CONTRACTORS LICENSE BOARD

Inetnon Malisensiayen Kontratista

542 North Marine Corp Drive A. – Tamuning, Guam 96913
(Tel) 649-2211/ 646-7626; (Fax) 649-2210

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

EDUARDO R. ORDONEZ
EXECUTIVE DIRECTOR

August 16, 2017

GL#34-17-894
Speaker Benjamin J.F. Cruz

AUG 17 2017
Time: 11:39 AM [ ] PM File No. ____
Received By

2017 AUG 17 AM 11:49

VIA HAND DELIVERY

Speaker Benjamin J.F. Cruz
I Mina'trentai Kuattro Na Liheslaturan Guahan
Guam Congress Bldg.
163 Chalan Santo Papa
Hagatna, GU 96910

SUBJECT: SUBMISSION OF JULY 19, 2017 CLB BOARD MEETING DOCUMENTS

Hafa Adai,

Attached to this letter is the Agenda and Minutes for the Contractor License Board (CLB) Regular Monthly Meeting that was held on July 19, 2017.

If you have any questions or concerns please feel free to contact me or my private secretary Resiah Mae M. Nelsen at 671-647-2965.

Sincerely,

Eduardo R. Ordonez
Executive Director

CONTRACTORS LICENSE BOARD

Inetnon Malisensiayen Kontratista

542 North Marine Corp Drive A. – Tamuning, Guam 96913
(Tel) 649-2211/ 646-7626; (Fax) 649-2210

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

EDUARDO R. ORDONEZ
EXECUTIVE DIRECTOR

Regular Board Meeting
July 19, 2017
CLB Conference Room

AGENDA

I. Call to Order:

II. Roll Call:

III. Approval of Minutes – July 5, 2017

IV. Section Report:
   a. Administration Division – Maria Perez (Admin Officer) – NOT PRESENT
   b. Investigation Division – Eduardo Zapanta (Investigation Supervisor)

V. New Business:
   a. Thomas V. Tanaka/ HSG Co., Ltd. vs. Vicente J. Carmona III/ KPL Guam Co., Ltd. – Case# 2017-02-04 – Investigative Supervisor Eduardo Zapanta

   b. *UPDATE* Daukhety Netekamani vs. James Ji dba: J.D.K. Construction & James Ji Foundation dba: JF Builders – Case# 2015-02-10 – Investigation Supervisor Eduardo Zapanta

   c. Margarita San Nicolas vs. Wenefredo Gallega dba: SGS Construction – Case# 2015-06-02 – Revocation Hearing will be postponed till Next Regular Scheduled Board Meeting (07/16) – Investigation Supervisor Eduardo Zapanta

   d. *UPDATE* Unlicensed Contractors – Investigator Vince Aguon

   e. *UPDATE* - (Revised Citation Draft) Matthew Larkin vs. Kingdom Construction – Case #2017-02-01 – Investigator Vince Aguon

   f. Bestry Corp. – Recommendation to refuse to issue license – Investigator Vince Aguon

VI. Executive Directors Report:

VII. Public Comment:

VIII. Announcement:
   a. Special Board Meeting (To Be Scheduled)
   b. Next Regular Board Meeting, **August 16, 2017 @ 10 am.**

IX. Adjournment:

CONTRACTORS LICENSE BOARD

Inetnon Malisensiayen Kontratista

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

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

EDUARDO R. ORDONEZ
EXECUTIVE DIRECTOR

Regular Board Meeting
July 19, 2017
CLB Conference Room, Upper Tumon
Minutes of July 19, 2017

I. Call To Order: Meeting called to order at **10:05 am**

II. Roll Call:
a. Marian Pizarro, Chairman
b. Adelia Custodio, Vice-Chairman
c. James Casallo, Member (via Skype)
d. Joseph Guevara, DPW Ex-Officio
e. Robert Tongson, Rev. & Tax Ex-Officio (Alt.)

CLB Staff Members Present:
f. Eduardo Ordonez, Executive Director
g. Resiah Mae Nelsen, Private Secretary
h. Eduardo Zapanta, Investigation Supervisor
i. Vince Aguon, Investigator
j. Nida Bailey, Investigator
k. Maria Perez, Administrative Officer

Public Present:
l. Thomas Tanaka Jr. (HSG Co., Ltd.)
m. Daukhety Netekamani
n. Natalie Bravo
o. Remedios Limbaga
p. Matthew Murphy

III. Approval of Minutes:
a. July 05, 2017: A motion was made by Adelia Custodio to approve the minutes. Seconded by Robert Tongson. Favored by ALL.

IV. Section Report:
a. Administration – Report was deferred by Chairman Pizarro due to Maria Perez being late & when arrived, had informed the Board she was unable to speak due to a sore throat.
b. Investigation – *Eduardo Zapanta* informed the Board that his report pertained to the following items in the New Business Section of the Agenda. He reported that his report proposed the revocation of the Company License for Mr. James Ji and the RME License for

Mr. Vincente J. Carmona III. Regarding James Ji, according to Mr. Netekamani, the court judgement has already been submitted to the CLB. Based on the court judgement the Investigation Section recommends to permanently revoke the License for James Ji Foundation dba: JF Builders due to the safety matters regarding the case. Regarding Mr. Vincente Carmona III, Mr. Tanaka has been attending the CLB Meeting informing the Board about his concerns and it was found that there were several violations such as subsection 70110 – No License Issued for any person who does not possess a good reputation for honesty, truthfulness, financial integrity, and fair dealing; Subsection 70116 – Suspension and Removal of Licenses (2) Any dishonest, fraudulent, or deceitful act as a contractor which causes substantial damage to another, and (10) Misrepresentation of material fact by an applicant in obtaining a license. These are grounds for revocation of Mr. Carmona's RME License.

V. New Business:

a. Thomas V. Tanaka (HSG, Co., Ltd.) vs. Vincente J. Carmona III (KPL Guam Co., Ltd.) – Case# 2017-02-04 – Investigation Supervisor Eduardo Zapanta: Was reported on during the Investigation Section Report

b. Daukhety Netekamani vs. James Ji dba: J.D.K. Construction & James Ji Foundation dba: JF Builders – Case# 2015-02-10 – Investigation Supervisor Eduardo Zapanta: Was reported on during the Investigation Section Report

c. Margarita San Nicolas vs. Wenefredo Gallega dba: SGS Construction – Case# 2015-06-02 – Investigation Supervisor Eduardo Zapanta: During the last meeting the Board made a motion to revoke the license for Mr. Gallega, Mrs. Remedios Limbaga is present to speak during public comment in favor of the revocation of the License. *Eduardo Zapanta* informed the Board that Wenefredo Gallega dba: SGS Construction was given a notice to proceed for this project in April 2014 and was completed on April 2017. But according to the homeowner the project is not 100% completed.

d. Unlicensed Contractors – Investigator Vince Aguon: No updates at this time, this needs to be addressed to the CLB Legal Counsel for advice.

e. Matthew Larkin vs. Kingdom Construction – Case #2017-02-01 – Investigator Vince Aguon: *Vince Aguon* mentioned that the revised citation included 70116 (a.1) abandonment of project (a.2) caused undue hardship to consumers.

f. Bestry Corp – This Company applied to obtain a contractors license but this company has been in violation of multiple citations for multiple agencies. Their representative has been requested to provide documents but has not supplied those documents as of today. Bestry Corp. also applied for a permit without the knowledge of the named contractor on the application. *Vince Aguon* mentioned to the Board that Bestry Corp. has been issued a citation and currently they are working on projects without an approved Contractors License.

VI. Executive Director Report: *Director Ordonez* reported that as of July 19, 2017, approximately 810 active contractors renewed their Contractors License and approximately 60 contractors files Inactive Status. Also *Eduardo Ordonez* requested that the Private Secretary to input the "New Business" that was in the old Agenda for Mr. Nelson that had never been discussed during the meeting.

VII. Public Comment:

a. Thomas Tanaka Jr. – Present to follow up on Case# 2017-02-04.

b. Daukhety Netekamani – Present to follow up on Case# 2015-02-10.
c. Natalie Bravo – Presented a notarized letter signed by Mr. Larkin to speak on his behalf. *Natalie Bravo* mentioned that they are requesting that their complaint include abandonment and undue hardship. She also mentioned to the Board that in the email sent by Kingdom Construction the contractor cited the 2 reasons he is eligible to leave the project is 1. Unstable Soil Conditions and 2. Government Policies.
d. Remedios Limbaga – *Remedios Limbaga* brought up to the Board that SGS Construction has been paid to complete the project and that every time they need extra funds to correct the mistakes she provided the funds. The project has taken over 3 years and it is still not complete. *Eduardo Zapanta* mentioned to the Board that SGS Construction was served a **Notice to Proceed** but still has not completed the project. *Vince Aguon* mentioned to Mrs. Limbaga that she has options, an option is to file a complaint with the Criminal Investigation section with GPD or to file a complaint with the AGs Office Consumers Division. *Eduardo Zapanta* also requested from the Board to investigate the Wife of Mr. Gallega's Company because it has been told to the CLB that Mr. Gallega is using his wife's company to conduct business since he was unable to renew the license of SGS Construction.

VIII. Announcement:
a. Special Board Meeting scheduled for **August 2, 2017 @ 10 am.**
b. Next scheduled Board Meeting for **August 16, 2017 @ 10 am.**

IX. Adjournment: A motion was made by Adelia Custodio to adjourn the meeting at 11:09 am. Seconded by Joseph Guevara. Favored by ALL.