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

September 22, 2017

GA34-17-997
Speaker Benjamin J.F. Cruz

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

SEP 2 2 2017
Time: 12:02 [ ] AM [X] PM File No. 34-934
Received By

SUBJECT: SUBMISSION OF SEPTEMBER 13, 2017 MEETING AGENDA & MINUTES

Hafa Adai,

Attached to this letter is the Agenda and Minutes for the Contractor License Board (CLB) Regular Monthly Meeting that was held on September 13, 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

2017 SEP 22 PM 2:22 C.S.

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EXECUTIVE DIRECTOR

SPECIAL Board Meeting
September 13, 2017
CLB Conference Room

AGENDA

I. Call to Order:

II. Roll Call:

III. Approval of Minutes – August 16, 2017

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

V. Executive Directors Report:

VI. New Business:
- a. 2nd complaint filed (Case#2016-08-07) by Mr. Theodor Nelson against Tereas, Inc. – Investigation Supervisor Eduardo Zapanta
- b. Request for Extension of Provisional for Tech-Rite Builders, Inc. – Investigator Nida Bailey
- c. Bestry Corp. request for Board Hearing – Investigator Vince Aguon

VII. Board Hearing: Hearings postponed till further notice
- a. Vincente J. Carmona III (KPL Guam Co., Ltd.) – Case# 2017-02-04
- b. James Ji dba: J.D.K. Construction & James Ji Foundation dba: JF Builders – Case# 2015-02-10
- c. Wenefredo Gallege dba: SGS Construction – Case# 2015-06-02

VIII. Public Comment:

IX. Announcement & Open Discussion:
- a. Next Regular Board Meeting, **September 20, 2017 @ 10:00 AM**
- b. Special Board Meeting (TBD)

X. Adjournment:

CONTRACTORS LICENSE BOARD

Inetnon Malisensiayen Kontratista

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

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GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

EDUARDO R. ORDONEZ
EXECUTIVE DIRECTOR

SPECIAL Board Meeting
September 13, 2017
CLB Conference Room, Upper Tumon
Minutes of September 13, 2017

I. Call To Order: Meeting called to order at **10:04 am**

II. Roll Call:
a. Marian Pizarro, Chairman
b. Adelia Custodio, Vice-Chairman
c. James Casallo, Member
d. Joe Ulloa, DPW Ex-Officio, Alt.
e. Michael Unsiog, Rev. & Tax Ex-Officio

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

Public Present:
k. Rosanna O'Mallan, Office of Sen. Frank B. Aguon Jr.

III. Approval of Minutes:
a. August 16, 2017: A motion to approve the minutes for August 16, 2017 (pending corrections/ changes that were mentioned) was made by Adelia Custodio. Seconded by Michael Unsiog. Favored by ALL.

IV. Section Report:
a. Administration –
- Approval of NEW & Renewal Applications: *Chairman Marian Pizarro* requests that at the next Board Meeting that a list of NEW & Renewal applications be presented to the Board within the agenda.

NEW:
1. MDS Group Incorporation dba: Pacific Welding, Machinery, & Muffler Services.
2. Martinez Group, Inc. dba: MGKM Kooling Services.
3. Romeo B. San Jose dba: R.D.A. Services & Contractor.
4. Pacific Federal Management, Inc.

5. De Los Reyes Green, LLC.
6. Trident Cross, LLC.
7. The Pit, LLC.

RENEWAL:

8. Tech-Rite Builders, Inc. (90 Day Provisional)
9. Camacho Family Partnership dba: Dirt Doktor.
10. Murphey Enterprise Inc.
11. David Properties dba: David Properties Construction.
12. Hermino C. Cortez dba: Low Cost Builders.
13. Greenville Inc. dba: Re-Bath Guam.
14. Alfredo J. Javelosa (Master Electrician).
15. Tri-Con Corporation.
16. Kwok Wah Chan dba: K&W Construction Services.

- *Michael Unsiog* asked if all the applications had gone through all the proper channels. *Maria Perez* responded yes, she first reviews the application, then it goes to Mr. Ordonez for his review, then it goes to investigation. *Michael Unsiog* had asked if Nida goes through it, *Maria Perez* then replies that usually it is the Investigation Supervisor but if he is not available Mr. Ordonez or Nida Bailey reviews it. *Nida Bailey* mentioned that usually admin only requests certain information from investigation such as if a company has on-going complaints. *Michael Unsiog* then reiterates that the CLB must utilize all investigators to improve the flow of functions. *Nida Bailey* informs Michael Unsiog that there is a checklist with NEW Applications that is provided to sign off that all the proper documentations are provided. *Maria Perez* mentioned that if the Board wants to have some changes done on the checklist to inform her on what changes they would like. *Maria Perez* clarifies what the checklist is for, she mentions that the process is as follows: Licensing section signs the checklist when all the proper documents are in place, following that comes the Investigation sections signature then Mr. Ordonez. For the Revenue and Taxation section basically looks at the name on the application to see if there are any discrepancies and if there are no discrepancies then revenue and taxation will sign. This procedure is only for NEW applications. For the renewal process what the licensing section looks for are the workman's compensation forms and the clearances. *Maria Perez* also mentioned that once NEW applications go before the Board, for renewals it does not go before the Board again unless there are issues such as a complaint. *Michael Unsiog* says that he still thinks that renewals (because of the nature of the license) it should still go before the Board because it is mentioned in the 21 G.C.A. *Maria Perez* asked because people have different interpretations of the 21 G.C.A. and the Rules and Regulations of the CLB if she could contact the AGs office and if she could get clarification on what needs to be done according to procedures. *Michael Unsiog* mentioned that until she gets the legal opinion that the Board should do what they are supposed to do and address issues right then and there. *Mr. Ordonez* also mentioned that we are still currently awaiting legal counsel from the AGs office, Michael Unsiog asked to please follow up on the status because with the upcoming Board Hearings we will be needing legal counsel. A motion to approve the NEW & Renewal applications (total of 16 applications) was made by Michael Unsiog. Seconded by James Casallo. Favored by ALL.

b. Investigation – due to the absence of Mr. Eduardo Zapanta, Director Ordonez asked Vince Aguon and Nida Bailey to say a few words regarding investigation. *Vince Aguon* starts the report off by giving thanks to himself and Nida Bailey because in the absence of the Investigation Supervisor has taken a toll on them but they are doing what is required of them to continue moving forward with the everyday duties for the investigation section. Complaints continue to come in daily and he believes that more investigators are needed. *Michael Unsiog* mentioned that maybe if Mr. Ordonez could bring it to the Legislature and

request and increase in the budget to be able to hire more investigators or also look into other avenues that the CLB could take to see what is an available option for the CLB. *Nida Bailey* says that the only addition to what Vince Aguon has said is that it is very limiting to what investigation can do, lately Nida Bailey has not been able to do field work since usually she is the person who handles clearances and complaints that come into the office. *James Casallo* asked if the clearances needs to be done immediately. *Nida Bailey* responded with the CLB office tries to conduct clearances when the public come in because they are waiting for signatures. *Michael Unsiog* asks if there is anything in writing that states the clearances need to be done the same day. *James Casallo* asked who is authorized to sign clearances. *Mr. Ordonez* responded that it is him, Eduardo Zapanta, Nida Bailey, and Maria Perez who signs clearances because what they look for is that the contractor who will be conducting the project is properly licensed for that particular project.

V. Executive Directors Report: Mr. Ordonez mentioned that he will be following up with the AGs office regarding legal counsel for the CLB Board Hearings. *Chairman Marian Pizarro* asked if there were any updates regarding Civic Service Commission and the status of Mr. Zapanta. *Mr. Ordonez* mentioned that he has an appointment scheduled with CSC and that he is currently working on the problem. *Mr. Ordonez* also mentioned that many in the construction industry has complained about the H2 Workers situation, in which Governor Calvo recently left the island to follow up on the H2 Workers status and he hopes that he will be returning with good news.

VI. New Business:

a. 2nd complaint filed (Case#2016-08-07) by Mr. Theodor Nelson against Tereas, Inc. – Investigation Supervisor Eduardo Zapanta – Eduardo Zapanta was not present *Michael Unsiog* is requesting that there be a conclusion regarding Mr. Nelsons complaint because even though this is his second complaint, this complaint is already over a year old. *Nida Bailey* mentioned that this complaint is similar to Mr. Nelsons first complaint but the only person who is able to more this forward is Mr. Zapanta because he has the documents pertaining to this complaint. Because her files were stolen regarding this particular case, she does not have sufficient information to move forward. *Chairman Marian Pizzaro* requested from Mr. Ordonez that he make this a priority and the Board is requesting an update by the next Board Meeting.

b. Request for extension of 90 Day Provisional License for Tech-Rite Builders, Inc. – Nida Bailey: In addition to the request for the extension for the 90 day provisional license, Nida Bailey is also requesting to approve the application for Mr. Tsiao to take the exam for the Classification B to be the RME for Tech-Rite Builders, Inc. A motion to approve the extension for the 90 Day Provisional License for Tech-Rite Builders, Inc. and to approve the application for Mr. Tsiao to take the exam for Class B was made by Michael Unsiog. Seconded by Joe Ulloa. Favored by ALL.

c. Bestry Corp. request for a Board Hearing – Vince Aguon: *Vince Aguon* informed the Board that Bestry Corp. was given a notice of defense and they are requesting a Board Hearing. Because the CLB needs to allow them 15 days notification, the Board Hearing is scheduled for the next regular Board Meeting which will be on October 18, 2017.

VII. Board Hearing: Hearings postponed due to Eduardo Zapanta not being present since he is the Investigator assigned to these cases.

a. Vincente J. Carmona III (KPL Guam Co., Ltd.) – Case# 2017-02-04 – Postponed

b. James Ji dba: J.D.K. Construction & James Ji Foundation dba: JF Builders – Case# 2015-02-10 – Postponed: according to Vince Aguon the decision and order was sent via certified mail to James Ji. Also Mr. James Ji had met with Vince Aguon and Mr. Eduardo Ordonez in which Mr. James Ji was given a notice of defense. The CLB is currently awaiting a response from Mr. James Ji.

c. Wenefredo Gallege dba: SGS Construction – Case# 2015-06-02 – Postponed

VIII. Public Comment: No public comment presented.

IX. Announcement:

a. Next scheduled Board Meeting for **September 20, 2017 @ 10 am.**
b. *James Casallo* requests to have DRAFT minutes (that needs approval) and Agenda for next meeting to be emailed to Board Members 3 days before the next meeting. *Resiah Mae Nelsen* responded that the minutes will be available to members but the Agenda usually gets finalized the day before the meeting (in case there is any last minutes items that need to be added).

X. Adjournment: A motion to adjourn the Board Meeting at 11:25 am made by Michael Unsiog. Seconded by James Casallo. Favored by ALL.