon is able to commence operations." These corrections were made on the minutes.

With nothing further, Mr. Benito made motion to approve the minutes of February 15, 2013 subject to correction. The motion was seconded by the Vice Chairperson and was unanimously passed.

III. PUBLIC COMMENT

- a. **Public Comment:** None.
- b. **Employee Comment:** None.

c. **PAGGMA Association:** Mr. John B. Santos, PAGGMA President said while the softball game is still ongoing, the Port is currently in second place. The association continues to assist the government of Guam 'Relay for Life'. T-shirts and luminary bags for this purpose are currently on sale for those who are interested. In other events, plane-pull is scheduled for April 20, 2013 and a medical fundraiser for PAGGMA member Herman T. Paulino is scheduled on April 25, 2013.

IV. GENERAL MANAGERS REPORT

A report was presented by the General Manager for Board's information which will be attached to the minutes. Board directive was made to management on the following key items of the report.

1. **Workers Compensation:** The Port received preliminary information on its bid for workers compensation insurance handled by the General Services Agency (GSA) (GSA/PAG-004-13) on March 11, 2013. Two companies obtained bid packages, but only one company submitted. The options provided consist of the following:

Option 1:	No deductible
1 year term:	\$26,222.06 monthly premium \$314,664.72 annual premium
3 year term:	\$23,599.85 monthly premium \$283,198.20 annual premium
Option 2:	With deductible of \$150K per occurrence
1 year term:	\$26,288.75 monthly premium \$315,465.00 annual premium
3 year term:	\$20,059.88 monthly premium \$240,718.56 annual premium

The General Manager said the total bid amount for a three year term is \$946,395.00 which is quite substantial from what the Port normally pays out. She noted that the Port on an average year on workers compensation claim expends about \$100K to \$150K through self-insurance. Mr. Benito asked the status of the proposed legislation. The General Manager said the proposed legislation is simply to change the word from 'shall' to 'may'. She mentioned that in discussion with Port Oversight Chair Thomas Ada, he asked that a risk assessment study be performed before consideration is made on the proposed legislation. The Chairman said he has a meeting with Senator Ada on Monday, April 1, 2013 for possible legislative introduction. He expressed that the numbers provided illustrates this to be very cost prohibitive.

The Chairman was concerned about having one bid submission and asked whether this bid was announced to the insurance industry. The General Manager said this particular bid was handled by GSA and based on the procurement process of issuing a bid, this is the end result. The bid announcement was made through a newspaper of general circulation, Pacific Daily News.

The Vice Chairperson understands that the reason for such a significant amount in workers compensation premiums is based on the insurance company's assessment on the environmental risk and exposure of the Port as compared to other autonomous agencies. Mrs. Alma B. Javier, Acting Corporate Services Manager said workers compensation premium for Guam Airport Authority is \$86K per annum. Guam Power Authority is self-insured for \$100K annually. The Chairman said the Port allocated \$100K for workers compensation; however, pending legislative approval, the Port is to continue down the track of acquiring workers compensation insurance in accordance with the law. He advised management to work with GSA to determine whether workman's compensation insurance can be acquired on a short term basis and for the vendor to prorate the insurance coverage.

Mr. Benito made motion for legal counsel along with the General Manager to prepare a resolution to Senator Ada as soon as possible to change the language from 'shall' to 'may' of Section 10111(e), Chapter 10, 12 GCA to allow the Port to self-insure the workman's compensation and that the resolution be completed no later than April 2, 2013. Motion was seconded by the Vice Chairperson and was unanimously approved.

Ms. Gibson expressed concern that there are over twenty local insurance companies and only one bidder submitted. She understands that the Port does not have control over the number of bids submitted, but would still like to see more than one submit because one responsible bidder does not provide the Board much to go on or even make comparison.

2. Agat Marina: Management will provide recommendations concerning needed upgrades and operational improvements.

3. Overtime: Management will further review the overtime cost and make recommendations to the Board if additional positions need to be filled versus continued increases in overtime cost within the critical positions.

4. Non-Interest Bearing Accounts: Management is to work with financial institutions doing business with the Port on the possibility of receiving interests on these accounts.

5. GEDA Loan: GEDA previously notified the Port that Bank of Guam requests for GEDA to seek legislation that would provide the funding source for the loan as being secured by a pledge of the Port's revenue and to waive sovereign immunity in order for the bank to close the loan. The loan is relative to the \$10M service life extension repairs for F-5, financial management systems (FMS) upgrade and the acquisition of a top lifter. On March 26, 2013, management met with GEDA and had proposed the possibility of similar language to that of ANZ loan agreement which did not require legislative action when acquiring the POLA cranes and provided GEDA a copy of the agreement for review. The General Manager said the Port received feedback from GEDA this morning indicating that it would not be agreeable to Bank of Guam primarily because ANZ has a USDA guarantee to support the loan in the event of a default which is not the case of the \$10M loan the Port is pursuing for the service life extension. Based on this, she mentioned that management will proceed in seeking legislation for this purpose. The Chairman recalled prior discussions with USDA on this issue and asked management to communicate with Messrs. Chris Kanazawa, Regional office and Joe Diego, local representative to seek whether USDA would be able to assist the Port in this endeavor. At the

same time, the Chairman mentioned that he will include the sovereign immunity matter with Senator Ada at the meeting on April 1, 2013.

V. REPORTS

a. **List-Federal Grant & Local Funding Programs:** Mr. Joe Javellana, Acting Chief Planner presented the list of federal grant & local funding programs for Board's information.

b. **Finance Report:** For Board's information, Mrs. Joann B. Conway, Acting Financial Affairs Controller presented January and February 2013 financial report as well as the budget transactions on the budget lifts and divisional transfers covering the period of February 1, 2013 thru March 14, 2013.

c. **Operation/Equipment Report:** The operations productivity report for the month of February 2013 was presented to the Board for information. On the equipment report, the Chairman asked whether repairs performed on the POLA cranes and mobile harbor crane were extensive. Mr. Ernest G. Candoleta, Maintenance Manager said it is just minor electrical repairs. The General Manager informed the Board that the mobile harbor crane maintenance cost is excessive. A report will be prepared for the Board to determine whether to keep it operational or survey it out. The Chairman suggests offering the mobile harbor crane to the neighboring islands.

d. **Property Leasing/Port Development:** Mr. Glenn B. Nelson, Commercial Manager reported on the following:

1. **Port Rent Revisit:** As indicated in the previous meeting, the summary appraisal for rent revisit as mandated by Public Law 30-19 was completed on November 30, 2012 and it was requested that the Board adopt the findings of the statement of value provided for in the appraisal. However, prior to doing so, management awaits the review of the General Manager, thereafter legal counsel's approach forward understanding that Public Law 30-19 precedes Public Law 30-52 wherein the Public Utilities Commission (PUC) has oversight on Port rates and how PUC is to implement.

2. **Mobil Oil Guam-Proposed Settlement:** As presented in the previous meeting, a briefing paper was prepared for the General Manager on January 9, 2013 detailing the effort to resolve long standing issues related to claim being made by and between Mobil and the Port Authority. This issue is still under review by the General Manager.

3. **Jan Z's Restaurant:** Jan Z's Restaurant owned by Mr. Matthew Pothens is currently operating on a hold-over status, month-to-month basis. Management met with Mr. Pothens on February 26, 2013 and March 6, 2013. The intent of the meeting was to provide notice to Mr. Pothens that the Port is looking to issuing the lease out to bid of which he was amenable to. Based on this, request is being made to the Board for management to terminate the lease agreement within 90 days in order to place this facility out to bid. The General Manager expressed that the businesses at the Port are downsizing their footprint because of economic concerns and with Horizon Lines no longer a tenant basically reduced the occupancy level significantly resulting in a loss of revenue being

generated. She felt it appropriate for available properties are placed out on bid which does not preclude the existing party to bid as well. The Chairman said management is to proceed with what is rightfully and lawfully provided for with regards to property availability. The Vice Chairperson clarified whether all leases that expired will be put out to bid. The General Manager said unless there are renewal options, and if there are no major outstanding issues, the option to renew will be considered.

As to hotel wharf, the Vice Chairperson asked whether management was able to develop a plan and the cost assessment as to what it would take to use the area for port purposes. The General Manager said management is looking to bring the facility up to U.S. Coast Guard standards, and will provide the cost and recommended use of the facility for the Board.

4. **Cooperative Agreement:** As indicated at the previous meeting, staff is still set on moving the cooperative agreement initiative forward with GEDA as it relates to properties. A briefing paper is still under review by the General Manager on way forward.

e. **Marina Report:** Mr. Nelson said a comprehensive business model linked to the alternative management regime study on the marinas will be provided to the Board.

f. **Procurement Report:** Mrs. Alma B. Javier, Acting Corporate Services Manager reported on the following:

- **RFP No. 12-003 Performance Management Services for Port Cranes:** Cost negotiations are still ongoing.
- **RFP No. 13-002 Management and Operations Services for F1 Fuel Pier Facilities:** Advertised March 27, 2013. Deadline to submit proposals is on April 23, 2013.
- **IFB – General Services Agency**
 - **A/C compressors and various units** – pending award
 - **A/C refrigerants and various materials and supplies** – awarded/purchase order issued.
 - **Workers Compensation** – pending award
 - **Mobile Screening Machine** – pending bid announcement/issuance
- **Contract Management:** Risk Management Consulting services is currently with legal counsel to approve as to form.
- **Procurement Plan:** For Board's information.

g. **Safety Report:** For Board's information.

h. **Engineering Report:** Mr. Simeon S. Delos Santos, Engineer Manager presented the summary of ongoing capital investment projects. Projects of interest include the following:

- **Warehouse I, Bay 2 & 3 Concrete Column Repair & CMU Wall Demolition:** The bid opening was held on February 28, 2013 and was budgeted for \$65K, however, the actual bid amount is

\$75,500.00. This project will be discussed further under item a. FY2013 Mid-Year Budget of new business.

- Installation of MOV at Golf Pier Fuel Pipelines: Preliminary notice to proceed was issued on March 14, 2013. Awaiting building permit and review of submittal documents.

As to the MOV installation, the Chairman asked whether the contractor has 150 days after March 14, 2013 to complete the project. Mr. Delos Santos said the 150 days will commence after the official notice to proceed is issued.

Ms. Gibson asked management to look into whether liquidated damages can be assessed by N.C. Macario for failure to inform the Environmental Protection Agency (EPA) that the project was federally funded which caused delays. She mentioned that inquiries should be made with Ms. Richelle Takara, Federal Highway Administration.

VI. OLD BUSINESS

a. Cementon Micronesia: Legal Counsel received correspondence from Cementon Micronesia reaffirming they have accepted the insurance rates and had forwarded the information to Mobil regional legal counsel. He said the goal is to allow Cementon to begin construction even without everything necessarily in place because Mobil's concern was the motorized operational valve being installed and the Port continues to move forward on this, so he does not feel that there are any doubt that the Port is committed in this acquisition. Legal Counsel is hoping that Mobil will allow Cementon in the interim to begin construction.

The Vice Chairperson asked whether the operating agreement has been signed. Legal Counsel said not at this time, but the reservations have been presented and resolved. He said the agreements will be signed in due time, it is the question on whether or not Mobil will allow in the interim for Cementon to operate, but to wait until the valves are actually installed and in place, hopefully is not what will happen.

b. KM&T: Mr. Nelson said the Joint Region Marianas and NAVFAC provided safety zone requirements, setback zones on its pier. This information has been provided to KM&T and in turn provided the modifications. A meeting will be arranged with all parties on way forward.

c. GEDA Loan Status: The Chairman advised management to send the proposed legislation regarding the waiving of sovereign immunity to the Port Oversight Chair and attach the resolution; and to also advise GEDA and Bank of Guam to submit their legislative proposal as well.

d. Port Modernization Program-Implementation Plan: (Information provided in General Manager's report.)

e. Workers Compensation: (Item addressed under General Manager's report.)

- f. **Merit Bonus:** No new information to report.

RECESSED

At this time, the members agreed to take a break. The meeting recessed at 1:50 p.m.

RECONVENED

The members reconvened the meeting at 1:55 p.m.

VII. NEW BUSINESS

a. **FY2013 Mid-Year Budget:** The Vice Chairperson recommended that the FY2013 budget be extended for one month to allow time to address issues relative to the workman's compensation. In the meantime, the Chairman asked whether there are any budget items requiring board action. The Vice Chairperson said there are some critical positions that have been identified. The General Manager mentioned that those include: a Comptroller, four Equipment Operator II, two Cargo Checkers and three Maintenance Custodians. In addressing the CMU Wall Demolition shortage mentioned earlier, Mrs. Conway requested the Board to transfer funds from the Fire Sprinkler System project budgeted at \$40K to Hagatna marina waterline project at \$9,600.00 and CMU Wall project at \$16K. The General Manager said basically these are under the capital improvement project category being transferred from one project line item to another.

The Vice Chairperson made motion for the continuing FY2013 budget for a one month period with the authorization for management to proceed with the announcements of critical positions: a Comptroller, four Equipment Operator II, two Cargo Checkers and three Maintenance Custodians; and the reprogramming of the capital improvement funds from the Fire Sprinkler System at \$40K to support the Hagatna marina waterline at \$9,600.00 and CMU Wall project at \$16K projects. Motion was seconded by Mr. Benito and unanimously approved.

b. **Approval of Award: Real Estate Appraisal & Consulting Services RFP-PAG-013-001:** Mr. Ilaio made motion to approve the contract award to Cornerstone Valuation Guam, Inc. for RFP No. PAG-013-001 Real Estate Appraisal and Consulting Services on an as needed basis, seconded by Ms. Gibson. The motion was unanimously approved.

c. **IFB-CIP-013-002 WHI Demolition of CMU Wall & Concrete Spalling Repair: Reprogram of Funds:** The variance in funds was addressed under item a. FY2013 Mid-Year Budget, new business.

Mr. Ilaio made motion to approve the contract award to BME & Sons, Inc. for IFB No. CIP-013-002 WHI Demolition of CMU Wall and Concrete Spalling in the amount of \$75,500.00, seconded by Ms. Gibson. The motion was unanimously approved.

d. **5-Year Tariff Projection and 20-Year Financial Plan:** By way of background, the Public Utilities Commission (PUC) on August 27, 2012, PAG Docket 11-01 Tariff Rate Relief, had ordered the Port that it shall file a five (5) year rate plan which shall detail any tariff

rate increases for the next five (5) years. In compliance, the Port submitted to PUC this mandate on October 2012 as prepared by its consultant Parsons Brinckerhoff. Mrs. Javier said although the plan provides different scenarios and the consultant recommends scenario 4 at 6.94%, the management team seeks Board approval and authorization to begin the petition through PUC for a 3.95% organic growth instead. Scenario 4 indicates that based on the analysis of the financial projections, a tariff increase of 6.94% for the first two years followed by an increase of 3.95% for the next 18 years will provide sufficient revenue to fund all the port modernization program initiatives and create a reserve fund to support future capital investment requirements. The Chairman asked whether this will take into consideration the 6.94%. Mrs. Javier replied negatively for reasons that the loans specific to the modernization program have yet to be executed. Mr. Benito asked the basis of the 3.95%. Mrs. Javier said the 3.95% is based on organic growth and inflation rate. She mentioned that the last tariff increase was approved by PUC last year March 2012, so if the Port had petitioned for an annual tariff increase as advised by PUC, this petition should have been made back in October 2012 for March 2013 implementation. After discussion, the Chairman said before the formal petitioning process is made and for the benefit of the Board, he asked management to arrange a meeting with the Port's consultant to address this matter further.

e. **Travel Request/Travel Plan:**

1. **Incident Response to Terrorist Bombing, May 21, 2013, New Mexico:**

Mr. Benito made motion to approve travel request for port representatives, namely Messrs. Raymond B. Santos, Transportation Superintendent and Joaquin P. Pangelinan, Manager, Equipment Support Services to attend the Incident Response to Terrorist Bombing training in New Mexico scheduled for May 21, 2013. Motion was seconded by Mr. Ilaio and was unanimously approved. The training is 100% federally funded at no cost to the Port.

2. **FY2013 National Homeland Security Conference, June 4-7, 2013, Los Angeles, CA:** Mr. Benito made motion to approve travel request for port representatives to attend the FY2013 National Homeland Security Conference scheduled for June 4-7, 2013, Los Angeles, California, seconded by Mr. Ilaio. Motion was unanimously approved. The conference is 100% federally funded at no cost to the Port.

With respect to the travel plan, the Chairman asked that an outreach to other carriers be included.

VIII. EXECUTIVE SESSION

At this time, the Board went into executive session at 2:20 p.m. Executive session ended at 2:30 p.m. The Board is now back in regular meeting session.

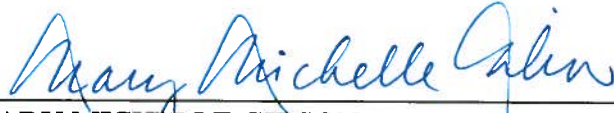
Item(s) addressed in executive session includes: Hollingsworth v. Port Authority of Guam; employee resignation; adverse action; and port employees on long term disability (defined contribution plan).

MOU with Department of Revenue and Taxation

Without objection, Ms. Gibson asked management to look into establishing a memorandum of understanding with Department of Revenue and Taxation on the possibility of garnishing tax refunds that will assist in the Port's accounts receivables that are past due from vendors doing business with the Port.

IX. ADJOURNMENT

There being no further business to discuss, it was moved by Mr. Benito and seconded by Ms. Gibson to adjourn the meeting at 2:35 p.m. The motion was unanimously passed.



MARY MICHELLE GIBSON, Board Secretary, Board of Directors

APPROVED BY:



DANIEL J. TYDINGCO, Chairman, Board of Directors





PORT OF GUAM

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**MINUTES OF THE
SPECIAL MEETING OF THE BOARD OF DIRECTORS
Wednesday, April 10, 2013**

I. CALL TO ORDER

There being a quorum, the special meeting of the Board of Directors was called to order at 10:05 a.m., Wednesday, April 10, 2013. Present at the meeting were:

Daniel Tydingco, Chairman
Christine Baleto, Vice Chairperson
Shelly Gibson, Board Secretary
Michael Benito, Member
Eduardo Ilaio, Member
Joanne M.S. Brown, General Manager
Felix R. Pangelinan, Interim Deputy General Manager
Atty. Mike Phillips, Legal Counsel

Also present were Jimmy Camacho-Office of Senator Tom Ada; John Bell-Office of Phillips & Bordallo; and Port Management staff.

II. OLD BUSINESS

a. **FY2013 Mid-Year Budget:** The General Manager thanked directors Baleto and Gibson on their assistance in the fiscal year 2013 mid-year budget. The Chairman asked whether the division heads participated in the mid-year budget to ensure their area has sufficient resources for the remainder of the fiscal year. The General Manager replied positively, and management understands that they will manage within the means provided. She said if there are critical adjustments that need to be made it will be brought before the Board for consideration. The Chairman asked whether workers compensation insurance is addressed in the budget. The General Manager said a letter was sent to the General Services Agency who is handling the workman's compensation insurance bid addressing the concerns of the Board on the possibility of acquiring workman's compensation insurance short term and whether the vendor would consider a prorated basis. At the same time, legal counsel had provided draft language on the workman's compensation amendment to the law. She mentioned that the budget does address worker's compensation for the remainder of the fiscal year.

The Vice Chairperson commended management in addressing the concerns raised during the budget meetings. She said the debt service ratio is in compliance with ANZ Bank's requirement of the loan, therefore the budget is in order.

Mr. Benito made motion to approve the FY2013 Mid-Year Budget, seconded by the Vice Chairperson. Motion was unanimously approved.


III. ADJOURNMENT

There being no further business to discuss, it was moved by Mr. Benito and seconded by Ms. Gibson to adjourn the meeting at 10:15 a.m. The motion was unanimously passed.



MARY MICHELLE GIBSON, Board Secretary, Board of Directors

APPROVED BY:



DANIEL J. TYDINGCO, Chairman, Board of Directors



General Manager Report

To

PAG Board of Directors

April 30, 2013

General Port Operations

Workers Compensation Insurance

On Friday, April 5, 2013, the GM forwarded a memorandum to the GSA Chief Procurement Officer requesting for GSA to inquire of the bidder if the term of the contract for PAG Worker's Compensation (GA/PAF-004013) could be issued on a month to month basis rather than a full year term.

As the price for the bid amounts far exceeded current cost for the Port to address self-insurance, this request was made in line with the Board's direction to also pursue an amendment to current law that requires the Port to obtain Worker's Compensation Insurance.

GSA provided a response on Friday, April 12, 2013 that the length of the contract would have to be for a one year period. If the Port desires to have a shorter timeframe a new bid would need to be issued.

Request for Legislative Amendment for Workers Compensation

On Wednesday, April 10, 2013, the GM sent a letter to Senator Tom Ada requesting, on behalf of the Port, that he consider amending current law to allow the Port to self-insure for Worker's Compensation insurance.

The GM relayed that the Port Authority of Guam through GSA issued a bid request for Worker's Compensation Insurance and that one company had submitted a bid with two options. The first option provided no deductible for a one year period would cost the Port \$314,664.72. The second option with a deductible of \$150,000.00 for one year would cost \$315,465.00. The average annual cost paid by the Port for the past three years to self-insure its workers has ranged from \$115,000.00 to \$150,000.00 and if the Port were to move forward with the purchase of

Worker's Compensation insurance, the cost to the Port would automatically triple on an annual basis.

The GM informed Senator Ada that standard bid specifications required under Guam's Worker Compensation statues were requested in the bid and that Longshore and Harbor Workers (L&H) Compensation coverage was not included. The GM also informed the Senator that the Port had sent a memorandum to the GSA Chief Procurement Officer on Friday, April 5, 2013, requesting of GSA to inquire from the bidder if the term of the coverage could be issued on a month to month basis rather than a full year term so that the Port could acquire such insurance and be compliant with the law while awaiting legislative determination. The Port is awaiting a response from GSA on this inquiry.

In follow-up to the Board's request, the GM provided Senator Ada with the following proposed legislation recommended by the Port's Legal Counsel to amend the current law and allow the Port to self-insure for Workers compensation:

§10111(e) of Chapter 10 of Title 12, Guam Code Annotated, is hereby *amended* to read:

§10111(e). The Authority may obtain Worker's Compensation insurance coverage. In the alternative, the Authority may contribute to the Worker's Compensation Fund on the basis of annual billings or as determined by the Worker's Compensation Commission, for the benefit payments made from such Fund on account of the Authority's employees.

Interim Tariff Request

In follow-up to the Board's direction from its March 28, 2013 meeting for Port Management to further research and address the Port's tariff request, the Port conferred with PB during their recent visit to Guam to address an interim rate relief proposal. The recommendation from PB is to request a 5.65% increase to the tariff. This would provide the Port the opportunity to strengthen its financial position prior to the closing of the SLE loan and service the debt and also address the operational needs of the Port for organic growth inflation.

A copy of PB's recommendation has been included in the Board's folder for review and hopeful approval.

GSA Tenda Charge Account

On Friday, March 29, 2013, the GM sent a letter to the Department of Administration Controller requesting that the Port be provided a new account number with a \$50,000 charge account to allow Port operations to acquire supplies that are being drawn down through the GSA Tenda. The Port currently has a \$15,000 monthly limit that has made it very difficult to procure much

needed supplies, especially when fuel purchases are submitted that quickly consume the monthly fuel limit.

DOA is of the position that the Port has had an account showing an outstanding balance of \$ 80,076.95 that extends back prior to 1999. The Port received a report from the DOA Accounting Office that shows a breakdown of this total and has committed to working with DOA to address resolution for these outstanding amounts.

The GM, Acting Financial Affairs Controller, and General Accounting Supervisor met Acting Deputy Financial Manager Goody Rosario and Accountant I Andy Quinata on Wednesday, March 20, 2013 to find an alternative to the current limitations placed on the procurement of supplies. DOA's representatives recommended that the Port GM send a formal letter to the DOA Director requesting a new account number and an increase in the current limit of \$15,000 to \$50,000 per month, with the assurance that the outstanding balance of \$80,076.95 be concurrently addressed.

U.S. Government Accountability Office Visit

The Governor's Office, spearheaded by the Governor's Special Assistant for the Military Buildup and Infrastructures Mark Calvo held initial planning meetings attended by the GM on Tuesday, April 9, 2013 and Thursday, April 18, 2013 to prepare for the arrival of representatives from the U.S. Government Accountability Office (GAO).

There were a number of key departments and agencies to be visited by the GAO, to include the Port Authority of Guam that was scheduled for Wednesday, April 24, 2013 at 2:00 p.m. According to the Governor's Chief of Staff Frank Arriola, the Administration is taking a strong and firm position advocating for the military buildup. He relayed that it was important to relay to the GAO what the real needs are of our respective departments and agencies related to the proposed military buildup and directly convey those concerns to the GAO representatives.

On Wednesday, April 24, 2013, the GAO representatives arrived at the Port for a formal briefing and tour of the facility. The following GAO representatives attended the briefing: Ms. Laura Durland, Assistant Director (GS-15 equivalent), Mr. Shawn Arbogast, Analyst-in-Charge (GS-14 equivalent), Ms. Ophelia Robinson, Senior Analyst (GS-13 equivalent), and Mr. Adam Hatton, Senior Analyst (GS -13 equivalent).

The Port also provided a written response to questions provided by the GAO related to the Port Master Plan update, need Port infrastructure updates, improvements needed to accommodate the build-up, analysis to determine needed infrastructure improvements, specific improvements that will be made to the Port, cost estimates, revised cost estimates impacted timelines, identified funding for improvements, challenges, assistance needed from DOD and other federal agencies, and internal planning capacity.

A copy of the Port's written response to GAO is included in the Board Member's folder.

GM Teleconference with FHWA on Mobil Fuel Line

On Thursday, April 11, 2013, the GM participated in a teleconference with DPW Highway Administrator Joaquin Blas and FHWA Richelle Takara. The GM requested the teleconference to receive an updated status on the Mobil Fuel Line replacement project.

According to Ms. Takara the major outstanding issue was the approval of the U.S. Fish and Wildlife Service to sign off on the project. She anticipated that approval would occur within the next couple of weeks. There is also an MOA that needs to be signed between DPW and the Port. In addition, there are additional comments that FHWA will provide on the plans and specifications for the project. Once these remaining steps are completed, the project can move forward and be advertised.

Chamber of Commerce Presentation

The Port Authority received an invitation from the Guam Chamber of Commerce to provide an update to the island's business community on the status of Port operations and construction improvements. The presentation was provided by the Port GM on Wednesday, April 24, 2013 at the Marriot Hotel. Also attending the event was Board Chairman Dan Tydingco, Vice Chairperson Christine Baleto, Deputy GM Felix Pangelinan and Planner IV Joe Javellana.

The GM provided an overview of planned and ongoing projects at the Port. She discussed the reduction in financing from the original estimate of \$206 million initially planned for Port modernization had been decreased to \$50 million that is overseen by MIRAD and the Port Enterprise Fund. The GM highlighted the construction projects scheduled for this year to include renovations to the CFS Building, the demolition of Warehouse 2, removal of Gantry Crane II, and the 4.6 acre expansion to the container yard to include a new gate facility. The GM also discussed the Marine Service Line Extension project and the current initiative of the Port to acquire a ten (10) million dollar loan to address repairs to the Port's wharfs, new financial management system and the purchase of an additional top pick equipment.

Miscellaneous Payroll Deductions for PAG Employees

On Wednesday April 24, 2013, the GM forwarded a memo to all PAG employees concerning miscellaneous payroll deductions. Under Guam law Section 20111 of Title 5, GCA, employees may request up to five (5) miscellaneous deductions from their regular wages to be processed.

The GM relayed a reminder that such payroll deductions be limited to the maximum number of five (5) deductions. In the event that deductions exceed the maximum number, Payroll will contact those employees to determine which five (5) deductions will continue.

The GM also relayed that if there are less than ten (10) employees per vendor for requested deductions, the Port will cease providing this service to reduce cost and focus employee resources on critical Port operations.

On Friday, May 17, 2013, Payroll will publish a list that will be made available to all employees that identifies each respective deduction so that proper determination and notice can be provided to the employees.

Risk Management Services

On Thursday, April 25, 2013, the GM provided notice to Mr. Michael Moody that his contract with the Port to provide Risk Management Services has been executed and would be in place for a period of one (1) year with the option to renew annually for an additional year not to exceed the contract term of five (5) years. A renewal of the contract would require a written agreement between the involved parties.

Mr. Moody was also notified that he could commence work on the contract as of Wednesday, May 1, 2013. Mr. Moody will be required to respond to Task Orders issued by the Port and monthly status reports.

Parking Restrictions within the Port Compound

A recommendation has been made by the Port Operations Manager and concurred by the GM to address restrictions on private vehicles within the Port compound. With the planned demolition of Warehouse II, gas station facility and Gantry Crane 2 later this year to also include the renovation of the Container Freight Station (CFS), vehicular traffic needs to be better controlled to minimize congestion and minimize personnel safety issues.

Additional disability parking will be provided in the parking lot closest to the Port gate to accommodate employees. The Operations Manager and Transportation Superintendent will be making arrangements to schedule a shuttle service in the morning and afternoon to accommodate the work shifts. The effective date for the parking restrictions is scheduled to commence on Sunday, May 26, 2013.

Mobile Harbour Crane

In follow-up to the March 2013 Board Meeting, the GM has obtained the estimated cost and repairs for the Mobile Harbour Crane that was purchased by the Port in 2007 for \$3,569,125 (PO#6594-OS). The labor cost for the repairs of the Harbour Crane to date is now at \$187,449.28. The cost for material purchases is now at \$486,955.34. The collective cost for labor and material purchase is now at \$674,404.62.

The Harbour Crane is not used as often as originally intended. The crane was purchased as an interim crane to accommodate the possible military buildup prior to purchase of the POLA Cranes. Unfortunately, while the crane can lift and move cargo, its mobility is rather limited as the crane breaks down on a regular basis. The crane has 64 tires and twice the amount of hydraulic cylinders and hoses that need to be maintained and replaced quite often. In the past week, after a recent repair, the crane was moved from the North side of Warehouse II and broke down between the Warehouse and the main Port Security Gate.

Port Management is currently reviewing the financial as well as the practical use of the Mobile Harbour Crane. Operators are hesitant to move the crane on the wharfs, as it may break down in critical operation areas and cannot be readily moved. More often, delays for repairs are due to the acquisition of parts that have to be ordered off-island.

Port Authority and Revenue and Taxation MOA

In follow-up to the Board request from its March 28, 2013 Board Meeting, the GM has contacted the Deputy Director for Revenue and Taxation Marie Benito to coordinate the development of an MOA to garnish tax refunds of individuals and companies that have a debt owed to the Port. According to Ms. Benito Rev and Tax is agreeable to the implementation of the MOA and relayed that Rev and Tax had previously been approached by the Port to implement such an agreement, however, there was no follow up on the request.

Ms. Benito relayed that she would forward a copy a previous MOA this week that can be used as template for the Port's agreement.

The GM has also discussed this matter with Legal Counsel so that a final MOA document can be provided to the Board for review and approval and then sent to Rev and Tax for its concurrence and implementation.

Project Oversight Team (POT)

On Tuesday, April 30, 2013, a teleconference was held with the Project Oversight Team (POT) to discuss several issues related to the proposed wash rack construction the Port's facility water system and the disassembly of Gantry Crane II, the construction of the Emergency Operations Center and the Tristar pipeline repair project. Participating on behalf of the Port was Board Member Mike Benito and the GM. Mr. Brain Varney and Mr. Chris Moore participated on behalf of MARAD. Mr. Varney facilitated the teleconference.

With regards to the TDT recommendation concerning the construction of the wash rack, the group concurred that the wash rack was needed to address the maintenance of the Port equipment. The wash rack is still in design and estimated cost for the wash rack is around \$500,000. Board Member Benito inquired if there were any financial reductions needed in other areas to fund the wash rack. Mr. Varney responded that the project has a \$7 Million dollar contingency and the cost could be paid from these funds. He also relayed that he did not anticipate any delays to the overall construction schedule. The motion was adopted.

The next item on the agenda was the proposed water system for the Port. Mr. Varney referred to the current water system at the Port as quite complex. He relayed the TDT recommendation to separate the fire and domestic water system to reduce operating cost. The Port would reduce its water lose, improve water quality and save money. The original cost estimate for the project was around \$3,981,178 with the most recent cost estimate at \$4,297,198, a budget increase of \$316,020. Mr. Varney informed the group that the separation of the Port's water system would not impact the planned schedule for the overall project completion. He also stated that the water

project is at the 30% design stage. As the project proceeds to the 60% and 90% level, a more defined construction cost could be provided. Board Member Benito concurred on the request. The motion was adopted.

Mr. Varney went on to discuss the Port's capital improvement projects to include the Emergency Operations Center, the disassembling of Gantry Crane II and the Tristar Pipeline repair. The group discussed the significance of the weekly TDT meetings and the critical need to coordinate all the projects that may have overlapping schedules. The focus is to minimize delays and cost claims. Weekly meetings discuss programs and schedule potential for delay and claims. The GM responded that the Port has met with Tristar with regards to the needed repairs to the Tristar fuel line that runs across the Port yard. She agreed that the Port would work closely with Tristar to minimize adverse impacts to Port operations. She concurred that the fuel line needs to be repaired to avoid adverse environmental issues should the line have a major fuel leak. Mr. Moore responded that these projects will have to be properly scheduled as the repairs to the Tristar fuel line should not delay the modernization projects for the Port. He emphasized that there were no additional funds to address increased cost other than what has already been provided. The group agreed that the Port projects were the priority and should not be delayed. All important and need to get done. Concern that the project does not run out of funds

The group discussed the demolition of Warehouse II and the interest of eleven (11) contractors that have expressed an interest in bidding on the project. A tour for the contractors is scheduled for Thursday, May 2, 2013. Mr. Varney relayed that the major design work is included in the 06 Task Order and that so far the projects are on track with the budget. He stated that things are "going well" and commended the TDT for facilitating this process.

The group agreed for the POT to teleconference on a monthly basis and scheduled the next meeting for Tuesday May 28, 2013.

GM's Participation at the Guam Air National Guard Bosslift Event

The Port GM attended the Guam Air National Guard Bosslift Event that was held on Thursday, April 25, 2013 at Andersen Air Force Base. The focus of the event was to familiarize employers of the operations and training that are undertaken by members of the Guam Guard. The Port currently employs twenty-three 23 Guard Members.

A briefing was provided on the Uniformed Services Employment and Reemployment Rights Act (USERRA), the applicability of this Act to employers and the responsibility of Guard Members in communicating and coordinating with their employees during training and deployment assignments.

The GM had the opportunity to experience rolling over inside a Humvee, drive through a simulated village under attack and simulated target practicing on situations encountered by Guard Members.

Port Safety Issues

Tractor 86 and Top Lifter 09-06 collision

On Wednesday, April 24, 2013, the GM was notified by Safety Inspector III Paul Salas that there had been a collision at the Matson area (Area A) that involved Tractor 86 and Top Lifter 09-06. Equipment Operator III Joaquin Tayama was operating top Lifter 09-06 and was assigned to issue empty containers at Area A to be loaded onto the Manulani vessel at F-5. At the same time Equipment Operator II Antonio Untalan, operating Tractor 86 was assigned to dray chassis to area A to load the chassis. According to Safety Inspector III Salas, Mr. Untalan was moving forward to align the chassis with the container while Mr. Tayama was also moving forward to place a 40-foot container on to the chassis. Mr. Tayama struck the tractor muffler with the corner casting of the container, resulting in damage to the muffler and the metal guard.

The report concluded that there was minimal damage to the container and that there were no injuries to the operators. However, the primary cause of the collision was determined as miscommunication between the operators, rushing to perform their task and a misjudgment on the part of Mr. Tayama. This incident is being forwarded to the Accident Review Board for final recommendations to the General Manger.

General Board Information

Quarterly Attendance Report

On Thursday, March 28, 2013 the GM forwarded a letter to Governor Eddie Baza Calvo and Senator Tom Ada providing the Quarterly Attendance Report for Port Board Members. The Board meeting dates for the first quarter of 2013 included Thursday, January 31, 2013, Friday, February 15, 2013, and Thursday, March 28, 2013. All Port Board Members were present for each of the three meetings.

General Manager's Meetings

Meeting with Tristar

On Tuesday, April 2, 2013, the GM, Deputy GM and Operations Manager met with Tristar General Manager K.K. Vikraman, and Corporate Secretary John Dennett. Mr. Dennett provided a general overview of Tristar's corporate structure and local operations within the Port's footprint extending to its Agat Terminal and pipeline routing. Tristar currently has contracts with the Guam Power Authority for fuel oil storage and pipeline lease in addition to providing Jet A1

storage for the Defense Logistics Agency. Tristar also stores diesel for IP&E, LPG storage and a pipeline lease. Tristar has a management contract with the Port for its F1 Fuel Pier.

Mr. Dennett and Mr. Vikraman went on to discuss the current work status for the pipeline integrity testing. Mr. Dennett relayed that the cost for this work is now around \$500,000.00 and that A, B & D pipeline integrity testing had been completed. He went on to say that preliminary reports received by Tristar indicated that corrective maintenance was needed on sections of its pipeline located on Port property.

The Port's Operations Manager responded that both entities would have to schedule and coordinate very carefully together to minimize delayed impacts to Port operations that could also add additional cost for the pipeline repair project. All parties agreed that this was critical in moving forward to allow Tristar to address-needed repairs to avoid a more serious environmental problem should the pipeline experience major leaks. The overall cost of the project is around four (\$4) million dollars to replace and sleeve the pipelines within the container yard.

Meetings with PB

On Wednesday, April 10, 2013, the GM, Deputy GM and Division Managers met with Mr. Jeff Peck and his staff to discuss their planned activities during their week visit to Guam. Mr. Peck provided a general overview of the intended projects that his team members would be engaged in reviewing.

Mr. Peck discussed the issues that needed to be addressed that included a Master Plan update, Interim Traffic Request Terminal Operating System, organic growth, Interim Tariff to include improvement and long term sustainability. According to Mr. Peck, the Port should be focused on how to modernize and still be sustainable and self-sufficient.

On Friday, April 12, 2013 and exit meeting was conducted by PB. Details of both of these meetings will be provided by in the meeting minutes generated by PB.

The GM and Port Management also met with Mr. Rob Van Eijndhoven and Mr. Jeff Peck from PB on Monday April 15, 2013 and again on Friday, April 19, 2013 with Mr. Eijndhoven to discuss his evaluation of the proposed TOS and FMS. Mr. Eijndhoven will be providing a written report of his recent assessment and recommendations for the Port to address the proper skillsets, management and maintenance of these systems once they are installed. He emphasized the importance of insuring that the Port has a network that is secure, robust and safe. Mr. Eijndhoven also relayed that the Port should acquire a network manager to maintain the new systems and conveyed his reservations about the current capacity at IT to take over this responsibility.

Meeting with Matson

On Monday April 15, 2013, the GM met with Matson Vice President Paul Johnescu and Maintenance Manager Lance Hagens. Mr. Johnescu was on island for a short visit. The purpose

of the meeting was to discuss the status of maintenance on the cranes. The Deputy General Manager joined the GM for this meeting.

Mr. Hagens discussed Matson's concerns with one of the crane mechanics that had the mechanical skills to address the maintenance of the cranes but was not at the expected level with regards to electrical expertise that was needed to do repairs on the new cranes. The GM and Deputy GM agreed that both skills sets were needed for all crane mechanics and discuss the reassignment of this mechanic to provide him the opportunity to train and develop his electrical expertise.

Mr. Hagens went on to discuss the inventory of the POLA and Gantry Crane 3 equipment located at the warehouse. He relayed that the equipment needed to be maintained in an environmentally controlled environment that needed to be air-conditioned. The equipment parts include the drives that control the motors for the cranes.

With regards to POLA 14, Mr. Johnescu and Mr. Hagens recommended that the hours be more evenly spread between the POLA cranes as Cranes 16 and 17 are more heavily used and that POLA 14 is not used as often. The Deputy GM responded that the reach on POLA 14 is not as long as 16 and 17. Nevertheless, all parties agreed that the operational workload needed to be more evenly spread out and the Port Managers agreed to further discuss this issue with the Maintenance and Operations Managers.

The GM also discussed the considerable cost to address the corrosion maintenance on Gantry 3. The Deputy GM responded that Gantry Crane 3 is still reliable but the ongoing corrosion work was expensive. The cost of maintaining Gantry 3 is almost equal to the maintenance cost of the three POLA Cranes.

Mr. Hagens relayed that Matson, during this interim period needs to have a consistent presence to address crane maintenance and operations. The Deputy GM responded and concurred, but did relay that occasionally the Port employees were tasked to address other needed repairs at the Port. A most recent example was the repair of a gate needed for security of the compound.

As the discussion was focused on the assignment of man hours to address crane maintenance, a follow-up meeting was recommended to include the Maintenance Manager so that all related parties could be included in the discussion and concerns could be responded to and acknowledged when these issues are brought up.

Meeting with MARAD

On Tuesday, April 9, 2013, the GM met with Mr. Christopher Moore, Director from the MARAD Gateway Offices and Mr. Brian and Mr. Brian Varney, Director, Pacific Ports & Projects, Maritime Administration, Department of Transportation. The purpose of the meeting was to provide the GM the opportunity to meet with Mr. Moore and discuss the status of ongoing projects under the revised Port Modernization Plan.

Mr. Moore and Mr. Varney relayed that they are anxious to see construction move forward and relayed that they were here to provide assistance to the Port for this very purpose. The GM responded that the Port Board and management were also looking forward to the renovation of the CFS facility, the demolition of Warehouse II, and the expansion of break bulk staging area and the PAG Facility Expansion to include a 4.6 acre container yard improved lighting and a new terminal gate complex and runway. The GM added that her role is to facilitate this process and insure that the projects move forward, understanding the timeline and the need to insure that all funds are properly spent.

Both Mr. Moore and Mr. Varney extended their assistance to the GM as they agreed with the importance of getting the construction projects implemented. The GM responded that she understands the significance of these projects the most extensive since the Port facility was built by the Navy in the 1960's and would work with MARAD to see these projects completed. She also relayed that the Port is appreciative of the federal funding provided to make these improvements possible at the Guam Port.

Mr. Varney also relayed that he would provide future updates for the Financial Dashboard from MARAD as it had been over six months since the most recent report was provided to the Port on Monday, March 18, 2013. The GM responded that the updated reports on a quarterly basis would be most appreciated.

Port Partnerships

Area Maritime Security Committee Meeting

The Area Maritime Security Committee Meeting was held at the GM's Office on Wednesday, April 10, 2013. Attending on behalf of the Port were the GM, Deputy GM and Planner IV Joe Javellana, Mr. Rossel Hassan, USCG Planner and Ms. Pilar Carbullido from the Office of Civil Defense, Planner IV. The primary focus of the meeting was to discuss the permitting and installation of the all hazard siren system and signage at the Port and on Route 11.

The Deputy GM is the primary lead for the Port for the Security Committee Meetings.

Division Manager Reports

The following Division Mangers have provided their reports for the review and consideration of the Board.

- 1) Engineer Manager Simeon Delos Santos has provided a brief summary status of ongoing and proposed CIP projects for 2013 in addition to the Guam Commercial Port Improvement Program.

- 2) Acting Financial Controller Joann Conway has provided the financial highlights that include year to date for March 2013. A separate report has also been included on budget transactions to lift quarterly budgets to transfer funds and provide flexibility within divisions to purchase supplies rent equipment and cover overtime cost.
- 3) Acting Human Resources Administrator Carmen Candoleta has provided an update on current personnel actions for the Board's review.
- 4) Chief Planner Dot Harris has provided a monthly status update for the Federal Grant/loans and local funding programs for the Port.
- 5) Operations Manager John Santos has included a Vessel Operation Recap Report spanning from July 2013 to March of 2013.
- 6) Procurement Administrator Alma Javier has provided Two-Year Competitive Procurement Plan for the Board's review.

The Division Managers are available to respond to any informational request or need for clarification by the Board on the submitted reports.

Legislative Matters

Response to Senator BJ Cruz on Crane Surcharge

On Tuesday, April 9, 2013, the GM sent a letter to Senator B.J. Cruz in response to his March 28, 2013 letter regarding the aforementioned subject. Senator Cruz had relayed concerns about what he interpreted as the impact of an additional Crane Surcharge and the Tariff Projection Plan.

The GM responded that Senator Cruz may have been combining information on the Port's plan to petition for rate relief with the Crane Surcharge and relayed a point of clarification, there were two separate initiatives being undertaken by the Port. The following information was provided:

- **5-Year Tariff Projection and 20-Year Financial Plan (Plan):** In October 2012, PAG submitted the Plan to the Public Utilities Commission (PUC) in compliance with the order. The purpose of the Plan is to identify the level of increased revenue from tariff adjustments required to help fund the necessary improvements at the Port. The Plan identified different scenarios that included revenue projections based on three (3) different cargo growth alternatives: Organic growth, full military build-up, and half military build-up.

The Plan provided six (6) scenarios to support the Port Modernization Plan at different investment levels with corresponding rate increases. The Plan also identified three (3) additional scenarios to show how much infrastructure can be supported under organic growth.

Although the PAG intends to file a petition to PUC for a tariff rate increase, the Port is carefully reviewing all nine (9) scenarios presented in the Plan; hence, we are still in discussions regarding the proposed rate. Because the Port isn't in the business of impulsively and compulsively commenting, the PAG would like to reserve disclosing any information regarding the tariff petition until a proposed rate has been identified and finalized. When this figure is defined, the community-at-large will definitely be apprised of such need and justification for the rate increase.

- **Crane Surcharge:** Should the PAG decide to petition a tariff rate increase based on any of the scenarios presented, the proposed tariff increase *will not* affect the current Crane Surcharge rate.

The Crane Surcharge was petitioned to PUC in order to fund: 1) the debt service relative to the acquisition of the cranes, 2) repairs and maintenance, and 3) to establish a sinking fund for the purchase of any replacement cranes in the future. An increase (if any) to the crane surcharge *must be filed separately* with the PUC and *shall only be* for the purpose of supporting the cranes. All of this is in compliance with the provisions of the public law enacted by your colleagues.

Based on a minimum baseline throughput of 44,000 containers per year at a rate of \$125 per container, Port revenues will be at around \$5.5 Million. With this anticipated revenue projection, the Port will be able to meet its debt service obligations.

The GM further relayed to Senator Cruz that the Port shares the view that any tariff increases are impactful to all consumers, businesses and residents. However, initiatives from the Port to pursue tariff increases are needed to address long overdue Capital Improvements to the Port facilities

During the Public Hearing Bill No. 86-32 on Wednesday, April 17, 2013, Senator Cruz acknowledged that the information provided by the Port and appreciated the Port's clarification on the matter.

Bill No. 52-32 Relative to the Autonomous Agency Collection Fund

On Monday, April 8, 2013, the GM received a letter from Senator Ben Pangelinan providing her notice that his committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land would be holding a public hearing on Friday, April 12, 2013. On the agenda was Bill No. 52-32 (LS) introduced by Senator Tom Ada, An Act to Repeal subsection 22421 of Chapter 22, 5 GCA, Relative to the transfer of autonomous agency revenues to the Autonomous Agency Collection Fund.

According to the legislation, the transfer of Autonomous Agency revenues to Autonomous Agency Collections Fund under chapter 22, title 5, GCA, was established in 1985 and mandated that autonomous agencies of the Government of Guam, the A.B. Won Pat International Airport

Authority, the Guam Power Authority and the Jose D. Leon Guerrero Commercial Port Authority were required to pay into the General Fund an annual amount of \$875,000 and were further mandated to “. . . transfer in the aggregate the sum of \$3,500,000 from operating surpluses generated by the these agencies . . .” on an annual basis.

The intended purpose of this assessment identified in the legislation was to compensate the Government of Guam “. . . for the risk assumed by Guam’s taxpayers in operating the power, water, sewer, and air and sea port operations . . .,” and for “. . . the benefits received by these autonomous agencies from services provided by the General Fund, such as police and fire protection, road systems . . .”

The legislation would essentially repeal §22421 and void previous and future requirements future payments by the autonomous agencies to Autonomous Agency Collections Fund.

The Department of Administration provided testimony in opposition to Bill No. 52-32.

Bill No. 86-32 Relative to Sovereign Immunity

On Tuesday, April 9, 2013, Senator Tom Ada introduced Bill No. 86-32, *An Act to add §10238 to Article 2, Chapter 10 of Title 12 Guam Code Annotated to Authorize the Jose D. Leon Guerrero Port Authority of Guam (Port) to Waive Sovereign Immunity to Satisfy a Prerequisite for Approval of a \$10,000,000.00 Commercial Loan.*

The GM had sent a letter Friday, April 5, 2013, providing Senator Ada with a copy of the PAG Board of Directors Resolution No. 2013-02 relative to waiving sovereign immunity as a condition of the MSLE Loan and the draft fill submitted by the Bank of Guam. The GM also included a copy of a letter dated April 5, 2013 from Mr. Henry J. Taitano, Acting Administrator for GEDA relaying that GEDA supported the Waiver for Sovereign Immunity in connection with the Port Authority of Guam’s \$10millionDollar Loan.

Mr. Taitano relayed that GEDA had met with Mr. Kevin Camacho from the Bank of Guam since January 16, 2013, who relayed that the only outstanding item on the loan was the need for a legislative amendment waiving Sovereign Immunity. A follow up call had also been made by GEDA on April 5, 2013 that reconfirmed this matter was the only remaining issue with the Bank of Guam.

Public Hearing on Bill No. 86-32 related to Sovereign Immunity

On Wednesday, April 17, 2013, a public hearing was held by the Committee on Public Safety, Infrastructure and Maritime Transportation chaired by Senator Tom Ada for Bill No. 86-32 (COR) “An act to add § 10238 to Article 2, Chapter 10 of Title 12 Guam Code Annotated to authorize the Jose D. Leon Guerrero Port Authority of Guam to waive sovereign immunity to satisfy a prerequisite for approval of a \$10,000,000 commercial loan.”

The PAG had requested this waiver to comply with lender requirements from the Bank of Guam in order to obtain a \$10M loan. The loan is intended to fund: (1) Marine Service Life Extension (MSLE) project for much needed repairs and to prevent further structural deterioration of the F3, F4, F5 and F6 Wharfs; (2) upgrade the Financial Management System (FMS) due to the current system becoming obsolete; (3) additional Top Lifter to support the ongoing operations of cargo movement between the vessel, yard, and gate. All of these outlined needs are critical to the sustainability of Port operations.

Attending the hearing on behalf of PAG were Vice Chairperson Christine Baleto, Board Member Shelly Gibson, the GM, Deputy GM and, Division Managers.

The GM provided the Port's justification for requesting the legislation and relayed that the Port is working to finalize its financial strategy to present its petition to the PUC after the Port and its consultants have evaluated the 2012 cargo volumes, addressed adjustments to its financial model and reviewed any potential reprogramming possibilities. The GM concluded that regardless of the outcome of the Port's financial strategy, Legislative approval for the Waiver of Sovereign Immunity was a necessary step to moving forward the critical Service Life Extension project and acquiring the much needed equipment outlined in the testimony.

Amendment to Bill 86-32 Relative to Sovereign Immunity

On Monday, April 22, 2013, Senator Tom Ada sent a letter to Acting GEDA Administrator Henry Taitano, Senator Ada stated in his letter that "concerns were raised regarding the potential loss of government real property in the event of a default on this and any other borrowing authorized under Article 2, Chapter 10 of Title 12. In addition, Bill 86-32 as amended includes language to enable the Government of Guam to assume the indebtedness or obligation of the Marine Service Life Extension Loan in the event that course of action is needed. However, the proposed amendment does not envision the option as a full faith and credit guarantee of the Government of Guam. Instead, the language simply provides an option for the Government of Guam to address any default on indebtedness authorized under Article 2, Chapter 10 of Title 12 GCA. Furthermore, the substituted language will limit any attempt at recovery of a default on the MSLE to monetary assets only."

Senator Ada requested GEDA to facilitate this information to the lending institution and make any for recommendations or amendments as needed.

The amendments to Bill No. 86-32 include the following:

Amendment to Section 1. *I Liheslatura intends* that any interpretation of this Act, notwithstanding the waiver of sovereign immunity, shall not be construed in any way inconsistent with the Government Claims Act, Chapter 6 of Title 5, Guam Code Annotated. Such claims shall, as in accordance with § 6203, be limited to monetary relief.

Amendment to Section 2. Any claim for relief brought under the Government Claims Act *shall* be limited to monetary relief, in accordance with § 6203, Ch. 6 of Title 5, Guam Code Annotated.

Amendment to Section 3. § 10239. Right of the Government to Act Upon Default. Upon default of the Port on any indebtedness or obligation authorized by this Article, the Port *shall* provide written notice of default to the Speaker of *I Liheslaturan Guahan*. Ninety (90) days from receipt of such notice, the Government of Guam *shall* have the right to assume the indebtedness or obligation.”

Legislative Bills Related to Port Matters

P.L. 32-013 (Bill No. 7-32) Transfer of Port Property

On Thursday, April 11, 2013 the Port received notification from the Governor’s Office that P.L. 32-013 (Bill No. 7-32), sponsored by Speaker Judy Won Pat was signed into the law. This law would transfer property under the jurisdiction of the Port Authority of Guam to the jurisdiction of the Guam Ancestral Lands Commission.

The Port provided favorable testimony for this legislation that was held on Friday, February 1, 2013.

Bill No. 29-32 Competitive Equalization Act

The GM forwarded written testimony Friday, March 15, 2013 to Senator Ben Pangelinan in opposition to Bill No. 29-32 (COR), An Act to add §60114.1 and §60114.2 to Chapter 60 of 21 Guam Code Annotated relative to Competitive Equalization Act on the leasing of Government of Guam property.

The intent of Bill No. 29-32 is to tax the leasing of land by autonomous agencies, public corporations and other public instrumentalities of the government of Guam for Commercial purposes and deposit funds in the Guam Ancestral Lands Commission and the Chamorro Land Trust commission. Business privilege tax and real estate tax will be imposed on the leasing of Port property.

The GM relayed that that the Port is a self-sustaining, autonomous instrumentality of the Government of Guam. The Port is required to generate its own revenue and does not receive funding from the General Fund to support its operations. The Port derives its revenues from both operational and non-operational activities that include the lease of Port properties and other user agreements. The revenue generated by the Port is in turn used to support the ever growing costs associated with operating and maintaining the Islands sole commercial seaport.

The legislature passed Bill No. 29-32 with several amendments with the following four Senators voting in opposition to the bill: Senators Tom Ada, Chris Duenas, Mike Limtiaco, and Rory Respicio.

The Port received notice from the Governor's Office on Thursday, April 11, 2013, that the Governor lapsed the bill into law.

Additional Request from Senator Ada on Worker's Compensation

On Friday, April 12, 2013, the GM received a response from Senator Ada concerning the request letter from the Port sent on Wednesday, April 10, 2013. He relayed that he needed a better understanding of the impact of the requested amendment aside from the obvious avoidance of the cost of insurance premiums.

Senator Ada requested additional information on the Port's safety program and work environment and asked for the following:

1. Current safety Program Manual and Rules & Regulations that guide Port Operations.
2. What types of recurring employee safety training and certification programs are currently being implemented?
3. IFB GSA/PAG-004013:
 - a. Was a Risk Assessment performed to provide the basis for offerors to formulate their response?
 - b. How extensive was the advertisement for the IFB?
 - c. What was the IFB specifications for the solicited product

Senator Ada also relayed that if the Port wanted a more expeditious and timely introduction, he recommended that the Port find another sponsor for the bill.

Response to Senator Ada on Worker's Compensation Insurance

On Friday, April 19, 2013, the GM provided a response to Senator Ada's questions in his letter dated April 12, 2013 with the following information concerning IFB GSA/PAG-004-013:

1. *IFB GSA/PAG-004-013:*
 - a. *Was a Risk Assessment performed to provide a basis for offerors to formulate their response?*

Answer:

The bid specifications included necessary data for the insurance companies to formulate bid amounts in response to the solicitation. Such data included payroll records based on classifications and 3-years of claims history.

- b. *How extensive was the advertisement for the IFB?* The solicitation process was administered and performed by the General Services Agency (GSA).

Answer:

The bid announcement was issued through Pacific Daily News on February 22, 2013 and the bid submission deadline was on March 11, 2013. During the bid opening conducted by GSA, it was stated that two (2) firms expressed their interest by obtaining the bid package. However, at the time of the bid opening, GSA received one bid offer for this solicitation.

- c. *What was the IFB specification for the solicited product?*

Answer:

See Attachment 3. Note that in an effort to explore any cost savings, the bid specifications included an option for a deductible. Included in this attachment is a copy of a procurement status report that was presented to the PAG Board of Directors in its meeting of March 27, 2013.

In addition the GM also provided a Current Safety Program Manual and Rules & Regulations that guide Port Operations and documentation for reoccurring employee training and certification programs that are being implemented by the Port. The GM also relayed to Senator Ada that the Port had made a request of GSA on Friday, April 5, 2013 to inquire with the bidder if the terms of the insurance coverage be issued on a month to month rather than a full year term. In response to the Port's request, a letter was received on Friday, April 12, 2013 from GSA recommending that the bid be canceled and a new bid on a later date for a shorter period of time.

Port Hazard Plans

In follow up to a request by Board Member Gibson on Monday, April 15, 2013, the GM provided a list of Hazard Plans for the Port.

The following Hazard Plans and status of completion are listed below:

<u>HAZARD-SPECIFIC ANNEXES</u>	<u>STATUS</u>
I. Active Shooter	50% complete
II. Bomb Threat	Template started but no activity on it at this time
III. Civil Disturbance	Template started but no activity on it at this time
IV. Earthquake	25% complete
V. Evacuation	0% complete
VI. Fire	25% complete
VII. Hazmat/CBRNE	75% complete

VIII. Nuclear Threat	100% complete – not yet adopted
IX. Terrorist	Template started but no activity on it at this time
X. Tsunami	50% complete
XI. Typhoon	100% complete – adopted March 30, 2012

The Hazard Plans that are currently in development are expected to be completed no later than December 31, 2013. Also, in response to the recent issues with North Korea, the Port was instructed by Guam Homeland Security and the Office of Civil Defense GHS/OCD to develop a response for a foreign military attack. Each Government of Guam department and agency was requested to develop a plan to respond to a nuclear military attack. The Port provided its draft plan to GHS/OCD on Friday, April 12, 2013. Homeland Security has discussed the use of the Port's Annex to Nuclear Threat be adopted for the entire Government of Guam.

Executive Order No. 2013-02 Emergency Declaration for North Korea

Governor Calvo signed Executive Order No. 2013-02 "Relative to Declaring an Emergency in Order to Expedite the Island-Wide Preparation and Recovery from Impact from the North Korean Ballistic Missile Launch and for the Provision of Services by the Guam National Guard to Assist the Government of Guam.

The Port staff that attended from the Safety Division were called into GHS/OCD Wednesday April 17, 2013 until Friday, April 19, 2013. The Port also provided assistance at the request of the Governor's Homeland Security Advisor Pedro Leon Guerrero to have a Port Police Officer present at the GHS/OCD from April 13-14, 2013.

Guam and CNMI State and Local Anti-Terrorism Training (SLAATT) Program

The GM received a letter from U.S. Attorney for Guam and The CNMI to request Port participation in the Guam and CNMI State and Local Anti-Terrorism Training (SLAATT) Program scheduled to be held on April 23-24, 2013 in Guam and on April 25th in Saipan. The program training will include: International Terrorism, Domestic Terrorism, Sovereign Citizens, Recognizing Terrorist Indicators and Warning Signs, Suspicious Activity Community Awareness Program, SLATT Train-the-Trainer Program and related topics. The training was held at the Sheraton Laguna Guam Hotel in Tamuning.

The following participants from the Port were: Safety Administrator Frank Roberto, Program Coordinator II Frank Lujan and Port Police Officer II David Esplana.

Port Police Program Compliance Review

The GM was notified on Wednesday, April 17, 2013, by Port Police Chief Aguero and Port Police Officer II David Esplana, 1033 Program LESO Coordinator that the Port Police Division had undergone a LESO (Law Enforcement Support Office) Program Compliance Review on Tuesday, April 16, 2013. Police

Officer II Esplana relayed that the Port Police Division met all the requirements and successfully passed the PCR with the Property Accounting Team, West from LESO. Officer II Esplana further relayed that “the Port has been a participant in the LESO Program since 2009 and the Port Authority of Guam Police Division has acquired Department of Defense excess property worth about \$1,228,446. The excess property consists of assault weapons, hummers, boats, vehicles, office equipment, portable lighting, heavy machinery, and tools. Some of these items obtained are also supporting other Port Authority Division which include EQMR, Facility, Corrosion, and Welding which as a result have a direct role in supporting Port Police Division Mission.”

This is an exceptional accomplishment for the Port Police to have successfully passed the LESO Program Compliance Review inspection and our Port Police are to be congratulated for executing and properly implementing such a successful program.

Freedom of Information Act Request

Request from Mindy Aguon from KUAM

On Monday, April 1, 2013, the Port received an email FOIA request from Ms. Mindy Aguon from KUAM requesting additional information on the following:

Provide any and all documents related to any work related injuries and workers compensation claims made by any of the seven recently terminated Port Authority of Guam workers (Vivian Leon, Jose Guevara, Francine Rocio, Frances Arriola, Josette Javelosa, Leonora Leon Guerrero and Bernadette Stern Meno)

*For Meno, please provide any other claims or injuries, if any exist, other than the September 2011 work related injury as I already have the information for that claim.

The Port had requested the ten (10) day time frame to provide all the requested documents. The documents were provided within the ten (10) days.

Request from Bernadette Stern Meno

On Friday, April 19, 2013, the Port received an email FOIA request from Ms. Bernadette Stern Meno requesting electronic copies of the following documents:

1. Any and all Port Authority of Guam Board of Directors meetings that occurred on October 19, 2012; October 25, 2012; November 28, 2012; December 3, 2012; December 5, 2012; December 10, 2012; December 14, 2012; and December 19, 2012;
2. All copies of Orders and Notices of Adjournment;
3. All written recommendations from the Port’s legal counsel recommending that the Board enter into Executive Session;
4. All voting sheets or other form of proof that a majority of the board members voted to go into executive session;

5. All affidavits from the Port's legal counsel indicating that only matters related to litigation or pending litigation have been discussed;
6. All proof or documents indicating that there was a publication in newspapers of proper notices;
7. All proof or documents indicating that any adjourned, recessed or continued Port board meeting from this time frame listed above was properly posted;
8. Any and all documents indicating that an authorized court reporter was present and transcribed the minutes of all meetings including executive sessions;
9. Any and all documents and/or notices related to the board meetings listed above indicating what specific exemption of 5GCA Chapter 8 allows the board to hold discussions on matters in executive session.

On Tuesday, April 23, 2013, the GM provide a notice to Ms. Meno that due to the need to search, collect and review more than ten (10) separate and distinct records which were asked for by Ms. Meno in a single request, PAG would provide the documents no later than Wednesday, May 1, 2013. This time extension beyond the standard four (4) day requirement is provided for under Title 5, GCA Sections 10103(d), 10103(e) (1), and 10103(e)(2).

On Thursday, April 25, 2013, the Port received another FOIA request from Ms. Meno requesting the following: I hereby request an electronic copy of the following document: transcripts of the Port Authority of Guam Board of Directors October 25, 2012 Executive Session.

Travel Request

NIMS ICS All Hazards Planning Section Chief Train-the-Trainer

The GM is requesting the Board approval for the Deputy GM Felix Pangelinan to attend the NIMS ICS All Hazards Planning Section Chief Train-the-Trainer to be held from May 13-16, 2013 in Maryland.

Guam is required to be in compliance with the National Incident Management Systems (NIMS), the "management of domestic incidents, national preparedness and interagency atrocities prevention." The Deputy GM has been approved by the U.S. Department of Homeland Security, Emergency Management Institute to attend this training program. As the Deputy GM also serves as the Port's Harbor Master, he will automatically be tasked as the Incident Commander to address the appropriate response and coordination within the Port and its respective local and federal partners.

The requested travel is 100% federally funded.

ATOSSCOM Annual Membership Meeting

The GM is requesting Board approval of the Port's Operations Manager John Santos to attend the Association of Transportation Operators Stevedores Shipping companies of Micronesia (ATOSSCOM) annual membership meeting to be held from July 10-14, 2013 in the Republic of Palau. Guam currently holds the position of Board Secretary and provides logistical and administrative support in addition to site training assistance. Topics to be included in the conference include terminal operations, shipping industries, networking, communication and improved technology opportunities. As Guam serves as the major transshipment hub for Micronesia, it is important to have a PAG representative actively engaged and participating in this regional organization.

Center for Domestic Preparedness

The Center of Domestic Preparedness provides various training opportunities that is recognized by the Office of Homeland Security. The Port is in the process of training a group of its employees to operate the Port's Fire Suppressant Team to address emergency responses to fires, to include hazardous, manmade and natural disasters. The ability of Port to address emergency response is critical to maintain the safety of the Port and minimize dangers to life and property within the Port's operational footprint.

The participation of the following Port employees is requested:

Stevedore Division - Winch Operator Vincent Asanoma and Stevedore Joseph Aguon
Terminal Division - Cargo Checker Michael Barcinas
Transportation Division - Equipment Operator II Albert Blas
Finance Division – Tariff Technician Jason Bermudes
Port Police Division – Security Guard (Armed) Rodney Akima, PC II Paul Cruz and
PC II Frank Lujan

The requested travel is 100% federally funded.

2013 Association of Pacific Ports (APP) 100th Annual Conference

The 2013 Association of Pacific Ports (APP) 100th Annual Conference will be held from Sunday, August 4, 2013 to Wednesday, August 7, 2013 in the Port of Redwood City, California. The Annual Conference would provide participants the opportunity to be updated on port industry issues, current economic trends and best practices. Participants will also be able to tour the Port of Redwood City and also visit the Port of Oakland, the Port of San Francisco and the Port of Richmond.

Board Vice Chairperson Christine Baleto and the GM are requesting the approval of the Board to represent the Port of Guam and attend the 100th Annual Conference.

Port Activities and Events

Maritime and Port Security Operations Center Groundbreaking Ceremony

The groundbreaking ceremony for the Maritime and Port Security Operations Center (MPSOC) was held on Friday, April 5, 2013, at 10:00 a.m. Lt. Governor Ray Tenorio attended the event and delivered remarks on behalf of Governor Calvo who was being interviewed by CNN concerning the situation in North Korea. Board Member Mike Benito provided the Welcoming Remarks on behalf of the Board.

The original construction schedule was slated for April, however Guam EPA wanted soil test conducted to determine if there was any soil contamination at the site. The Port requested that the location of the Port Security Operations Center be included as part of EA soil testing for the Port so that any concerns from Guam EPA could be addressed. Construction commencement has now been rescheduled for May with the anticipated completion date now moved to January of 2014.

The Port Security Enhancement Project (PSEP) operations will substantially upgrade Port security with the CCTVs, radio communications, access control and TWIC reader capabilities all in one facility. The amount funded for the project is \$910,954.00.

Guam International Marathon

The Port Police provided additional support for traffic control for the Guam International Marathon that was held on Sunday, April 7, 2011. Additional cones were placed by race organizers off the shoulder of Route 11 on either side to insure the safety of the runners.

United Plane Pull

The Port participated in the United Plane Pull that was held on Saturday, April 20, 2013 at Tiyan. A total of 20 employees participated in the event and contributed \$446 through the purchase of T-shirts for the event by PAGMA. GPO sponsored the Port team that has been participating in this event for the past four (4) years.

Team GOVGUAM 2013 Relay for Life

The Relay for Life event is scheduled for Friday, May 24, 2013 from 7:00 pm to 7:00 am Saturday morning at George Washington High School. The Port still needs to significantly increase its participation in this event as only thirty-two (32) T-shirts have been purchased in the

amount of \$401.25 with only \$4.00 of the purchase price being donated to the event. The request is for each employee to contribute \$5.00 to the Relay for Life event. So far, the Port still has an outstanding balance of \$1,526 to collect.

Medical Fundraiser for Port Employee

The Port employees sponsored a fundraiser for Planner IV Herman Paulino on Thursday, April 25, 2013 at Club Fab. A total of \$1,800 was raised after expenses to assist Mr. Paulino with his medical cost.

NOTE: Pages 25-29 are Port Personnel related matters to be addressed in Executive Session.



PORT OF GUAM

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Eddie Baza Calvo
Governor of Guam
Ray Tenorio
Lieutenant Governor

**Government Accountability Office Questions
for
Port Authority of Guam**

**Site Visit
April 21-26, 2013**

Note: The following questions have been organized by the offices and agencies we believe, given our current understanding, can best address them. However, some of the questions may be better addressed by another agency. Please feel free to inform us during our meetings which agency can better address a given question.

PORT AUTHORITY

1. Port modernization brief (*completed; will be presented by the Deputy General Manager*)
2. What port related infrastructure improvements are needed to the Port to support its current workload?

The Commercial Port of Guam (hereafter referred to as the Port) was designed and put into service in 1969. Since that time, it has undergone minimum maintenance, repair, and improvements to support organic growth.

The following projects are currently ongoing or planned and will support its current workload:

- A. **Acquisition of Port of Los Angeles (POLA) Cranes** - On December 20, 2012, the PAG acquired a total of three (3) POLA cranes and one (1) Subic crane (Gantry #3) from Matson Navigation with a US Department of Agriculture Guaranteed \$12 million loan.
- B. **The Guam Commercial Port Improvement (GCPI) Program** - Funded by a \$50 million Department of Defense appropriation and administered by the Maritime Administration (MARAD), the GCPI Program has been segregated into three (3) major projects:

Project 1: Container Freight Station (CFS) Building Modifications
Project 2: Selected Break Bulk Yard Modifications
Project 3: PAG Facility Expansion

These activities will run through FY2013 and FY2014 with a completion date of late 2014 or early 2015.

- C. **Marine Service Life Extension (MSLE)** - Financed through a commercial lending institution, the MSLE will address the need for immediate repairs to the PAG's waterfront.

3. What improvements are needed to address the Marine Corp buildup and other force structure initiatives that are expected to increase the population of Guam?¹

The completion of the projects described above will improve Port operations and services to its local public, private, and military customers and will directly benefit any future realignment. Although the combined improvements create a better foundation, there are several missing components in the Port's modernization efforts that require funding to better position the PAG to support and respond to the future Marine Corp Buildup.

On February 17, 2009, the United States and Japanese governments entered into a bilateral agreement that was to relocate 8,000 Marines, 9,000 dependents, and related support activities from Okinawa to Guam. This move was estimated to increase Guam's population by almost 22% by the year 2014. This major undertaking coupled with the forecasted increase in cargo traffic movement during base construction was expected to place considerable demands on the Port in the coming years.

¹ These other initiatives include, (1) the development of a transient nuclear carrier berth on Guam, (2) the stationing of an Air Force Guam strike and regional training center, (3) stationing of an air and missile defense task force, and (4) Army National Guard personnel increases in response to the Army's Grow-the-Force initiative.

Performing a crucial and indispensable role in the lives of the civilian, business, and military population on Guam as well as its Pacific island neighbors, it was incumbent for the Port Authority of Guam (PAG) to improve its facilities. This modernization effort requires: 1) the development of its assets, 2) improvement of its infrastructure, 3) repair and maintenance of its equipment, and 4) implementation of policies and strategies to facilitate a smooth transition to the new population base and position Guam to participate in the growth in seaborne international trade that is expected to occur in the new millennium.

With the military buildup as the major driver for modernizing the Port, on August 7, 2007, the PAG commissioned Parsons Brinckerhoff International, Inc. (PB) to update the Port's 1999 Master Plan to include an impact assessment on PAG facilities due to the planned military buildup. Completed on April 2008 and conditionally approved into law by the Guam Legislature on December 2008, the Master Plan spanned a 30 year planning horizon. Labeled as the Port Modernization Program (PMP), comprehensive improvements were approached by phases:

- Phase IA: Port Improvement Project*
- Phase IB: Future Berths & Security Project*
- Phase II: Future Yard Expansion Project (20 years out)*

To enhance efficiency and increase capacity for the purpose of achieving "Port Readiness", the PMP's initial Implementation Plan (Phase 1A & 1B) had a price tag of \$206 Million. Improvements included: 1) site expansion, development and paving, 2) utilities upgrades, 3) security enhancements, 4) gate and yard automation, 5) new equipment purchases, and 6) building renovations. The long term drivers for the Port's modernization efforts were sustainability and organic growth while the near term driver was the military buildup.

A Congressional call for a re-set to reduce the number of personnel to be transferred to Guam from 8,000 to roughly 5,000 Marines in 2011 resulted in the PAG performing its due diligence to implement its own internal program re-set.

Inasmuch as the PAG wanted to implement all Phase 1A and 1B activities, changes had to be made. With the available funding of \$50 Million from the Department of Defense, a modified approach to the buildup was adopted. Cargo projections had to be reduced and port improvements had to be phased. As mentioned above, this phased approach is what is currently referred to as the GCPI Program.

All Government of Guam agencies, in their respective roles, has inherent functions that they perform or provide to support the Marine Corps buildup. Specifically for the Port, the GCPI Program has been developed to address the impact of the potential increase in break-bulk and containerized cargo traffic resulting from the buildup.

Traditionally, horizontal (paving and utilities) construction precedes vertical (buildings and structures) construction. Therefore, the early import of construction materials and equipment will be focused on bulk and break-bulk commodities, followed by containerized cargo. These activities will require that the Port focus on creating an expanded break-bulk area before expanding its container yard area.

Reconfiguration is needed to create expanded break-bulk capabilities and improved operational efficiency. This involves demolishing facilities that are no longer needed or

that interfere with creating a contiguous and accessible break-bulk yard area, and moving existing gates to accommodate site adjustments and traffic efficiencies.

Phase 1 and Phase 2 of the GCPI Program addresses the aforementioned requirements. The modification and build out of the CFS Building is necessary before the demolition of Warehouse 2. Personnel and cargo currently occupying Warehouse 2 will be transferred to the renovated CFS Building so demolition activities can begin thereafter. Upon the completion of Phase 2, the total break-bulk area will be around 9 acres.

Expansion and renovation of the new container yard will be implemented in Phase 3 of the GCPI Program.

In addition to the need to upgrade its fleet of critical equipment and continue to ensure that adequate maintenance and repair practices are in place, the aforementioned activities are the initial steps that the Port is taking to modernize Guam's only seaport.

4. **What analysis was conducted to determine that these infrastructure improvements were needed? Please provide supporting documentation. Identify all supporting analysis, assumptions, etc.**

As previously mentioned, the Port has not undergone any major improvements since 1969. To address sustainability, organic growth, and the military buildup, the Port commissioned PB to update its Master Plan. A comprehensive assessment resulted in the development of the PMP. As previously mentioned, the PMP had an initial price tag of \$206 Million.

The PAG's Implementation Plan established an initial "road map" of key activities and work packages that were required to move the PMP from the master plan phase through the design, construction, and operational start-up phase.

Due to the Congressional re-set and insufficient funding to carry out the initial "preferred concept", the reduced GCPI Program was adopted.

Several studies were developed and completed to determine the need for infrastructure improvements. The final results pointed out that the Port must undergo major renovations to address current economic growth, sustainability, and the military buildup.

The comprehensive assessments and solutions are captured in the following documents:

Master Plan update of 2007, which can be accessed via:
<http://www.portguam.com/docs/modernization/master-plan-2008.pdf>

Financial Feasibility Study Report which can be accessed:
<http://www.portguam.com/docs/modernization/2008-financial-feasibility-study.pdf>

Implementation Plan - Port Modernization Program

Guam Commercial Port Improvement (GCPI) Program

5. **What specific improvements will be made to the port, and for what reasons?**

The PAG, in coordination with MARAD and its PMC EA Engineering, has embarked on moving forward with initial capital improvement projects that will essentially move the Port towards its modernization initiatives and provide additional capacity. As previously

mentioned, this development is called the GCPI Program and consists of three (3) projects and will be paid for with the \$50.0 million Department of Defense funding:

Project 1 - CFS Building Modifications Project

- **IFB issued on November 7, 2012**
- January 22, 2013 - Notice of Intent to Award issued to Pro Pacific Builders
 - Single story office building build out
 - Enclosure of existing doorways
 - Installation of large roll up doors
 - Securing of cargo storage area

Project 2 - Selected Break Bulk Yard Modifications

- **IFB issued on April 19, 2013**
 - Paving repairs to increase break bulk staging area
 - Demolition of Warehouse 2 and selected structures

Project 3 - PAG Facility Expansion

- **Proposed RFP Issuance – 4th Quarter 2013**
 - New 4.6 acre container yard
 - High Mast Lighting
 - New terminal gate complex and runway
 - Installation of oil water separators

In addition, the PAG was awarded several US DHS/FEMA Port Security Grant Program (PSGP) grants that will enhance the Port's maritime and port security capabilities. These projects include:

1. Completion of the container yard lighting upgrade project
2. Acquisition of interoperable communications equipment
3. Awarding of the Port Security Enhancements Project (Command and Control Integration System that will integrate the Port's CCTV surveillance, Access Control/Secured Credentialing, TWIC Readers, and Security/Communications Duct bank backbone into the soon to be built Maritime and Port Security Operations Center
4. Procurement of a mobile container/vehicle screening system
5. Procurement of 2 new generators to ensure continuity of maritime and port operations in times when island power may be disabled

These developments are critical components in the Port's effort to support the military buildup. As the United States "Tip of the Spear" in the Pacific region, Guam must be ready to mitigate, prevent, prepare for, respond to, and recover from any natural or man-made incidents that may be a detriment to its civilian and military population.

Enhancing the Port's capabilities NOW will ensure that Guam's only seaport will be ready to support the buildup by providing the necessary maritime security and operational support to the anticipated increase in not only volume of traffic but also in the increase of exposure to regional and global forces that may negatively impact Guam.

The Port's capital improvement projects are being funded via multiple sources and PAG is not relying solely on federal funding. As previously mentioned, the Port has and will underwrite a number of improvements to include the following:

- **Acquisition of POLA Cranes**
- **Marine Service Life Extension (MSLE) Project** will address the need for the following immediate repairs to the PAG's waterfront:
 - Bulkhead repairs at F4 and F6
 - Pile and under-deck repairs at berth F5
 - Cathodic protection anode installation at bulkheads, return walls and toe walls
 - Fender repairs, storm drain repairs, spur rail demolition and pavement repair
 - Debris removal

Although the PAG has received funding and financing from multiple sources, it does not solve all sustainability/capacity issues at the Port.

6. **Have cost estimates for these improvements been developed? Yes.**
- a. **What was the process to develop them? Please provide documentation of the analysis supporting the cost estimate(s).**

GCPI project estimates were developed by EA Engineering, MARAD's Program Management Team. The MSLE estimates were developed by the Port's OAE, PB.

To preserve the integrity of the procurement process and because the inquiry deals with estimated costs associated with each project, we will respectfully keep this information confidential at this time until it is awarded. A significant disadvantage of releasing estimates is that firms can use the information to manipulate their bids. Keeping the estimates confidential will not only deter collusion among bidders but it will also prevent them from knowing the approximate amount that the PAG is willing to pay for the projects.

7. **How have the plans, cost estimates, schedules and timelines for projects been affected by adjustments in DOD's Okinawa to Guam realignment plans announced in the April 2012 Joint Statement of the Security Consultative Committee? Specifically,**

- a. **A reduction in military personnel relocating to Guam:**

The Port came close to over extending itself by relying on the original DOD Program Cargo Requirements, which did not materialize. The Port's course of action was influenced by the DOD Program reset.

- b. **Cancelation of Japanese loans to help fund infrastructure improvements on Guam:**

The use of Government of Japan loans was never envisioned to fund the Port since the Government of Japan had guidance/restrictions on how these loans could be used. However, the diversion/reduction of any funding for Government of Guam projects indirectly impact the Port.

- c. **When was the Port Modernization Master Plan last updated? Will it be updated to reflect these changes?**

Update of the Port's Master Plan was commissioned in 2007 to include an Impact Assessment on the Port Authority of Guam Facilities by the original DOD Program. The Port's OAE is currently updating the Master Plan to adapt to the revised DOD Program.

8. **How have the plans, cost estimates, schedules and timelines for projects been affected by prohibitions on the obligation or expenditure for the Guam realignment mandated 2013 National Defense Authorization Act (NDAA 2013).**

Although Guam Congresswoman Madeleine Bordallo announced that Guam would be receiving \$101 million dollars in funding under the 2013 NDAA for the North Ramp Utilities Increment 2 (AAFB) and Fuel Pipeline and Guam National Guard Joint Force HDQ Ph4 projects, the PAG did not receive any funding for its projects from the NDAA.

However, PAG will continue to rely on the Port of Guam Improvement Enterprise Program provided through a partnership between the PAG and the U.S. Department of the Maritime Administration (MARAD), local/federal grants, and local/federal lending institutions for financial assistance.

The NDAA 2013 has both positive and negative impacts. Positive in that it provided a relief valve and enabled the PAG to pursue a scaled back course of action. Negative however, in that less construction translates into less cargo and thus less revenue.

9. **Have the estimates been revised?**

PAG is in the process of updating its Port Master Plan and Five (5) Year Tariff Projection and 20-Year Financial Plan.

- a. **How were they revised?**

Please refer to question 7 of the Guam Commercial Port Improvement Plan.

10. **Has funding for these improvements been identified/arranged? Yes.**

- a. **Please describe the funding arrangement?**

On May 27, 2010, the Senate passed H.R. 4899 with an amendment to fund \$50 million in funding for the Port of Guam. The \$50 million Port of Guam Improvement Enterprise Program will modernize and stimulate economic development and provide more efficient movement of goods and services through the Port of Guam. By modernizing and expanding the existing facilities and equipment, the Port will be able to meet expected growth in established trade, encourage natural resource exports, and create employment opportunities by attracting new industry and new cargo movement.

- b. **How much and what improvements remain unfunded?**

\$156 million, in 2010 dollars.

- c. **To what extent are rate increases a feasible source of funding for infrastructure improvements?**

Please refer to PAG's 5-Year Tariff Projection and 20-Year Financial Plan.

- d. **Are any future bond issues being considered to pay for infrastructure improvements? No.**

e. What is the Authority's remaining debt capacity?

Of the \$54.5 million debt capacity, \$12 million was committed to the Gantry Crane Loans and \$3.5 million was applied to the acquisition of Cargo Handling Equipment. The Port is currently addressing the terms of the MSLE loan of \$10 million and anticipates closing soon. This leaves the Port with a remaining debt capacity of \$29 million.

11. What are the key challenges affecting the Port Authority's ability to manage projects and programs for the realignment and buildup?

Because the magnitude and timing of the military buildup has changed several times over the past five years and is not yet defined, it is necessary to review the past cargo forecasts that have been developed and confirm the range of possible demand/revenue scenarios to plan for.

a. What are your plans for mitigating these challenges?

The Port is in the process of updating its Master Plan.

12. What types of assistance has the Government of Guam sought from DOD and other federal agencies to address these challenges?

The Port has been aggressive in seeking local/federal grants to supplement the Port Modernization Program. Although the Port was not awarded, it did apply for funding from the TIGER I, TIGER II, and TIGER III appropriations. Please refer to the attached April 22, 2013 Grants/Loan Program Spreadsheet, which identifies all the local/federal programs.

13. Does the Port Authority possess the internal planning capacity to develop plans that address needs stemming from the military buildup?

While PAG is capable of handling regular maintenance and repair planning, and implementation of individual projects averaging \$2-\$3 million, the Port does not have internal capacity to develop plans of this magnitude.

14. Is the Port currently in violation of any EPA, DOT, and/or other federal agency regulations? If so, how are these violations being rectified? *No.*

15. Please describe the Port Authority's involvement in the development of the Economic Adjustment Committee's 2010 Guam Civilian Infrastructure List and 2010 Guam Socioeconomic Needs Assessment.

The PAG was not involved.

a. Is the Authority satisfied with its level of involvement in the development and results of this report? *N/A*

b. In your view, would this process be useful to replicate to determine and validate future Guam public infrastructure requirements? *N/A*

16. What has been the Authority's involvement in the current supplemental environmental impact statement (SEIS) development process?

At the request of the Office of the Governor of Guam, the Port provided responses to a questionnaire and met with the SEIS team earlier this year.

17. What is the background to the Port of Guam being designated a strategic port by the Maritime Administration (MARAD)/Surface Deployment and Distribution Command (SDDC).

a. When did it occur, and why?

September 2009 (memorandum attached). As stated in the memo, the Port of Guam will be a vital intermodal conduit for the deployment of forces and associated supplies to the Pacific theater.

b. Did Guam seek the designation, or did MARAD/SDDC initiate contact and propose the designation?

Guam sought this designation. In January 2009, the PAG Board of Directors initiated this request by adopting Resolution No. 09-01 requesting support from Guam's elected leaders for designation.

18. Does the Port of Guam have a Port Readiness Committee (used to prepare strategic ports for use in military deployments)?

The Port Readiness Committee is a function of the USCG Captain of the Port. The PAG submits its monthly Port Planning Order (PPO) report when requested by the Department of Transportation.

a. If so, what is its membership? How often does it meet?

This question can best be answered by the US Coast Guard.

b. What are its activities? What training events and exercises has it conducted?

This question can best be answered by the US Coast Guard.

FEDERAL GRANT/LOANS & LOCAL FUNDING PROGRAMS
FY2013 Port Modernization Plan
Grant Strategy - Monthly Update

As of April 22, 2013

Summary Sheet of Funding/Financing

	On-hand	Expenditures	Remaining Balance	NOTES
Port Modernization				
Loans	\$ 39,000,000.00	\$ 12,000,000.00	\$ 27,000,000.00	For Gantry Cranes & Port Modernization Program
Grants	\$ 64,926,816.94	\$ 20,306,101.68	\$ 44,585,494.26	\$48.5M Port Enterprise Fund
Security	\$ 9,338,705.28	\$ 2,496,049.11	\$ 6,841,163.22	
Marinas	\$ 4,020,667.25	\$ 320,480.26	\$ 3,700,186.99	
Grand Totals:	\$ 117,286,189.47	\$ 35,122,631.05	\$ 82,126,844.47	

Applications/Approvals Pending

		NOTES
Port Modernization	\$ 10,000,000.00	GEDA/Local Lender for Wharf SLE
Security	\$ -	
Marinas	\$ 261,000.00	
Grand Totals:	\$ 10,261,000.00	

STRATEGIC PLANNING DIVISION - FEDERAL GRANT/LOANS & LOCAL FUNDING PROGRAMS
FY2013 Port Modernization Plan
Grant Strategy - Monthly Update

AS OF April 22, 2013

I. Port Modernization

ITEM	LOAN #	PROJECT NAME	Federal or Local Agency	Notice to Proceed	% Completed	Award Date / End Date	Award Amount	Draw Down Approved	Remaining Balance	STATUS:
FY2006-01	ANZ Guam Inc., Guaranteed Loan	Purchase & Install New/Used Gantry Cranes	ANZ Guam Inc., Guaranteed	9/29/2006	100.0%	9/29/2006 - 9/29/2011 Extension 3/31/2012; Extension requested until 9/30/2012	\$ 5,000,000.00	\$ 5,000,000.00	\$ -	Signed & Closed December 20, 2012
FY2006-02	USDA Direct Loan	Purchase & Install New/Used Gantry Crane	USDA RD CF Direct Loan	9/29/2006	0.0%	9/29/2006 - 9/29/2011 Extension 3/31/2012; Extension requested until 8/30/2012	\$ 2,000,000.00	\$ -	\$ 2,000,000.00	CLOSED
FY2006-03	ANZ Guam Inc., Guaranteed Loan	Procurement of 2nd Brand New/Used Gantry Crane	ANZ Guam Inc., Guaranteed	8/20/2007	100.0%	8/20/2007 - Extension requested until 9/30/2012	\$ 7,000,000.00	\$ 7,000,000.00	\$ -	Signed & Closed December 20, 2012
FY2010-02	USDA Direct Loan	Port Modernization Plan	United States Department of Agriculture Communities Facilities Program (USDA CF)	10/22/2010	0.0%	10/22/2010 - 10/22/2015	\$ 25,000,000.00	\$ -	\$ 25,000,000.00	Uplands

GRAND TOTAL LOANS FOR MODERNIZATION: \$ 39,000,000.00 \$ 12,000,000.00 \$ 27,000,000.00

ITEM	GRANT #	PROJECT NAME	Federal or Local Agency	Notice to Proceed	% Completed	Award Date / End Date	Award Amount	Draw Down Approved	Remaining Balance	STATUS:
FY2008-01	GUAM CIP 2009-3, GR # pending	Engineering Analysis and Consultations Project for the Jose D. Leon Guerrero Commercial Port Modernization	Department of Interior Office of Insular Affairs (DOI OIA)	09/03/09	94.9%	9/03/09 - 9/01/14	\$ 1,000,000.00	\$ 949,236.01	\$ 50,763.99	
FY2009-01	GUAM-CIP 2009-1, GR970144	Preliminary Engineering & Environmental Studies for the JDIG Commercial Port Facilities	Department of Interior Office of Insular Affairs (DOI OIA)	06/22/09	98.0%	3/18/2009 - 3/18/2014	\$ 2,000,000.00	\$ 1,960,046.19	\$ 39,951.81	
FY2009-02	GR0706-08-02-08-01	1. Implementation Plan Project No. GR0706-08-02-08-01 MOU Sub-Grantee 2. Protocol Manual	Office of Economic Adjustment (OEA) DoD	11/13/08	93.6%	11/14/2008 - 9/30/2010, extended to 09/30/2011 extended to 03/31/2012, CLOSED	\$ 544,500.00	\$ 509,460.00	\$ -	CLOSED (reference 6/23/10 memo)
FY2009-03	07-79-06339	Environmental Assessment & A/E Design of Proposed Wharf Modernization of F5, F6, F7 and Container Yard	Economic Development Administration (EDA) & Maritime Administration (MARAD)	04/30/09	100.0%	4/30/2009 - 4/30/2011 CLOSED	\$ 1,687,316.94	\$ 1,687,316.94	\$ -	CLOSED

FY	GRANT #	Port Fact	Office of Economic Adjustment (OEA) DoD	05/01/09	100 0%	06/08/10 - 12/31/10, extended to 9/30/2011 CLOSED.	\$	2,000,000.00	\$	1,999,819.00	\$	CLOSED
FY2009-04	GR0706-09-04	Guam Military Complex - Port Fact Finding	Office of Economic Adjustment (OEA) DoD	05/01/09	100 0%	06/08/10 - 12/31/10, extended to 9/30/2011 CLOSED.	\$	2,000,000.00	\$	1,999,819.00	\$	CLOSED
FY2009-05	GR0706-09-08	Port Terminal Preliminary Design, Performance Management Services Benchmarks and Legislative Approval	Office of Economic Adjustment (OEA) DoD	06/01/09	99.1%	06/01/09-12/31/10, extended to 9/30/2011 extended to 03/31/2012 CLOSED	\$	975,000.00	\$	965,837.24	\$	9,162.76 Reprogramming Request for remaining balance was denied. Funds reverted back to grantor.
FY2010-01	Port Enterprise Fund	Port Modernization Plan: (Transfer from DOD to DOT)	DoD to DOT Maritime Administration Agency (MARAD)	09/22/10	11.9%	9/22/2010 - 9/22/2015	\$	48,500,000.00	\$	5,748,868.10	\$	42,751,131.90 Transferred to the Port Enterprise Fund on 09/22/2010. As of 2/2/2012 Dashboard Total Transferred to Project \$50M. Total for Contracts \$48.5M. Total for MARAD Admin \$1.5M. EA Engineering \$5,748,868.40. Version 3/18/2013 PAC Financial Dashboard
FY2010-02	CLOSED	Procurement of Cargo Handling Equipment	ANZ / USDA Guarantee	08/20/07	100.2%	8/20/2007 CLOSED	\$	3,500,000.00	\$	3,505,986.00	\$	(5,986.00) 4 TLs (2,598,686) 10 Tractors (907,300) USDA Letter of Commitment assigns the \$4.5M to ANZ, however, loan closing documents to date total \$3.5
FY2010-03	GR0706-10-10	Project Controls and Program Accountability Services	Office of Economic Adjustment (OEA) DoD	10/01/10	62.9%	10/1/2010 - 9/30/2012 Extension approved until 9/30/2013	\$	750,000.00	\$	472,036.69	\$	277,963.31 TO 12 held in abeyance Grant extension approved until September 30, 2013
FY2010-04	Guam-GI-2010-1	Implementation of Programs and Projects Relevant to the Port Modernization Program	Department of Interior Environmental and Related Agencies Appropriations Act 2010 (DOI/OIA)	10/25/10	88.8%	9/28/2010 - 9/28/2015	\$	2,000,000.00	\$	1,776,271.69	\$	223,728.31
FY 2011-01	GR0706-11-12	Owner's Agent Engineer Support Services	Office of Economic Adjustment (OEA) DoD		37.1%	4/01/2011 - 3/31/2012 Extension approved - 03/31/2014	\$	1,970,000.00	\$	731,221.82	\$	1,238,778.18 \$37,942.64 pending reimbursement from OEA.

GRAND TOTAL GRANTS FOR MODERNIZATION: \$ 64,926,816.94 \$ 20,306,101.68 \$ 44,585,494.26

ITEM	GRANT #	PROJECT NAME	Federal or Local Agency	Notice to Proceed	% Completed	Award Date / End Date	Requested Amount	Draw Down Approved	Remaining Balance	STATUS:
FY 2013	PROPOSED LOAN/BOND	Wharf Service Life Extension (SLE)	GEDA/Local Lender				\$ 10,000,000.00			Lending institution is requiring the Authority to statutorily waive sovereign immunity.

GRAND TOTAL FOR MODERNIZATION PENDING: \$ 10,000,000.00

II. SECURITY

ITEM	GRANT #	PROJECT NAME	Federal or Local Agency	Notice to Proceed	% Completed	Award Date / End Date	Award Amount	Draw Down Approved	Remaining Balance	STATUS:
FY2007-01	2007-GB-17-0437	Three (3) Trailer able Fire Pumps W/Monitor Units	The Department of Homeland Security Office of Grants and Training (DHS OG&T)	Purchase Order was issued during 2nd quarter of FY2010.	100 0%	10/01/2007 6/30/2012 (close out reporting period 09/30/12)	\$ 540,000.00	\$ 540,000.00		Final Close Out CAPRI and ESR were submitted to US DHS/FEMA and was subsequently approved. Grant is now in grant file and will be in storage for 3 years as federally required.
FY2007-02	2007-GB-17-0437	Container Yard Lights	The Department of Homeland Security Office of Grants and Training (DHS OG&T)	Notice to Proceed given during 2008. However, due to the Port Modernization Plan, this project was put on hold.	100 0%	10/01/2007 6/30/2012 (close out reporting period 09/30/12)	\$ 834,016.00	\$ 834,016.00		-CLOSED OUT 10/10/2012
FY2008-01	2008-GB-18-0148	Acquisition of Interoperable Communication Equipment	The Department of Homeland Security Office of Grants and Training (DHS OG&T)	Notice to Proceed was given in early 2009.	99.7%	08/01/2008 05/31/2013	\$ 573,693.97	\$ 571,826.44	\$ 1,867.53	Extension request granted through May 31, 2013. Remaining balance will be used to purchase CCTV Surveillance System.

FY2008-02	2008 GB T8 148	Comprehensive Port Wide Video Surveillance System	The Department of Homeland Security Office of Grants and Training (DHS O&T)	Notice to Proceed given in early 2009	0.0%	08/01/2008 - 05/31/2013	\$ 556,326.69	\$ 59,391.69	496,935.00	CCTV system camera placement throughout Port facilities have been finalized. MAEDA will be sending out order for CCTV system components this week. Anticipated delivery period is 60-90 days.
FY2009-02	2009 PU T9 0043	II.2. Access Control/Secured Credentialing System with TWIC Reader Capability	PSGP	03/01/10	5.1%	2/2009 - 12/31/2013	\$ 622,811.62	\$ 31,811.78	590,999.84	Access control points and corresponding hardware components have been finalized. Port Team will review final time prior to purchase of access control system and TWIC readers.
FY2009-03	2009 PU T9 0043	II.3. Communication Duct bank Work (formerly Radar/Intrusion Detection System)	PSGP	03/01/10	1.7%	2/2009 - 12/31/2013	\$ 600,832.50	\$ 10,000.00	590,832.50	PAG/MAEDA Team has determined that micro ducting will be more cost effective and less intrusive to Port container yard in the placement of the security and network backbone.
FY2009-04	2009 PU R1-0164	Renovation/Upgrade of Existing Port Police Building to Serve as the PAG's Maritime and Port Security Operations Center	President's ARRA Supplemental PSGP	04/12/10	17.6%	09/2009 - 05/31/13	\$ 910,593.50	\$ 160,539.45	750,054.05	90% design has been transmitted to the various agencies for permitting approval. Currently with GEPA for final requirements for foundation construction.
FY2009-05	W090280-003	To acquire a new fully equipped Emergency Response Vehicle	Guam Homeland Security Office of Civil Defense	09/20/10	100.0%	9/20/2010 - 07/31/12 (CLOSED)	\$ 50,000.00	\$ 50,000.00	0	CLOSED OUT 11/07/2012
FY2010-01	2010-PU TD-0080	II.1. Command and Control Integration of CCTV Security Surveillance, Access Control/Secured Credentialing, Radar Intrusion/Detection, and TWIC Readers Systems	PSGP	02/10/11	10.6%	06/01/10 - 12/31/13	\$ 2,257,500.00	\$ 238,463.75	2,017,543.30	PAG Team (Planning, Port Police, Engineering, O&E, IT, and Deputy GM) recently made the unanimous decision to adopt the Kantech Entrapass Global Edition integration software for the C2 Integration portion of the Security Enhancements Project.
FY2011-01	EMW 2011 PU-00200-501	III Upgrade of Emergency Back up Generators to Support Maritime and Port Security Management and Operations	PSGP	09/01/11	0.0%	09/01/2011 - 08/31/2014	\$ 867,141.00	\$ -	867,141.00	Final Draft specifications will be reviewed by Planning and Maintenance during the period of April 29 - May 3, 2013. Thereafter, after it has been concurred by the GM, the specs will sent to GSA for procurement processing.
FY2011-02	EMW 2011 PU 00200-501	II.2. Mobile Cargo and Vehicle CBIRNE Detection and Screening System	PSGP	09/01/11	0.0%	09/01/2011 - 08/31/2014	\$ 1,525,790.00	\$ -	1,525,790.00	At the instructions of GSA, 2nd specification (coordination between PAG and DPW) review/development has been completed. Specs package will be delivered to GSA on the week of April 22 - 26, 2013.

GRAND TOTAL FOR SECURITY: \$ 9,338,705.28 \$ 2,496,049.11 \$ 6,841,163.22

III. MARINAS

ITEM	GRANT #	PROJECT NAME	Federal or Local Agency	Notice to Proceed	% Completed	Award Date / End Date	Award Amount	Draw Down Approved	Remaining Balance	STATUS:
FY2010-01	MOU 1-21	GU-B-Repair Dock A, Dock B, Piling, Water blasting - GDP Marina	Federal Assistance Boating Access Funds - Department of Agriculture	04/28/10	34.7%	Aug 2009 - Sept 2012 Extension APPROVED - 09/30/13	\$ 780,667.25	\$ 271,147.26	509,519.99	Dock A Completed. Dock B - Completed. Pending reimbursement \$200,202.76. DOCKS A & B Pile Extension - Completed. Pending reimb. \$79,389.75. DOCK C - Completed. Pending Reimbursement \$329,927.50.
FY2011-01	Guam-CIP 2011-1	Gregorio D. Perez Marina Actual Renovation & Site Improvements - Phase II	Department of Interior Office of Insular Affairs (DOI OIA)	07/22/11	0.0%	Aug 2011 - August 2016	\$ 440,000.00	\$ -	440,000.00	Mobilization of Field Office/Storage, Pre-Construction, Mobilization of Crane/Hammer & Other Equipment - March 18 to present.
FY2011-02	GRANT	Analysis & Development of Management Regime for Small Boat Marinas	United States Department of Agriculture Rural Business Enterprise Grant (RREG) Program	07/02/10	98.7%	Aug 2010 - Dec 2012	\$ 50,000.00	\$ 49,333.00	667.00	Final Reimbursement received. Awaiting grant close out notification.

FY2012-01	12-SFF II 01	Agat Marina "Dock A" Repairs	NOAA Commission on Fisheries	10/01/12	0.0%	Sep 11, 2012 - Sep 30, 2013	\$	250,000.00	\$	250,000.00	Management to provide recommendations concerning needed upgrades and operational improvements to PAG Board.
FY2012-02	Guam CIP-2012.1	Gregorio D. Perez Marina Actual Renovation & Site Improvements - Phase II	Department of Interior Office of Insular Affairs (DOI OIA)	02/22/12	0.0%	Feb 22, 2012 - Feb 22, 2017	\$	2,500,000.00	\$	2,500,000.00	Mobilization of Field Office/Storage, Pre-Construction, Mobilization of Crane/Hammer & Other Equipment - March 18 to present.

GRAND TOTAL FOR MARINAS: \$ 4,020,667.25 \$ 320,480.26 \$ 3,700,186.99

ITEM	GRANT #	PROJECT NAME	Federal or Local Agency	Notice to Proceed	% Completed	Award Date / End Date	Requested Amount	Draw Down Approved	Remaining Balance	STATUS:
PENDING FY2013-01		Harbor of Refuge Moorage Repairs: A/E Design; Environmental Study, Permits & Pump Out System	Dept of Ag. DAWR - Boating Infrastructure Grant (BIG) Tier 1				\$ 100,000.00			Application submitted by state designated agency, Dept of Ag on September 19, 2012. Announcement of awards by March 2013. Amount reduced to \$100K for A/E Study. Future application for grant cycle FY2013 will be for actual repairs of anchorage & hardwares. On Feb 5, 2013 federal officials from USF&WR held a meeting with PAG, & Dept of Ag and was informed of a 75% BIG Tier 1 Cost Share and 25% PAG Cost-Share. Reason, Harbor of Refuge utilized for multi uses, transient, recreational & other uses. Prior to any repairs on the moorage (in water work) it requires Environmental Compliance. 2nd Round Application deadline, May 10, 2013.
FUTURE FY2014-02		Harbor of Refuge Anchorage & Moorage Repair	Dept of Ag. DAWR - Boating Infrastructure Grant (BIG) Tier 1				\$ 100,000.00			FUTURE \$100,000.00
FUTURE FY2013-01		Marinas: Replace & upgrade sewage pump station	Dept of Ag. DAWR - Clean Vessel Act				\$ 61,000.00			Application submitted by state designated agency, Dept of Ag on December 5, 2012; Announcement of awards by May 2013

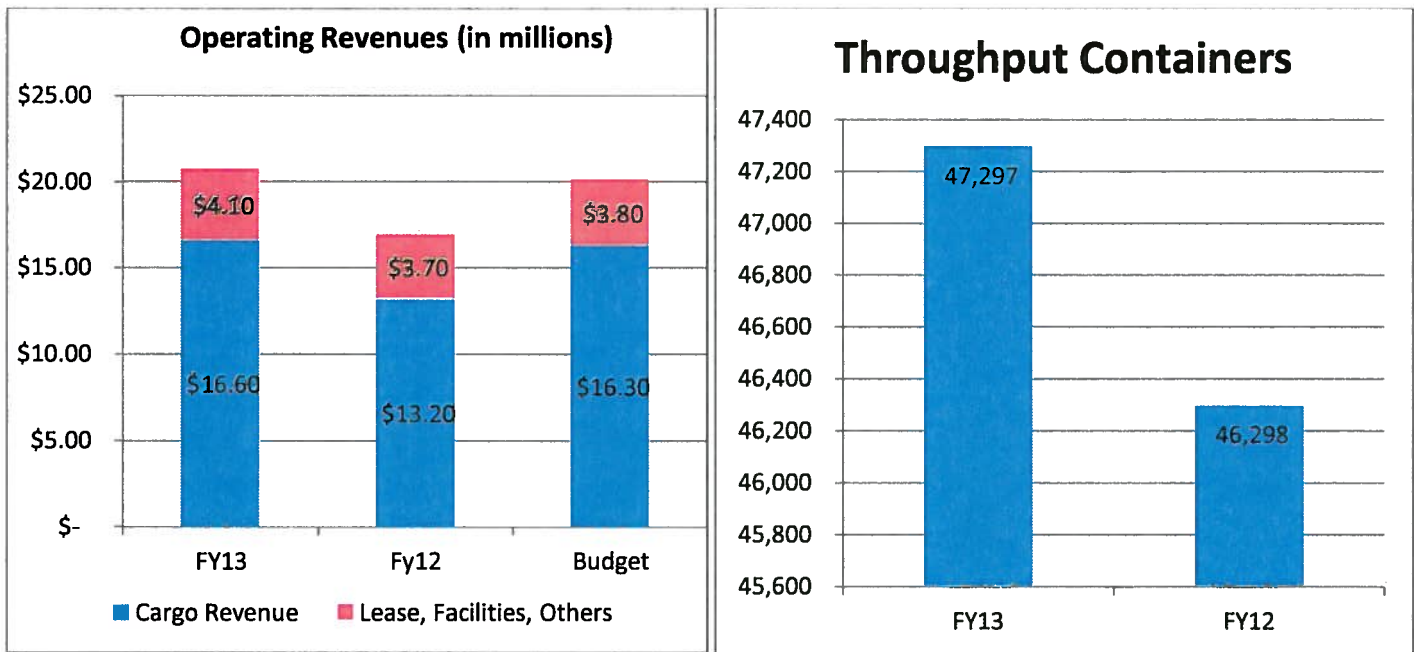
GRAND TOTAL FOR MARINAS PENDING: \$ 261,000.00



April 30, 2013

Financial Highlights – YTD March FY2013

Operating Performance:



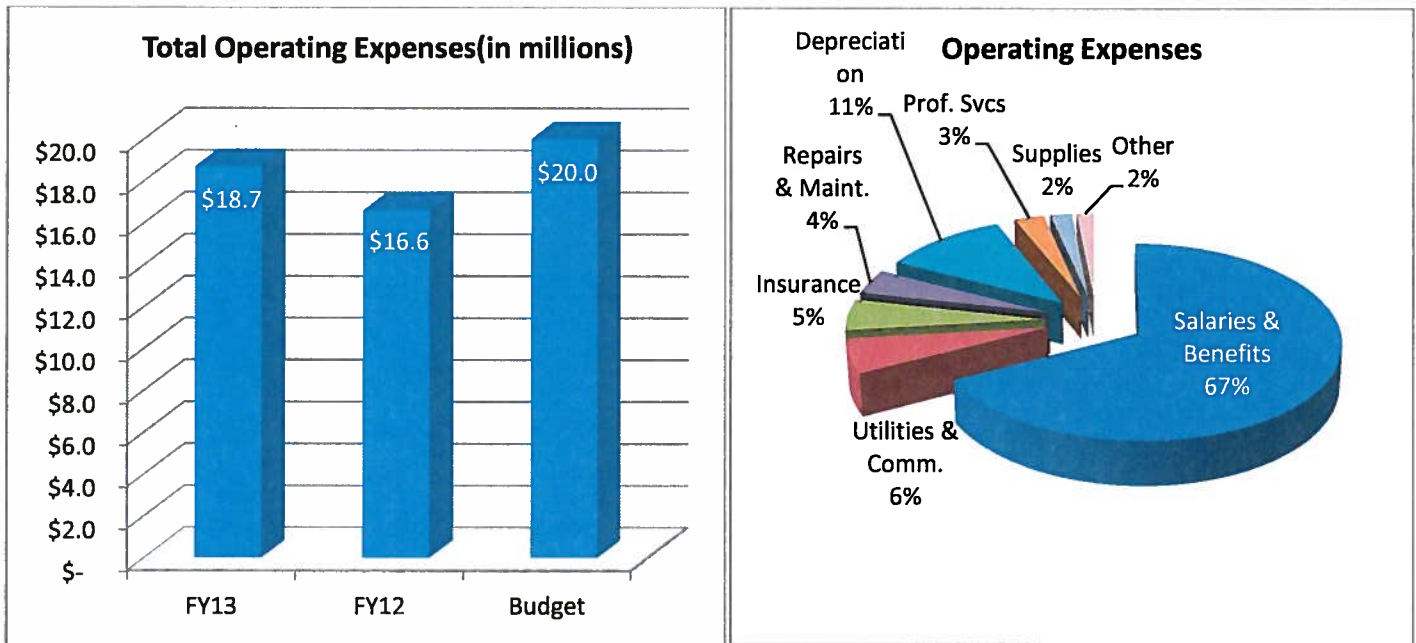
Total Operating Revenues as of March 2013 was \$20.7 million, which consist of \$16.6 in cargo revenues and \$4.1 million in Facilities, Leases, and Other Services.

FY13 YTD cargo revenue is 25% higher than last year's total (\$13.2 mil) and 2% higher than Budget (\$16.3 mil).

FY13 YTD Facilities, Leases, and Other Services as of March is 14% higher than last year (\$3.7 mil) and 11% higher than budget (\$3.8 mil).

Overall Operating Revenues as of March is 3% higher than Budget (\$20 mil) and 23% higher than last year's year to date March (\$16.9 mil).

Total number of containers handled as of March 2013 was 47,297 which is 2% higher compared to last year March total 46,298.



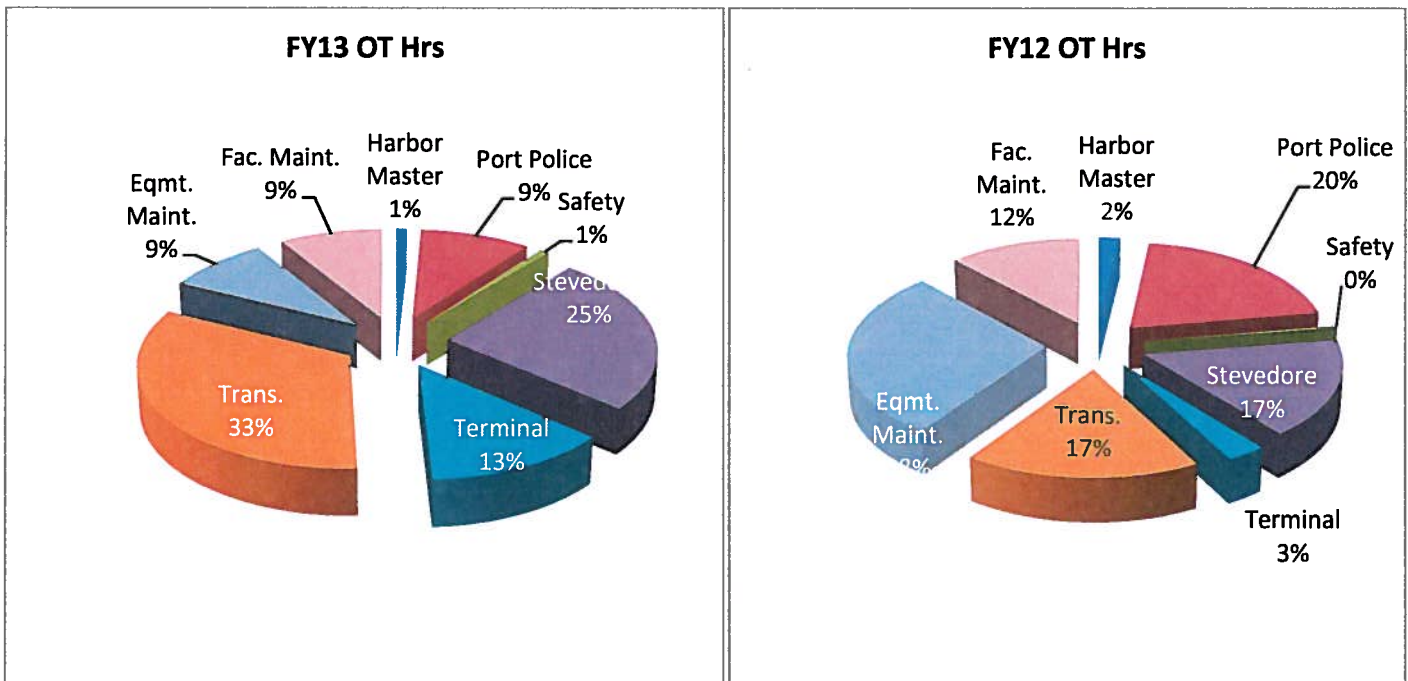
Total Operating Expenses as of March 2013 was \$18.7 million, which is 7% lower than Budget (\$20 mil) and 13% higher than last year's total operating expenses (\$16.6 mil).

Total Overtime as of March 2013 was \$711,087 which is 371% higher than last year March (\$151k). Direct Labor Revenue as of March was \$1.3m, which is 157% higher than last year and 33% higher than budget. \$895k of the total direct labor revenue is related to Overtime, Premium Pay and Holiday Pay. Direct Labor charges are for services performed by Port employees under special service request and differentials under the throughput.

Below is the breakdown of overtime for each division/section for FY13 and FY12 as of March:

Sections	FY2013	FY2012	Budget	OT/HOL Revenue
Harbor Master	5,857	2,904	8,976	0
Port Police	66,952	30,678	105,971	50,713*
Safety	5,818	564	6,472	0
Stevedore-Cargo Handling	169,982	23,810	105,844	129,019
-Rigger	9,617	1,145	5,571	5,653
Terminal	91,753	4,465	76,314	82,111
Trans-Superintendent	33,148	7,659	42,926	0
-Crane Operators	61,906	5,673	52,230	27,891
-Equipment Oper.	125,845	11,435	80,068	106,357
-Dispatcher	14,092	1,570	8,051	0
Maint.-Crane Maint.	36,060	31,270	21,750	0
-Preventive Maint.	4,700	1,403	3,047	0
-Fleet Maint.	18,106	2,514	9,986	0
-Welders	4,506	7,764	14,725	8,186
Facility Maint.-Building	2,562	339	9,065	0
-Elect./Refr.	60,184	17,695	72,531	89*
TOTAL	711,087	150,887	623,526	410,019

*Port Police OT Revenue is due to Passenger Vessels or under special service request. Electricians revenue is due to special service requests.



Year to date Operating Revenues minus the Year to date Operating Expenses resulted to an Operating Income of \$2m as of March 31, 2013.

Non Operating Revenues and Expenses consist of the following: \$662k-Loss on Asset Disposal (G2), \$438k-Retirement contribution for COLA, Supplemental and Medical/Dental/Life Insurance expenses, \$278k-Interest expense on loans, \$941k-Federal Reimbursements and \$84k Interest Income. The net total of non operating expenses and revenues as of March is a negative \$371 thousand.

The Total Net Income as of March is \$1.6 mil.

Accounts Receivable Trade (net) as of March 31, 2013 is \$6 million.

Aging Status is as follows: 66% - Current, 11% - over 30 days, 5% - over 60 days, 1% - over 90 days and 17% - over 120 days.

Accounts Payable Trade as of March 31, 2013 is \$2.3 million, which is 19% lower than last month ending balance of \$2.9 million.

Port Authority of Guam
Income Statement
With Budget Comparison (Unaudited)
06 Months Ending 03/31/13

Current Month Actual	%	Last Year Actual	%	Budget	% Chng	Year to Date		Last Year to Date		Budget	% Chng
						Actual	%	Actual	%		
OPERATING REVENUES											
CARGO THROUGHPUT REVENUES											
505,508	17.7	502,575	17.6	608,524	-16.9	3,224,573	15.6	2,517,050	14.9	3,051,141	-11.7
715,201	25.0	756,395	26.4	788,838	-9.3	5,150,283	24.9	5,099,567	30.2	4,733,031	8.8
44,643	1.6	34,465	1.2	32,262	38.4	318,286	1.5	296,254	1.8	193,572	64.4
129	0.0	671	0.0	1,484	-91.3	4,374	0.0	14,875	0.1	8,904	-50.9
	0.0		0.0		0.0		0.0		0.0		0.0
67,416	2.4	32,308	1.1	34,536	95.2	274,902	1.3	151,439	0.9	207,219	32.7
2,902	0.1	3,063	0.1	3,966	-26.8	65,621	0.3	23,537	0.1	23,799	175.7
963	0.0	1,271	0.0	1,021	-5.7	8,043	0.0	7,150	0.0	6,126	31.3
902	0.0	59	0.0	91	891.5	1,998	0.0	778	0.0	549	0.0
9,100	0.3	8,150	0.3	6,650	36.8	54,100	0.0	8,150	0.0	39,900	0.0
1,346,765	47.1	1,338,956	46.8	1,477,372	-8.8	9,102,180	43.9	8,118,798	48.0	8,864,241	2.7
OTHER CARGO RELATED REVENUES											
863	0.0	4,032	0.0	1,220	0.0	2,231	0.0	20,732	0.0	7,320	0.0
	0.0		0.1	5,732	-100.0	36,788	0.2		0.1	34,392	7.0
	0.0		0.0		0.0		0.0		0.0		0.0
212,890	7.4	207,521	7.3	220,725	-3.5	1,213,398	5.9	1,247,434	7.4	1,324,353	-8.4
14,742	0.5	5,194	0.2	9,205	60.2	102,629	0.5	49,552	0.3	55,227	85.8
257	0.0	385	0.0	167	0.0	1,806	0.0	902	0.0	1,002	80.2
2,972	0.1	2,596	0.1	2,285	30.1	16,478	0.1	15,298	0.1	13,710	20.2
7,290	0.3	8,055	0.3	8,322	0.0	48,720	0.2	8,055	0.0	49,932	0.0
177,674	6.2	172,425	6.0	168,932	5.2	1,349,810	6.5	526,147	3.1	1,013,592	33.2
13,229	0.5	11,930	0.4	18,200	-27.3	74,073	0.4	70,915	0.4	109,200	-32.2
18,530	0.6	23,500	0.8	24,432	-24.2	171,877	0.8	159,061	0.9	146,592	17.2
304,125	10.6	328,730	11.5	360,505	-15.6	2,115,843	10.2	1,975,416	11.7	2,163,030	-2.2
45,745	1.6	47,101	1.6	49,307	-7.2	289,404	1.4	286,388	1.7	295,842	-2.2
13,126	0.5	15,235	0.5	15,473	-15.2	88,843	0.4	77,064	0.5	92,835	-4.3
106,298	3.7	115,540	4.0	127,272	0.0	724,639	3.5	686,627	4.1	763,632	-5.1
430,326	15.0		0.0	458,727	0.0	1,226,458	5.9		0.0	1,376,181	-10.9
1,348,066	47.1	942,243	32.9	1,470,504	-8.3	7,462,997	36.0	5,123,593	30.3	7,446,840	0.2
2,694,630	94.2	2,281,199	79.7	2,947,876	-8.6	16,565,177	79.9	13,242,391	78.3	16,311,081	1.6

Port Authority of Guam
Income Statement
With Budget Comparison (Unaudited)
06 Months Ending 03/31/13

Current Month Actual	% Chng	Last Year Actual	% Chng	Budget	% Chng	Year to Date		Last Year to Date		Budget	% Chng	
						Actual	%	Actual	%			
NON OPERATING REVENUES												
FACILITIES												
92,642	3.2	67,450	2.4	97,715	0.0	600,608	2.9	419,676	2.5	586,267	0.0	
190,182	6.6	143,266	5.0	154,624	0.0	1,198,018	5.8	1,019,639	6.0	927,744	0.0	
72,673	2.5	128,538	4.5	100,838	-27.9	476,381	2.3	675,034	4.0	605,028	-21.3	
92,105	3.2	115,661	4.0	115,661	-20.4	558,171	2.7	693,967	4.1	741,171	-24.7	
5,881	0.2	4,713	0.2	6,013	-2.2	35,287	0.2	41,278	0.2	36,078	-2.2	
3,234	0.1	5,034	0.2	4,300	-24.8	21,249	0.1	25,155	0.1	25,800	-17.6	
20,434	0.7	18,523	0.6	22,069	-7.4	120,675	0.6	112,291	0.7	132,411	-8.9	
4,967	0.2	4,699	0.2	4,620	7.5	26,727	0.1	25,486	0.2	27,723	-3.6	
96,250	3.4	42,678	1.5	63,307	0.0	915,661	4.4	355,813	2.1	379,842	0.0	
578,368	20.2	530,561	18.5	569,147	1.6	3,952,776	19.1	3,368,339	19.9	3,462,084	14.2	
OTHER FEES & SERVICES												
CLAIMS FEE												
0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
0.0	0.0	0.0	0.0	0.0	0.0	1,709	0.0	0.0	0.0	0.0	0.0	
4,301	0.2	7,133	0.2	6,049	0.0	28,614	0.1	18,993	0.1	36,294	-21.2	
1,493	0.0	15,560	0.5	6,110	0.0	17,425	0.1	30,481	0.2	36,660	-52.5	
9,325	0.3	9,994	0.3	6,110	52.6	68,292	0.3	49,500	0.3	141,384	-51.7	
11,422	0.4	15,772	0.6	23,565	0.0	84,155	0.4	104,867	0.6	104,867	0.0	
26,541	0.9	48,459	1.7	35,724	-25.7	200,195	1.0	203,841	1.2	214,336	-6.6	
514	0.0	1,186	0.0	984	ADMINISTRATIVE FEES & SERVICES	5,528	0.0	5,789	0.0	4,914	0.0	
REIMBURSEMENTS												
0.0	0.0	0.0	0.0	13,610	0.0	0.0	0.0	86,163	0.5	81,660	0.0	
0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
0.0	0.0	0.0	0.0	0.0	0.0	4	0.0	0.0	0.0	0.0	0.0	
0.0	0.0	0.0	0.0	0.0	0.0	4	0.0	0.0	0.5	81,660	0.0	
605,423	21.2	580,206	20.3	619,465	-2.3	4,158,503	20.1	3,664,132	21.7	3,762,996	10.5	
3,300,253	115.3	2,861,405	100.0	3,567,341	-7.5	20,723,680	100.0	16,906,523	100.0	20,074,077	3.2	

Port Authority of Guam
Income Statement
With Budget Comparison (Unaudited)
06 Months Ending 03/31/13

Current Month Actual	%	Last Year Actual	%	Budget	% Chng	Year to Date			Last Year to Date			Budget	% Chng	
						Actual	%	Actual	%	Actual	%			
INDIRECT COSTS														
General & Administrative Expen														
(1,188,891)	-41.5	(1,248,207)	-43.6	(1,448,534)	-17.9	(8,315,765)	-40.1	(7,429,129)	-43.9	(8,691,216)	-4.3	(8,691,216)	-4.3	
(93,224)	-3.3	(97,427)	-3.4	(101,198)	-7.9	(601,952)	-2.9	(581,420)	-3.4	(607,215)	-0.9	(607,215)	-0.9	
(357,594)	-12.5	(366,926)	-12.8	(396,257)	-9.8	(2,460,263)	-11.9	(2,190,839)	-13.0	(2,377,560)	3.5	(2,377,560)	3.5	
(93,856)	-3.3	(98,101)	-3.4	(1,667)	0.0	(591,777)	-2.9	(614,723)	-3.6	(10,002)	5,817	(10,002)	5,817	
(8,629)	-0.3	(367)	0.0	(9,583)	0.0	(9,537)	0.0	(14,502)	-0.1	(57,498)	-83.4	(57,498)	-83.4	
(8,129)	-0.3	(9,888)	-0.3	(9,804)	0.0	(40,596)	-0.2	(51,949)	-0.3	(58,824)	-31.0	(58,824)	-31.0	
(162,676)	-5.7	(33,824)	-1.2	(209,083)	0.0	(1,030,701)	-5.0	(843,036)	-5.0	(1,254,495)	-17.8	(1,254,495)	-17.8	
(196,091)	-6.9	(152,877)	-5.3	(188,868)	0.0	(1,060,989)	-5.1	(917,264)	-5.4	(1,133,208)	-6.4	(1,133,208)	-6.4	
(54,641)	-1.9	(24,588)	-0.9	(34,703)	57.5	(229,729)	-1.1	(148,815)	-0.9	(208,216)	10.5	(208,216)	10.5	
(3,442)	-0.1	(132,828)	-4.6	(69,584)	0.0	(599,185)	-2.9	(609,998)	-3.6	(417,504)	43.5	(417,504)	43.5	
(7,212)				(54,804)		(61,830)				(328,824)		(328,824)		
(7,212)				(54,804)		(62,563)				(328,824)		(328,824)		
(379,727)	-13.3	(307,156)	-10.7	(359,928)	0.0	(2,142,101)	-10.3	(1,849,372)	-10.9	(2,159,565)	-0.6	(2,159,565)	-0.6	
(653)	0.0	(500)	0.0	(3,334)	0.0	(2,267)	0.0	(30,118)	-0.2	(20,001)	-88.7	(20,001)	-88.7	
(73,782)	-2.6	(46,796)	-1.6	(106,148)	-30.5	(442,232)	-2.1	(356,944)	-2.1	(636,891)	-30.6	(636,891)	-30.6	
(3,367)	-0.1	(352)	0.0	(23,358)	0.0	(15,161)	-0.1	(7,284)	0.0	(140,148)	0.0	(140,148)	0.0	
(39,281)	-1.4	(30,353)	-1.1	(38,907)	0.0	(251,318)	-1.2	(245,880)	-1.5	(233,442)	7.7	(233,442)	7.7	
1,313	0.0	(66,147)	-2.3	(145,652)	-100.9	(640,998)	-3.1	(578,050)	-3.4	(873,909)	-26.7	(873,909)	-26.7	
(5,715)	-0.2	(4,160)	-0.1	(800)	0.0	(800)	0.0	(3,415)	0.0	(4,800)	0.0	(4,800)	0.0	
	0.0	(2,521)	-0.1	(13,265)	-56.9	(53,517)	-0.3	(23,391)	-0.1	(79,590)	-32.8	(79,590)	-32.8	
	0.0		0.0	(10,462)	0.0	(17,561)	-0.1	(80,322)	-0.5	(62,775)	0.0	(62,775)	0.0	
	0.0		0.0		0.0		0.0		0.0		0.0		0.0	
	0.0		0.0		0.0		0.0		0.0		0.0		0.0	
	0.0		0.0		0.0		0.0		0.0		0.0		0.0	
(2,690,023)	-94.0	(2,623,017)	-91.7	(3,335,547)	-19.4	(18,696,878)	-90.2	(16,576,448)	-98.0	(20,013,333)	-6.6	(20,013,333)	-6.6	

	Current	Amounts Last Month End	Last Year End	This Month Change	this Year
Total Assets					
Current Assets					
Cash on Hand	2,000.00	2,000.00	2,000.00		
Petty Cash Fund	2,100.00	2,100.00	2,100.00		
Cashier Change Fund					
Cash on Hand					
Incentive Award Fund					
First Hawaiian Bank-Incentive					
Incentive Award Fund					
Cash in Bank					
First Hawaiian Bank	1,198,650.47	877,941.34	775,770.91	320,709.13	422,879.56
Bank of Guam	1,507,644.51	1,293,086.73	1,775,643.11	214,557.78	267,998.60
Bank of Hawaii	308,994.04	415,145.39	999,872.20	106,151.35	690,878.16
Citizen Security Bank					
Cash in Bank					
Short Term Investments					
Bank of Guam	2,358,081.44	2,927,657.93	2,520,199.18	569,576.49	162,117.74
Citizen's Security Bank					
First Hawaiian Bank	6,731,041.46	6,727,040.95	6,707,620.88	4,000.51	23,420.58
Bank Pacific					
CitiBank					
Bank of Hawaii					
Oceanic Bank					
Gov Guam Employees Fed CU					
Short Term Investments	9,089,122.90	9,654,698.88	9,227,820.06	565,575.98	138,697.16
Account Receivable-Trade (Net)					
Accounts Receivable-Trade	7,087,249.44	6,616,752.13	5,373,143.05	470,497.31	1,714,106.39
Allow for Uncollectible Acct.	1,071,565.06	1,071,565.06	1,071,565.06		
A/R-Clearing Account					
Account Receivable-Trade (Net)	6,015,684.38	5,545,187.07	4,301,577.99	470,497.31	1,714,106.39
Accounts Receivable-Other					
Accounts Receivable-DOA					
Accounts Receivable-Employee	495.85	620.85	835.91	125.00	340.06
Accounts Receivable-FEMA Reimb					
Accounts Receivable-Geda/Casam	363,277.88	358,339.40	766,148.76	4,938.48	402,870.88
Accounts Receivable-Other					
Accounts Receivable-Ins Procee					
Accounts Receivable-Other	363,773.73	358,960.25	766,984.67	4,813.48	403,210.94
Marina Receivables					
Accounts Receivable-Agat Marin	29,199.64	29,951.89	26,272.39	752.25	2,927.25
Accounts Receivable-GDP Marina	5,572.67	6,156.67	5,060.67	584.00	512.00
Accounts Receivable-Harbor Of	10,264.12	8,734.96	9,866.43	1,529.16	397.69

	Current	Last Month End	Last Year End	This Month	Change	This Year
Marina Receivables	45,036.43	44,843.52	41,199.49	192.91	3,836.94	
Interest Receivables						
Bank of Guam						
Bank of Hawaii						
Bank Pacific						
Citicorp						
Citizens Security Bank						
First Hawaiian Bank						
GovGuam Emp. Fed. Credit Union						
Oceanic Bank						
Other						
Interest Receivables						
Prepaid Expenses	1,205,433.14	1,401,523.85	128,485.00	196,090.71	1,205,433.14	
Prepaid Insurance	1,794,303.37	1,878,510.84		84,207.47	1,665,818.37	
Prepaid Expenses	2,999,736.51	3,280,034.69	128,485.00	280,298.18	2,871,251.51	
Deferred Expenses						
Deferred Geda Addendum I/Lease						
Credit Note Reimbursement						
Deferred Expenses						
Current Assets	18,824,447.99	19,300,969.80	15,468,039.41	476,521.81	3,356,408.58	
Non Current Assets						
Long Term Receivable	2,258,190.48	2,258,190.48	2,258,190.48			
Long Term Receivable-DOA	1,490,449.90	1,490,449.90	1,490,449.90			
Long Term Receivable-Geda	3,748,640.38	3,748,640.38	3,748,640.38			
Allow for Uncollectible Lt A/R						
Long Term Receivable						
Gas, Oil and Diesel Inventory	194,172.08	195,411.61	202,178.26	1,239.53	8,006.18	
Supplies Inventory	1,676.68	1,676.68	1,676.68			
Contra-Asset Inventory Adj.	74,435.44	74,435.44	74,626.88		191.44	
Allowance for Obsolescence						
Inventory for Survey						
Inventory	118,059.96	119,299.49	125,874.70	1,239.53	7,814.74	
Work In Progress	1,233,329.93	1,105,241.51	933,569.87	128,088.42	299,760.06	
Const Work in Progr-Local	13,892,717.07	14,109,268.20	14,586,596.37	216,551.13	693,879.30	
Const Work in Progr-Federal						
Work In Progress	15,126,047.00	15,214,509.71	15,520,166.24	88,462.71	394,119.24	
Non Current Assets	15,244,106.96	15,333,809.20	15,646,040.94	89,702.24	401,933.98	
Property, Plant & Equipment						

	Current	Amounts Last Month End	Last Year End	This Month Change	This Year
Land					
Land-Cabras	3,563,000.00	3,563,000.00	3,563,000.00		
Land	3,563,000.00	3,563,000.00	3,563,000.00		
Buildings					
Buildings-Original	17,094,797.53	17,094,797.53	17,094,797.53		
Buildings-Substation Shelters	57,383,497.48	57,383,497.48	55,803,333.99		1,580,163.49
Buildings-Wharf Improvements	74,478,295.01	74,478,295.01	72,898,131.52		1,580,163.49
Buildings	148,956,590.02	148,956,590.02	145,796,227.04		3,160,362.98
Accumulated Depreciation-Build	16,425,246.46	16,422,751.51	16,410,276.76	2,494.95	14,969.70
AccDeprec-Buildings-Original	23,541,343.81	23,414,623.63	22,812,230.64	126,720.18	729,113.17
AccDeprec-Buildings-Sub Shelter	39,966,590.27	39,837,375.14	39,222,507.40	129,215.13	744,082.87
AccDeprec-Buildings-Wharf Impr					
Furnishings & Equipment					
Air Tools	488,574.71	488,574.71	488,574.71		
Communications Equip	1,182,555.72	1,182,555.72	1,184,735.92		1,180.20
Computer Equip	25,882,711.83	25,956,405.83	17,696,348.90	69,694.00	8,190,362.93
Crane Equip	1,438,882.18	1,472,124.00	1,472,124.00		2,619.00
Furnishings & Office Equip	1,472,124.00	1,472,124.00	1,472,124.00		
Forklift Equip	3,159,937.31	3,159,937.31	3,159,937.31		
Gantry & Relocation Cost	10,788.72	10,788.72	10,788.72		
Generator Sets	1,995.00	1,995.00	1,995.00		
Hand Tools	1,020,768.28	1,020,768.28	1,058,862.63		38,094.35
Load & Unload Equip	1,122,974.46	1,122,974.46	1,122,974.46		
Mowing Equip	265,868.62	265,868.62	258,893.62		6,975.00
Other Equip	2,051,725.97	2,051,725.97	2,051,725.97		
Power Tools	2,635,096.00	2,635,096.00	2,623,701.00		11,395.00
Safety Equip					
Shop Equip					
Tractors					
Vehicles & Motor Equip					
Vehicles & Motor Equip	36,900,202.80	36,969,896.80	28,728,125.42	69,694.00	8,172,077.38
Furnishings & Equipment	179,059.73	173,346.42	144,779.87	5,713.31	34,279.86
AccDeprec-Air Tools	1,007,549.84	1,003,100.42	982,033.52	4,449.42	25,516.32
AccDeprec-Communications Furni	5,750,356.24	5,621,958.55	8,023,586.26	128,397.69	2,273,230.02
AccDeprec-Computer Equip	243,211.67	239,247.93	218,967.10	3,963.74	24,244.57
AccDeprec-Crane Equip	990,545.69	982,875.73	944,525.93	7,669.96	46,019.76
AccDeprec-Furnishings & Office	3,159,937.31	3,159,937.31	3,159,937.31		
AccDeprec-Forklift Equip	10,491.54	10,475.02	10,392.42	999.98	7,521.06
AccAmort-Gantry & Relocation C					
AccDeprec-Generator Sets					
AccDeprec-Hand Tools					
AccDeprec-Load & Unload Equip					
AccDeprec-Mowing Equip	1,995.00	1,995.00	1,995.00		
AccDeprec-Other Equip	610,966.69	601,123.32	605,963.86	9,843.37	5,002.83
AccDeprec-Power Tools	10,151.80	10,060.73	9,605.38	91.07	546.42
AccDeprec-Safety Equip					

	Current	Last Month End	Last Year End	This Month	Change	This Year
AccDeprec-Shop Equip	188,825.39	187,923.00	183,566.05	902.39	5,259.34	5,259.34
AccDeprec-Tractors	1,163,345.45	1,155,854.62	1,088,400.47	13,490.83	80,944.98	80,944.98
AccDeprec-Vehicles & Motor Equ	1,513,648.71	1,508,369.11	1,480,608.63	5,279.60	33,040.08	33,040.08
Accumulated Depreciation-Furni	14,020,285.20	13,839,467.32	16,031,040.88	180,817.88	2,010,755.68	2,010,755.68
Capital Leases						
Capital Leases						
Capital Leases						
Accumulated Amortization-Capit						
AccAmort-Capital Leases						
Accumulated Amortization-Capit						
Property, Plant & Equipment	60,954,622.34	61,334,349.35	49,935,708.66	379,727.01	11,018,913.68	11,018,913.68
Total Assets	95,023,177.29	95,969,128.35	81,049,789.01	945,951.06	13,973,388.28	13,973,388.28
Total Liabilities & Capital						
Current Liabilities						
Accounts Payable						
Accounts Payable - Custom						
Accounts Payable - GSA						
Accounts Payable - Others	1,617,507.15	2,151,507.16	2,091,404.83	534,000.01	473,897.68	473,897.68
Accounts Payable - Trade	2,308,084.80	2,857,688.94	1,287,380.75	549,604.14	1,020,704.05	1,020,704.05
Received Not Vouchered				138.72	582.61	582.61
Accounts Payable	3,925,009.34	5,008,474.77	3,378,785.58	1,083,465.43	546,223.76	546,223.76
Current Loan Payable						
Current ANZ (USDA) Loan Payabl	85,634.10	99,084.25	165,691.68	13,450.15	80,057.58	80,057.58
CU ANZ (USDA) 12M Loan Payable	251,242.62	297,607.09		46,364.47	251,242.62	251,242.62
Current Loan Payable	336,876.72	396,691.34	165,691.68	59,814.62	171,185.04	171,185.04
Due to Public Utilities						
Due to GPA						
Due to GTA						
Due to GWA						
Due to Public Utilities						
Accrued Interest Payable						
Accrued Interest Payable						
Accrued Interest Payable						
Accrued Interest Payable						
Deferred Revenues						
Deferred Income - GEDA	61,769.01	61,769.01	61,769.01			135,278.19
Deferred Revenues - Leases	100,000.00	100,000.00	235,278.19			9,851.81
Deferred Revenues - Marinas			9,851.81			2,679.00
Deferred Revenues	161,769.01	161,769.01	235,278.19			135,278.19

	Current	Last Month End	Last Year End	This Month	Change	This Year
Deferred Revenues	38,230.99	38,230.99	186,039.99			147,809.00
Accrued Expenses						
Accrued Payroll	298,740.22	829,725.11	321,687.27	530,984.89		22,947.05
Accrued Vacation Pay-Current	915,244.73	861,155.82	940,810.15	54,088.91		25,365.42
Accrued Vacation Pay						
Accrued Earthquake Cost						
Accrued Cola/Supplemental						
Accrued Typhoon Cost	57,357.25	42,262.63		15,094.62		57,357.25
Accrued Medicare Tax	250,000.00	250,000.00	90,540.25			159,459.75
Accrued Federal Grant	4,591.48	4,557.28	1,899.58	34.20		2,687.90
Employee Insurance Payables	127,781.13	353,004.11	128,828.62	225,222.98		2,847.49
Withholding Tax Payable	42,262.63	42,262.63				42,262.63
Credit Union						
Accrued Miscellaneous Deductio						
Accrued Death & Disability Ins						
Retirement Contributions						
Deferred Compensation Plan Pay						
Accrued Expenses	1,611,452.18	2,298,442.32	1,483,365.87	686,990.14		128,086.31
Security Deposits						
Security Deposits - Space Leas	90,694.13	91,012.22	93,566.71	318.09		2,872.58
Security Deposits - Marinas	24,227.40	23,699.40	23,294.40	528.00		2,993.00
Security Deposits	114,921.53	114,711.62	116,801.11	209.91		1,879.58
Capital Lease Obligations- Cur						
Capital Lease Obligations-Curren						
Other Current Liabilities						
Reserve Shortage/Property Dama						
Lease Payable - CEDA						
Other Current Liabilities						
Current Liabilities	6,026,490.76	7,856,551.04	5,330,684.23	1,830,060.28		695,806.53
Non Current Liabilities						
Long Term Accrued Expenses						
Unfunded Retirement Contributi						
Accrued Vacation Pay-Long Term	449,966.98	449,966.98	449,966.98			
Accrued Sick Lve (DC) - Long Term	1,105,722.30	1,105,722.30	1,105,722.30			
Long Term Accrued Expenses	1,555,689.28	1,555,689.28	1,555,689.28			
Capital Lease Obligations						
Capital Lease Obligations						
Capital Lease Obligations						

	Current	Amounts Last Month End	Last Year End	This Month Change	This Year
Long Term Loan Payables					
LT-ANZ (USDA) Loan Payable 3.5	3,035,317.42	3,035,317.42	3,035,317.42		11,622,081.27
LT-ANZ (USDA) Loan Payable 12M	11,622,081.27	11,622,081.27			11,622,081.27
Long Term Loan Payables	14,657,398.69	14,657,398.69	3,035,317.42		11,622,081.27
Non Current Liabilities	16,213,087.97	16,213,087.97	4,591,006.70		11,622,081.27
Capital Contributions & Equity					
Contributions-Local Government					
Contributions-Local Government	3,563,000.00	3,563,000.00	3,563,000.00		
Contributions-Land	3,483,688.19	3,483,688.19	3,483,688.19		
Contributions-Property & Equip	13,413,670.45	13,413,670.45	13,413,670.45		
Contributions-General Fund	100,000.00	100,000.00	100,000.00		
Contributions-G.E.P.A.	7,000.00	7,000.00	7,000.00		
Contributions-PAG (Portion of					
Contributions-Local Government	17,567,358.64	17,567,358.64	17,567,358.64		
Contributions-Federal Governme					
Contributions-U.S. Govt Rehab	10,321,126.26	10,321,126.26	10,321,126.26		
Contributions-Economic Develop	1,492,676.57	1,492,676.57	1,492,676.57		
Contributions-U.S. Department	6,508,875.60	6,508,875.60	6,508,875.60		
Contributions-U.S. Govt-Fema	6,553,763.30	6,553,763.30	6,553,763.30		
Contributions-Federal Governme	18,376,441.73	18,376,441.73	18,376,441.73		
Accumulated Earnings					
Accumulated Earnings	22,953,260.99	22,953,260.99	22,953,260.99		
Accumulated Earnings (Deficit)	12,231,031.72	12,231,031.72	12,231,031.72		
Accumulated Earnings	35,184,292.71	35,184,292.71	35,184,292.71		
Net Earnings (Loss)					
Net Earnings (Loss)	1,655,505.48	771,396.26	5.00	884,109.22	1,655,500.48
Capital Contributions & Equity	72,783,598.56	71,899,489.34	71,128,098.08	884,109.22	1,655,500.48
Total Liabilities & Capital	95,023,177.29	95,969,128.35	81,049,789.01	945,951.06	13,973,388.28

Port Authority of Guam
Accounts Payable Summary

Number	Supplier Name	Phone Number	Co	Balance Open	Current	46	60	61	90	91	120	Over 120
14631	Public Utilities	671 472-1907	00050	13678.92	13679							
10923	Reaction Supply C	671 472-5651	00050	2653.16	2653							
13020	South Pacific Bot	671 472-8871	00050	14656.98	14657							
14924	STANDARD INSURANC	971 321-2091	00050	6219.59								6235
13490	Treasurer of Guam		00050	45211.84	36171.0				45214		45214	
14642	Telestar Terminal	671 565-2300	00050	16888.99	102363		45500					21006
11615	Tsing Brothers Co	671 638-8133	00050	679.00	679							
14840	Tyding Co Daniel	671 649-6132	00050	50.00	50							
12974	United Air Sup	671 647-8823	00050	8490.00	8490							
15015	Universal Air Sup	671 647-8823	00050	32.00	32							
11958	Workers Compensal		00050	11258.84	6623		4636					
7253	Xerox Corporation	671 477-9456	9495	449.96	450							
00050	Port Authority of Guam			2326008.86	1844965		78477		92983		48380	261204
	Grand Total			2326008.86	1844965		78477		92983		48380	261204

PORT AUTHORITY OF GUAM

Aging Summary Report

As of March 31, 2013

	Customer Name	Balance Open	Current	Days Aging			Last Paid		Remarks
				Over 30	Over 60	Over 90	Over 120	Amount	
10225	Mobil Oil Guam, Inc.	\$ 496,697.56	\$ 86,642.00				\$ 410,055.00	\$ 86,642.39	04/09/13 CIP rebate \$299k (overdeducted from rev); Accr mgr comp \$251k to offset; Payment of \$117k to date.
7376	Matson Navigation Co.	\$ 3,096,045.58	\$ 2,838,227.00	\$ 2,224.00	\$ 128.00	\$ 1,376.00	\$ 254,091.00	\$179,869.55	04/15/13 2nd notice ltr acknowledged on 4/16/13. Pymt of \$996k to date
7350	Consolidated Transportation Services Inc	\$ 1,166,729.89	\$ 557,172.00	\$392,649.00	\$ 10,223.00		\$ 206,686.00		2nd notice ltr acknowledged on 4/16/13. Pymt of \$360.5k to date
7413	Seabridge Inc.	\$ 87,018.96	\$ 554.00	\$ 7,046.00	\$ 1,657.00	\$ 15,254.00	\$ 62,507.00	\$ 13,940.94	04/10/13 2nd notice ltr acknowledged on 4/16/13. Pymt of \$13.9k to date
14405	KVOG Broadcasting/MCS, LLC	\$ 43,422.55	\$ 458.00	\$ 1,584.00	\$ 1,635.00	\$ 1,650.00	\$ 38,094.00	\$ 45.36	11/14/12 final notice letter sent on 2/12/13.. will inform Comm.Div.so they will prepare a letter of default & eviction
7931	International Bridge Corp.	\$ 36,993.57					\$ 36,994.00	\$ 5,000.00	07/14/11 per telecon w/Ms. Vicki, IBC's office has been in Kansas since Aug.2011. emailed POC Kimberly Smith for pymt status on 12/17/12, but to date have not gotten a response
7106	Shell Guam, Inc.	\$ 29,250.00		\$ 1,950.00	\$ 1,950.00	\$ 1,950.00	\$ 23,400.00	\$ 1,950.00	11/04/11 result of unpaid Petroco Lse.since Jan.2012 need to f/up w/Comm.Div.if this Lse.was Terminated & assigned to some other Oil Co.
14602	JRC Maritime Services	\$ 21,945.24					\$ 21,945.00	\$ 1,000.00	03/27/13 promissory note*mo.pymts of \$1k made faithfully
7384	Marianas Steamship Agencies	\$ 721,902.01	\$ 629,781.00	\$ 16,183.00	\$ 54,609.00	\$ 606.00	\$ 20,723.00	\$ 37.62	04/22/13 2nd notice ltr acknowledged on 4/16/13. Pymt of \$337.8k to date
12400	Renolith Resources	\$ 13,812.30		\$ 342.00	\$ 342.00	\$ 342.00	\$ 12,785.00	\$ 1,342.30	12/05/12 defaulted on p-note*delinquent letter sent on 4/10/13
7368	Cabras Marine Crop	\$ 39,442.11	\$ 6,049.00	\$ 7,652.00	\$ 6,866.00	\$ 6,558.00	\$ 12,317.00	\$ 3,779.02	04/16/13 preparing cash basis ltr for rev & signature.final notice sent 2/12/13
9611	Ziskovsky, Michael J./Jan Z's	\$ 12,773.40		\$ 750.00	\$ 110.00	\$ 110.00	\$ 11,803.00	\$ 640.00	04/15/13 preparing cash basis ltr for rev & signature.final notice sent 2/12/13
14984	Ten Bulls Corporation	\$ 2,166.24	\$ (8,033.00)				\$ 10,199.00	\$ 22.57	08/08/12 2nd notice letter sent on 4/16/13
13554	BKA Koku L.L.C.	\$ 9,923.41					\$ 9,923.00	\$ 2,400.00	09/30/08 will make a recommendation to write-off, aging over 5 yrs
9911	Guam YTK Corporation	\$ 9,084.14					\$ 9,084.00	\$ 10.26	01/24/11 with legal
11848	Fantasea Charters/Velez, Angel	\$ 8,416.72	\$ 585.00	\$ 685.00	\$ 150.00		\$ 6,997.00	\$ 2,000.00	04/23/13 2nd notice letter sent on 4/16/13
14542	Heavy Equipment Rental Options	\$ 7,821.01		\$ 580.00	\$ 580.00	\$ 580.00	\$ 6,082.00	\$ 45.14	04/17/13 preparing cash basis letter for rev & signature.final notice sent 2/14/13
14444	Office of the Governor of Guam	\$ 138,454.23	\$ 37,943.00	\$ 95,483.00			\$ 5,028.00	\$ 95,483.28	04/19/13 pending disbursement of fed.funds from Treasurer of Guam
14160	Bryan Keller	\$ 4,912.04					\$ 4,912.00	\$ 50.00	12/05/11 Small Claims taken off the calander/need to speak w/cust.Atty.to discuss acct...Need to seek advise on what the next step will be.
14384	Auto Marine Inc.	\$ 7,670.85		\$ 1,111.00	\$ 1,111.00	\$ 1,111.00	\$ 4,338.00	\$ 2,000.00	03/27/13 promissory note
13121	Tidewater Distributors Inc.	\$ 5,272.01	\$ 1,919.00				\$ 3,353.00	\$ 5,031.74	04/03/13 cust.contested charges for USCG penalty fee on 11/8/11 w/Comm.Div.pending response..followed up w/Mr.Nelson on 12/18/12

Customer Name	Balance Open	Current	Days Aging				Last Paid		Remarks
			Over 30	Over 60	Over 90	Over 120	Amount	Date	
13158 Thompson, Michael J.	\$ 2,356.64	\$ (50.00)				\$ 2,407.00	\$ 50.00	03/12/13	cust.made \$50.00 pymt...Pending document from Small Claims Judge Benjamin Sison, judgement by trial ordered that we recover aging fees from the defendant on 10/29/12 ...Case No. 669-12
14844 Global Investment Group Inc.	\$ 2,221.40					\$ 2,221.00	\$ 2,171.40	03/31/11	Insufficient address/contact no.on file..check pymt was returned to us for insufficient funds..unable to locate cust.
8547 Sun Bay Corp./Jan Z's Lounge	\$ 5,289.59		\$ 3,574.00			\$ 1,716.00	\$ 3,218.25	04/15/13	preparing cash basis letter for review & signature. final notice sent 2/12/13
8475 Sanko Bussan (Guam) Co., Ltd.	\$ 6,926.53	\$ (939.00)	\$ 5,470.00	\$ 342.00	\$ 342.00	\$ 1,712.00	\$ 4,300.97	04/22/13	2nd notice letter sent on 4/16/13...verifying w/Comm.if a LSE. was TERM.
14482 Quinata, John	\$ 1,341.50					\$ 1,342.00			will make a recommendation to write-off. Process server unable to locate tenant.
14531 Ledoux, Alton D.	\$ 1,317.00					\$ 1,317.00	\$ 198.00	06/02/09	Will make a recommendation to write-off based on the ruling of Judge Barcinas during our Court Hearing on 11/28/12 when he ruled in favor of the Defendant. Pending supporting document of judgment.
14868 Le, Hien Van	\$ 1,787.50	\$ 138.00	\$ 138.00	\$ 138.00	\$ 138.00	\$ 1,238.00	\$ 137.50	02/14/12	no valid contact no.on file. Asked Ms.Rita (Comm.Div.) if tenant still occupies slip
11776 Customs and Quarantine Agency	\$ 1,939.28	\$ 50.00	\$ 80.00	\$ 529.00	\$ 80.00	\$ 1,200.00	\$ 898.56	03/27/13	pending disbursement of funds from Treasurer of Guam
14815 Rutiki, Sisco	\$ 1,137.50					\$ 1,138.00	\$ 200.00	10/24/12	defaulted on p-note* promises to make a pymt on 4/25/13
14821 Searunner Marine Inc.	\$ 1,002.50					\$ 1,003.00	\$ 100.00	12/21/12	defaulted on p-note* preparing delinquent letter for review & signature
9814 Fentress, Michael D.	\$ 1,537.50	\$ 138.00	\$ 138.00	\$ 138.00	\$ 138.00	\$ 988.00	\$ 300.00	07/03/12	final notice letter sent on 2/20/13...Comm.Div.will prepare a default letter & eviction
13654 Ball, Barney	\$ 958.96					\$ 959.00	\$ 108.53	02/28/11	Small Claims Case No. 0663-12, Court Hearing on 7/24/12...Judgment by Default in favor of PAG was declared by Honorable Judge Benjamin Sison Jr./to-date, still unable to contact defendant for payment. Cust.defaulted on p-note pymt.
14785 Howard, Lynette/John Regis	\$ 1,048.00			\$ 163.00	\$ 886.00	\$ 886.00	\$ 600.00	08/09/12	final notice letter sent on 2/20/13...Comm.Div.will prepare a default letter & eviction
10621 Perez, Thomas L.G.	\$ 925.33	\$ (35.00)		\$ 80.00	\$ 880.00	\$ 880.00	\$ 80.00	04/01/13	Delinquent letter sent 2/20/13, cust.called & spoke w/ Ms. Rita, disputing charges..said he removed his boat to accommodate others...pending credit
14466 Bock, Chris	\$ 875.00					\$ 875.00	\$ 137.50	08/25/10	will make a recommendation to write-off. Process server unable to locate tenant.
14560 Poll, Pederio H.	\$ 746.25					\$ 746.00	\$ 10.00	04/22/09	will make a recommendation to write-off, aging over 4 years. Unsuccessful in contacting cust.through phone(no.svc)/certified mail(returned)
14922 Jack Michael	\$ 1,025.00	\$ 13.00	\$ 138.00	\$ 138.00	\$ 138.00	\$ 600.00	\$ 400.00	11/07/12	preparing final notice letter for signature & review.

	Customer Name	Balance Open	Current	Days Aging			Last Paid		Remarks
				Over 30	Over 60	Over 90	Over 120	Amount	
14480	Moody, Mike	\$ 550.00				\$ 550.00			Delinquent letter sent on 4/10/13...No contact no. on file.
14575	Twilligear, Rosco Dean	\$ 710.00	\$ 70.00	\$ 70.00		\$ 500.00	\$ 170.00	12/21/12	Defaulted on promissory note payment. Delinquent ltr sent on 4/10/13
14849	Triad International	\$ 471.00					\$ 471.00	04/03/12	defaulted on promissory note.insufficient contact/on file. Recommend to file at Small Claims to collect fees due to us.
14561	Trombley, William P.	\$ 962.50	\$ 138.00	\$ 138.00	\$ 138.00	\$ 413.00	\$ 135.00	08/21/12	Final notice ltr sent on 2/20/13.Customer is deceased. Boat is still occupying space.
14755	Marsono, Markus	\$ 405.50				\$ 406.00	\$ 50.00	09/11/12	delinquent letter sent on 4/10/13..insufficient contact no.on file.
14597	Topasna, Juan JP	\$ 369.00				\$ 369.00			Delinquent letter came back insufficient address. Will make a recommendation to write-off.Small Claims Case No. 0279-11 taken off calander. No valid contact/on file.
14537	Fredrick, Bruce & Dianne	\$ 1,330.80	\$ 326.00	\$ 502.00	\$ 251.00	\$ 1,004.64	\$ 25.00	03/27/13	Delinquent letter sent on 4/10/13
14741	Mario, Bruno	\$ 181.00	\$ (21.00)			\$ 202.00	\$ 25.00	03/19/13	Customer making minimal pymts faithfully due to Small Claims Judge Benjamin Sison, judgement by trial ordering that we recover aging fees from the defendant on 10/29/12 ... Case No. 664-12
14968	Nguyen, Hoa Van	\$ (590.00)	\$ (720.00)	\$ 25.00		\$ 105.00	\$ 880.00	02/05/13	pending credit to clear past due marina fees
14171	Norton Lilly International	\$ 233,380.57	\$ 63,336.00	\$ 2,819.00	\$ 95,108.00	\$ 72,077.00	\$ 40.00	\$226,773.63	2nd notice ltr acknowledged on Apr.17..\$226.7K Pymt on 4/23/13
14478	McCue, Michael R.	\$ 25.00				\$ 25.00	\$ 440.00	03/22/13	Delinquent letter sent on 4/10/13
14582	Packbier, Paul E.R./PCR Guam	\$ 25.00				\$ 25.00	\$ 150.00	04/10/13	cust.has verbally disputed int.inv. Says he has always been prompt w/pymts & usually waits for invoice b-4 mailing pymts.Preparing a recommendation to credit int.inv.
14533	Brochon, Michael	\$ (32.33)	\$ (80.00)	\$ 25.00		\$ 23.00	\$ 145.00	03/28/13	2nd notice letter sent 4/16/2013.
14958	DCK Pacific Guam, LLC	\$ 14.66				\$ 15.00	\$ 25.99	09/04/12	
14778	IP & E Holding LLC	\$ (113,945.71)	\$ (113,947.00)			\$ 1.00	\$ 5,814.03	04/04/13	
14283	Brand, Inc.	\$ 3,333.00		\$ 1,111.00	\$ 1,111.00	\$ 1,111.00	\$ 2,689.56	03/07/13	promissory agreement.
14161	Isla Trucking	\$ 1,555.96	\$ 25.00	\$ 565.00	\$ 483.00	\$ 483.00	\$ 483.00	04/22/13	2nd notice letter sent on 4/16/13
14336	Cruz, Joseph L.	\$ 1,165.12		\$ 251.00	\$ 457.00	\$ 457.00	\$ 457.04	01/22/13	2nd notice letter sent on 4/16/13
14005	Big Bird Enterprise, Inc.	\$ 225.00	\$ 50.00	\$ 50.00	\$ 75.00	\$ 50.00	\$ 125.00	12/06/12	preparing recommendation to credit cust.for Jan-Apr.2013 fees..boat sold to Packbier, Paul pymts made for boat since Jan.2013
14923	Shotguns	\$ 858.00	\$ 255.00	\$ 255.00	\$ 330.00	\$ 18.00	\$ 1,002.00	01/08/13	preparing delinquent letter for signature & review.
13202	Department of Administration	\$ 513,406.63	\$ 229,896.00	\$ 83,308.00	\$200,203.00		\$ 3,217.48	03/15/13	pending disbursement of fed.funds from Treasurer of Guam
14610	U.S. Department of Homeland Security	\$ 148,188.02	\$ 141,490.00		\$ 6,698.00		\$ 7,092.00	04/16/13	pending disbursement of fed.funds from Treasurer of Guam
14061	AR Sunriser Canteen/Catering	\$ 592.46	\$ 21.00		\$ 572.00		\$ 592.46	04/17/13	2nd notice letter acknowledged on 4/16/13..pymt made on 4/17/13 to clear aging < 60days

	Customer Name	Balance Open	Current	Days Aging				Last Paid		Remarks
				Over 30	Over 60	Over 90	Over 120	Amount	Date	
15033	Sanchez, Jeffrey C.	\$ 112.83			\$ 113.00			\$ 262.21	12/12/12	spoke w/Mr.Sanchez on Mar.20. He promised to clear past due acct. Preparing delinquent letter for review & signature
11756	V. Angoco's Trucking	\$ 65.35	\$ 43.00					\$ 5.00	04/22/13	preparing delinquent letter for signature & review.
14907	Taitano, John	\$ 63.00	\$ 21.00	\$ 21.00	\$ 21.00			\$ 21.00	12/20/12	preparing delinquent letter for signature & review.
13874	Core Tech International	\$ 58.64	\$ 29.00	\$ 15.00	\$ 15.00			\$ 14.66	02/04/13	preparing delinquent letter for signature & review.
14642	Tristar Terminals Guam, Inc.	\$ 205,333.42	\$ 54,571.00	\$ 150,762.00				\$ 152,760.15	04/04/13	delinquent acct.cleared on 4/4/13
14646	Integrated Biometric Technologies	\$ 882.00	\$ 306.00	\$ 576.00				\$ 576.00	04/22/13	delinquent acct.cleared on 4/22/13
14797	Santiago, Arsenio A.	\$ 1,925.04	\$ 1,420.00	\$ 505.00				\$ 500.00	04/03/13	preparing delinquent letter for signature & review.
14749	Lin Shr Construction Co.,	\$ -	\$ (181.00)	\$ 181.00				\$ 180.52	02/22/13	applying payment to invoice. Acct.cleared since 2/22/13
14535	Young, Dione & Jerry	\$ 354.50	\$ 177.00	\$ 177.00				\$ 185.00	04/01/13	cust.submitted a letter of consideration on fees to Comm.Div.
13727	Ross, Robert	\$ 300.00	\$ 138.00	\$ 163.00				\$ 281.00	02/08/13	preparing delinquent letter for signature & review.
13044	Smithbridge Guam, Inc.	\$ 287.76	\$ 160.00	\$ 128.00				\$ 4,579.58	03/18/13	preparing delinquent letter for signature & review.
12419	Nelson, Jeff G.	\$ 172.50	\$ 85.00	\$ 88.00				\$ 260.00	04/09/13	preparing delinquent letter for signature & review.
13913	Skooocumchuck Charters Inc.	\$ 241.76	\$ 154.00	\$ 88.00				\$ 242.06	04/16/13	delinquent acct.cleared on 4/16/13
13377	Angoco, Anthony S	\$ 45.13		\$ 45.00				\$ 331.94	08/28/02	preparing delinquent letter for signature & review.
13716	Aduana International	\$ 43.36		\$ 43.00				\$ 651.18	02/26/13	preparing delinquent letter for signature & review.
13030	South Pacific Petroleum Co.	\$ 1,216.08	\$ 1,180.00	\$ 36.00				\$ 29,742.00	04/22/13	delinquent acct.cleared on 4/22/13
7923	Inchicape Shipping Services	\$ 123,019.46	\$ 122,990.00	\$ 29.00				\$ 12,364.84	03/22/13	preparing delinquent letter for signature & review.
14878	Blasky Mark/Pauline	\$ (125.00)	\$ (150.00)	\$ 25.00				\$ 300.00	03/29/13	cust.disputed int.inv.
14368	Tyco Telecom./Tyco Electro	\$ 44.17	\$ 20.00	\$ 24.00				\$ 11,536.73	04/19/13	delinquent acct.cleared on 4/19/13
7341	Amyth Shipping & Trading	\$ 219,967.51	\$ 219,968.00					\$ 6,225.42	04/18/13	
8483	Seuba Co.	\$ 3,414.94	\$ 3,415.00					\$ 5,858.48	04/05/13	
13696	Lotus Pacifica Trading, Inc.	\$ 3,063.60	\$ 3,064.00					\$ 3,012.96	04/22/13	
13641	M.A.Y. (Guam) Inc.	\$ 750.56	\$ 751.00					\$ 800.56	04/09/13	
7763	Guam Dolphin's Marine Sports	\$ 659.70	\$ 660.00					\$ 1,815.50	04/05/13	
14387	Guam Sungwoo Ferry Corp.	\$ 470.50	\$ 471.00					\$ 650.00	04/01/13	
12446	Coam Trading (Guam) Co. Ltd.	\$ 467.00	\$ 467.00					\$ 733.63	04/01/13	
15051	Isia Fishing & Diving, Inc.	\$ 340.00	\$ 340.00					\$ 480.00	04/12/13	
1490	Guam Telephone Authority	\$ 300.08	\$ 300.00					\$ 28.80	04/05/13	
9831	Fish Hook Inc.	\$ 280.00	\$ 280.00					\$ 280.00	04/01/13	
14381	Apra Dive & Marine Sports, Inc.	\$ 231.48	\$ 231.00					\$ 1,329.95	03/27/13	
14530	Flores, Lynn	\$ 150.00	\$ 150.00					\$ 300.00	04/02/13	
13604	Lewis, Erik C.	\$ 137.50	\$ 138.00					\$ 325.00	01/29/13	
14890	Roberts, Tom	\$ 115.92	\$ 116.00					\$ 115.92	04/04/13	
11764	American Bureau of Shipping	\$ 110.43	\$ 110.00					\$ 554.80	03/14/13	

	Customer Name	Balance Open	Current	Days Aging			Last Paid		Remarks	
				Over 30	Over 60	Over 90	Over 120	Amount		Date
14523	Quinata, Frank	\$ 70.00	\$ 70.00					\$ 70.00	04/01/13	
14447	Flores, Paul A.	\$ 50.00	\$ 50.00					\$ 50.00	02/28/13	
14656	Mcclelland, Terry/Enrique Pangelinan	\$ 50.00	\$ 50.00					\$ 50.00	04/03/13	
14364	P.S.V. Corp./Joo, Gi Bum	\$ 38.32	\$ 38.00					\$ 3,619.02	03/25/13	
13081	Watanabe, Akio	\$ 25.00	\$ 25.00					\$ 25.00	04/15/13	
14963	Castro, Jesse AR	\$ (2.50)	\$ (3.00)					\$ 140.00	04/05/13	
13190	Gently Blue Diving Shop	\$ (54.11)	\$ (4.00)					\$ 92.76	10/25/12	
10081	Landoli, Callum L.	\$ (15.20)	\$ (15.00)					\$ 303.00	04/15/13	
14317	KAYJO CORP	\$ (21.39)	\$ (21.00)					\$ 1,303.68	11/30/12	
14126	Margarita Charters	\$ (25.00)	\$ (25.00)					\$ 909.90	04/22/13	
15028	J&C International, LLC	\$ (25.99)	\$ (26.00)					\$ 211.96	12/18/12	
12397	Cruz, John R.	\$ (40.00)	\$ (40.00)					\$ 160.00	11/20/12	
14914	Big 7 Pachinko	\$ (41.35)	\$ (41.00)					\$ 43.42	12/13/11	
10516	Pacific Data System	\$ (43.43)	\$ (43.00)					\$ 608.02	02/02/12	
11854	J.C. Marketing	\$ (45.13)	\$ (45.00)					\$ 203.11	01/30/13	
13218	Guam Music Inc.	\$ (49.72)	\$ (50.00)					\$ 525.88	01/19/12	
12353	Pacific Produce Corp	\$ (50.57)	\$ (51.00)					\$ 155.00	06/15/12	
13495	BMF & Son Inc./DB's Builder	\$ (51.98)	\$ (52.00)					\$ 50.00	02/13/13	
13312	California Mart	\$ (51.60)	\$ (52.00)					\$ 2,106.59	04/03/13	
13476	Isla Maritime Agency	\$ (54.81)	\$ (55.00)					\$ 54.81	03/08/13	
14811	Baumund, Wayne	\$ (78.63)	\$ (79.00)					\$ 220.00	04/03/13	
14893	Cruz, Joseph R.	\$ (85.50)	\$ (86.00)					\$ 59.00	09/19/12	
14122	Global Recycling Center	\$ (85.56)	\$ (86.00)					\$ 85.56	03/15/13	
14429	Weilbacher, Walden	\$ (100.00)	\$ (100.00)					\$ 275.00	02/01/13	
14773	Sablan, Phillip	\$ (111.00)	\$ (111.00)					\$ 363.05	10/18/12	
9697	Camacho, Antonio Frank C.	\$ (120.00)	\$ (120.00)					\$ 240.00	12/31/12	
14921	Cruz, Franklin C.	\$ (137.50)	\$ (138.00)					\$ 137.50	01/07/13	
14658	Phillip, Vincer	\$ (137.50)	\$ (138.00)					\$ 275.00	03/28/13	
14150	PIER, KENNETH	\$ (137.50)	\$ (138.00)					\$ 275.00	02/27/13	
14987	Smith, Brian J.	\$ (137.50)	\$ (138.00)					\$ 137.50	03/27/13	
13545	Perez, Vincent T.	\$ (150.00)	\$ (150.00)					\$ 25.00	03/20/13	
12394	Wong, Billy	\$ (150.00)	\$ (150.00)					\$ 300.00	12/11/12	
14776	MARAD	\$ (169.45)	\$ (169.00)					\$ 34,271.66	11/30/11	
14436	John C. Aguon/Myung J. Park	\$ (175.00)	\$ (175.00)					\$ 475.00	01/30/13	
13191	Paul SN. Aguon and Seo Jun	\$ (180.00)	\$ (180.00)					\$ 360.00	12/31/12	
14431	Quinata, Carlos/Amber Heritage Boat Ch	\$ (187.50)	\$ (188.00)					\$ 137.50	02/28/13	

No.	Customer Name	Balance Open	Current	Days Aging			Last Paid		Remarks	
				Over 30	Over 60	Over 90	Over 120	Amount		Date
14197	Parsons Brinckerhoff International	\$ (190.00)	\$ (190.00)					\$ 30.00	03/25/13	
14791	Fong, Francis L	\$ (198.00)	\$ (198.00)					\$ 198.00	03/28/13	
14143	Salt Shaker Yacht Charter	\$ (221.21)	\$ (221.21)					\$ 221.21	04/10/13	
14443	Moritz, Lance	\$ (250.00)	\$ (250.00)					\$ 150.00	04/05/13	
14029	CRW TRADING INC.	\$ (259.69)	\$ (260.00)					\$ 1,508.56	10/27/11	
14103	Levin, Steven	\$ (260.00)	\$ (260.00)					\$ 260.00	03/28/13	
13536	Guam Lucky Strike, Inc./John Eads	\$ (262.50)	\$ (263.00)					\$ 525.00	01/30/13	
13607	S.H. Enterprises	\$ (278.36)	\$ (278.00)					\$ 902.83	03/14/13	
14564	Blue Pacific Alliance, Inc.	\$ (290.00)	\$ (290.00)					\$ 870.00	03/30/12	
8352	Paradise Aqua Corp.	\$ (347.76)	\$ (348.00)					\$ 347.76	04/22/13	
13653	Yu, Niko K.	\$ (360.00)	\$ (360.00)					\$ 440.00	03/01/13	
14771	Sun, Stephen	\$ (378.00)	\$ (378.00)					\$ 504.00	03/12/13	
14587	Moore, James	\$ (412.50)	\$ (413.00)					\$ 137.50	07/22/10	
15040	Tyquengco, Joseph T.	\$ (412.50)	\$ (413.00)					\$ 412.50	03/13/13	
14409	Robinson, Merle Ann	\$ (432.00)	\$ (432.00)					\$ 624.00	12/04/12	
11971	Coral Reef Marine Center	\$ (440.00)	\$ (440.00)					\$ 220.00	02/04/13	
12373	Beighley, Jim/Mark Baldyga	\$ (450.00)	\$ (450.00)					\$ 625.00	02/25/13	
12851	Erick Bell or Daniel Ridlon	\$ (450.00)	\$ (450.00)					\$ 625.00	01/24/13	
9849	Flores, William A.	\$ (450.00)	\$ (450.00)					\$ 600.00	01/09/13	
13089	Guam Fisherman's Cooperative	\$ (450.00)	\$ (450.00)					\$ 600.00	01/30/13	
14875	Best, Bruce	\$ (660.00)	\$ (660.00)					\$ 1,320.00	12/27/12	
14999	Dorvin D Leis Co., Inc.	\$ (675.95)	\$ (676.00)					\$ 675.85	03/29/13	
14290	DGX	\$ (676.20)	\$ (676.00)					\$ 338.10	04/12/13	
14633	Eusebio, Ricardo B.	\$ (687.50)	\$ (688.00)					\$ 825.00	03/20/13	
10217	Mars, Thomas Z.	\$ (693.81)	\$ (694.00)					\$ 33.81	02/13/13	
14210	Kaneshiro, Roger J., D.D.S.	\$ (720.00)	\$ (720.00)					\$ 645.33	12/21/12	
10743	Poppe, Edward/FISH INC	\$ (720.00)	\$ (720.00)					\$ 760.00	12/28/12	
1487	Guam Federation of Teachers	\$ (859.00)	\$ (859.00)					\$ 69.78	09/21/12	
10461	Ocean Jet Club	\$ (907.50)	\$ (908.00)					\$ 907.50	03/05/13	
14388	Guam JRC Logistics	\$ (1,000.00)	\$ (1,000.00)					\$ 1,000.00	03/27/13	
10778	Real World Diving	\$ (1,035.01)	\$ (1,035.00)					\$ 1,380.00	01/08/13	
9208	PTI Pacifica, Inc. DBA:IT&E	\$ (3,385.24)	\$ (3,385.00)					\$ 0.16	12/27/12	
13509	Horizon Lines	\$ (12,198.40)	\$ (12,198.00)					\$ 11,778.31	12/04/12	
12511	Hanson Permanente Cement of Guam	\$ (144,089.68)	\$ (144,090.00)					\$172,000.00	02/25/13	
1109	Cruz, Ronnie J.	\$ -	\$ -					\$ 2.00	03/29/13	
1432	PEREDO, FRANKIE S.	\$ -	\$ -					\$ 30.00	03/29/13	

	Customer Name	Balance Open	Current	Days Aging				Last Paid		Remarks
				Over 30	Over 60	Over 90	Over 120	Amount	Date	
14622	Singenes, Singeo I.	\$ -						\$ 437.50	03/07/13	
13537	Wang, Jackie	\$ -						\$ 1,460.84	03/14/13	

PORT AUTHORITY OF GUAM

Budget Transactions

In the January 31, 2013 board meeting, Acting General Manager requested authorization from the Board of Directors to allow management to lift quarterly budget and be able to transfer money within divisions budget to give them the flexibility to manage their division. The Board of Directors approved the above request provided that the request be documented and that the Board be informed. Therefore, below are the current transactions.

Budget Lifts:

<u>Memo</u>	<u>Division</u>	<u>Request</u>	<u>Acct. No.</u>	<u>Annual Budget</u>	<u>Quarter Budget</u>	<u>Balance as of 31-Mar-13</u>	<u>Reason</u>
3/27/2013	Maintenance	Lift 3rd & 4th	421.8665.PROF	2,000	500	1,000.00	Needed to repair fence line
3/29/2013	Maintenance	Lift 3rd & 4th	411.8366.SHPEQPT	708	177	354.00	
3/22/2013	GM'S office	Lift 3rd	101.8521	1,249	312	(75.90)	Supplies
4/3/2013	Maintenance	Lift Annual Bud	412.8366.SFTYEQUPT	276	69	138.00	Needed for BPA
4/17/2013	Gen. Adm	Lift 4th	610.8665.PROF	4,000	1,000	(441.80)	To process PO for record storage

Divisional Transfers:

<u>Memo</u>	<u>Division</u>	<u>Request</u>	<u>Acct. No.</u>	<u>Amount</u>	<u>Balance as of 31-Mar-13</u>	<u>Reason</u>
3/29/2013	Maintenance	Tr fr 411.8524.	411.8665.MACHINE	3,000	25,770	To purchase 44 ton jack
			411.8366.SHPEQPT	492		
4/1/2013	Maintenance	Tr fr 413.8524	413.8114	4,000	31,173	Needed for OT
4/3/2013	Maintenance	Tr fr 412.8524	412.8366.SFTYEQUPT	2,292	17,442	For BPA
4/11/2013	Maintenance	Tr fr 421.8524	421.8665.EQMTRENT	136	(2,685)	To cover cost for roller compactor rental
						Acct was annual was lifted

JULY 2012 - MARCH 2013

VESSEL OPERATION RECAP

	July	August	September	October	November	December	January	February	March	Total
MATSON										
No. Vessel	5	4	4	5	4	4	5	4	4	39
Discharge	2937	2362	2282	2972	2617	2437	2615	2321	2230	22773
Loaded	2590	2415	1996	2789	2200	2246	2577	2306	2393	21512
Total Moves	5527	4777	4278	5761	4817	4683	5192	4627	4623	44285
Cranes used	P14,16,17	P14,16,18	P14,16,17	P14,16,17	P14,16,17	P14,16,17	P14,16,17	P14,16,17	P14,16,17	P14,16,17
Average GMPH	21.4	20.9	22.9	22.2	20.9	23	22	23.5	24.6	22.4
ISLANDER										
No. Vessel	2	2	2	2	2	1	2	2	1	16
Discharge	316	440	339	370	406	179	479	311	333	3173
Loaded	524	386	454	600	381	248	476	174	0	3243
Total Moves	840	826	793	970	787	427	955	485	333	6416
Cranes used	P16,17	P16,18	P16,17	P16,17	P16,17	P14,16,17	P14,16,17	P14,16,17	P14,16	P14,16
Average GMPH	18.2	20.8	16.4	16	18	10	16	15.9	21.6	17.0
SHUTTLE/S-2011										
No. Vessel	5	6	4	5	7	6	6	7	6	52
Discharge	210	251	146	196	201	242	280	214	219	1959
Loaded	213	265	230	216	257	284	241	298	281	2285
Total Moves	423	516	376	412	458	526	521	512	500	4244
Cranes used	G2,3	G2,3	G2,3	G2,3	G2,3	G2,3,P14,16	G3,P14,16	G3,P14,16,17	G3,P14,16,17	G3,P14,16,17
Average GMPH	17.2	14.1	16.4	14	16.6	17	12	14.8	17.1	15.5
MELL										
No. Vessel	5	4	4	5	4	6	6	6	6	46
Discharge	793	611	690	943	611	699	466	462	473	5748
Loaded	714	561	669	826	693	528	956	541	561	6049
Total Moves	1507	1172	1359	1769	1304	1227	1422	1003	1034	11797
Cranes used	G2,3	G2,3	G2,3	G2,3	G2,3	G2,3,P17	P14,16,17	G3,P14,16,17	G3,P14,16,17	G3,P14,16,17
Average GMPH	17.1	14.3	14.6	15	16	16	17	19	15.6	16.1

JULY 2012 - MARCH 2013

VESSEL OPERATION RECAP

KYOWA	No. Vessel	2		2		2		2		2		2		3	17
		2	2	2	2	2	2	2	2	2	2	2	2		
	Discharge	138	111	59	234	155	234	113	284	349				1443	
	Loaded	151	214	119	442	132	442	103	204	383				1748	
	Total Moves	289	325	178	676	287	676	216	488	732				3191	
	Cranes used	G2,5g	G2	G2	G2,3	G2,3	G2,3	P17	G3,P17	P16,17					
	Average GMPH	8.8	7.8	9.6	13	12.4	13	8.1	9.3	14.2				10.4	
BARGE															
	No. Vessel	1	1	1	2										5
	Discharge	0	28	0	1									29	
	Loaded	1	0	1	44									46	
	Total Moves	1	28	1	45									75	
	Cranes used	G3	G2	G2	G2,3										
	Average GMPH	2.1	3	0.2	8.6									3.5	
Kwangsi															
	No. Vessel	1	1	1	1	1	1	1	1	1					4
	Discharge	6	0	13	26	11	26	11	34	35				80	
	Loaded	0	0	11	11	37	11	37	69	69				56	
	Total Moves	6	0	24	37	48	37	48	103	104				136	
	Cranes used	G3	G3	G2,3	P16	G2,3	P16	P16	P17	P17					
	Average GMPH	11.6	11.6	5.7	15	10	15	10	10.8	10.6					
Pacific Conдор															
	No. Vessel	2	2	2	2	1	1	2	1	2					11
	Discharge	77	47	147	284	89	147	284	89	160				899	
	Loaded	128	155	182	281	149	182	281	149	317				1336	
	Total Moves	205	202	271	565	238	271	565	238	477				2235	
	Cranes used	G2,3	G2	G2,3	G3,P17	P17	G2,3	G3,P17	P17	G3,P17					
	Average GMPH	6.3	6.7	8.9	7.9	10.8	8.9	7.9	10.8	8.3				8.3	

**JULY 2012 - MARCH 2013
VESSEL OPERATION RECAP**

Anking												
No. Vessel		1		1								2
Discharge		55		70								125
Loaded		49		62								111
Total Moves		104		132								236
Cranes used		G2		G3								
Average GMPH		5.1		8.2								6.7
Kwangtung												
No. Vessel		1		1					1			3
Discharge		85		56					39			180
Loaded		80		47					44			171
Total Moves		165		103					83			351
Cranes used		G3		G3					P16,17			
Average GMPH		6.3		15					16.9			12.7
Anhui												
No. Vessel				1								1
Discharge				15								15
Loaded				19								19
Total Moves				34								34
Cranes used				G3								
Average GMPH				5.4								5.4
BCC Bahrain												
No. Vessel									1			1
Discharge									0			0
Loaded									1			1
Total Moves									1			1
Cranes used									G3			
Average GMPH									0.1			0.1

March	
Total Vessels	23
Total Discharged	3799
Total Loaded	3969
Total Moves	7768

Summarized	
Total Vessels	197
Total Discharged	36424
Total Loaded	36577
Total Moves	73001

"Matson Navigational"																															
Vessel	Voy.	Arrive	Depart	First Lift	Last Lift	Lifts		Total Ctnrs	Total TEUs	Ops		Loss Hrs	Berth Hours	G #2	G #3	Down Time			Shift GMPH					Nmph	Gmph						
						In	Out			Hrs	Hrs					1st	2nd	3rd	4th	5th											
RJ Pfeiffer	379	05 Mar - 13:20	06 Mar - 10:59	05 Mar - 14:12	06 Mar - 05:50	503	508	1011	1988.6	15.6	3.9	21.6					0:00	0:00	0:20	21	30								31.7	27.2	
Manukai	135	12 Mar - 21:58	14 Mar - 00:17	12 Mar - 23:05	13 Mar - 23:47	628	580	1208	2257.5	24.7	6.1	26.3					0:00	0:09	0:00	19	22	33							26.6	22.5	
Manulani	90	19 Mar - 21:00	20 Mar - 23:05	19 Mar - 21:48	20 Mar - 21:19	495	701	1196	2170.0	23.5	5.8	26.1					0:00	0:00	0:00	21	24	37							28.4	24.1	
Maunawili	110	26 Mar - 18:52	27 Mar - 22:08	26 Mar - 19:57	27 Mar - 21:25	604	604	1208	2266.0	25.5	5.3	27.3					0:00	0:39	0:00	24	24	34							28.4	24.4	
								0																							
					Total:			2230	2393	4623	8682.1																				
Month Nmph/Gmph Average: 28.8 24.6																															
"Matson Navigational" (Islander Matson)																															
Vessel	Voy.	Arrive	Depart	First Lift	Last Lift	Lifts		Total Ctnrs	Total TEUs	Ops		Loss Hrs	Berth Hours	G #2	G #3	Down Time			Shift GMPH					Nmph	Gmph						
						In	Out			Hrs	Hrs					1st	2nd	3rd	4th	5th											
Islander	167	15 Mar - 12:36	16 Mar - 16:36	15 Mar - 14:10	15 Mar - 23:23	333	0	333	436	9.2	3.4	28					0:00	0:00	0:00	19	26									27.9	21.6
					Total:			333	0	333	436																				
Month Nmph/Gmph Average: 27.9 21.6																															

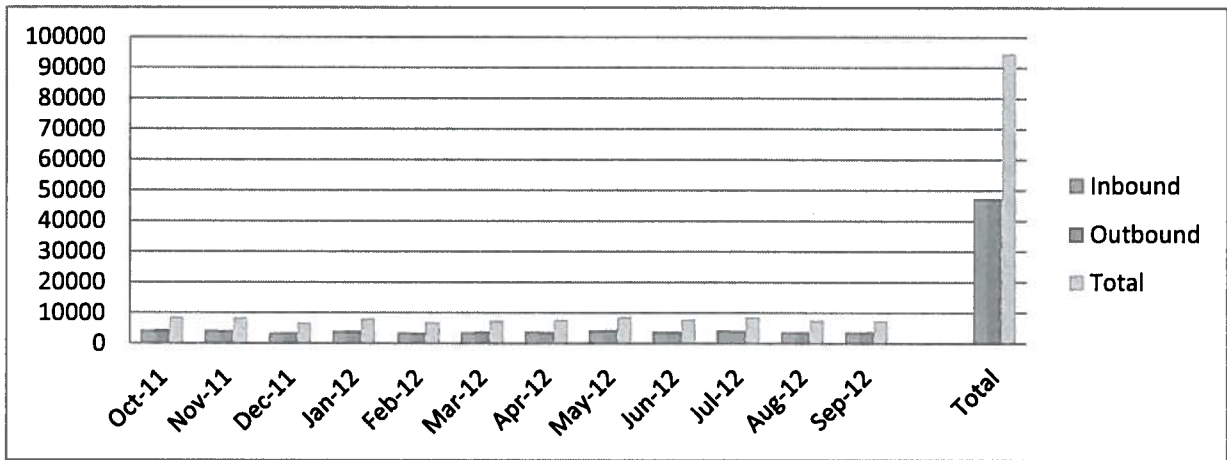
"Marianas Steamship Agency" (Super Shuttle/S-2011/S-2006)																						
Vessel	Voy.	Arrive	Depart	First Lift	Last Lift	Lifts		Total		Ops		Loss		Berth		G #1	G #2	Down Time	Gmph			
						In	Out	Ctnrs	TEUs	Hrs	Hrs	Hrs	Hrs	Hrs	Hrs					1st	2nd	3rd
S-2011	16s	04 Mar - 16:05	06 Mar - 21:15	04 Mar - 19:39	06 Mar - 20:20	55	58	113	196.3	8.8	3.2	14.3				0:06						
S-2011	17s	10 Mar - 14:05	10 Mar - 22:10	10 Mar - 15:27	10 Mar - 18:17	38	12	50	75.8	2.8	1.5	8.1				0:00						
S-2011	18s	14 Mar - 01:15	14 Mar - 22:46	14 Mar - 02:50	14 Mar - 22:46	34	53	87	161.3	5.2	1.8	15.3				0:00						
S-2011	19s	19 Mar - 09:40	20 Mar - 18:50	19 Mar - 10:31	20 Mar - 16:54	55	50	105	185.5	6	1.6	33.2				0:00						
S-2011	21s	24 Mar - 06:50	24 Mar - 22:12	24 Mar - 08:26	24 Mar - 10:47	25	23	48	73.3	2.3	0.6	15.4				0:00						
S-2011	21rg	27 Mar - 22:30	28 Mar - 07:03	26 Mar - 01:38	28 Mar - 04:52	12	85	97	161.5	4.9	1.3	10.9				0:00	0:00	24	19			
Total:						219	281	500	853.7													
																			Month Nmph/Gmph Average:		25.5	17.1
"Marianas Steamship Agency" (Kyowa)																						
Vessel	Voy.	Arrive	Depart	First Lift	Last Lift	Lifts		Total		Ops		Loss		Berth		G #1	G #2	Down Time	Nmph	Gmph		
						In	Out	Ctnrs	TEUs	Hrs	Hrs	Hrs	Hrs	Hrs	Hrs						1st	2nd
Hibiscus	145	14 Mar - 07:30	15 Mar - 10:36	14 Mar - 08:52	15 Mar - 09:01	106	152	258	353.5	24.1	9.1	27.1										
Cattleya	130	14 Mar - 02:00	15 Mar - 17:00	14 Mar - 05:20	15 Mar - 16:03	138	116	254	329	20.9	7.1	39				0:27						
Hibiscus	145	31 Mar - 07:00	31 Mar - 18:24	31 Mar - 08:17	31 Mar - 17:40	105	115	220	289	9.4	0.4	11.4				0:00	0:00	21				
Total:						349	383	732	971.5													
																			Month Nmph/Gmph Average:		18.2	14.2

"CTS1" (Mell)																									
Vessel	Voy.	Arrive	Depart	First Lift	Last Lift	Lifts		Total Ctnrs	Total TEUs	Ops Hrs	Loss Hrs	Berth Hours		G #2	G #3	Down Time			Shift GMPH					Nmph	Gmph
						In	Out					Hrs	Hrs			1st	2nd	3rd	4th	5th					
Sudong	20	04 Mar - 07:00	04 Mar - 21:36	04 Mar - 08:10	04 Mar - 21:05	118	132	250	293	12.9	4.5	14.6	1:31			0:00	13	25						17.2	13.2
Springwood	25	11 Mar - 07:18	11 Mar - 14:30	11 Mar - 08:14	11 Mar - 14:02	108	18	126	146	5.8	2.1	7.2				0:11	0:00	15						20.2	15.1
Stamford	21	11 Mar - 08:00	11 Mar - 22:48	11 Mar - 08:45	11 Mar - 20:59	11	135	146	167	12.2	5.4	14.8				0:00	0:00	10	13					16.2	10.1
Sayang	26	18 Mar - 07:18	18 Mar - 17:42	18 Mar - 08:37	18 Mar - 16:35	104	141	245	318	7.9	1.5	10.4	0:05			0:00	19							24.5	18.9
Seringat	21	25 Mar - 07:00	25 Mar - 19:54	25 Mar - 13:41	25 Mar - 18:12	1	129	130	142	4.5	1.2	12.9	0:00			0:00	19							23.1	18.9
Sudong	21	25 Mar - 07:42	25 Mar - 17:18	25 Mar - 09:47	25 Mar - 15:15	131	6	137	158	5.5	1.4	9.6				0:00	0:00	17						20.9	17.3
Total:						473	561	1034	1224															20.4	15.6
"MSA" (Pacific Condor)																									
Vessel	Voy.	Arrive	Depart	First Lift	Last Lift	Lifts		Total Ctnrs	Total TEUs	Ops Hrs	Loss Hrs	Berth Hours		G #2	G #3	Down Time			Shift GMPH					Nmph	Gmph
						In	Out					Hrs	Hrs			1st	2nd	3rd	4th	5th					
Condor	112	06 Mar - 11:36	07 Mar - 09:48	06 Mar - 13:40	07 Mar - 09:22	102	158	260	337	19.7	8.9	22.2	0:24			0:06	17	9.4	12					19.7	11.8
Condor	113	27 Mar - 06:54	29 Mar - 06:48	27 Mar - 16:32	29 Mar - 06:17	58	159	217	300.5	37.7	24.2	47.9				1:45	17	2	4.5	7.8				10.6	4.8
Total:						160	317	477	637.5															15.2	8.3

Month	Inbound	Outbound	Total
Oct-11	4248	4367	8615
Nov-11	4298	4179	8477
Dec-11	3421	3525	6946
Jan-12	4051	4102	8153
Feb-12	3523	3458	6981
Mar-12	3694	3877	7571
Apr-12	4014	3775	7789
May-12	4276	4406	8682
Jun-12	3912	3910	7822
Jul-12	4394	4189	8583
Aug-12	3809	3796	7605
Sep-12	3733	3719	7452

7791 (Six Months Average)

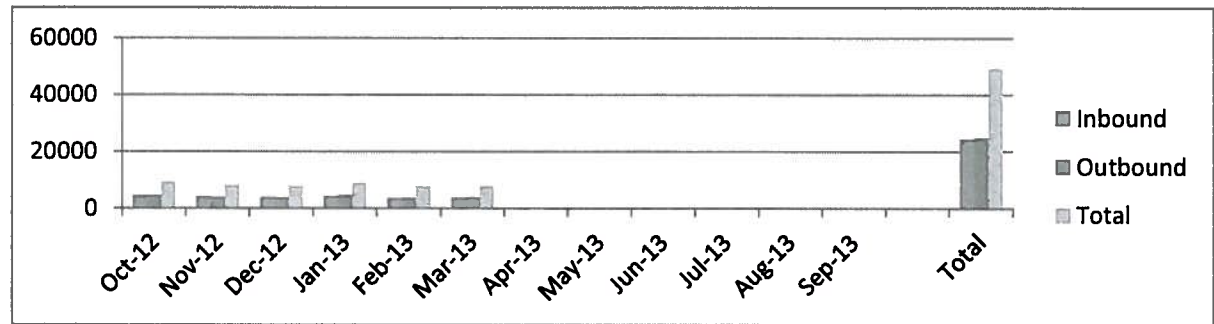
Total	47373	47303	94676
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Month	Inbound	Outbound	Total
Oct-12	4557	4656	9213
Nov-12	4211	3944	8155
Dec-12	3938	3873	7811
Jan-13	4263	4645	8908
Feb-13	3720	3716	7436
Mar-13	3799	3969	7768
Apr-13			0
May-13			0
Jun-13			0
Jul-13			0
Aug-13			0
Sep-13			0

8215 (Six Months Average)

Total	24488	24803	49291
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**2013 PAG CRANES
MONTHLY REPORT**

	Total Ops Hrs		Total Vessels		Total Shifts		Total Container Moves		Total Down Time (Hrs)		Types of repairs performed	
January												
Pola Crane #14	103.1	9	19	1915	2.5	Elect. power						
Pola Crane #16	165.1	14	29	3243	3.5	Brakes, hoist, trolley, spreader & elect. power						
Pola Crane #17	182..9	16	33	3255	4.4	Twistlock, spreader,elect. power						
Gantry Crane #3	38..1	3	6	421	0.6	Hydraulic system,twistlock,brakes, elect. power						
Mobile Harbor Crane	0	0	0	0	0	N/a						

	Total Ops Hrs		Total Vessels		Total Shifts		Total Container Moves		Total Down Time (Hrs)		Types of repairs performed	
February												
Pola Crane #14	101.7	8	16	2164	0.6	Brakes; gantry & elect. power						
Pola Crane #16	100.5	11	22	2179	7.1	Gantry, spreader,brakes,trolley,elect. power						
Pola Crane #17	127.2	15	25	2410	0.5	Spreader, wheels						
Gantry Crane #3	45.9	8	16	647	0.6	Brakes; gantry & elect. power						
Mobile Harbor Crane	0	0	0	0	0	N/a						

2013 PAG CRANES
MONTHLY REPORT

	Total Ops Hrs	Total Vessels	Total Shifts	Total Container Moves	Total Down Time (Hrs)	Types of repairs performed
Pola Crane #14	76.1	9	17	1697	0	None
Pola Crane #16	127.5	13	25	2632	1.4	Elect. Power & twistlock
Pola Crane #17	179.3	16	30	3023	4.9	Landing lite, gantry, twistlock, hoist, spreader, power
Gantry Crane #3	30.3	4	5	383	2.1	Hoist, spreader, track roller, hoist, twistlock, gantry
Mobile Harbor Crane	0	0	0	0	0	n/a
March						

Gregorio D. Leon Guerrero Commercial Port
PORT AUTHORITY OF GUAM
2-YEAR COMPETITIVE PROCUREMENT PLAN

Revised: 4/26/2013

FISCAL YEAR 2013

METHOD	SOLICITATION TYPE	PROJECT TITLE/DESCRIPTION	REQUESTING OFFICE	ESTIMATED ISSUANCE	PROPOSED TERM	CONTRACT VALUE (EST.) PER ANNUM	CONTRACT VALUE (EST.) TTL TERM	FUNDING SOURCE	COMPLIANCE	
									PL 30-72	PUC
IFB	Construction	Installation of MOV at Golf Pier Fuel Pipelines	CIP	January 2013	thru completion		\$ 300,000	O&M	NO	NO
GSA/IFB	Equipment Purchase	Compressors for Admin Building A/C System	Facilities	January 2013	thru completion		80,000	O&M	NO	NO
GSA/IFB	Equipment Purchase	Various Air Conditioning Units & Parts/Supplies	Facilities	January 2013	thru completion		30,000	O&M	NO	NO
GSA/IFB	Equipment Purchase	Harbour Crane Part/Supply - Bearing Unit	Facilities	January 2013	thru completion		16,000	O&M	NO	NO
GSA/IFB	Insurance	Workers Compensation Insurance Coverage	Corporate	February 2013	pro-rated		250,000	O&M	NO	NO
IFB	Construction	Warehouse 1, CMU and Column Repairs	CIP	February/March 2013	thru completion		\$ 300,000	CIP Local	NO	NO
RFP	Professional Services	Management for F-1 Fuel Pipe Facilities	Commercial	March 2013	5 yrs	\$ 350,000	1,750,000	O&M	YES	YES
RFP	Professional Services	Rental Estate Appraisal Services	Commercial	March 2013	5 yrs	\$ 40,000	200,000	O&M	NO	NO
GSA/IFB	Equipment Purchase	Cargo & Vehicle Detection/Screening Machine	Planning	May 2013	thru completion		1,525,790	PSGP/DHS	YES	YES
GSA/IFB	Supply/Srvcs	Trash Collections Services	Facilities	May 2013	one year		200,000	O&M	NO	NO
GSA/IFB	Equipment Purchase	Emergency Back-Up Generators	Facilities/Planning	May 2013	thru completion		850,000	PSGP/DHS	YES	NO
RFP	Professional Services	Architectural/Engineering Services - IDIQ	CIP	May 2013	1 - 5 years		-	O&M	NO	NO
RFP	Professional Services	Professional and Technical Services for the Upgrade of JDEdwards A7.3 System to A9.3 System	IT/Corporate	May/June 2013	thru completion		\$ 450,000	CIP Local	NO	NO
RFP	Professional Services	Implementation and Integration Services for Terminal Operating System	IT/Corporate	May/June 2013	1-5 years		3,000,000 100,000 Initial	CIP Local	YES	YES
IFB	Construction	Demolition and Disposal of Gantry No. 2	Facilities/CIP	June 2013	thru completion		\$ 250,000	CIP Local	NO	No
IFB	Construction	SLE: Wharf Repairs	CIP	June/July 2013	thru completion		\$ 6,500,000	Loan Proceeds	YES	YES
GSA/IFB	Equipment	SLE: Acquisition of Cargo Handling Equipment	Operations	June/July 2013	thru completion		\$ 1,000,000	Loan Proceeds	YES	YES
RFP	Professional Services	SLE: System Upgrade of FMS	Operations	June/July 2013	thru completion		\$ 2,500,000	Loan Proceeds	YES	YES
IFB	Construction	Agat Marina Dock "A" Repairs	Planning/CIP	August 2013	thru completion		250,000	NOAA Fisheries	NO	NO
GSA/IFB	Supply/Srvcs	Port Insurance Coverages - Renewal	Finance/Corp	June/July 2013	one year		2,500,000	O&M	YES	YES

FISCAL YEAR 2014

METHOD	SOLICITATION TYPE	PROJECT TITLE/DESCRIPTION	REQUESTING OFFICE	ESTIMATED ISSUANCE	PROPOSED TERM	CONTRACT VALUE (EST.) PER ANNUM	CONTRACT VALUE (EST.) TTL TERM	FUNDING SOURCE	COMPLIANCE	
									PL 30-72	PUC
IFB	Construction	Electrical Work for Additional 56 Reefer Outlets	CIP	November/Dec 2013	thru completion		\$ 850,000	CIP Local	YES	NO
IFB	Construction	Electrical Work for Reefer Lights Installation	CIP	November/Dec 2013	thru completion		\$ 75,000	CIP Local	NO	NO
IFB	Construction	Upgrade of Power System for IT Office	CIP	November/Dec 2013	thru completion		\$ 100,000	CIP Local	NO	NO
IFB	Construction	Agat Marina Loading Dock Structural Repair	CIP	Jan/February 2014	thru completion		200,000	CIP Local	NO	NO
IFB	Construction	Port Police Security Upgrade	CIP	Jan/February 2014	thru completion		200,000	CIP Local	NO	NO
IFB	Construction	Renovations to Harbor Refuge	CIP/Planning	March-April 2014	thru completion		\$ 200,000	BIG Grant	NO	NO
IFB	Construction	Marinas Sewage Pump Station Upgrade	CIP/Planning	March-April 2014	thru completion		\$ 60,000	Federal Grant	NO	NO
IFB	Construction	Container Yard Storm Drain Channel Repairs	CIP	April/May 2014	thru completion		600,000	CIP Local	YES	NO
IFB	Construction	Automatic Transfer Switch for LC2 & LC3	CIP	April/May 2014	thru completion		100,000	CIP Local	NO	NO
IFB	Construction	Repair/Upgrade Perimeter Fence	CIP	June/July 2014	thru completion		200,000	CIP Local	NO	NO

FY-13 WORK INJURY REPORT
(10/01/12 to 09/30/13)

04/30/2013

<u>Divisions</u>	<u>*Lost-time</u>	<u>**Recordable</u>	<u>***Refused Treatment</u>
Stevedoring	1	1	1
Transportation	0	2	0
Terminal	0	0	0
EQMR	0	0	1
Others	<u>0</u>	<u>1</u>	<u>1</u>
Total	1	4	3

Work Injury Summary for this reporting period: 10/01/12 to 04/30/2013

8 – Injuries recorded
1 - Lost-time
4 – Recordable
3 – Refused Medical Attention

Last disabling work injury recorded was on: 02/17/13

Number of days since last disabling work injury: 0 7 3

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

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

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

PORT AUTHORITY OF GUAM
Jose D. Leon Guerrero Commercial Port
ENGINEERING/CIP DIVISION
Piti, Guam 96925

April 24, 2013

INTER-OFFICE MEMORANDUM

TO: General Manager

FROM: Engineer Manager

SUBJECT: Brief Summary Status of Ongoing & Proposed CIP Projects for the Year 2013, aside from the Guam Commercial Port Improvement Program.

The following is a summary list of on-going projects including those in the planning stage.
Updates are italicized.

- 1) **PROJECT:** **GDP Marina Renovation & Site Improvements Project Phase-II**
- IFB NUMBER: PAG CIP-012-007
- CONTRACTOR: Black Construction Corporation
- PROJECT AMOUNT: \$1,698,877.00
- CHANGE ORDER: \$0
- FUNDING SOURCE: Department of Interior of Insular Affairs Grant # 670090 & 770061
- NOTICE TO PROCEED: February 6, 2013
- COMPLETION TIME: January 3, 2014 (332 CD)
- PAYMENT TO DATE: \$0
- BALANCE PAYMENT: \$1,698,877.00
- Construction Manager: N.C. Macario & Associates & Port Engineering/CIP Division
- % Completion: 10%
- WORK STATUS: BCC is processing for submission of the required submittals. BCC got the DPW permit on February 6, 2013. Permits from ACOE, BSP, & GEPA are on file. Awaiting arrival of sheet piles, ETA second week of April, end of April is when pile driving will begin.
- NOTE: *Mobilized field office 4/1/13. Demolition start 4/03/13. All sheet piles are on island inspected by Al Torillo of NCMA 4/16/13. A/E (NCMA) still in the process of approving material submittals as per project specification. 75% review completed.*
- 2) **PROJECT:** **Replacement of Welded Steel Petroleum Distribution Piping**
- RFP NUMBER: PAG-011-00
- PROJECT AMOUNT: \$2,496,332.97 (Conservative estimate)
- DESIGNER: N.C. Macario & Associates

FUNDING SOURCE: 1) A/E Design funded by PAG \$289,928.18
Amendment No. 1 \$ 48,932.62.00,
Amendment No. 2 \$41,998.78
2) CM funded by PAG \$245,000.00
3) Available fund by FHWA \$2,464,042.22

A/E Completion Time: February 10, 2012
PAYMENT TO DATE: \$260,935.35
CONTRACTOR: N/A
BID OPENING DATE: N/A
NOTICE TO PROCEED: N/A
COMPLETION TIME: 305 Calendar Days
Construction Manager: SSFM International, Inc. & Port Engineering/CIP Division
PAYMENT TO DATE: \$0
WORK STATUS: N/A
NOTE: NCMA has forwarded the Final design drawing to FHWA for review. MOU awaiting review by signatories from FHWA, PAG & DPW. Received ACOE Permit on December 26, 2012. *Awaiting full CATEX report. Received section 7 of USFAWs and Section 106 SHPO Park and Recs. 4/19/13 from Richelle of FHW*

3) PROJECT: **Installation of MOV at Golf Pier Fuel Pipelines**
IFB NUMBER: PAG-CIP-013-001
PROJECT AMOUNT: \$324,400.00
A/E DESIGNER: N.C. Macario & Associates
FUNDING SOURCE: Port Authority of Guam
A/E Completion Time: December 14,, 2012
PAYMENT TO DATE: \$0
CONTRACTOR: BME & Sons Corporation
NOTICE TO PROCEED: Notice of Intend to Award issued on January 31, 2013
CHANGE ORDER: N/A
COMPLETION TIME: 150 Calendar days after NTP
Construction Manager: NCMA & Port Engineering/CIP Div.
WORK STATUS: Preliminary Notice To Proceed (PNTTP) was issued on March 14, 2013. Awaiting building permit and review of submittal documents.
*DPW building permit was received 4/18/13.
Official Noticed to Proceed was issued on April 22, 2013.
Contractor is still in the process of submitting materials submittal and PAG/NCMA review and approved long lead material items.*

4) PROJECT: **Warehouse I, Bay 2 & 3 Concrete Column Repair & CMU Wall Demolition**
IFB NUMBER: PAG-012-00
CONTRACTOR: BME & Sons INC.
PROJECT AMOUNT: \$75,500.00 Actual Bid
FUNDING SOURCE: Port Authority of Guam

NOTICE TO PROCEED: N/A
COMPLETION TIME: 6 months after NTP
PAYMENT TO DATE: \$0
WORK STATUS: *Bid opening February 28, 2013*
Construction Manager: Port Engineering/CIP Division
NOTE: This is a safety issue with the U.S. Coast Guard citation. Pre-bid conference is on February 13, 2013. Bid opening on February 28, 2013. Project to be ratified by the BOD on March 28, 2013.
Awaits PAG legal counsel signature of the contract agreement. Contractor Submitted Performance Bond 4/11/13.

5) **PROJECT:** **Design/Build Port Security Enhancement Project**
IFB NUMBER: PAG CIP-012-006
CONTRACTOR: MAEDA Pacific Corporation
PROJECT AMOUNT: \$2,933,000.00
CHANGE ORDER: *\$210,408.00 As of 4/23/14*
FUNDING SOURCE: U.S. Department of Homeland Security Grant # 2008-GB-T8-0148, 2009-PU-R1-0164, 2009-PU-T9-0043, & 2010-PU-T0-0080
NOTICE TO PROCEED: January 14, 2013 for DNTP
COMPLETION TIME: March 23, 2013(60 CD for design & permitting)
PAYMENT TO DATE: *\$290,016.00 (4/3/13)*
WORK STATUS: Contractor submitted the 90% Design Submittal for approval. Parsons Brinkerhoff & Port Engineering/CIP Div.
Construction Manager: Contractor is processing the design phases & for the permits. Construction NTP will follow. Ground Breaking Ceremony is scheduled on April 5, 2013 @ 10:00 A.M..
NOTE: *Awaits DPW permit and Contractor (Maeda) working on 100% design). Finalizing Environmental Protection Plan for foundation permit.*

6) **PROJECT:** **GDP Marina New Water Line System**
IFB NUMBER: PAG-012-005
CONTRACTOR: MAEDA Pacific Corp.
PROJECT AMOUNT: \$119,600.00
CHANGE ORDER: \$ 5,098.76 – Propose Change Order no. 1 under review and negotiation.
FUNDING SOURCE: Port Authority of Guam
NOTICE TO PROCEED: December 10, 2012
COMPLETION TIME: May 10, 2012 (153 CD after NTP)
PAYMENT TO DATE: *\$36,528.00 (4/9/13)*
WORK STATUS: *40% completed*
Construction Manager: Port Engineering/CIP Division
NOTE: DPW permit was issued on March 8, 2013.
Contractor (Maeda) completed laying out 2” new main water line and paving excavated areas. Awaits arrival of off island

water meter. ETA end of May. Main water meter was installed by GWA and the contractor on April 18,2013.

- 7) **PROJECT:** **New 58 ea. 480V Reefer Outlets & Reefer Lights Installation**
IFB NUMBER: PAG-012-00
CONTRACTOR: N/A
PROJECT AMOUNT: \$950,000.00 (Conservative estimate)
FUNDING SOURCE: Port Authority of Guam
NOTICE TO PROCEED: N/A
COMPLETION TIME: 8 months after NTP
PAYMENT TO DATE: \$0
WORK STATUS: N/A
Construction Manager: Port Engineering/CIP Division
NOTE: Port Engineering office is finalizing the Technical Provision (30% design-built) bid packet & will request for funding.
- 8) **PROJECT:** **Agat Marina Fish Utility Boom Repair**
RFQ NUMBER: PAG-012-00
CONTRACTOR: N/A
PROJECT AMOUNT: \$6,875.00 (Grant funding)
FUNDING SOURCE: Department of Agriculture, Sport Fish Restoration/Boating Access Grant # F-21-B1
NOTICE TO PROCEED: N/A
COMPLETION TIME: 30 days after P.O. issuance
PAYMENT TO DATE: \$0
WORK STATUS: N/A
Construction Manager: Port Engineering/CIP Division
NOTE: Department of Agriculture is finalizing the MOU with PAG. Lowest responsive quote bid shall be reconfirmed from contractor.
- 9) **PROJECT:** **Agat Marina Ramp's Left Side Concrete Catwalk Repair**
RFQ NUMBER: PAG-012-00
CONTRACTOR: N/A
PROJECT AMOUNT: \$35,000.00 (Conservative estimate)
FUNDING SOURCE: Department of Agriculture, Sport Fish Restoration/Boating Access Grant # F-21-B1
NOTICE TO PROCEED: N/A
COMPLETION TIME: 3 months after P.O. issuance
WORK STATUS: N/A
PAYMENT TO DATE: \$0
Construction Manager: Port Engineering/CIP Division
NOTE: Department of Agriculture is finalizing the MOU with PAG.. Technical provision scope for Bid packet is ready for advertisement.

- 10) PROJECT: Concrete Storm Drain Channel System Upgrade**
IFB NUMBER: PAG-012-00
CONTRACTOR: N/A
PROJECT AMOUNT: \$600,000.00 (Conservative estimate)
FUNDING SOURCE: Port Authority of Guam
NOTICE TO PROCEED: N/A
COMPLETION TIME: 6 months after NTP
PAYMENT TO DATE: \$0
WORK STATUS: N/A
Construction Manager: Port Engineering/CIP Division
NOTE: Bid opening was on October 3, 2012. Lowest responsive bid was \$330,000.00 (BME & Sons). Procurement issued a cancellation letter in regards to GEPA requirements affecting this project.
- 11) PROJECT: A/E Design Consultant Services (Hotel Wharf/Golf pier Bollards)**
RFP NUMBER: PAG-013-001
CONTRACTOR: N/A
PROJECT AMOUNT: \$200,000.00
FUNDING SOURCE: Port Authority of Guam
NOTICE TO PROCEED: N/A
COMPLETION TIME: 12 Months after NTP
PAYMENT TO DATE: N/A
WORK STATUS: *Awaiting RFP publication.*

COMPLETED PROJECTS:

- 1) PROJECT: GDP Marina Renovation & Site Improvement Project, Phase I**
IFP NUMBER: PAG-010-002
CONTRACTOR: Black Construction Corporation
PROJECT AMOUNT: \$1,252,000.00
FUNDING SOURCE: Department of Interior Office of Insular Affairs Grant # 670090 & 770061
NOTICE TO PROCEED: May 2, 2011
COMPLETION TIME: March 12, 2012
CHANGE ORDER: 1) \$234,616.00 (C.O. #1, Channel widening)
2) \$11,576.17 (C.O. #2, Demobilization)
TOTAL AMOUNT: \$1,498,192.20
PAYMENT TO DATE: \$1,498,192.20
NOTE: 100% Complete
- 2) PROJECT: 10" Waterline Break Repair @ F5, Sta.15+45**
P.O. NUMBER: P.O. # 10072-OF
CONTRACTOR: Barrett Enterprises
PROJECT AMOUNT: \$11,852.00
FUNDING SOURCE: Port Authority of Guam

- | | |
|-----------------------|------------------------------------------------------|
| NOTICE TO PROCEED: | August 27, 2012 |
| COMPLETION TIME: | September 27, 2012 |
| PAYMENT TO DATE: | \$0 |
| Construction Manager: | Port Engineering/CIP Division & Facility Maintenance |
| NOTE: | 100% Completed |
- 3) **PROJECT:** **Troubleshoot Cathodic Protection System**
P.O. NUMBER: 9799 OF
CONTRACTOR: CORRPRO
PROJECT AMOUNT: \$3,250.00
FUNDING SOURCE: Port authority of Guam
NOTICE TO PROCEED: May 5, 2012
COMPLETION TIME: 90 Calendar days
Construction Manager: Port Engineering /CIP Division
NOTE: 100% Completed. CORRPRO repaired all the zero readings which was in the corroded splice joints.
- 4) **PROJECT:** **Port CY Lighting Upgrade Project**
IFB NUMBER: PAG-CIP11-001
CONTRACTOR: DCK Pacific Guam
PROJECT AMOUNT: \$748,412.00
FUNDING SOURCE: Homeland Security Grant # PSGP 2007-GB-T7-0437
NOTICE TO PROCEED: January 24, 2012
COMPLETION TIME: Nov. 19, 2012 (300 CD)
CHANGE ORDER: \$56,867.64
PAYMENT TO DATE: \$805,279.64
TOTAL AMOUNT: \$805,279.64
Construction Manager: AmOrient Engineering/PAG Engineering/CIP Division
Work Status: 100% Completed
NOTE: This project was incorporated with the Guam Commercial Port Improvement Project under MARAD & selected EA Engineering, Science & Technology, Inc. as the prime engineer.
- 5) **PROJECT:** **GDP Marina Dock "B" Repairs**
IFB NUMBER: PAG-011-001
CONTRACTOR: GEMCCO
PROJECT AMOUNT: \$318,000.00
FUNDING SOURCE: Department of Agriculture, Sport Fish Restoration/Boating Access Grant # F-21-B1, & Port Authority of Guam
BID OPENING DATE: November 23, 2010
NOTICE TO PROCEED: April 25, 2012
COMPLETION TIME: August 24, 2012 (122 CD), extended to December 3, 2012
PAYMENT TO DATE: \$318,000.00
TOTAL AMOUNT: \$318,000.00
Construction Manager: Port Engineering/CIP Division
Work Status: 100% Completed
NOTE: This is a cost sharing project between Department of Agriculture & PAG.

- 6) **PROJECT:** **Electrical Upgrade on Building's Secondary Distribution Sub-Panel Boards**
IFB NUMBER: PAG CIP-011-002
CONTRACTOR: M.D. Crisostomo, Inc.
PROJECT AMOUNT: \$60,874.00
CHANGE ORDER: \$20,857.03
TOTAL AMOUNT: \$81,731.03
FUNDING SOURCE: Port Authority of Guam
NOTICE TO PROCEED: May 21, 2012
COMPLETION TIME: Oct. 20, 2012 (153 CD), extended to December 19, 2012
PAYMENT TO DATE: \$81,731.00
Construction Manager: Port Engineering/CIP Division
WORK STATUS: 100% Complete
- 7) **PROJECT:** **GDP Marina Dock "A" & Dock "B" Pile Extension**
IFB NUMBER: PAG-012-003
CONTRACTOR: BME & Sons Corp.
PROJECT AMOUNT: \$96,230.00
FUNDING SOURCE: Department of Agriculture, Sport Fish Restoration/Boating Access Grant # F-21-B1
NOTICE TO PROCEED: September 21, 2012
COMPLETION TIME: January 20, 2013
PAYMENT TO DATE: \$96,230.00
Construction Manager: Port Engineering/CIP Division
WORK STATUS: 100% Complete
NOTE: This is a cost sharing project with DoAg & PAG.
- 8) **PROJECT:** **GDP Marina Dock "C" Repair**
IFB NUMBER: PAG-012-004
CONTRACTOR: Black Construction Corp.
PROJECT AMOUNT: \$278,700.00
FUNDING SOURCE: Department of Agriculture, Sport Fish Restoration/Boating Access Grant #F-21-B1 & Port Authority of Guam
NOTICE TO PROCEED: September 10, 2012
COMPLETION TIME: January 10, 2013
PAYMENT TO DATE: BCC submitted the final billing (\$278,700.00) on 2/8/2013
WORK STATUS: 100% Complete
Construction Manager: Port Engineering/CIP Division
NOTE: This is a cost sharing project with DoAg & PAG.
- 9) **PROJECT:** **Wharf F1 Catwalk Repair**
RFP NUMBER: Tristar
CONTRACTOR: Rico's General Construction
PROJECT AMOUNT: \$413,419.00
FUNDING SOURCE: Port Authority of Guam
NOTICE To proceed: March 9, 2012
COMPLETION TIME: February 11,2013

Engineering Report

Brief Summary: Status of Ongoing & Proposed CIP Projects 2013

April 24, 2013

Page 8 of 8

PAYMENT TO DATE:	\$278,820.00
WORK STATUS:	100% Complete
Construction Manager:	NET Guam Inc./Port Engineering/CIP Division

Aside from the Guam Commercial Port Improvement Program, the aforementioned are on-going projects as well as those in the planning stages. On the GCPIP, this division continues to coordinate with A/E Engineering Consultants and on other assessments, including the review of Task Orders for payments. Should you have any questions, please call my office.

cc: Interim Deputy General Manager
Engineer Manager



PORT OF GUAM
ATURIDATI PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
1026 Cabras Highway, Suite 201, Piti, Guam 96925
Telephone: 671-477-5931/35 Facsimile: 671-477-2689/4445
Website: www.portguam.com



Eddie Baza Calvo
Governor of Guam
Ray Tenorio
Lieutenant Governor

April 26, 2013

TO: Board of Directors
FROM: General Manager
SUBJECT: Interim Tariff Request

On March 28, 2013, during a regularly scheduled Board of Director's meeting, staff had presented the 5-Year Tariff Projection and 20-Year Financial Plan. In doing so, there was also a request from the management team seeking the Board approve and adopt a 3.95% increase to the tariff. The justification to do so was stated to be the need to accommodate organic growth inflation as well as to bridge the gap between the last known tariff increase of March 2012 to that of the next unknown increase.

While the Board chose not to act on the request due to concerns on the basis of the proposed rate increase, the Board directed staff to work with PB to firm up the proposal and bring some clarity to the issue. During the week of April 8 – 12, 2013, staff engaged PB on the matter of the interim rate relief proposal.

As a result, PB has provided the Port with the enclosed position piece aimed to request for 5.65% increase to the tariff. Please note that this request is to improve the financial position of the Port at a time prior to the closing of the SLE loan. This is being done with the understanding that the ability to service the debt will also be overlapped with tariff related operational needs consistent with the increase associated with organic growth inflation as previously requested.

Enclosed for your review and consideration is the position piece prepared by PB.

It is the recommendation of staff, with the support of Management, that the Board of Directors adopt the 5.65% interim rate increase and authorize management to proceed with doing all that is required by the PUC to implement the interim rates.


JOANNE M.S. BROWN
General Manager

Enclosure - PB Position Piece; Interim Tariff Adjustment



Port Authority of Guam
Interim Tariff Adjustment
Board of Director's Meeting – April 30, 2013

OVERVIEW

An interim tariff adjustment of 5.65% is recommended to ensure the Port maintains a stable financial position regardless of short term fluctuations in cargo volume or other unforeseen disruptions to operations and revenue.

The goal of the interim tariff adjustment is to ensure that sufficient revenues are available to keep up with inflation and to support the two near-term Port-financed components of the Minimum Port Modernization Program (Min-PMP): Wharf Service Life Extension (SLE) Project(s) and Terminal and Gate Operating Systems (TOS/GOS) Improvements. These programs are outlined in greater detail in the 5-Year Tariff Projection and 20-Year Financial Plan (2012 Financial Plan) submitted to the PUC on behalf of the Port in October 2012.

METHODOLOGY

The overall methodology and assumptions used to calculate the interim tariff adjustment are similar to those used in the 2012 Financial Plan. However, the baseline data for that analysis used *annualized* 2012 revenue and expense data that was available at the time of the report through August 2012. This current projection, in support of the Interim Tariff Petition, uses *actual* 2012 financial year data and adjusts other baseline assumptions where necessary as summarized below:

- a. Final 2012 cargo volumes were less than predicted for 2012. As a result, the baseline cargo volumes that generate revenue have been lowered to reflect full year *actual* 2012 numbers.
- b. Although 2012 cargo volumes were lower, year to date 2013 cargo growth shows an increase of 1.7% through January 31, 2013. This 2012 decline and 2013 rebound could be a component of cargo volume adjusting to the departure of Horizon Lines and shifting cargo to Matson, along with some level of organic population growth and a firmer economic picture overall. To be both conservative and safe, a 1% growth rate moving forward from 2012 baseline figures is used in this analysis. There is no anticipated increase or acceleration of the military buildup in this analysis; the interim tariff adjustment analysis is based on organic growth only.
- c. Another difference between this model and the 2012 Financial Plan is how revenue and expenses related to the crane surcharge are recorded. This analysis is neutralizing any potential crane surcharge revenue by removing it along with all related crane expenses (PMC, fuel, crane maintenance, current crane loan, future crane loan(s), gantry 2 demolition,



Port Authority of Guam
Interim Tariff Adjustment
Board of Director's Meeting – April 30, 2013

- future crane demolition) from the modeling exercise. This significantly reduces the revenue and expense totals but paints a more realistic view of current Port operations since that revenue should only be used to pay debt service and expenses directly related to gantry crane operations.
- d. Interest payments recorded in the income statement are adjusted to reflect full debt service (principal and interest) of the \$3.5 million equipment loan and the SLE loan. The crane loan principal and interest is recorded separately as noted previously.
 - e. The 2012 Financial Plan used a lower inflation rate to calculate future expenses. This report assumes 3.55% inflation figure which matches the Guam consumer price index (CPI) from 1997-2011. This is a slight increase from 2012 Financial Plan.
 - f. Correspondingly, the projected growth in commercial leases has been lowered to match the same 3.55% inflation figure. The commercial lease rate was assumed to grow faster than inflation in the 2012 Financial Plan.
 - g. The financials are adjusted to exclude any general Tariff increase and previously projected related revenue increases for FY 2013.
 - h. Finally, and importantly, all Federal grant reimbursements are viewed as being offset by expenses for consultants and construction projects; they are effectively cash-flow neutral and therefore not reported in future year projections. Sequestration and the general belt-tightening through the Federal budget process is reinforcing the notion that dependence on Federal grants may be riskier in the future. While this exclusion of Federal contributions is the same methodology that was used in the 2012 Financial Plan, it is important to highlight this since the interim tariff adjustment is designed to allow the Port to operate self-sufficiently.

INFORMATION SUPPORTING THE ASSESSMENT

Cargo Forecast -- Container Volume

Container volume at the Port dipped from 96,065 import/export containers in FY 2011 down to 92,747 in FY 2012. This represents a decrease of 3.45% from FY 2011. Through the first four months of FY 2013 container volume has rebounded and has increased by 1.7 percent over FY 2012 although it still trails FY 2011 volumes. A pattern of limited cargo growth and stagnant tariffs allows the Port to maintain basic operations, but it does not provide sufficient revenue for necessary maintenance, modernization or improvements to support the SLE or to enhance operational efficiency through an upgraded TOS/GOS.



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Inflation Rate – Guam CPI

One change that impacts future year costs is the inflation rate that is applied to the baseline labor and expense assumptions. In addition to the planned increment adjustments in 2012, all expenses related to labor, maintenance and other costs increase at a rate equal to the Guam Consumer Price Index (CPI) as identified by the Guam Business and Economic Statistics Program. The average CPI on Guam, as reported by the Guam Business and Economic Statistics Program, was 3.55% from 1997 to 2011. In the 2012 Financial Plan costs were escalated by a more modest 3.1%. In the 2012 Financial Plan commercial revenues from leases were projected to increase by 4.5% per annum to reflect an increase in the CPI and to help the lease rates catch up with other market rates for commercial property on Guam. In this analysis, the commercial lease escalation rate has been lowered to 3.55% to match Guam CPI.

Interim Tariff Increase and Follow-on 5-Year Tariff Petition

The requested interim tariff increase sets the near term growth rate at 5.65%. As previously mentioned, it was calculated by estimating how much revenue will be necessary to (a) support the purchase (without a loan) of the TOS/GOS assuming a \$ 5 million contract with expenses distributed evenly over the next five years and (b) financing a \$10 million loan to support the SLE program and possible investments in the Financial Management System upgrade and the acquisition of a new Top Pick. The TOS/GOS expense is expected to begin in July of 2013 and end in June of 2018. The loan for the SLE is expected to be issued in October 2013 and will be for 15 years, at a 6.0% interest rate with only interest payments for the first two years.

Once the Master Plan Update is complete, a 5-Year Tariff Petition will be prepared. As was stated in the 5-Year Projection proffered in October of 2012, it is expected that the Minimum PMP will be followed until increased cargo volumes and resulting revenues justify adding additional cargo handling capacity improvements. That said, other PMP investments and parallel initiatives such as the development of Hotel Wharf to facilitate PMP construction in the main cargo terminals, will be introduced in the Master Plan Update and addressed in the 5-Year Tariff Petition. Overall it is expected that minimum or maximum PMP investments would be complete within 5-6 years. At that time, tariff increases are expected to level off at a number approximating 3.95% annually for the balance of the 20-year planning horizon.

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It is imperative to begin the interim tariff increase at the start of FY14 to avoid greater increases in the future as inflation continues to escalate costs for all items on Guam.

Impact on Consumer Goods

Any recommended tariff adjustment is done with significant concern over how it impacts the residents of Guam. As such, a measured increase in the Port tariff is necessary to minimize the impact on the price of goods imported onto Guam. However, unlike other utilities on Guam, a 5.65% increase in Port tariffs does not translate to a commensurate increase in the price of goods at the retail level. That is to say, Port tariffs represent a very small part of the cost of goods coming through the supply chain to Guam. In 2011, the average tariff levied on a container in Guam represented approximately \$565. On average, each container has \$150,000 worth of retail product, with that number likely to increase over time with inflation. Looking at a 2011 snapshot, the sum of all Port tariffs reflected a cost of 0.38% (\$565/\$150,000) of the goods in the average container. Had a 5.65% tariff increase occurred in 2011 it would have raised the average tariff to \$597 per container and increased the percentage the tariff represents on containers to 0.398%. To put this into a commodity cost perspective a tariff increase of 5.65% would have increased the price of 5 lbs of bananas by less than 1¢ and would only be directly responsible for an additional 0.0002¢ per \$1 of the retail price. This is a number that would be lost in any other price adjustments made for other reasons outside Port and consumer control.

Current Financial Picture

Historically the Port is able to maintain positive net revenue as a result of Federal reimbursements. For example, the 2012 audited financial statement shows a loss of \$1.651 million before capital contributions from the Federal government of \$3.703 million. The recommended interim tariff increase is designed to alleviate the reliance on Federal largesse for future Port improvements and operations. If Federal reimbursements stopped in 2013 as result of sequestration and no tariff increases were authorized, the Port would have a total deficit of \$171 million over the next twenty years including a potential \$250,000 deficit in FY 2013. Appendix A shows the 20-year financial summary table using this scenario, i.e., a scenario to be avoided.

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CONCLUSION

With an interim tariff adjustment of 5.65% followed by similar adjustments in the 5-year Petition and then reduced adjustments (approximately 3.95% annually) thereafter, the Port could keep pace with inflation and fund all necessary PMP investments, future crane replacements and all other sustainability investments needed to operate self-sufficiently as an efficient and solvent business through the 20-year planning horizon.

This interim adjustment is slightly higher than the 2012 Financial Plan projection since full year cargo volumes were slightly lower and inflation has likely started to appear in other Port expenses without an offsetting tariff adjustment in 2013.

Appendix B shows the 20-year financial summary table using this scenario.



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Appendix A – Zero Tariff Adjustments

DRAFT Port Authority of Guam Financial Projections — FY 2013-32
Interim Tariff Adjustment to Begin October 1, 2013 Tariff Case: 1 -- Min PMP – Org Cargo Growth

Fiscal Year	Revenues (millions)			Total Annual Revenues ³	Expenses (millions)		Total Annual Expenses ⁹	Net Surplus/ (Deficit) ¹⁰
	Cargo Revenues ¹	Non-Cargo Revenues ²	Commercial Revenue ³		Other Income ⁴	General and Administrative Expenses ⁵		
2010	\$28.41	\$1.24	\$6.38	\$42.11	\$29.30	\$3.08	\$32.39	\$9.72
2011	\$27.54	\$1.23	\$6.00	\$39.19	\$29.68	\$3.01	\$32.69	\$6.50
2012	\$27.86	\$1.45	\$6.02	\$39.20	\$29.46	\$2.60	\$32.35	\$6.85
2013	\$28.14	\$1.47	\$6.23	\$35.84	\$31.25	\$3.56	\$35.59	\$0.25
2014	\$28.42	\$1.48	\$6.45	\$36.36	\$32.36	\$3.20	\$37.19	-\$0.84
2015	\$28.71	\$1.50	\$6.68	\$36.88	\$33.51	\$4.07	\$39.27	-\$2.38
2016	\$28.99	\$1.51	\$6.92	\$37.42	\$34.70	\$4.87	\$41.47	-\$4.05
2017	\$29.28	\$1.53	\$7.16	\$37.97	\$35.93	\$4.87	\$43.29	-\$5.32
2018	\$29.58	\$1.54	\$7.42	\$38.54	\$37.21	\$4.07	\$43.69	-\$5.16
2019	\$29.87	\$1.56	\$7.68	\$39.11	\$38.53	\$3.47	\$44.60	-\$5.49
2020	\$30.17	\$1.57	\$7.96	\$39.70	\$39.90	\$3.47	\$45.98	-\$6.28
2021	\$30.47	\$1.59	\$8.24	\$40.30	\$41.31	\$3.47	\$47.84	-\$7.54
2022	\$30.78	\$1.60	\$8.53	\$40.91	\$42.78	\$3.47	\$49.01	-\$8.10
2023	\$31.09	\$1.62	\$8.83	\$41.54	\$44.30	\$3.47	\$50.68	-\$9.14
2024	\$31.40	\$1.64	\$9.15	\$42.18	\$45.88	\$3.47	\$52.40	-\$10.22
2025	\$31.71	\$1.65	\$9.47	\$42.83	\$47.51	\$3.47	\$54.52	-\$11.68
2026	\$32.03	\$1.67	\$9.81	\$43.51	\$49.19	\$3.47	\$55.77	-\$12.27
2027	\$32.35	\$1.68	\$10.16	\$44.19	\$50.94	\$3.47	\$57.85	-\$13.66
2028	\$32.67	\$1.70	\$10.52	\$44.89	\$52.75	\$3.47	\$59.59	-\$14.69
2029	\$33.00	\$1.72	\$10.89	\$45.61	\$54.63	\$3.47	\$61.33	-\$15.73
2030	\$33.33	\$1.74	\$11.28	\$46.34	\$56.57	\$3.47	\$63.41	-\$17.07
2031	\$33.66	\$1.75	\$11.68	\$47.10	\$58.58	\$3.47	\$65.54	-\$18.45
2032	\$34.00	\$1.77	\$12.10	\$47.86	\$60.66	\$3.47	\$67.77	-\$19.91
Total	\$619.65	\$32.27	\$177.16	829.08	888.47	73.23	1,016.80	(\$187.71)

Footnotes:

- Reflects revenue from port operations directly related to cargo based on organic growth with no military buildup.
- Non-Cargo revenue includes all revenue not derived from the loading and unloading of freight or leases.
- Lease revenue.
- The future Federal Reimbursement figure was removed from Other Income after 2013. This revenue source is discretionary and should not be considered reliable in future years.
- Summary of columns 2,3,4 and 5.
- Includes salary, benefits, insurance and other expenses.
- Includes interest expenses and retirement government contributions.
- Maintenance and Repair of Port equipment at 1.5% of total equipment, buildings and property, plus new equipment costs.
- Summary of columns 7, 8, and 9.
- Difference between column 6 and column 10.



Port Authority of Guam
Interim Tariff Adjustment

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Appendix B – 5.65% Tariff Adjustment

DRAFT Port Authority of Guam Financial Projections – FY 2013-32
Interim Tariff Adjustment to Begin October 1, 2013 Tariff Case: 1 -- Min PMP -- Org Cargo Growth

Fiscal Year	1	2	3	4	5	6	7	8	9	10	11
	Cargo Revenues ¹		Non-Cargo Revenues ²		Revenues (millions)		Expenses (millions)		Total Annual Expenses ⁸		Net Surplus/ (Deficit) ¹⁰
	Revenues ¹	Commercial Revenue ³	Other Income ⁴	Other Revenues ⁵	General and Administrative Expenses ⁶	Other Expenses ⁷	O&M Costs ⁸	Total Annual Expenses ⁸	Net Surplus/ (Deficit) ¹⁰		
2010	\$28.41	\$1.24	\$6.38	\$6.08	\$42.11	\$29.30	\$3.08	\$32.39	\$9.72		
2011	\$27.54	\$1.23	\$6.00	\$4.41	\$39.19	\$29.68	\$3.01	\$32.69	\$6.50		
2012	\$27.86	\$1.45	\$6.02	\$3.87	\$39.20	\$29.46	\$2.60	\$32.35	\$6.85		
2013	\$28.14	\$1.47	\$6.23	\$3.84	\$39.25	\$31.25	\$3.56	\$35.59	\$0.25		
2014	\$30.03	\$1.56	\$6.45	\$3.80	\$38.05	\$32.36	\$3.20	\$37.19	\$0.85		
2015	\$32.04	\$1.67	\$6.68	\$4.03	\$40.39	\$33.51	\$4.07	\$39.27	\$1.13		
2016	\$34.19	\$1.78	\$6.92	\$4.28	\$42.89	\$34.70	\$4.87	\$41.47	\$1.42		
2017	\$36.49	\$1.90	\$7.16	\$4.55	\$45.55	\$35.93	\$4.87	\$43.29	\$2.26		
2018	\$38.31	\$2.00	\$7.42	\$4.72	\$47.72	\$37.21	\$4.07	\$43.69	\$4.03		
2019	\$40.22	\$2.09	\$7.68	\$5.00	\$50.00	\$38.53	\$3.47	\$44.60	\$5.39		
2020	\$42.23	\$2.20	\$7.96	\$5.28	\$52.38	\$39.90	\$3.47	\$45.98	\$6.40		
2021	\$44.33	\$2.31	\$8.24	\$5.48	\$54.88	\$41.31	\$3.47	\$47.84	\$7.04		
2022	\$46.55	\$2.42	\$8.53	\$5.70	\$57.50	\$42.78	\$3.47	\$49.01	\$8.49		
2023	\$48.87	\$2.55	\$8.83	\$6.02	\$60.25	\$44.30	\$3.47	\$50.68	\$9.56		
2024	\$51.31	\$2.67	\$9.15	\$6.31	\$63.13	\$45.88	\$3.47	\$52.40	\$10.73		
2025	\$53.87	\$2.81	\$9.47	\$6.64	\$66.14	\$47.51	\$3.47	\$54.52	\$11.62		
2026	\$56.55	\$2.95	\$9.81	\$6.93	\$69.31	\$49.19	\$3.47	\$55.77	\$13.54		
2027	\$59.38	\$3.09	\$10.16	\$7.25	\$72.63	\$50.94	\$3.47	\$57.85	\$14.78		
2028	\$62.34	\$3.25	\$10.52	\$7.60	\$76.10	\$52.75	\$3.47	\$59.59	\$16.52		
2029	\$65.45	\$3.41	\$10.89	\$7.95	\$79.75	\$54.63	\$3.47	\$61.33	\$18.41		
2030	\$68.71	\$3.58	\$11.28	\$8.35	\$83.57	\$56.57	\$3.47	\$63.41	\$20.16		
2031	\$72.14	\$3.76	\$11.68	\$8.78	\$87.58	\$58.58	\$3.47	\$65.54	\$22.04		
2032	\$75.74	\$3.94	\$12.10	\$9.18	\$91.78	\$60.66	\$3.47	\$67.77	\$24.01		
Total	\$986.88	\$51.40	\$177.16	1,215.44	888.47	73.23	55.10	1,016.80	198.64		

Footnotes:

- ¹ Reflects revenue from port operations directly related to cargo based on organic growth with no military buildup.
- ² Non-Cargo revenue includes all revenue not derived from the loading and unloading of freight or leases.
- ³ Lease revenue.
- ⁴ The future Federal Reimbursement figure was removed from Other Income after 2013. This revenue source is discretionary and should not be considered reliable in future years.
- ⁵ Summary of columns 2,3,4 and 5.
- ⁶ Includes salary, benefits, insurance and other expenses.
- ⁷ Includes interest expenses and retirement government contributions.
- ⁸ Maintenance and Repair of Port equipment at 1.5% of total equipment, buildings and property, plus new equipment costs.
- ⁹ Summary of columns 7, 8, and 9.
- ¹⁰ Difference between column 6 and column 10.

PROJECT TIMELINE

MONTH	PROJECT	WEEK 1	WEEK 2	WEEK 3	WEEK 4
APRIL	MSLE LOAN	MSLE: Petition draft legislation to Sen. Ada re: Sovereign Immunity	Bill 86-32: Sovereign Immunity, Public Hearing		BILL INTO LAW
	TARIFF		MEET WITH PB ON FINANCIAL MODEL		AUTHORIZATION FROM BOARD
	TOS		PLANNING/COORDINATION MEETING	DEVELOPMENT OF TECHNICAL SCOPE OF WORK	
MAY	MSLE LOAN	LOAN DOCUMENTS PREPARATION: BANK OF GUAM LEGAL AND PAG LEGAL REVIEW			
	TARIFF	PUBLIC NOTICE OF TARIFF ADJUSTMENT	60-DAY PROCESS		
	TOS	ISSUE - ANNOUNCEMENT OF RFP	PRE-PROPOSAL MEETING ON RFP	SUBMISSION OF PROPOSALS	EVALUATION OF PROPOSALS
JUNE	MSLE LOAN	PUC: LOAN DOCUMENTS REVIEW			
	TARIFF	PART OF 60-DAY PROCESS			
	TOS	SELECTION AND PRICE PROPOSAL	COST NEGOTIATIONS	COST NEGOTIATIONS	BOARD APPROVAL: AWARD
JULY	MSLE LOAN	FINALIZATION & EXECUTION OF LOAN DOCUMENTS	SOLICITATION: PLANNING PROCESS	BID ANNOUNCEMENT - CONSTRUCTION WORK	
	TARIFF	TARIFF ADJUSTMENT PETITION TO PUC	PUC TARIFF REVIEW PROCESS		
	TOS	CONTRACT AWARD & PROCESS EXECUTION OF TASK ORDER 1			DEADLINE OF SUBMISSION APPROVAL FROM BOARD
AUGUST	MSLE BID		PRE-BID MEETING		
	TARIFF		PUC TARIFF REVIEW PROCESS, PUBLIC HEARINGS, ETC.		
	TOS				
SEPTEMBER	MSLE	NOIA: BONDING PROCESS	CONTRACT PROCESS		
	TARIFF	APPROVAL OF TARIFF ADJUSTMENT	SUBMISSION TO PUC FOR CONTRACT APPROVAL		
	TOS				PUC MTG: APPROVAL OF CONTRACT
OCTOBER	MSLE	EXECUTION OF CONTRACT:	NOTICE OF AWARD	BEGIN PERMITTING PROCESS	
	TARIFF	IMPLEMENTATION OF TARIFF ADJUSTMENT			
	TOS				
NOVEMBER	MSLE	CONSTRUCTION PERMITTING PROCESS, MATERIAL SUBMISSION, ETC.			
	TARIFF				
	TOS				
DECEMBER	MSLE	PERMITTING PROCESS, MATERIAL SUBMISSIONS, ETC			
	TARIFF				BEGIN CONSTRUCTION ?????
	TOS				

PORT AUTHORITY OF GUAM

Docket No.	Petition Date	Description	PUC Approval	Implement Date	Remarks	Requirements
<i>Pursuant to Public Law 30-52, the PUC is further authorized, until December 31, 2010, to establish "interim rates and charges" for the use of Port Facilities.</i>						
PAG 09-02		Interim Rates/FMF/Fuel Storage, Throughput & Bunkering/Pipeline Easements Revision on FMF	1/29/2010 5/27/2010	3/1/2010	\$25/bl & \$1.35/rt \$25/cntr & \$1.35/rt	Full rate proceeding on or before 12/31/10
PAG 11-01	6/28/2011	Base Rate Case Petition	1/11/2012	3/1/2012	New Tariff & 3.95%	6 mos file 5 year rate plan & fuel rates im/exp 6 mos file sensitivity analysis 6 mos file plan to upgrade marina facilities 9 mos file financing plan for completion of phase 1 & 2 Master Plan
						7/24/12 PAG requested extension of its rpt deadline. 10/22/12 PAG Filed 5yr plan
PAG 12-02	9/20/2012	Crane Surcharge	12/11/2012	1/1/2013	\$105; Incr \$125 3/1/13	Establish Baseline 44,400 cntr & 42,010 tons 9.5% and excess of baseline in a Sinking fund T/S Study due by 6/30/13 File annual report by 12/31/13

**PORT AUTHORITY OF GUAM
TARIFF RATE TABLE**

CHARGE DESCRIPTION	Current RATE	% CHANGED	Proposed Rate	Diff
STUFF IMPORT/EXPORT/EMPTY CONTAINER - HANDLING	132.13	5.65%	139.60	7.47
STUFF IMPORT/EXPORT/EMPTY CONTAINER - STEVEDORE	112.86	5.65%	119.24	6.38
TOTAL	244.99		258.83	13.85
STEVEDORE & HANDLING RATE FOR REFRIGERATED CONTAINERS				
LIVE REFRIGERATED IMPORT/EXPORT - HANDLING	232.13	5.65%	245.25	13.12
LIVE REFRIGERATED IMPORT/EXPORT - STEVEDORE	112.86	5.65%	119.24	6.38
TOTAL	344.99		364.48	19.50
BREAKBULK & LIFT OFF/ON VEHICLES				
BREAKBULK IMPORT/EXPORT - HANDLING	9.03	5.65%	9.54	0.51
BREAKBULK IMPORT/EXPORT - STEVEDORING	14.94	5.65%	15.78	0.84
TOTAL	23.97		25.32	1.35
UNITIZED				
UNITIZED CARGO IMPORT/EXPORT - STEVEDORE	6.07	5.65%	6.42	0.34
UNITIZED CARGO IMPORT/EXPORT - HANDLING	7.53	5.65%	7.96	0.43
TOTAL	13.60		14.37	0.77
RO/RO				
RO/RO IMPORT/EXPORT/TRANSHIPMENT - HANDLING	26.87	5.65%	28.39	1.52
RO/RO IMPORT/EXPORT/TRANSHIPMENT - STEVEDORING	10.75	5.65%	11.36	0.61
TOTAL	37.62		39.75	2.13
RO/RO VEHICLE (VEHICLE OVER 6,000 LBS)				
RO/RO VEHICLE IMPORT/EXPORT/TRANSHIPMENT - HANDLING	7.53	5.65%	7.96	0.43
RO/RO VEHICLE IMPORT/EXPORT/TRANSHIPMENT - STEVEDORE	6.07	5.65%	6.42	0.34
TOTAL	13.60		14.37	0.77
DEVANNING/STUFFING AUTO SPECIAL RATE				
DEVANNING	161.23	5.65%	170.34	9.11
STUFFING	161.23	5.65%	170.34	9.11
HEAVYLIFT				
HEAVYLIFT REGULAR IMPORT/EXPORT/TRANSHIPMENT - HANDLING	2.25	5.65%	2.38	0.13
HEAVYLIFT REGULAR IMPORT/EXPORT/TRANSHIPMENT - STEVEDORE	2.25	5.65%	2.38	0.13
TOTAL	4.50		4.75	0.26
LONGLENGTH				
LONGLENGTH IMP/EXP > 45' & =< 50'	17.51	5.65%	18.50	0.99
LONGLENGTH IMP/EXP > 50' & =< 60'	41.01	5.65%	43.32	2.32
LONGLENGTH IMP/EXP > 60' & =< 70'	52.82	5.65%	55.80	2.98
OVER 70 FEET, FOR EACH 10 FEET OR FRACTION THEREOF	10.91	5.65%	11.53	0.62
TRANSHIPMENT STUFF (20',40'&45') 1ST CARRIER - SCALE				
IMPORT CONT TRANSHIPMENT STUFF LESS THAN 10 CONTAINERS	224.08	5.65%	236.74	12.66
IMPORT EMPTY TRANSHIP FR-2ND CARR (20',40'&45')	107.48	5.65%	113.56	6.07

**PORT AUTHORITY OF GUAM
TARIFF RATE TABLE**

<u>CHARGE DESCRIPTION</u>	<u>Current RATE</u>	<u>% CHANGED</u>	<u>Proposed Rate</u>	<u>Diff</u>
IMPORT EMPTY TRANSHIP FR-2ND CARR (20',40'&45') - DOMESTIC OVERSTOW CONTAINER (20',40'&45')	150.28	5.65%	158.77	8.49
IMPORT/EXPORT OVERSTOW CONTAINER (20',40'&45') SHIFTED CONTAINER (20',40'&45')	53.74	5.65%	56.78	3.04
IMPORT/EXPORT SHIFT CONTAINER (20',40'&45')	64.13	5.65%	67.75	3.62
REHANDLE CONTAINER	74.54	5.65%	78.75	4.21
REHANDLE, OVERSTOW, OR SHIFTED HAZMAT CONTAINERS	74.54	5.65%	78.75	4.21
REHANDLE, OVERSTOW, OR SHIFTED REEFER CONTAINERS	84.92	5.65%	89.72	4.80
SPECIAL RIGGING (20',40'&45')				
IMPORT/EXPORT ALL SPECIAL RIGING OF CNTR	37.62	5.65%	39.75	2.13
WHARFAGE RATES				
WHARFAGE EMPTY CONT IMPORT <25 (20' CONTAINER)	2.80	5.65%	2.96	0.16
WHARFAGE EMPTY CONT IMPORT >25 (40' & 45' CONTAINER)	3.76	5.65%	3.97	0.21
WHARFAGE TRANSHIPMENT TUNA	3.76	5.65%	3.97	0.21
WHARFAGE BREAKBULK IMPORT	3.76	5.65%	3.97	0.21
WHARFAGE BREAKBULK EXPORT/ALL OTHER CARGO	1.88	5.65%	1.99	0.11
WHARFAGE EXPORT CONTAINER STUFF (20' CONTAINER)	35.04	5.65%	37.02	1.98
WHARFAGE EXPORT CONTAINER STUFF (40' & 45' CONTAINER)	59.66	5.65%	63.03	3.37
WHARFAGE IMPORT CONTAINER STUFF (20' CONTAINER)	67.29	5.65%	71.09	3.80
WHARFAGE IMPORT CONTAINER STUFF (40' & 45' CONTAINER)	115.55	5.65%	122.07	6.53
WHARFAGE IMPORT/EXPORT DRY BULK CARGO	3.76	5.65%	3.98	0.21
BUNKERING/FUEL THROUGHPUT/WASTE OIL				
IMPORT THROUGHPUT	0.50		0.50	-
EXPORT THROUGHPUT	0.24		0.24	-
FROM TRUCK TO VESSEL WHEN SERVICED AT PORT PIERS	0.50		0.50	-
DIRECT TO OR FROM VESSEL THRU PRIVATELY OWNED PIPELINE LOCATED ON PORT PROPERTY	0.44	Based on Appraisal report	0.44	-
VESSEL TO VESSEL	0.50		0.50	-
FUEL STORAGE	1.25		1.25	-
BUNKERING	0.66		0.66	-
MARITIME SECURITY FEE				
MARITIME SEC. BB/UNITIZED	0.10	5.65%	0.11	0.01
MARITIME SEC. FEE BUNKERING	0.02	5.65%	0.02	0.00
MARITIME SEC. FEE STUFFED IMPORT/EXPORT	2.15	5.65%	2.27	0.12
MARITIME SEC. EMPTY CONTAINER	0.51	5.65%	0.54	0.03
MARITIME SEC. PASSENGER VESSEL-Crew members (one time charge) & Passengers	1.07	5.65%	1.14	0.06
MARITIME SEC. FEE RO/RO	1.07	5.65%	1.14	0.06
MARITIME SEC. BULK SAND/SCRAP/AGGRE	0.02	5.65%	0.02	0.00
MARITIME SEC. VESSEL DOCKAGE	5%			

**PORT AUTHORITY OF GUAM
TARIFF RATE TABLE**

<u>CHARGE DESCRIPTION</u>	<u>Current RATE</u>	<u>% CHANGED</u>	<u>Proposed Rate</u>	<u>Diff</u>
FUEL SURCHARGE				
LOADED CONTAINERS IMPORT/EXPORT	6.00	5.65%	6.34	0.34
EMPTY INBOUND/OUTBOUND CONTAINER	6.00	5.65%	6.34	0.34
LOADED TRANSSHIPMENT CONTAINER	12.00	5.65%	12.68	0.68
EMPTY TRANSSHIPMENT CONTAINER	12.00	5.65%	12.68	0.68
ALL OTHER CARGO	0.35	5.65%	0.37	0.02
FACILITY MAINTENANCE CHARGE				
FACILITY MAINTENANCE CHARGE-IMP/EXP/TS IMP(CNTR)	25.99	5.65%	27.46	1.47
FACILITY MAINTENANCE CHARGE-IMP/EXP/TS IMP(BB)	1.40	5.65%	1.48	0.08
CRANE SURCHARGE				
CRANE SURCHARGE	125.00	0.00%	125.00	-
DEMURRAGE				
DEMURRAGE- GREATER THAN 20' (40' & 45')	45.13	5.65%	47.68	2.55
DEMURRAGE CONTAINER EMPTY	7.53	5.65%	7.96	0.43
OUTSIDE WAREHOUSE DEMURRAGE BREAKBULK	10.75	5.65%	11.36	0.61
INSIDE WAREHOUSE DEMURRAGE BREAKBULK	16.12	5.65%	17.03	0.91
REFRIGERATED CT DEMURRAGE (DAY 3-4)	75.24	5.65%	79.49	4.25
DEMURRAGE 20' CONTAINER	22.57	5.65%	23.85	1.28
BARE CHASSIS STORAGE	15.00	5.65%	15.85	0.85
REISSUE OF EMPTIES				
GROUNDING EMPTY CT DEMURRAGE	53.74	5.65%	56.78	3.04
OTHER RATES				
CLAIMS FEE	50.00	5.65%	52.83	2.83
BULK SCRAP METAL	13.44	5.65%	14.19	0.76
PASSENGER FEE ARRIVAL OR DEPARTURE	3.76	5.65%	3.97	0.21
PRE-TRIP POWER SURCHARGE	52.67	5.65%	55.64	2.98
LCOR - LINE HANDLING O/T 6 MEN changed to O/T up to 600 ft LOA	483.69	5.65%	511.02	27.33
LCOR - LINE HANDLING O/T 8 MEN changed to O/T over 600 ft LOA	644.90	5.65%	681.34	36.44
LCOR - LINE HANDLING S/T 6 MEN changed to S/T up to 600 ft LOA	322.45	5.65%	340.67	18.22
LCOR - LINE HANDLING S/T 8 MEN changed to S/T over 600 ft LOA	429.94	5.65%	454.23	24.29
OUT OF GAUGE CARGO (OOG)	50.00	5.65%	52.83	2.83
UNPLUG/PLUG REFRIGERATED CONTAINERS	7.50	5.65%	7.92	0.42
CHASSIS CHANGE	32.24	5.65%	34.06	1.82
WATER CONNECT/DISCONNECT HOLIDAY/OT	85.99	5.65%	90.85	4.86
WATER CONNECT/DISCONNECT REGULAR	37.62	5.65%	39.75	2.13
REGULAR WATER CHARGE (Based on GWA)	16.40	5.65%	17.33	0.93
POWER CONNECTION CHARGE	11.44	5.65%	12.09	0.65
SUBMETER INSTALLATION	2.70	5.65%	2.85	0.15
PORT ENTRY FEE				
For vessels of 1,000 gross tons and under	26.87	5.65%	28.39	1.52
For vessels between 1,000 to 2,000 gross tons	54.81	5.65%	57.91	3.10

**PORT AUTHORITY OF GUAM
TARIFF RATE TABLE**

<u>CHARGE DESCRIPTION</u>	<u>Current RATE</u>	<u>% CHANGED</u>	<u>Proposed Rate</u>	<u>Diff</u>
For vessels over 2,000 gross tons, \$52.73 (\$54.81) plus an additional charge per each 2,000 gross tons or fraction thereof in excess of 2,000 gross tons	40.84	5.65%	43.15	2.31
HOTWORK PERMIT	25.99	5.65%	27.46	1.47
HAZARDOUS CARGO PERMITTING	52.72	5.65%	55.70	2.98
REMOVING PLACARDS FROM EMPTIES	25.99	5.65%	27.46	1.47
EQUIPMENT RENTAL				
Battery Charger	17.20	5.65%	18.17	0.97
Compressor	26.50	5.65%	28.00	1.50
Crane, Gantry, Heavy Lifts	423.48	5.65%	447.41	23.93
Forklift, rated capacity 20,000 lbs but less than	53.74	5.65%	56.78	3.04
Forklift, rated capacity 40,000 lbs or greater	60.20	5.65%	63.60	3.40
Forklift, rated capacity below 20,000 lbs	32.25	5.65%	34.07	1.82
Impact Wrench	5.50	5.65%	5.81	0.31
Light Plants	537.42	5.65%	567.79	30.36
One time Charge for Set Up	107.07	5.65%	113.12	6.05
Gas usage per gallon	3.82	5.65%	4.04	0.22
Manlift	50.00	5.65%	52.83	2.83
Pick-up Truck, 3/4 ton capacity or less	21.50	5.65%	22.71	1.21
Side Lifter	37.62	5.65%	39.75	2.13
Top Lifter	64.49	5.65%	68.13	3.64
Tractor	36.54	5.65%	38.61	2.06
Welding Machine	36.54	5.65%	38.61	2.06
DIRECT LABOR				
<u>STRAIGHT TIME</u>				
Account Technician	33.79	5.65%	35.70	1.91
Auto Mechanics	42.36	5.65%	44.75	2.39
Cargo Checkers	42.78	5.65%	45.20	2.42
Carpenters	33.58	5.65%	35.48	1.90
Clerks	27.28	5.65%	28.82	1.54
Crane Mechanic	49.08	5.65%	51.85	2.77
Crane Operator	49.08	5.65%	51.85	2.77
Diesel Mechanic	53.87	5.65%	56.91	3.04
Electrician	44.50	5.65%	47.01	2.51
Equipment Operator	45.78	5.65%	48.37	2.59
Painters	35.47	5.65%	37.47	2.00
Plumbers	40.15	5.65%	42.42	2.27
Preventive Maint. Mechanic	42.36	5.65%	44.75	2.39
Riggers	38.91	5.65%	41.11	2.20
Safety Officers	42.99	5.65%	45.42	2.43
Security Guard	26.84	5.65%	28.36	1.52
Stevedore	39.30	5.65%	41.52	2.22
Welders	45.86	5.65%	48.45	2.59
<u>OVERTIME</u>				
Account Technician	50.69	5.65%	53.55	2.86

**PORT AUTHORITY OF GUAM
TARIFF RATE TABLE**

<u>CHARGE DESCRIPTION</u>	<u>Current RATE</u>	<u>% CHANGED</u>	<u>Proposed Rate</u>	<u>Diff</u>
Auto Mechanics	63.54	5.65%	67.13	3.59
Cargo Checkers	64.17	5.65%	67.80	3.63
Carpenters	50.37	5.65%	53.22	2.85
Clerks	40.92	5.65%	43.23	2.31
Crane Mechanic	73.62	5.65%	77.78	4.16
Crane Operator	73.62	5.65%	77.78	4.16
Diesel Mechanic	80.81	5.65%	85.38	4.57
Electrician	66.75	5.65%	70.52	3.77
Equipment Operator	68.67	5.65%	72.55	3.88
Painters	53.21	5.65%	56.22	3.01
Plumbers	60.23	5.65%	63.63	3.40
Preventive Maint. Mechanic	63.54	5.65%	67.13	3.59
Riggers	58.37	5.65%	61.67	3.30
Safety Officers	64.49	5.65%	68.13	3.64
Security Guard	40.26	5.65%	42.53	2.27
Stevedoring	58.95	5.65%	62.28	3.33
Welders	68.79	5.65%	72.68	3.89
<u>OT DIFFERENTIAL</u>				
Account Technician	16.90	5.65%	17.85	0.95
Auto Mechanics	21.18	5.65%	22.38	1.20
Cargo Checkers	21.39	5.65%	22.60	1.21
Carpenters	16.79	5.65%	17.74	0.95
Clerks	13.64	5.65%	14.41	0.77
Crane Mechanic	24.54	5.65%	25.93	1.39
Crane Operator	24.54	5.65%	25.93	1.39
Diesel Mechanic	26.94	5.65%	28.46	1.52
Electrician	22.25	5.65%	23.51	1.26
Equipment Operator	22.89	5.65%	24.18	1.29
Painters	17.74	5.65%	18.74	1.00
Plumbers	20.08	5.65%	21.21	1.13
Preventive Maint. Mechanic	21.18	5.65%	22.38	1.20
Riggers	19.46	5.65%	20.56	1.10
Safety Officers	21.50	5.65%	22.71	1.21
Security Guard	13.42	5.65%	14.18	0.76
Stevedoring	19.65	5.65%	20.76	1.11
Welders	22.93	5.65%	24.23	1.30
<u>HD DIFFERENTIAL</u>				
Account Technician	22.53	5.65%	23.80	1.27
Auto Mechanics	28.24	5.65%	29.84	1.60
Cargo Checkers	28.52	5.65%	30.13	1.61
Carpenters	22.39	5.65%	23.66	1.27
Clerks	18.19	5.65%	19.22	1.03
Crane Mechanic	32.72	5.65%	34.57	1.85
Crane Operator	32.72	5.65%	34.57	1.85
Diesel Mechanic	35.91	5.65%	37.94	2.03

**PORT AUTHORITY OF GUAM
TARIFF RATE TABLE**

<u>CHARGE DESCRIPTION</u>	<u>Current RATE</u>	<u>% CHANGED</u>	<u>Proposed Rate</u>	<u>Diff</u>
Electrician	29.67	5.65%	31.35	1.68
Equipment Operator	30.52	5.65%	32.24	1.72
Painters	23.65	5.65%	24.99	1.34
Plumbers	26.77	5.65%	28.28	1.51
Preventive Maint. Mechanic	28.24	5.65%	29.84	1.60
Riggers	25.94	5.65%	27.41	1.47
Safety Officers	28.66	5.65%	30.28	1.62
Security Guard	17.89	5.65%	18.90	1.01
Stevedoring	30.27	5.65%	31.98	1.71
Welders	30.58	5.65%	32.31	1.73
<u>NIGHT DIFFERENTIAL</u>				
Account Technician	2.25	5.65%	2.38	0.13
Auto Mechanics	2.82	5.65%	2.98	0.16
Cargo Checkers	2.85	5.65%	3.01	0.16
Carpenters	2.24	5.65%	2.37	0.13
Clerks	1.82	5.65%	1.92	0.10
Crane Mechanic	3.27	5.65%	3.45	0.18
Crane Operator	3.27	5.65%	3.45	0.18
Diesel Mechanic	3.59	5.65%	3.79	0.20
Electrician	2.97	5.65%	3.14	0.17
Equipment Operator	3.05	5.65%	3.22	0.17
Painters	2.37	5.65%	2.50	0.13
Plumbers	2.68	5.65%	2.83	0.15
Preventive Maint. Mechanic	2.82	5.65%	2.98	0.16
Riggers	2.59	5.65%	2.74	0.15
Safety Officers	2.87	5.65%	3.03	0.16
Security Guard	1.79	5.65%	1.89	0.10
Stevedoring	3.03	5.65%	3.20	0.17
Welders	3.67	5.65%	3.88	0.21
<u>LABOR-PENALTY RATES</u>				
Cleaning Ship's Oil Tanks (Hatch Only)	3.76	5.65%	3.98	0.21
Reefer Cargo (Hatch & Container Work)	1.07	5.65%	1.13	0.06
Handling Noxious Cargo (Hatch Work)	5.74	5.65%	6.06	0.32
Bagged Cement (Hatch Work)	3.76	5.65%	3.98	0.21
Scrap Metal Cargo (Hatch Work)	3.76	5.65%	3.98	0.21
Ammunition or Explosive Cargo	3.76	5.65%	3.98	0.21
Bulk Cement (Hatch Work)	5.74	5.65%	6.06	0.32
<u>PIPELINE EASEMENT LEASE RATES</u>				
a. Within Existing Right of Way				
b. Not Within the Right of Way				
<u>LEASE RATES FOR SUBMERGED LAND - NEW</u>				
	ZONE 3			
1	0.04	0.00%	0.04	-
2	0.03	0.00%	0.03	-
3A	0.02	0.00%	0.02	-
3B	0.001	0.00%	0.001	-

**PORT AUTHORITY OF GUAM
TARIFF RATE TABLE**

<u>CHARGE DESCRIPTION</u>	<u>Current RATE</u>	<u>% CHANGED</u>	<u>Proposed Rate</u>	<u>Diff</u>
4	0.02	0.00%	0.02	-
DOCKAGE (Overall Length of Vessel in Feet)				
0 - 100	39.77	5.65%	42.02	2.25
100 - 150	59.11	5.65%	62.45	3.34
150 - 200	77.39	5.65%	81.76	4.37
200 - 250	137.58	5.65%	145.35	7.77
250 - 300	202.07	5.65%	213.49	11.42
300 - 350	269.78	5.65%	285.02	15.24
350 - 375	331.05	5.65%	349.76	18.70
375 - 400	368.67	5.65%	389.50	20.83
400 - 425	407.37	5.65%	430.38	23.02
425 - 450	451.43	5.65%	476.94	25.51
450 - 475	491.21	5.65%	518.96	27.75
475 - 500	537.42	5.65%	567.79	30.36
500 - 525	607.28	5.65%	641.59	34.31
525 - 550	653.50	5.65%	690.43	36.92
550 - 575	712.62	5.65%	752.88	40.26
575 - 600	791.08	5.65%	835.78	44.70
600 - 625	902.87	5.65%	953.88	51.01
625 - 650	1,050.12	5.65%	1,109.45	59.33
650 - 675	1,195.23	5.65%	1,262.76	67.53
675 - 700	1,344.62	5.65%	1,420.59	75.97
700 - 725	1,620.86	5.65%	1,712.44	91.58
725 - 750	1,787.46	5.65%	1,888.46	100.99
750 - 775	2,023.93	5.65%	2,138.28	114.35
775 - 800	2,271.14	5.65%	2,399.46	128.32
800 - 850	2,609.72	5.65%	2,757.17	147.45
850 - 900	2,970.87	5.65%	3,138.72	167.85
900+	3.66	5.65%	3.87	0.21

BOARD OF DIRECTORS

*Daniel J. Tydingco, Chairman
Christine Won Pat Baleta, Vice Chairperson
Mary Michelle Gibson, Secretary
Michael T. Benito, Member
Eduardo R. Ilaio, Member*



Resolution No. 2013-03

**RELATIVE TO FILING AN INTERIM TARIFF PETITION TO THE PUBLIC UTILITIES
COMMISSION IN SUPPORT OF THE PORT MODERNIZATION PROGRAM
AND PORT CARGO TERMINAL WHARF SUSTAINABILITY INVESTMENT**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE JOSE D. LEON GUERRERO
COMMERCIAL PORT:**

WHEREAS, the Jose D. Leon Guerrero Commercial Port was created by Public Law 13-87 on October 31, 1975; and

WHEREAS, the Jose D. Leon Guerrero Commercial Port and its Board of Directors has an ongoing responsibility to preserve sustainable operation of the Commercial Port and improve services to the people of Guam; and

WHEREAS, on October 22, 2012, the Port previously filed with the Public Utilities Commission its 20-Year Financial Plan and 5-Year Rate Plan describing projected near-term Port Modernization Program Improvements and long-term Sustainability Investments; and

WHEREAS, the Port has now commissioned its Owner's Agent/Engineer to update the 2007 Master Plan and generate related 5-Year Tariff Petition Schedules in support of its previous investment projections; and

WHEREAS, the Port seeks to implement near-term improvements to its Financial Management and Terminal Operating Systems as part of the Port Modernization Program and balance that with a wharf-stabilizing Service Life Extension Project, both initiatives being consistent with the aforementioned investment projections; and

WHEREAS, an interim tariff adjustment is necessary to keep pace with inflation and finance these known and urgent improvement and sustainability investments; and

WHEREAS, the financial analysis conducted by the Port's Owner's Agent/Engineer has determined that a general increase matching the CPI Index of 3.55% is necessary to keep pace with cost of living increases and is applicable to all expenses in general; and

WHEREAS, the cost of financing the Service Life Extension Project and Systems Upgrades effectively adds 2.1% to the CPI increase of 3.55%; and

WHEREAS, the composite across the board increase accounting for improvements and sustainability investments and cost of living adjustments amounts to 5.65%; now therefore be it

RESOLVED, the Board of Directors hereby supports the near-term investment in Service Life Extension of the Public Cargo Terminal Wharf and the Upgrade of the Port's Financial and Terminal Operating Systems; and be it further

RESOLVED, the Board of Directors hereby authorizes release of Public Notice on the intended Interim Tariff Petition to support the financing of these projects; and be it further

RESOLVED, the Board of Directors hereby authorizes submission of an Interim Tariff Petition for 5.65% to the Public Utilities Commission following adequate Public Notice; and be it further

RESOLVED, the Chairman certify to, and the Secretary attest to, the adoption hereof and that a copy of this resolution be sent to the Public Utilities Commission, the Honorable Judith B. Won Pat, Speaker of the 32nd Guam Legislature, and the Honorable Thomas C. Ada, Oversight Chair for Committee on Public Safety, Infrastructure & Maritime Transportation.

**PASSED AND ADOPTED UNANIMOUSLY BY THE BOARD OF
DIRECTORS THIS 30th DAY OF APRIL, 2013.**

**DANIEL J. TYDINGCO
CHAIRMAN, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM**

**MARY MICHELLE GIBSON
SECRETARY, BOARD OF DIRECTORS
PORT AUTHORITY OF GUAM**

ANTICIPATED TRAVEL/TRAINING
REMAINING OF FY2013

TRAVELER	CONFERENCE/TRAINING	TRAVEL COST
<ul style="list-style-type: none"> ● Frank J. Sablan, Marine Traffic Controller ● Jovonne Ybarra-Reyes, Marine Traffic Controller ● Peter R. Cruz, Marine Traffic Controller ● Charlene Yatar, Assistant Harbor Master ● John B. Santos, Operations Manager 	Incident Response to Terrorist Bombings (IRTB) July 23-26, 2013 & September 10-13, 2013	100% federally funded
<ul style="list-style-type: none"> ● Joseph F. Leon Guerrero, Mobile Equipment Dispatcher ● Norberto Datuin, Stevedore ● Sammy Q. Babauta, Stevedore ● Vincent SN Asanoma, Winch Operator ● Kenneth A. Santos, Stevedore 	ATOSSCOM Conference – Palau July 9, 2013 – July 15, 2013	Air Fare: \$948.29 (1 Person) Per Diem: 6 days @ \$287 = \$1,722.00 TOTAL COST: \$2,670.29
<ul style="list-style-type: none"> ● Frank V. Lujan, Program Coordinator II ● Joseph J. Aguon, Stevedore ● Michael J. Barcinas, Cargo Checker ● Albert D. Blas, Jr., Equipment Operator II ● Jason J. Bermudes, Tariff Technician ● Vincent SN Asanoma, Winch Operator ● Rodney F. Akima, Security Guard (Armed) ● Paul A. Cruz, Program Coordinator II 	Center of Domestic Preparedness New Mexico Date: April 2013 To be rescheduled	100% federally funded
<ul style="list-style-type: none"> ● Ernest G. Candoleta, Maintenance Manager 	Center of Domestic Preparedness New Mexico Date: June 2013	100% federally funded
<ul style="list-style-type: none"> ● Joanne MS. Brown, General Manager 	FY2013 National Homeland Security Conference Los Angeles, California Date: June 4, 2013 to June 7, 2013	Airfare: \$1,520.36 Per Diem: 6 days @ 245 = \$1,563.75 Registration: \$450.00 TOTAL COST: \$3,534.11
<ul style="list-style-type: none"> ● Ernest G. Candoleta, Maintenance Manager 	FY2013 National Homeland Security Conference Los Angeles, California Date: June 4, 2013 to June 7, 2013	Airfare: \$1,570.36 Per Diem: 6 days @ 196 = \$1,247.00 Registration: \$450.00 TOTAL COST: \$3,267.36

ANTICIPATED TRAVEL/TRAINING
REMAINING OF FY2013

TRAVELER	CONFERENCE/TRAINING	TRAVEL COST
<ul style="list-style-type: none"> • Jose G. Javellana, Planner IV 	FY2013 National Homeland Security Conference Los Angeles, California Date: June 4, 2013 to June 7, 2013	Airfare: \$1,520.36 Per Diem: 6 days @ 196 = \$1,247.00 Registration: \$450.00 TOTAL COST: \$3,217.36
<ul style="list-style-type: none"> • Frank V. Lujan, Program Coordinator IV 	FY2013 National Homeland Security Conference Los Angeles, California Date: June 4, 2013 to June 7, 2013	Airfare: \$1,743.76 Per Diem: 6 days @ 196 = \$1,247.00 Registration: \$450.00 TOTAL COST: \$3,440.76
<ul style="list-style-type: none"> • Alma B. Javier, Procurement & Supply Manager 	FY2013 National Homeland Security Conference Los Angeles, California Date: June 4, 2013 to June 7, 2013	Per Diem: 6 days @ 196 = \$1,247.00 Registration: \$450.00 TOTAL COST: \$1,697.00
<ul style="list-style-type: none"> • Raymond B. Santos, Transportation Superintendent 	Center of Domestic Preparedness New Mexico June 16- 29, 2013	100% federally funded
<ul style="list-style-type: none"> • Joaquin P. Pangelinan, Manager, Equipment Support Services 	Center of Domestic Preparedness New Mexico June 16-29, 2013	100% federally funded

ANTICIPATED CERTIFICATION/TRAINING – ON ISLAND
REMAINING OF FY2013

TRAINING/CERTIFICATION	COST	REMARKS
4 Hour – Forklift Operator Training (recertification)	198 participants @ \$100 = \$19,800	Anticipated scheduled date will be during the period of May to June 2013.
8 Hour – Refresher Courses and Re-Certification of Crane Operator and Riggers	10 participants @ \$290 = \$2,900	Rigging Certification for Riggers. Anticipated Date: Pending Island Certs for date.
EEO Training		Pending date from DOA
10-Hour OSHA Maritime Supervisor Safety Course	24 participants @ \$295 = \$6,195	Pending schedule date from Island Certs
Occupational Exposure to Lead – Refresher Course	28 participants @ \$150 = \$4,200	Pending schedule date from Island Certs.

Leonardo M. Rapadas
Attorney General



Phillip J. Tydingco
Chief Deputy Attorney General

OFFICE OF THE ATTORNEY GENERAL

March 26, 2013

Ref: LEG 13-0193

OPINION

Honorable Thomas C. Ada
Senator, *Mina' Trentai Dos Na Liheslaturan Guåhan*
173 Aspinall Avenue
Hagåtña, Guam 96910

RE: Request Regarding Appointments to the Port Authority of Guam Board of Directors.

On February 28, 2013, this Office received your request for intervention with respect to what you believe may be the unlawful holdover of appointments to the Port Authority of Guam Board of Directors past the expiration of their appointed terms by two board members, specifically Daniel Tydingco and Michael Benito.

FACTS

The Port Authority of Guam is a "public corporation and autonomous instrumentality of the government of Guam" 12 GCA § 10102. Its mandate is to "provide for the needs of ocean commerce, shipping, recreational and commercial boating, and navigation of the territory of Guam." *Id.* It is governed by a five member board of directors appointed by the Governor with the advice and consent of the Legislature. Board members served staggered three year terms. Vacancies are filled "for the unexpired terms." Directors may only be removed for cause upon charges following a hearing. A quorum consists of three members of the board, and three affirmative votes are required for the transaction of all business. 12 GCA § 10103.

(a) The Authority shall be directed by the Board which shall consist of five (5) directors appointed by the Governor with the advice and consent of the Legislature. Directors shall be appointed and their names transmitted to the Legislature within thirty (30) days of the effective date of this Chapter. **The five (5) directors first appointed shall classify themselves by lot so that their terms shall expire respectively as follows: One (1) on December 31, 1976, Two (2) on June 30, 1977 and Two (2) on June 30, 1978. Their successors shall be appointed each for a term of three (3) years to commence on the date of their confirmation by the Legislature. Any director vacancy shall be filled by the Governor, with the advice and consent of the Legislature, for the unexpired term.**

(b) Any director may be removed upon charges, and after hearing, by the Governor.

(c) Three (3) directors shall constitute a quorum of the Board and three (3) affirmative votes are required for the transaction of all business. * * *

12 GCA § 10103 (emphasis added).

By letters date January 25, 2011, Port Authority of Guam Board of Directors members Monte Mesa; Marilou Lacson; William Beery; Joseph Camacho; and Jovyna Lujan were "relieved of duty" by Governor Eddie Baza Calvo. Each of the five received the same letter which stated in its entirety:

Thank you for contributing your time, expertise, and energies towards helping the people of Guam.

By the authority vested in me as Governor of Guam, under the Organic Act of Guam, as amended, and the laws of Guam, effective immediately I hereby relieve you of your duties and responsibilities as:

Member, PORT AUTHORITY OF GUAM BOARD OF DIRECTORS

Your service to the people of Guam is greatly appreciated.

Sincerely,
/s
EDDIE BAZA CALVO

Based upon their original dates of confirmation by the Legislature, at the time they were "relieved of duty" from the board of directors by the Governor:

- Joseph Camacho's term had already expired;
- Monte Mesa's term of office was not due to expire until August 14, 2011;
- Marilou Lacson's term of office was not due to expire until October 3, 2011;
- William Beery's term of office was not due to expire until October 28, 2012; and
- Jovyna Lujan's term of office was not due to expire until November 21, 2011.¹

The Governor transmitted appointment letters and supporting documentation to the Legislature for the following individuals who were confirmed by the Legislature on the following dates:

- Michael T. Benito – appointment transmitted January 19, 2011; confirmed February 21, 2011;
- Eduardo R. Ila – appointment transmitted January 19, 2011; confirmed February 21, 2011;²
- Daniel J. Tydingco – appointment transmitted February 1, 2011 confirmed February 21, 2011;
- Mary Michelle Gibson – appointment transmitted May 16, 2011; confirmed August 3, 2011; and
- Christine Baleto – appointment transmitted December 6, 2011; confirmed March 16, 2012.³

¹ "Upon further consideration" by the Governor, by letter dated February 2, 2011, Jovyna Lujan's termination was "rescinded" and her three year term counting from the date of her original confirmation "reinstated" to expire November 21, 2011.

² Benito and Ila both received letters from Governor Calvo dated January 10, 2011, notifying them that they had been appointed to the board of directors, and that their appointments were "effective immediately." However, their actual appointment letters and supporting documents were not received by the Legislature until January 19, 2011. All five of the appointment transmittal letters to the Legislature advised the Legislature that the appointments were intended for three years terms, the correctness of which is the question presented here. Nevertheless, the transmittal letters to the Legislature with supporting documentation correctly reflected that their appointments were "subject to the advice and consent of *I Liheslaturan Guåhan*."

Senator Ada posits that because Joseph Camacho's term had already expired by the time that Eduardo Ilaos name was submitted, that Ilaos confirmation on February 21, 2011 should therefore be considered as filling the first vacancy, with Ilaos new three year term to expire on February 21, 2014.⁴ Senator Ada next posits, by the order of appointment presented by the Governor and confirmed by the Legislature compared to the next two expiration dates of the "relieved" board members, that Michael Benito and Daniel Tydingco's appointments were intended to fill Monte Mesa and Marilou Lacson's unexpired terms, which had they not been "relieved of duty" would have expired February 14, 2011 and February 4, 2012, respectively. According to Senator Ada's calculations, Tydingco's appointment would have expired August 14, 2011 because Tydingco should be considered to be filling Monte Mesa's unexpired term; and Benito's term would have expired on October 3, 2011 because he should be deemed to be filling the remainder of Marilou Lacson's unexpired term.⁵

If Senator Ada's calculations and interpretation of 12 GCA § 10103(a) are correct, then two of three current members of the board of directors of the Port Authority have been holding over in office without lawful authority. Unfortunately, it is at best educated guesswork to determine who that might be, as none of the Governor's appointment letters reflect that the appointments were designated to fill specific vacancies left by unexpired terms as contemplated by § 10103(a). The appointment letters simply identify the appointee and designate the term length as being submitted for three year terms. Moreover, because Ilaos, Benito, and Tydingco were all three confirmed by the Legislature on the same date, January 21, 2011, there is nothing to indicate what order these three individuals were confirmed in, in order to determine which board member is intended to fill whose unexpired term. Nothing in any of the Legislature's confirmation reports suggests that anyone in the Legislature was contemplating that they were confirming limited appointments to fill unexpired terms of specific board members as provided by § 10103(a), as opposed to confirming new appointments for three year terms.

ANALYSIS

The first question to consider is whether the restrictions on the Governor's appointment authority contained in 12 GCA § 10103 are organic. Although an argument could be made that the Governor's Organic Act authority to terminate and appoint members to executive boards and agencies cannot be limited in the manner contemplated by the Legislature in § 10103 which here requires the maintenance of

³ Guam law provides, "Each Board or Commission, of which at least four (4) members are appointed by *I Maga'lahi*, shall include at least two (2) members from each gender." 4 GCA § 2105. Presumably, Mary Michelle Gibson and Christine Baletto were appointed to fill the vacancies created when Marilou Lacson and Jovyna Lujan were "relieved of duty." But there may be no way to know for certain whether either the Governor or the Legislature in fact had it in mind for Gibson and Baletto to replace Lacson and Lujan because of their sex. The constitutionality of this provision is not before us, and we express no opinion on it.

⁴ For the reasons suggested in note 2, *supra*, it is unclear whether the Governor did in fact intend for Ilaos to fill Camacho's vacancy.

⁵ Senator Ada calculates the unexpired terms by applying the statutory holdover provision contained in 4 GCA § 2103.9(e) ("An appointed board or commission member *may* continue to serve for ninety (90) calendar plus three (3) legislative days in that persons [sic] position after that persons [sic] term has expired in an acting holdover capacity until that person, or another person, is appointed by *I Maga'lahen Guåhan* [Governor] and confirmed by *I Liheslaturan Guåhan* [the Legislature].") (third and fourth bracketed parentheticals and italics in the original).

fixed, staggered terms, appointments to vacancies restricted to the remainder of unexpired terms, and the restriction on termination for cause only, it is unlikely that courts would agree. In *Opinion of the Attorney General*, LEG-11-0199, "Organicity of P.L. 30-190 Relating to the Appointment to the Board of Trustees of the Guam Memorial Hospital Authority" (March 28, 2011), this Office determined that although denominated a "public corporation and autonomous instrumentality" within the government of Guam, the Guam Memorial Hospital Authority ("GMHA") was in fact an executive or line agency subject to the Governor's plenary authority under Guam's Organic Act to "establish, maintain, and operate public health services in Guam, including hospitals, dispensaries, and quarantine stations, at such places in Guam as may be necessary," 48 U.S.C. § 1421g(a). Construing revisions to GMHA's statute in view of *Bordallo v. Baldwin*, 624 F.2d 932 (9th Cir. 1980); *Nelson v. Ada*, 878 F.2d 277 (9th Cir. 1989); and *Sablan v. Gutierrez*, 2002 Guam 13, this Office concluded that although GMHA may be described by statute as an autonomous instrumentality of the government of Guam, it is in fact not independent from the Governor's executive authority to govern its operations. Accordingly, this Office determined that the provisions of GMHA's revised statute limiting the Governor's powers of appointment and removal of GMHA's Board of Trustees were inorganic.

In *Bordallo v. Baldwin*, 624 F.2d 932 (9th Cir. 1980), the question presented was "whether, when the Governor is specifically charged by Section 1421g(a) of the Organic Act with the responsibility for establishing, maintaining, and operating hospitals, the Legislature may, within the terms of that act, reduce his function with respect to the governance of the Hospital to the mere ministerial function of validating the appointments made by others to the Hospital's governing body." The Ninth Circuit Court of Appeals said it could not, and rejected the Legislature's argument that Congress' inclusion of the phrase "except as otherwise provided in this chapter or the laws of Guam" in § 1422c(a), as well as inclusion of the phrase "subject to the laws of Guam" in § 1421g(a) was intended to authorize the Legislature to limit the Governor's general powers of appointment.

Defendants argue that the Governor's general appointive power as set forth in Section 1422c(a), was clearly intended to be subject to legislative action, otherwise Congress would not have included the phrase "except as otherwise provided in this chapter or the laws of Guam", and that his specific responsibility with respect to hospitals is restricted by the inclusion in Section 1421g(a) of the phrase "subject to the laws of Guam". But they failed to recognize that legislative power is limited by Section 1423a to subjects "not inconsistent with the provisions of this chapter". The legislature may, of course determine whether a hospital shall exist at all, where and how large it shall be, the size and qualifications for appointment to the governing body, and a wide variety of other matters establishing the laws of Guam "subject to" which the Governor perform his function with respect to the hospital, but it may not negate the command of the Organic Act that the ultimate responsibility for the governance of the Hospital be in the Governor. This is what it has purported to do by the disputed legislation. The Legislature has in effect, taken over the entire power to establish, maintain and operate the Hospital by dictating who the governing trustees shall be. The Governor is stripped of all power to have any voice in the policies, management or procedures of the Hospital, despite the mandate of the Organic Act to the contrary. The Legislature has exceeded its power.

Bordallo, 624 F.2d 934-35. Even though the Legislature's power is in most respects plenary, it remains constrained "by Section 1423a to subjects 'not inconsistent with the provisions of this chapter,' " *id.*, meaning, here in particular, the separation of powers doctrine expressed in § 1421a that "[t]he government of Guam shall consist of three branches, executive, legislative and judicial."

In *Nelson v. Ada*, 878 F.2d 277 (9th Cir. 1989), the court held that legislation which provided that members of the school board be elected rather than appointed by the Governor violated the Organic Act, 48 U.S.C. § 1421g(b). This provision of the Organic Act provided that the "Governor shall provide an adequate public educational system of Guam, and to that end shall establish, maintain, and operate public schools at such places in Guam as may be necessary." By the time the case was heard, § 1421g(b) had been amended to require that the "Government" rather than the "Governor" shall provide an adequate public educational system. But the amendment was held to apply prospectively only, so it was still necessary to answer the question whether the Legislature's provision for an elected school board violated the Governor's executive powers of appointment. Citing *Bordallo v. Baldwin* as dispositive, the appeals court held that when the Legislature created an elected school board, it undermined the Governor's exclusive authority under the Organic Act to provide an adequate public educational system.

We held in *Bordallo v. Baldwin* that, because the governor was specifically charged by section 1421g(a) of the Organic Act with the responsibility for establishing, maintaining and operating hospitals, the legislature could not reduce his function to that of validating appointments to the Board of Trustees made by others. *Id.* at 934. We rejected the principal argument made by the legislature that it could enact a different process for selection, an argument similar to that made by petitioners here. That argument was that the governor's powers of appointment under the Organic Act were qualified by section 9 of the Organic Act, 48 U.S.C. § 1422c(a), which stated that the governor's power of appointment was limited and had to be exercised in accordance with the Organic Act and "the laws of Guam." We also rejected the argument that the governor's specific responsibility with respect to the hospital was restricted by the phrase in section 1421g(a) requiring that the governor exercise his authority over the public health system "subject to the laws of Guam." *Id.*

Nelson, 878 F.2d 279.

In *Sablan v. Gutierrez*, 2002 Guam 13, the Guam Supreme Court was asked to determine whether legislation which required the Governor to appoint members of the Guam Election Commission from lists of candidates provided by the two main political parties on Guam violated the Governor's appointment authority under the Organic Act. For two reasons, the Court said it did not.

Section 2101(a) [Title 3 GCA] directs the governor to appoint six members to the board of the GEC from recommendations made by the recognized political parties of Guam. The Governor failed to appoint any of the three persons recommended by the Republican party. The lower court held that the Governor's failure to name the Republican nominees to the GEC board violated section 2101(a). The lower court's decision rested on two alternative grounds. First, the board of the GEC is not a part of the executive branch, and thereby not within the Governor's power of appointment as conferred by the Organic Act. Second, even assuming the GEC is an executive agency, the power of appointment is not exclusive to the Governor and can be limited by the legislature.

Sablan, 2002 Guam 13 ¶ 3. The Guam Election Commission is designated by law as "an autonomous instrumentality and an independent commission of the government of Guam." 3 GCA § 2101(a). Without deciding the Commission's status as either executive or autonomous, the Supreme Court assumed for purposes of decision that the Commission was an executive agency and proceeded to analyze whether limitations placed on the Governor's appointment authority were inorganic.

Although section 2101(a) does not completely divest the Governor of his discretion in appointing the members of the GEC, it does place a limitation on his power of appointment by restricting his group of candidates to persons recommended by Guam's recognized political parties. Therefore, we must address the Governor's argument that any limitation placed on his power of appointment violates the Organic Act. The Governor's appointment authority is limited and set forth in 48 U.S.C. § 1422, which states that the Governor "shall appoint, and may remove, all officers and employees of the executive branch of the government of Guam, except as otherwise provided in this or any other Act of Congress, or under the laws of Guam..." 48 U.S.C. § 1422 (1950). Assuming *arguendo* that the GEC is an executive agency, the phrase "except as otherwise provided ... under the law[] ..." is an "unmistakable recognition of the authority of the lawmaking department to provide for the appointment of all officers whose appointment is not definitely regulated by the Constitution itself." *Driscoll v. Sakin*, 121 N.J.L. 225, 1 A.2d 881, 882 (N.J.1938).

Id., 2002 Guam 13 ¶ 13 (editorial ellipsis by the Court). The Court distinguished the Governor's statutory responsibilities with respect to appointments to the Election Commission from his Organic Act authority with respect to Guam's public hospital discussed in *Bordallo*, and the board of Guam's public school system addressed in *Nelson*. The fact that the source of the Governor's responsibility with respect to governance of the public hospital and public schools was found in the Organic Act was dispositive of the question whether the Legislature can limit the Governor's power of appointment and removal.

Unlike the facts presented in *Bordallo v. Baldwin*, 624 F.2d 932 (9th Cir.1980), and *Nelson v. Ada*, 878 F.2d 277 (9th Cir.1989), no other provision within the Organic Act limits the manner in which the legislature may restrict the power of appointment with respect to the GEC. See *Bordallo*, 624 F.2d at 934-35 (finding that a statute rendering the Governor's power to appoint hospital trustees ministerial conflicted with the provision of the Organic Act that vested the Governor with authority to maintain Guam's health services); see also *Nelson*, 878 F.2d at 279-80 (finding that a statute divesting the Governor of his power to appoint school board members conflicted with the provision of the Organic Act that vested the Governor with authority to maintain Guam's public school system). Therefore, section 2101(a) is a legitimate exercise by the legislature of its express authority to determine how the members of a board it created are to be selected and appointed. See *Welch v. Key*, 365 P.2d 154, 157 (Okla.1961).

Id., 2002 Guam 13 ¶ 14. Because the Legislature's authority with respect to the Election Commission was not constrained by the Organic Act in the way it was (and is) with respect to the hospital and formerly was with respect to public schools, the Supreme Court found that requiring the Governor to select his appointees to the Guam Election Commission from lists provided by each of the recognized political parties on Guam was a reasonable limitation on the Governor's appointment authority and was not in conflict with the Organic Act. The Court said, "Therefore, we find that the legislature can restrict the Governor's selection and appointment of the GEC board members to persons recommended by Guam's recognized political parties without being inconsistent with the Organic Act." *Id.*, 2002 Guam 13 ¶ 16 (citation omitted).

Unlike the Governor's authority with respect to Guam's public hospital and at one time public schools, there is no comparable mandate to be found in the Organic Act with respect to the Port Authority of Guam. And although there is no case squarely on point with respect to either the Port Authority or the A.B. Won Pat Guam International Airport Authority, the courts continue to distinguish between public corporations and autonomous agencies that are not subject to the Governor's plenary authority under the

Organic Act, *see, e.g., Guam Radio Services, Inc. v. Guam Economic Development Authority*, 2000 Guam 1; *Bordallo v. Reyes*, 763 F.2d 1098 (9th Cir. 1985), affirming *Bordallo v. Reyes*, 610 F.Supp. 1128 (D. Guam 1984); and *Laguana v. Guam Visitor's Bureau*, 725 F.2d 519 (9th Cir. 1984), and those executive agencies which are subject to the Governor's plenary authority under the Organic Act, *see again, Bordallo v. Baldwin* and *Nelson v. Ada*. Accordingly, and unlike the revisions to Guam Memorial Hospital Authority's enabling legislation considered in *Opinion of the Attorney General*, LEG-11-0199, "Organicity of P.L. 30-190 Relating to the Appointment to the Board of Trustees of the Guam Memorial Hospital Authority," this Office can discern no Organic Act infirmity in 12 GCA § 10103(a).

It is now necessary to determine precisely what the Legislature intended with respect to the terms of office of the Port Authority's Board of Directors created by 12 GCA § 10103.

Statutory interpretation always begins with the language of the statute. *Aguon v. Gutierrez*, 2002 Guam 14 ¶ 6. "In cases involving statutory construction, the plain language of a statute must be the starting point." *Bank of Guam v. Guam Banking Bd.*, 2003 Guam 9 ¶ 19. When the plain reading of a statute is "clear on its face" and yields to an unambiguous definition, we will not look past that plain reading. *Castino [v. G.C. Corp.]*, 2010 Guam 3 ¶¶ 29, 30 ("A plain reading construction is appropriate where the statute lays out specific requirements and indicates exactly what is necessary for compliance without ambiguous terms."). However, if the text of the statute is ambiguous or results in absurd or unworkable consequences, the "fair and reasonable" construction is applied. *Id.* ¶ 58 (internal quotation marks omitted); *see also Manvil Corp. v. E.C. Gozum & Co., Inc.*, 1998 Guam 20 ¶ 17 ("We adopt a fair and reasonable construction and application of our mechanics' lien statutes to the facts in each particular case, so as to afford materialmen and laborers the security intended by the legislation's remedial purpose. Where the statutes are clear on their face, however, we will not read further."). When examining the statute's language, the court must consider whether the language is "plain and unambiguous," which is determined by "reference to the language itself, the specific context in which that language is used, and the broader context of the statute as a whole." *Aguon*, 2002 Guam 14 ¶ 6 (quoting *Robinson v. Shell Oil Co.*, 519 U.S. 337, 340 (1997)); *see also Macris v. Guam Mem'l Hosp. Auth.*, 2008 Guam 6 ¶ 19 (quoting *Aguon*, 2002 Guam 14 ¶ 9) (stating that a statute " 'must be examined within its context,' which 'includes looking at other provisions of the same statute and other related statutes' ").

Guam Resorts, Inc. v. G.C. Corp., 2012 Guam 13 ¶ 7.

A plain reading of the Port Authority's enabling legislation informs the reader that the Legislature intended (1) that individual members of the Port Authority's board of directors shall serve fixed three years terms; (2) that following the appointment of the Port Authority's first board of directors, board members' terms of office end on specific calendar dates; (3) that vacancies in office are to be filled by appointment and legislative confirmation, but limited to the remainder of the appointee's predecessor's unexpired term; and (4) that directors may only be removed by the Governor "upon charges," or for cause. These are all common characteristics of independent or "autonomous" agencies that distinguish them from executive agencies subject to the chief executive's plenary authority. *See, Lisa Schultz Bressman, Procedures as Politics in Administrative Law*, 107 Colum.L.Rev. 1749, 1806 (Dec. 2007) ("Independent agencies have features that affect political control, including limits on plenary presidential removal, bipartisan membership requirements, and fixed and staggered terms. Each prevents agency policy from shifting dramatically with new administrations, although the President still may influence policy by, for example, choosing a new commission chair.") (footnotes omitted); Lisa Schultz Bressman and Robert B. Thompson, *The Future of Agency Independence*, 63 Vand.L.Rev. 599, 610 (Apr. 2010) ("[I]ndependent

agencies are different in structure because the President lacks authority to remove their heads from office except for cause. Thus, these agencies are independent in the sense that the President cannot fire their leaders for political reasons and, consequently, cannot use this ultimate sanction to back up particular policy recommendations. [¶] Independent agencies have other structural features that distinguish them from executive-branch agencies. They are generally run by multi-member commissions or boards, whose members serve fixed, staggered terms, rather than a cabinet secretary or single administrator who serves at the pleasure of the President and thus will likely depart with a change of administration, if not before.” (footnotes omitted); *id.*, 63 Vand.L.Rev. 611 (“At the broadest level, the structural characteristics of independent agencies are aimed at insulating them, to some degree, from politics.”) (footnote omitted); *see also*, Peter L. Strauss, *The Place of Agencies in Government: Separation of Powers and the Fourth Branch*, 84 Colum. L. Rev. 573, 609-16 (Apr. 1984).

In *Marbury v. Madison*, 5 U.S. (1 Cranch) 137 (1803), the Supreme Court of the United States held, “Where an officer is removable at the will of the executive, the circumstance which completes his appointment is of no concern; because the act is at any time revocable; and the commission may be arrested, if still in the office. But when the officer is not removable at the will of the executive, the appointment is not revocable, and cannot be annulled. It has conferred legal rights which cannot be resumed.[¶] The discretion of the executive is to be exercised until the appointment has been made. But having once made the appointment, his power over the office is terminated in all cases, where, by law, the officer is not removable by him.” *Id.*, 5 U.S. at 163. In *United States v. Perkins*, 116 U.S. 483, 485 (1886), the Court held, “We have no doubt that when congress, by law, vests the appointment of inferior officers in the heads of departments, it may limit and restrict the power of removal as it deems best for the public interest. The constitutional authority in congress to thus vest the appointment implies authority to limit, restrict, and regulate the removal by such laws as congress may enact in relation to the officers so appointed. The head of a department has no constitutional prerogative of appointment to offices independently of the legislation of congress, and by such legislation he must be governed, not only in making appointments, but in all that is incident thereto.” And in *Myers v. United States*, 272 U.S. 52, 126 (1926), the Supreme Court stated that “[i]n the absence of any specific provision to the contrary, the power of appointment to executive office carries with it, as a necessary incident, the power of removal.”

By contrast, in *Humphrey's Executor v. United States*, 295 U.S. 602, 631-32 (1935), the Court held, “Whether the power of the President to remove an officer shall prevail over the authority of Congress to condition the power by fixing a definite term and precluding a removal except for cause will depend upon the character of the office; the *Myers* decision, affirming the power of the President alone to make the removal, is confined to purely executive officers; and as to officers of the kind here under consideration, we hold that no removal can be made during the prescribed term for which the officer is appointed, except for one or more of the causes named in the applicable statute.” And in *Wiener v. United States*, 357 U.S. 349 (1958), explaining its holding in *Humphrey's Executor*, the Court said that it “drew a sharp line of cleavage between officials who were part of the Executive establishment and were thus removable by virtue of the President’s constitutional powers, and those who are members of a body ‘to exercise its judgment without the leave or hindrance of any other official or any department of the government,’ as to whom a power of removal exists only if Congress may fairly be said to have conferred it. This sharp differentiation derives from the difference in functions between those who are part of the Executive establishment and those whose tasks require absolute freedom from Executive interference.” *Id.*, 357 U.S. 556 (citation omitted).

In particular, fixed, staggered terms, and limitations proscribing removal except for cause are intended not merely to promote stability and continuity of institutional knowledge, but to insulate autonomous agencies from the political influence from the appointing authority. *Compare*, *United States v. Wilson*, 290 F.3d 347, 359 (D.C. Cir. 2002) (“Thus it is evident that in staggering the membership

(among other features), Congress was insulating the Commission from carte blanc replacement at any given time.”); *Watson v. Pennsylvania Turnpike Commission*, 386 Pa. 117, 125, 125 A.2d 354, 357 (Pa. 1956) (“The purpose of the foregoing provision as to the terms of office of the Commissioners (i. e., those first to be appointed and thereafter their successors) is patent. It was designed so that, by the prescribed rotation, the terms of three of the four appointed members of the Commission would always be current ... Were the Commissioners to be held removable at the pleasure of the Governor, the carefully expressed scheme of term rotation would be effectually nullified.”); *Bowers v. Pennsylvania Labor Relations Board*, 402 Pa. 542, 551, 167 A.2d 480, 484 (Pa. 1961) (“The legislature has shown that, when it creates an administrative agency and provides that its members shall be appointed for fixed terms with staggered expiration dates, the intent thereby evidenced is that such members are not removable by the appointor at his pleasure.”); *Patterson v. DeCarbo*, 46 Pa.D&C.4th 148, 162 (Pa.Com.Pl. 2000) (“In conclusion, the standard for removing an appointed official from a legislatively created public office, as it evolved from a long history of Pennsylvania Supreme Court case law, is that the inclusion of a method of removal of the appointed officer in the pertinent legislation, by either providing for staggered fixed terms of appointment or a specific mode of removing the official prior to the expiration of his term, indicates a legislative intent that ... the official may not be removed at the pleasure of the appointing authority.”); *Board of Supervisors of Prince William County v. Wood*, 213 Va. 545, 548, 193 S.E.2d 671, 674 (Va. 1973) (“All these statutes, nevertheless, evince a continuing legislative interest in cushioning the shock to the public school system from sudden changes in local government. Staggered terms afford some continuity in the operation of school boards. But the continuity is subject to abrupt disruption if the appointing body may at will replace an entire board....”); *Jackson v. Hubbard*, 256 Ala. 114, 120, 53 So.2d 723, 728 (Ala. 1951) (“The change made by the legislature in 1943, providing for staggered terms, seems to us to indicate a clear legislative intent to make free from any doubt the permanency and independence of the status of the members of the board of directors.”); *In re Sedacca v Mangano*, 18 N.Y.3d 609, 615-16, 965 N.E.2d 257, 260, 942 N.Y.S.2d 30, 33 (N.Y. 2012) (“This design may frustrate the most recent expression of the electorate’s mandate, but it is meant precisely to avoid a wholesale change of membership of the ARC upon the installation of each successive administration...Removing the commissioners without cause under Nassau County Charter § 203, as respondents urge, would frustrate the legislative intent by nullifying the requirements of the RPTL and rendering the staggered statutory terms of office in RPTL 523-b superfluous.”).

As described by the Chief Justice of the Supreme Court of Pennsylvania, it is of no small consequence when the Governor usurps the prerogative of the Legislature by purporting to exercise a power not reserved to him in the Constitution, or in the case of Guam its Organic Act.

It is implicit in the American form of government, as ordained by the Constitution of both the United States and Pennsylvania, that the government consist[s] of three coordinate branches, legislative, executive and judicial, and that one branch should not impinge on the province of another. Any interference by a member of the executive department of government with the tenure of an incumbent member of a quasi-judicial board or commission would plainly offend against this basic constitutional concept. The Supreme Court has twice declared that the President of the United States lacks power to remove without cause an appointed member of an administrative agency which possesses and exercises judicial powers. *Wiener v. United States*, 1958, 357 U.S. 349, 352, 78 S.Ct. 1275, 2 L.Ed.2d 1377; *Humphrey's Executor v. United States*, 1935, 295 U.S. 602, 627-628, 55 S.Ct. 869, 79 L.Ed. 1611. For the same reasons, the Governor of Pennsylvania may not remove without cause an appointee to an administrative board or commission which, as authorized by law, is invested with judicial powers and duties. Nor is it of presently material significance that the Constitution of the United States, under which the cases above cited arose, does not contain a provision such as Article VI,

Section 4, of the Pennsylvania Constitution. The controlling governmental principle of a division of powers among equal and independent legislative, executive and judicial departments, with the attendant salutary checks and balances, inheres in, and is the essence of, both our Federal and State Constitutions.

Bowers v. Pennsylvania Labor Relations Board, 402 Pa. 542, 552-53, 167 A.2d 480, 484-85 (Pa. 1961).

Having determined that the Port Authority's statute suffers no facial Organic Act infirmity that would prevent the Legislature from creating a "public corporation and autonomous instrumentality of the government of Guam" whose directors hold office by staggered, fixed terms, and who can only be removed for cause, the conclusion is inescapable that the Governor was without authority to "relieve" the former members of their offices on board of directors. Had any of those members who still had unexpired terms challenged their removal from office it is more than likely that the courts of Guam would be compelled to order their return to office to fill the remainder of their terms. But none challenged their removal from office prior to the expiration of their terms, and the Legislature having confirmed their successors without question, that matter is now moot.

The next question is whether vacancies on the board of directors may only be filled for the remainder of the officeholders' unexpired terms, or whether an argument can be made that the new appointees began new three year terms from the date of their confirmation by the Legislature. For all that appears, the Legislature failed to consider whether they were confirming appointments to fill the remainder of unexpired terms, but simply assumed that appointments were being confirmed for new three year terms. However, the fact that the Governor and the Legislature may have unwittingly given the appointees and the public the impression that directors had been confirmed to serve new three year terms commencing on the date of their confirmation is not dispositive. "The appointment and the commission are distinct acts, and the terms of the commission cannot change the effect of the appointment as defined by the statute." *Quackenbush v. United States*, 177 U.S. 20, 27 (1900). Thus, it does not matter what the Governor's appointment and transmittal letters said with respect to the effective date or the length of the appointees' terms, nor does it matter what the Legislature did or did not say in its notices of confirmation as to when any particular board members' terms began and ended. What matters is what the law says.

Any construction of the Port Authority's enabling statute that suggests that when a vacancy on the board of directors occurs prior to the expiration of their fixed three year term, the Governor is permitted to make an appointment that commences a new three year term would render the phrase "[a]ny director vacancy shall be filled by the Governor, with the advice and consent of the Legislature, for the unexpired term" superfluous, a nullity.⁶ "As a rule of statutory construction, a statute should be construed in such a way that 'no clause, sentence, or word shall be superfluous, void, or insignificant.'" *Guam Resorts, Inc. v. G.C. Corp.*, 2012 Guam 13 ¶ 15 (quoting *Duncan v. Walker*, 533 U.S. 167, 174 (2001)). "A statute should be construed to give effect to all of its provisions so that no part would be superfluous or insignificant." *Macris v. Richardson*, 2010 Guam 6 ¶ 15 (citations omitted); accord, *Sablan v. Guam Land Use Com'n*, 2011 Guam 29 ¶ 19. Therefore, in order to "give effect to all of its provisions so that no part would be superfluous or insignificant," the members of the Port Authority's current board of directors who were confirmed following vacancies left unexpired terms, ordinarily due to death or

⁶ We note that another provision of Guam law applicable to vacancies in office separately provides, "Whenever a vacancy occurs in any office the term of which is fixed by law, such vacancy shall be filled as provided by law for the balance of the unexpired term thereof." 4 GCA § 2102.

voluntary resignation,⁷ serve only for the remainder of their predecessor's unexpired term.⁸ In order to answer the question when those terms begin and end, we return to the statute.

Title 12 GCA § 10103(a) again provides,

The Authority shall be directed by the Board which shall consist of five (5) directors appointed by the Governor with the advice and consent of the Legislature. Directors shall be appointed and their names transmitted to the Legislature within thirty (30) days of the effective date of this Chapter. The five (5) directors first appointed shall classify themselves by lot so that their terms shall expire respectively as follows: One (1) on December 31, 1976, Two (2) on June 30, 1977 and Two (2) on June 30, 1978. Their successors shall be appointed each for a term of three (3) years to commence on the date of their confirmation by the Legislature.

As discussed previously, the first sentence of § 10103(a) evidences the Legislature's intent to establish staggered terms for the Port Authority board of directors, a common enough attribute among autonomous agencies, intended to promote continuity in governance and to insulate autonomous agencies from political interference by the appointing authority and his or her successor.

Senator Ada interprets the phrase, "to commence on the date of their confirmation by the Legislature" to mean that directors' three year terms begin on the date they were confirmed.⁹ On its face

⁷ Although inapplicable to the facts before us, the practice of requesting "courtesy" resignations is expressly disallowed under Guam law. See 4 GCA § 2103.7 ("The practice of requiring or submitting undated resignations to be accepted at a later date by the appointing authority or any other person is hereby declared to be contrary to public policy for any position within the government of Guam. Neither the Governor of Guam nor any other person may request an undated resignation letter or courtesy resignation from any officer or employee of the government of Guam, whether or not the position held by such person is subject to the advice and consent of the Legislature; and no officer or employee of the government of Guam shall submit such an undated resignation letter, and any such undated courtesy resignation letter submitted in violation of this section shall be void.").

⁸ Compare, *Romanoff v. State Com'n on Judicial Performance*, 126 P.3d 182, 191 (Colo. 2006) ("The plain language of subsection (1)(b) indicates that when a commissioner is appointed to fill an unexpired term, he or she serves the remainder of that term."); *United States v. Wilson*, 290 F.3d 347, 355 (D.C. Cir. 2002) ("Staggered terms must run with the calendar, rather than with the person, to preserve staggering. Thus, taken with the history and background against which Congress was legislating ... it simply makes more sense to read § 1975(c) as creating terms of office running with the calendar from the date of expiration of a predecessor's term. That being the case, any appointment to fill a vacancy for an unexpired term, such as Ms. Wilson's appointment, must only be for the duration of that unexpired term.").

⁹ We note that the phrase "to commence on the date of their confirmation by the Legislature" found in the Port Authority's enabling act is nowhere else to be found in the Guam Code Annotated. The members of the A.B. Won Pat Guam International Authority's board of directors do not serve staggered terms. See, e.g., 12 GCA § 1106(a) ("All powers vested in the Authority, except as provided herein, shall be exercised by the Board, which shall consist of seven (7) members, called directors, who shall be nominated and appointed by the Governor, by and with the advice and consent of the Legislature. Each director shall serve a term of three (3) years from the expiration of the term for which such director's predecessor was appointed, and until a successor is appointed and qualified, or in the case of a director

that is a perfectly reasonable interpretation, one that may even be shared by the rest of the Legislature and by prior administrations. But to sustain the construction of the sentence in that way would require it to be viewed in isolation from the preceding sentence. This would allow either the Governor or the Legislature to control and de-stagger board members' dates of service by delaying appointment or confirmation. And that would too easily destabilize the continuity of governance and insulation from politics the Legislature originally intended when it established date-specific staggered terms.¹⁰ In our opinion neither Senator Ada nor Governor Calvo's construction of the statute is correct. Rather, and in order that the "statute should be construed to give effect to all of its provisions so that no part would be superfluous or insignificant," *Macris*, 2010 Guam 6 ¶ 15, the better reasoned view, consistent with the purpose and practice of staggered terms found elsewhere in the Guam Code and throughout the nation, is that staggered three year terms cycle by calendar date beginning from the expiration of the initial appointments to the board originally established by the Legislature: one on December 31, 1976; two on June 30, 1977 and two on June 30, 1978. Cycling through the calendar to present day, focusing on the terms of office defined by calendar date in order to effectuate the Legislature's original intent as opposed to the date of confirmation of any particular board member's predecessor, the resulting terms of office are as follows: the first term commences January 1, 2010 and ends December 31, 2012; the second and third terms commence July 1, 2010 and end June 30, 2013; and the fourth and fifth terms commence on July 1, 2011 and end June 30, 2014.¹¹

What remains then is to determine which members of the current board are holding which terms of office. Working backwards from the most recently confirmed board members to the first, we find that Christine Baleto holds the office of director for the term July 1, 2011 to June 30, 2014; and Mary Michelle Gibson and Daniel J. Tydingco hold the offices for the terms July 1, 2010 to June 30, 2013. We believe Tydingco holds office for this particular term because although he was confirmed on the same

appointed to a newly created membership in the Board, such director shall serve a term of three (3) years from the date of initial appointment, and until a successor is appointed and qualified.").

¹⁰ Compare, *United States v. Wilson*, 290 F.3d 347, 360-61 (D.C. Cir. 2002) ("Finally, we observe that our interpretation, unlike that urged by appellees, avoids anomalous results. As noted above, the creation of staggered terms was one of several structural features adopted in the 1983 Act to establish the Commission as an independent, bipartisan entity, to insulate it from political influence, and to protect its integrity and credibility. The district court contended that its decision would not result in "the complete elimination of all staggering," but acknowledged that its decision would result in the 'absence of uniformly staggered terms.' The district court further contended that 'there is little, if any, substantive difference between those two.' We disagree. There is a substantial difference in having predictable terms ensuring that membership will turn over in a periodic and foreseeable manner, and having unpredictable vacancies that permanently disorder member terms. Not the least difference is the diffusion of appointment authority across presidential administrations. Moreover, there is no apparent reason Congress would originally create fixed, staggered terms, as it did under the 1983 Act, only to have them become unpredictably de-staggered over time as some members of the Commission resign, retire, are removed, or die.").

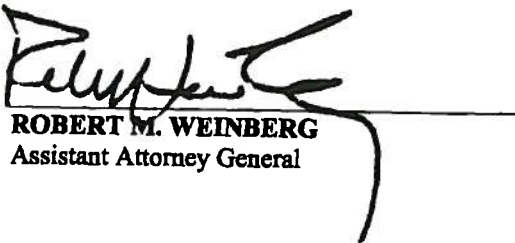
¹¹ We do not believe that this interpretation, which it may be argued tends to minimize the emphasis on the phrase "to commence on the date of their confirmation," runs afoul of the rule that "[a] statute should be construed to give effect to all of its provisions so that no part would be superfluous or insignificant." *Macris*, 2010 Guam 6 ¶ 15. Rather, viewing the paragraph as a whole the purpose of the phrase "to commence on the date of their confirmation" is to emphasize that – when filling vacancies created prematurely before the expiration of a director's term – "acting" directors are not authorized, and that the "advice and consent of the Legislature" is still required, *before* they may commence their service.

date as Michael Benito and Eduardo Ilao, Tydingco's appointment letter to the Legislature was submitted later in time, making his the more recent submission of the three. What we cannot ascertain with certainty is which seat on the board of directors belongs to Benito and which seat belongs to Ilao.¹² Nevertheless, it is the considered opinion of this Office that the current members of the Port Authority's board of directors are all, at this time, holding office in a *de jure* capacity.¹³

Conclusion

We summarize our opinion as follows: First, the limitations on the Governor's appointment and removal authority imposed by 12 GCA § 10103(a) – which provides for fixed, staggered terms for the board of directors and further provides that directors may only be removed for cause – is a lawful exercise of the Legislature's authority under Guam's Organic Act. Second, the Governor's removal of the former members of the Board of Directors was not authorized by the Organic Act; however, the former directors' failure to challenge their removal prior to the expiration of their terms and confirmation of their successors by the Legislature renders that question moot. Third, in order to effectuate the Legislature's original intent when it established fixed and staggered terms and provided that directors may only be removed for cause, the purpose of which is to provide continuity in the governance of the Port Authority and to insulate the directors from political interference, the rules of statutory construction require the conclusion that terms begin and end based on fixed calendar dates. Fourth, the current members of the board of directors are lawfully holding office in a *de jure* capacity.


LEONARDO M. RAPADAS
Attorney General


ROBERT M. WEINBERG
Assistant Attorney General

¹² As noted earlier in this opinion, the Governor having "relieved of duty" the former board members without Organic Act authority there is no contemporaneous evidence reflecting his intent at the time of his first three appointments as to which vacancies he intended to fill. He was, of course, without the benefit of this opinion at that time. Factoring in 4 GCA § 2103.9(e), either Ilao or Benito's term formally expired on December 31, 2012, in which case whoever it may be is permitted to serve in a *de jure* holdover capacity for ninety (90) calendar plus three (3) legislative days, and the other director's term will expire June 30, 2013 plus, if necessary, an additional ninety (90) calendar plus three (3) legislative days. We anticipate that Governor Calvo and future governors will be specific in their future transmittals as to which term of office is being filled.

¹³ Because the current members of the board of directors are holding office *de jure*, it is unnecessary to discuss the *de facto* officer doctrine adopted with approval by the Guam Supreme Court in *Gutierrez v. Guam Election Com'n*, 2011 Guam 3 ¶¶ 54-73.

PORT AUTHORITY OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
Government of Guam
1026 Cabras Highway, Suite 201
Piti, Guam 96915

April 24, 2013

MEMORANDUM

TO: Board of Directors

FROM: General Manager

SUBJECT: **Travel Authorization Request**
: ATOSSCOM, July 10-14, 2013

As you may know, the Port Authority of Guam is a member of and serves as the Board Secretary to the Association of Transportation Operators Stevedores Shipping Companies of Micronesia (ATOSSCOM). The Secretary serves to assist the association by providing logistical support, site training and administrative support.

The ATOSSCOM Association holds its membership meetings on an annual basis. Topics of discussions include: terminal operations, shipping industries, shared experiences, exchange of ideas, networking, communications, improved technologies, and so forth.

It is therefore being requested that authorization be granted for the Operations Manager to attend the Annual Membership Meeting.

Purpose:	Annual ATOSSCOM Membership Meeting		
Travel Date:	July 10-14, 2013		
Destination:	Palau		
Travel Accommodations:	Airfare:	\$	948.29
	Per Diem:	\$	<u>1,722.00</u>
			\$2,670.29

I am available should you have any questions.


JOANNE M.S. BROWN

PORT AUTHORITY OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
Government of Guam
1026 Cabras Highway, Suite 201
Piti, Guam 96915

April 24, 2013

MEMORANDUM

TO: Board of Directors
FROM: General Manager
SUBJECT: Travel Authorization Request
: Center of Domestic Preparedness, June 16-29, 2013

Throughout the calendar year Center of Domestic Preparedness offers various trainings that are federally funded and recognized by the office of Homeland Security.

The Port is currently training a group of employees to serve as a Fire Suppressant Team. This elite group will be responsible to respond to any fire, hazardous, manmade or natural disaster.

It is therefore being requested that authorization be granted for the following port employees to attend this preparedness training.

Purpose: Center of Domestic Preparedness
Travel Date: June 16-29, 2013
Destination: New Mexico
Participants: Vincent Asanoma, Winch Operator – Stevedore Division
Joseph Aguon, Stevedore – Stevedore Division
Michael Barcinas, Cargo Checker – Terminal Division
Albert Blas, Equipment Operator II – Transportation Division
Jason Bermudes, Tariff Technician – Finance Division
Rodney Akima, Security Guard (Armed) – Port Police Division
Paul Cruz, PC II – Port Police Division
Frank Lujan, PC II – Port Police Division
Travel Cost: 100% federally funded. No cost to the Port.

I am available should you have any questions.


JOANNE M.S. BROWN

PORT AUTHORITY OF GUAM
ATURIDAT I PUETTON GUAHAN
Jose D. Leon Guerrero Commercial Port
Government of Guam
1026 Cabras Highway, Suite 201
Piti, Guam 96915

HARBOR MASTER DIVISION

April 25, 2013

MEMORANDUM

TO: General Manager

FROM: Harbor Master

SUBJECT: Travel Authorization Request
: NIMS ICS All-Hazards Planning Section Chief Train-the-Trainer

Federal, State, Local, Tribunal and Territorial governments are mandated to be in compliance with the National Incident Management Systems (NIMS) through Presidential Directives 5, 8 and 10 that pertains to management of domestic incidents, national preparedness and interagency atrocities prevention. The NIMS includes a core set of concepts, principles, terminology and technologies covering the Incident Command System (ICS).

In connection to this, I have been accepted to attend further training by the U.S. Department of Homeland Security, Emergency Management Institute. In the event of any natural incident, I would automatically assume the role of Incident Commander as Harbor Master of the Port Authority of Guam. As Incident Commander, it is my duty to ensure that all of the Command and General Staff understand their roles and responsibilities when called to serve in their positions.

Therefore, I respectfully request your permission to attend this training indicated below.

Purpose: E0963: NIMS ICS All-Hazards Planning Section Chief Train-the-Trainer

Travel Date: May 13-16, 2013

Destination: Maryland

Travel Cost: 100% federally funded. No cost to the Port.

I am available should you have any questions.


FELIX R. PANGELINAN

/ Approved / / Disapproved


JOANNE M.S. BROWN, General Manager



FEMA

March 14, 2013

Felix R Pangelinan
130 Pale San Vitores St Lago
Santa Rita, GU 96915

Dear Mr. Pangelinan:

Welcome to the Department of Homeland Security–United States Fire Administration’s National Emergency Training Center (NETC) – home of the National Fire Academy and Emergency Management Institute. We are pleased to inform you that you have been accepted for:

**E0963: NIMS ICS All-Hazards Planning Section Chief Train-the-Trainer
5/13/2013 To 5/16/2013**

Enclosed is a travel insert that will assist you in planning for your travel and training. Please read it carefully. Your travel dates for the above-mentioned course are May 12, 2013 and May 17, 2013.

Our NETC Welcome Package contains important information, including contact numbers pertaining to your transportation, lodging, reimbursement, food service and our on-campus services. **Please read the NETC Welcome Package prior to making your travel arrangements.** It can be found at http://www.usfa.fema.gov/downloads/pdf/NETC_Welcome_Package.pdf. All students who stay on campus must purchase a meal ticket. If you have questions pertaining to meal tickets and/or food service, please feel free to contact the on-site food service contractor directly.

Since you have been accepted into a class at NETC, lodging has been reserved for you unless you previously notified us that housing would not be required. If you do not require lodging and have not yet notified us, please contact the Housing Office upon receipt of this letter. If you are required to pay for your lodging, the charge is \$40 per night. NETC accepts credit card payment (VISA, MasterCard, Discover, or American Express) for lodging.

If you are not able to attend this course, please notify us in writing at least 1 month prior to your course start date. We have a waiting list of your colleagues who will take your place. Failure to notify us in writing may result in your restriction from NETC and NTF classes. In addition, if your responsibilities or organization change, please notify us in writing immediately. It may affect your eligibility to attend the course.

If you have any questions, please call (301) 447-1035 or NETC-Admissions@fema.dhs.gov.

Sincerely,

A handwritten signature in cursive script that reads "Jo Ann Boyd".

Jo Ann Boyd
Admissions Specialist
NETC Management Operations and Support Services

Enclosures

PORT AUTHORITY OF GUAM
ATURIDAT I PUEYTON GUAHAN
Jose D. Leon Guerrero Commercial Port
Government of Guam
1026 Cabras Highway, Suite 201
Piti, Guam 96915

April 29, 2013

MEMORANDUM

To: Board of Directors
From: General Manager
Subject: Travel Authorization Request
100th Annual Association of Pacific Ports

The 2013 Association of Pacific Ports (APP) 100th Annual Conference will be held from Sunday, August 4 – Wednesday, August 7, 2013 in the Port of Redwood City, California. The Annual Conference would provide participants the opportunity to be updated on port industry issues and current economic trends. Participants will also be able to tour the Port of Redwood City, also visits to Port of Oakland, Port of San Francisco and the Port of Richmond.

Board Vice Chairperson Christine Baleto and I are requesting the approval of the Board to represent the Port of Guam to attend the 100th Conference.

Purpose: 100th Annual Conference Association of Pacific Ports
Travel Date: August 4 – 7, 2013
Destination: Redwood City, California
Participants: Joanne M.S. Brown
Christine Baleto
Travel Cost: \$8,337.20

I am available should you have any questions.


JOANNE M.S. BROWN



*Building Partnerships
Throughout the Pacific*

[Click Here to Register](#)

When:

Sunday, August 4, 2013 -
Wednesday, August 7, 2013

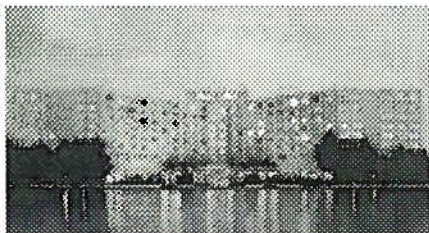
[Add to Calendar](#)

Where:

Hotel Sofitel San Francisco Bay
223 Twin Dolphin Drive
Redwood City, CA 94065 USA
650-598-9000

Discounted Room Block Rates:
\$155* Superior (View of Hills)
\$175* Luxury (View of Lagoon)
(* Rate Above + 12% tax and
\$1.50 County Tourism Assessment)
Single or Double Occupancy

Free wired internet in guest room.
Free airport shuttle.
Free self-parking.



100th Annual Conference "Embarking on our Next 100 Years"

**Hotel Sofitel San Francisco Bay
Redwood City, California, USA
August 4-7, 2013**

Hosted and Sponsored by

Please click on the links to:

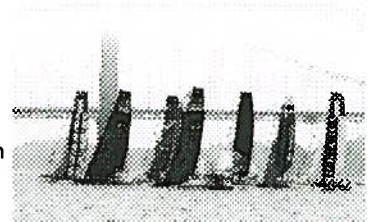
**REGISTER for the Conference and to
RESERVE your hotel room.**



Don't miss this chance to discover more about timely port industry issues and economic trends. Incredible speakers will inform and inspire you. Hear firsthand perspectives from key port industry leaders, learn what's new at other ports, **tour four very different ports in action**, watch America's Cup sailing yacht races, and network with colleagues - all in San Francisco Bay!

Your companion is welcome to join APP delegates at no extra cost!

Our venue is an affordable luxury hotel on the Bay close to shopping and fun. The hotel is also convenient as it is located only 10 miles from the San Francisco Airport and offers a complimentary shuttle.

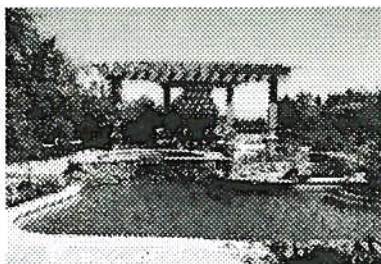


We will tour our host port's facilities at the Port of Redwood City on Monday.

On Tuesday, delegates and companions will visit the Port of Oakland, the Port of San Francisco, and the Port of Richmond on board the Chardonnay Yacht.

We will also visit the America's Cup Village and South Beach Yacht Club and dine at APP President Dick Dodge's beautiful hillside home.

You will also get to participate in a **Dinner Gala** celebrating APP's first century. Black Tie Optional.

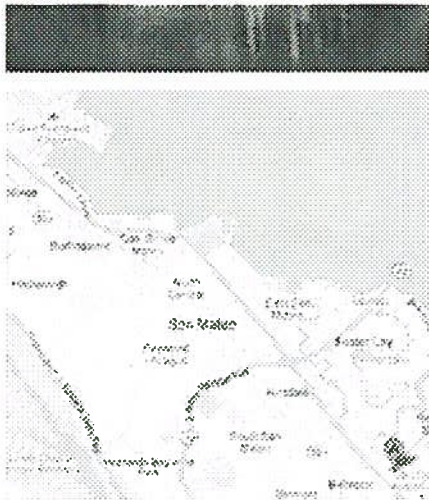


Seminar Schedule:

Click to [VIEW](#) the Conference Schedule.

Click Here to Register

**We now accept credit card payments through PayPal!
You may also pay by cash, check, or traveler's checks.**



Driving Directions

Early Conference Registration Rates:

APP Members: \$595

APP Non-Members: \$795

Rates above are Early Registration Rates and increase by \$100 after July 10, 2013.

**We now accept credit card payments through PayPal!
You may also pay by cash, check, or traveler's checks.**

Cancellations are accepted and fully refunded if made on or before July 19, 2013.

Substitutions in personnel are accepted until August 4, 2013.

Please contact us with any questions.

Discounted Airline Rates:

We have partnered with Delta Airlines and United Airlines to offer you discounted rates.



Delta Airlines:
Meeting Ticket: NMFZ7
Group Ticket: RGBMH



United Airlines:
Agreement Code: 363136,
Z Code: ZPZF

Your discount will vary by origin and we suggest you check your favorite travel site as well to ensure you find the best rate possible.

EARLY Conference Registration Rates:

Register by July 10th to receive these great rates!

Member Rate: \$595 USD

Non-Member Rate: \$795 USD

If registering after July 10th, please add \$100 USD to the above rates.

**-- SPECIAL INCENTIVE TO REGISTER EVEN EARLIER --
REGISTER BY JUNE 7TH TO BE ENTERED INTO A DRAWING.
YOU COULD BE ONE OF TWO LUCKY WINNERS
TO RECEIVE A \$50 AMAZON GIFT CARD!**



*Cancellations are accepted and fully refunded if made on or before July 10, 2013.
Substitutions in personnel are accepted until August 4, 2013.
Please contact us with any questions about this policy.*

Exhibitor Tables:

Back by popular demand, APP is offering exhibitor tables! Conference delegates may set up their own exhibitor space for just \$500.

Our valued exhibitors receive recognition with:

- Logos on the Conference Poster
 - Exhibitor Space with Table in Ballroom Foyer
- Please contact APP Staff with any questions or special needs.

Please note that sponsors at the \$1,000 level and higher will receive a complimentary exhibitor table if desired. Please see the sponsorship section for more details.

Sponsorship Opportunities:

Click to [VIEW](#) the full list of Available Sponsorships.

Our valued sponsors receive recognition with:

- Logos on the Conference Poster & In the Conference Program
- Recognition in all newsletters and Conference mailings prior to and after the Conference
- Option to include information or promotional items in Conference bags and verbal recognition at the specific event being sponsored
- Sponsorships of \$1,000 will receive a complimentary exhibitor table, if so desired.
- Sponsorships of \$1,500 and higher will receive a complimentary exhibitor table



Golf Networking Outing:



You are invited to attend an optional golf networking outing on Sunday, August 4, 2013.

The golf fee is \$50 per player. Space is limited so be sure to register early.

Golfers receive 18 holes of golf, club rental (if necessary), golf cart, and boxed meal.

Golfing is restricted to conference delegates and their companions.

Contact:

Association of Pacific Ports
Dave Hunt, Executive Director
Lisa Pomasi, Deputy Director
Brian Wright, Operations Manager

P.O. Box 903
Clackamas, Oregon 97015 USA
1-503-653-5868
APP@PacificPorts.org
www.pacificports.com

Join our other fans and follow us on Facebook for the most up to date information on APP events.



and/or podium time to speak to the attendees at the event being sponsored, if so desired.

Sponsorships can be confirmed during online registration or by calling us at (503) 653-5868.

Companion Tours:

In addition to attending Conference events with delegates, companions will also be treated to two special companion-only tours. Each tour will include lunch.



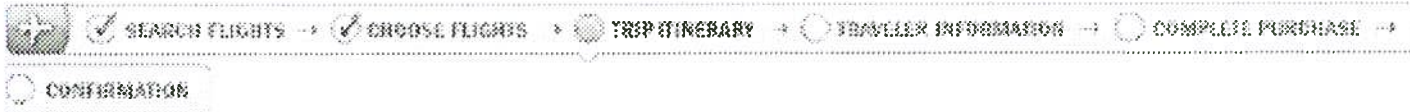
Winery/Vineyard Tour:

The San Mateo Valley is home to some of the finest wineries in the state. This tour will feature wine tasting and beautiful views. More details soon.

Filoli Mansion & Gardens:

Mr. and Mrs. William Bowers Bourn, residents of San Francisco whose fortune came from gold and water, built Filoli as their country estate between 1915-1917. Filoli Mansion is recognized as one of the finest remaining country estates of the early 20th century. This remarkable 654-acre property, including the 36,000 square foot Georgian country house and spectacular 16-acre English Renaissance garden have served as the set for many Hollywood films. Most famously, it is the mansion seen in the long-running television series Dynasty!





Review Trip Itinerary

All prices, taxes and fees are quoted in US dollars.

Fare Details

1 Adults (age 18 to 64) \$1,605.00
 Additional Taxes/Fees \$73.76

Total \$1,678.76

Unrestricted Fare for **\$1,395.00** more

Choose this fare to take advantage of these additional benefits:

- Most flexible refundable fare
- Fee-waived itinerary changes
- Fee-waived, same-day flight changes (when available)
- MileagePlus bonus Premier qualifying miles

[Increase Ticket Flexibility](#)

Flexible Fare for **\$225.00** more

Choose this fare to take advantage of additional flexibility:

- Lowest-available refundable fare
- Fee-waived same-day flight changes (when available)
- Change fees and cancellation fees may apply
- Advance purchase may be required

[Increase Ticket Flexibility](#)

Flight Details

Sat., Aug. 3, 2013 | Guam (GUM) to San Francisco, CA (SFO)

Depart:
6:35 a.m.
Sat., Aug. 3, 2013
 Guam (GUM)

Arrive:
5:55 p.m.
Fri., Aug. 2, 2013
 Honolulu, HI (HNL)

Flight Time:
 7 hr 20 mn

Award Miles/
 Premier
 Qualifying*:
3,801
/100%

Flight: **UA200**
 Aircraft: **Boeing 777-200**
 Fare Class: **United Economy (S)**
 Meal: **Breakfast**

Change Planes. Connect time in Honolulu, HI (HNL) is 3 hours 2 minutes.

Depart:
8:57 p.m.
Fri., Aug. 2, 2013
 Honolulu, HI (HNL)

Arrive:
4:50 a.m. +1 Day
Sat., Aug. 3, 2013
 San Francisco, CA (SFO)

Flight Time:
 4 hr 53 mn

Travel Time:
15 hr 15 mn

Award Miles/
 Premier
 Qualifying*:
 2,398 /100%
 Total Award Miles:
6,199

Flight: **UA396**
 Aircraft: **Boeing 777-200**
 Fare Class: **United Economy (S)**
 Meal: **Snacks for Purchase**
No Special Meal Offered.

Thu., Aug. 8, 2013 | San Francisco, CA (SFO) to Guam (GUM)

Depart:
10:30 a.m.
Thu., Aug. 8, 2013
San Francisco, CA
(SFO)

Arrive:
12:45 p.m.
Thu., Aug. 8, 2013
Honolulu, HI (HNL)

Flight
Time:
5 hr 15
mn

Award Miles/
Premier
Qualifying*:
2,398
/100%

Flight: **UA300**
Aircraft: **Boeing 777-200**
Fare Class: **United Economy
(S)**
Meal: **Meals for Purchase
No Special Meal Offered.**

Change Planes. Connect time in Honolulu, HI (HNL) is 1 hour 35 minutes.

Depart:
2:20 p.m.
Thu., Aug. 8, 2013
Honolulu, HI (HNL)

Arrive:
6:00 p.m. +1 Day
Fri., Aug. 9, 2013
Guam (GUM)

Flight
Time:
7 hr 40
mn

Award Miles/
Premier
Qualifying*:
3,801 /100%
Total Award
Miles:
6,199

Flight: **UA201**
Aircraft: **Boeing 777-200**
Fare Class: **United Economy
(S)**
Meal: **Lunch**

Travel
Time:
14 hr 30
mn

- > [View Rules and Restrictions](#)
- > [Additional bag charges may apply](#)
- > [Change Flights](#) or [Start New Search](#)

Purchase Options

- Purchase your ticket now.**
- Hold this itinerary and fare by purchasing **FARE LOCK™** today starting at \$5.99.**

Account Sign In (Optional):

MileagePlus Number or
Username:

TX604295

[Forgot Your MileagePlus Number?](#)

[Remember Me](#)

PIN or Password:

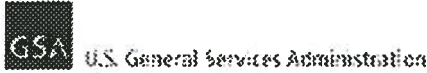
[Forgot Your PIN?](#) | [Forgot Password?](#)

**Continue Without
Signing In**

If you are a MileagePlus member and do not wish to sign in to your account, you can enter your MileagePlus number on the next page for mileage credit.

**Not a MileagePlus
member?**

You'll have the opportunity to enroll in our frequent flyer program at the end of the booking process if you wish.



Search box with 'Search' button

Home > Policy & Regulations > Travel and Expenses Policy > Per Diem > Per Diem Rates

FY 2013 Per Diem Rates for San Francisco, California

(October 2012 - September 2013)

SEARCH BY CITY, STATE OR ZIP CODE

Enter your city: Enter your ZIP Code:

State: [Per Diem Map](#)

ADDITIONAL PER DIEM TOPICS

- Make a Municipal Expenses Breakdown (MME) FVCGs
- State Tax Exemption Forms
- Factors Affecting a Lodging Rate
- FY 2012 Per Diem Highlights
- Five Safe Hotels
- Have a Per Diem Question?
- Downloadable Per Diem Files

Cities not appearing below may be located within a County for which rates are listed. To determine what county a city is located in, visit the [National Association of Counties \(NACo\) website](#) (a non-federal website).

The following table apply for San Francisco, California

Primary Geographical (1)	County (2, 3)	Max Lodging by Month (including taxes)												Mileage & Inc. (4, 5)
		Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	
San Francisco	San Francisco	184	155	155	155	155	165	155	155	166	155	165	184	71

* NACo's Travel Expenditure is based on the location of the work activities and not the accommodations, a table listing is not available at the work activity, then the agency may utilize the rate where lodging is incurred.
** Meals and Incidental Expenses, see [Breakdown of MME Expenses](#) for more detail information on meal and travel rates.

CONTACTS

Additional Contacts for
Travel Management Policy

NEED MORE INFORMATION?

- Rates for Alaska, Federal US Territories and Possessions (Set by DoD)
- Rates in Foreign Countries (Set by State Dept.)
- Federal Travel Regulations (FTR)

RELATED TOPICS

- Travel Resources
- E-Gov Travel Requests
- PDV Mileage Reimbursement Rates

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