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

December 20, 2017

GL# 34-17-1334
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

DEC 20 2017
Time: 4:44 (1) AM [ ] PM File No. 34-133
Received By

2017 DEC 21 AM 8:16

SUBJECT: SUBMISSION OF NOVEMBER 15, 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 November 15, 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

1334

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EXECUTIVE DIRECTOR

Regular Board Meeting
November 15, 2017
CLB Conference Room

AGENDA

I. Call to Order:

II. Roll Call:

III. Approval of Minutes – September 20, 2017

IV. Section Report:
- a. Administration Division – Maria Perez (Admin Officer)
  - i. Approval of NEW & Renewal Applications:
    1. Dongkuk Pacific, LLC (NEW)
    2. REG Builders General Construction (NEW)
    3. MDS Group Inc. dba: Pacific Welding Machinery & Muffler Services (NEW)
    4. MACKS Construction (NEW)
    5. Rick Construction (NEW)
    6. Core Tech Investments, LLC (NEW)
    7. James M. Casallo & Associates, LLC (NEW)
    8. Pacific Jimi K Corporation (NEW)
    9. Pu Ok Pak dba: Smart Construction (Renewal)
    10. TEMES, Inc. (Renewal)
- b. Investigation Division – Nida Bailey (Interm) – Not Present/ on sick leave

V. Executive Directors Report: Not Present/ on sick leave

VI. New Business:
- a. 2nd complaint filed (Case#2016-08-07) by Mr. Theodore Nelson against Tereas, Inc. – Investigator Nida Bailey – Update Requested by Board

VII. Board Hearing:
- a. Bestry Corp. – to address the Board regarding their denial to obtain a CLB License – Investigator Vince Aguon – Postponed till next Board Meeting

VIII. Public Comment:

IX. Announcement & Open Discussion:
- a. Next Regular Board Meeting, **December 20, 2017, @ 10:00 am.**

X. 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
November 15, 2017
CLB Conference Room, Upper Tumon
Minutes of November 15, 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. Joseph Guevara, DPW Ex-Officio
d. Michael Unsiog, Rev. & Tax Ex-Officio

CLB Staff Members Present:
e. Resiah Mae Nelsen, Private Secretary
f. Vince Aguon, Investigator
g. Maria Perez, Administrative Officer

Public Present:
h. Russell Ocampo, UOG – Professional & International Programs
i. Kimberly Pacay, UOG – Professional & International Programs

III. Approval of Minutes:
a. September 20, 2017: A motion to approve the minutes for September 20, 2017 (pending corrections) was made by Vice-Chairman Adelia Custodio. Seconded by Joseph Guevara. Favored by ALL.

IV. Section Report:
a. Administration –
- Approval of NEW & Renewal Applications: ALL Applications to be approved pending signatures from Chairwoman Marian Pizarro. *Maria Perez* mentions that this is the first time that renewal applications are going before the Board, because usually in the past when it is renewal time, just as long as contractors have all their documents they issue the renewed license. *Michael Unsiog* asked if what she is saying is that the Board should only review the NEW Applications. *Maria Perez* then responded that it is what they have always done it in the past. *Michael Unsiog* then asked if that is the way the renewal process should be done because his understanding from the CLB Rules and Regulations is that ALL Applications should go through the board whether it is renewal or new, it should go before the Board for review. He also mentions that since the CLB does have a

Board in place that renewals should go before the Board. *Chairwoman Marian Pizarro* mentions that the Board needs to find a way to move forward because already the October meeting was missed so there has to be a better way than just waiting for the next meeting. *Michael Unsiog* mentions that he still feels that the Board is here for a purpose and that purpose is to insure that the applications get reviewed for approval, suspension, or denials. *Joseph Guevara* also mentions that he remembers the most from the oversight hearing was Sen. Aguon repeatedly saying that unless the Board approves an application the license is not valid. *Joseph Guevara* had some questions regarding a certain application that he was reviewing. He asked Maria Perez to explain the difference between the licenses. *Joseph Guevara* asked why one application had clearances from the different agencies and why one (MDS Group) did not. *Maria Perez* then explained that MDS Group Inc. dba: Pacific Welding Machinery & Muffler Services is currently licensed for LY 2018 & has an RME that is currently licensed, but the applicant (New RME) just currently took the examination and passed so the only thing to do now is to submit are documents that is showing that she is going to be added on as a new RME. *Joseph Guevara* then askes then why there is no clearances for the application. *Maria Perez* then explains that the current RME owned the business sold the business to the NEW RME and her family so what they are doing is he wants to retire so Ms. Hemlani took the test, took some classes, has the required experience (according to investigation), now all that is needed is to be given the letter that she passed the exam. *Joseph Guevara* states, that because Ms. Hemlani is amending the currently license that even though she goes through the process it should go through the other agencies to inform them that the license is being altered. *Maria Perez* mentions that they have never done that in the 28 years that she has been with the CLB and that we might need legal advice from the legal counsel because everyone has a different interpretation. *Joseph Guevara* asked that if she can prove it that in the law it states that the Board does not need it then it is ok but it needs to be proven to him other than just telling him. A motion to have Board Members come in to the CLB Office every FRIDAY (except Holidays) to review ALL applications that come in weekly and will be approved with at least 4 members signatures for approval was made by Joseph Guevara. Seconded by Michael Unsiog. Favored by ALL.

- NEW:
  1. Dongkuk Pacific, LLC – Approved by ALL Present Board Members
  2. REG Builders General Construction – Approved by ALL Present Board Members
  3. MDS Group Inc. dba: Pacific Welding Machinery & Muffler Services – Pending approval of Board Members
  4. MACKS Construction – Approved by ALL Board Members
  5. Rick Construction – Approved by ALL Board Members
  6. Core Tech Investments, LLC – Approved by ALL Board Members
  7. James M. Casallo & Associates, LLC – Approved by ALL Board Members
  8. Pacific Jimi K Corporation – Approved by ALL Board Members
- RENEWAL:
  1. Pu Ok Pak dba: Smart Construction – Approved by ALL Board Members
  2. TEMES, Inc. – Approved by ALL Board Members

b. Investigation (Interim: Nida Bailey) – Not present on sick leave

V. Executive Directors Report: Director Ordonez was on sick leave

VI. New Business:

a. Testing – Ex Officio Board Member Michael Unsiog (Invited Mr. Ocampo & Ms. Pacay from UOG to present on their testing services) – *Russell Ocampo* mentions that he is attending on behalf of his Director Mr. Taitano to share some information about their office and what they

provide. They provide testing for the island in various capacities such as the written exam for the Guam Drivers Licenses (Bi-Weekly), Realty exams (monthly), and others. *Michael Unsiog* mentions that in the past he had put out a request in a previous Board Meeting and had not received a response. With experience with UOG handling the testing for Rev&Tax which is all filtered through UOG and that when the testing is completed, UOG also issues the results of who passes the exam and who does not. Since it has worked very well with the Rev&Tax there has not been any complaints on how the testing is being handled, so it has always been a concern about how the testing has been handled also that the testing needs to be updated. *Russell Ocampo* shares the process of how UOG conducts the examination. UOG also conducts an oral testing for those individuals whose first language is anything other than English, such as Korean, Chinese, Filipino, etc. *Joseph Guevara* mentions that he likes the third party examination idea because it gives the CLB transparency and that everything is secured. He also mentions that he really likes that they can provide an oral test to those who have trouble with English (because exam booklets will be in the person's language and also they have interpreters). *Michael Unsiog* mentions that he would like to take this route because it has been brought up previously, not only in a previous meeting but also with the previous Director. *Michael Unsiog* also mentions that he is very pleased that UOG could join us and present us with the information because it has been brought up and he thinks it is high time to do things that need to be done, and that testing is one portion that needs to be a part of the Board other than just the application process, so if we could work with unison with UOG then maybe there will be a good joint partnership just like with Rev&Tax. *Maria Perez* adds that she truly agrees with Michael Unsiog. She also adds that there has always been a cloud over the CLB office when it comes to examinations, that is why in the past when Sen. Morrison spoke about trying to find third party testing she was excited because that would mean less stress on her back. A motion was made by Joseph Guevara to have UOG provide a proposal to the CLB on what they can provide in assistance to be provided to the Chairwoman and Director. Seconded by Michael Unsiog. Favored by ALL.

b. Staff accompanying applicants for clearances – Michael Unsiog – He mentioned that he feels that it is not proper procedure for administration staff of the CLB to accompany applicants when they go to the different agencies for clearances. He also mentions that he has seen staff personally accompany applicants when they go to Rev&Tax Business License Section, and they should not do that because of the implications are that it is improper. It needs to be brought to the attention of Director Ordonez.

VII. Board Hearing:

a. Bestry Corp. – to address the Board regarding their denial to obtain a CLB License – Investigator Vince Aguon – Postponed till next Board Meeting (Schedule Dec. 20, 2017) due to Bestry Corp. was not duly informed about the schedule of their hearing due to the CLB not knowing when the PO for publication would be ready.

VIII. Public Comment:

IX. Announcement:

a. Next scheduled Board Meeting for **December 20, 2017 @ 10:00 am.**

X. Adjournment: A motion to adjourn the Board Meeting at 11:19 am made by Joseph Guevara. Seconded by Michael Unsiog. Favored by ALL.