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

July 17, 2018

GL# 34-18-2105
Speaker Benjamin J.F. Cruz

JUL 19 2018
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Memorandum

To: Honorable Speaker Benjamin J.F. Cruz
34th Guam Legislature

From: Eduardo R. Ordonez, Executive Director
Contractors License Board

Subject: Submission of Contractors License Board Meeting Minutes-
March 21, 2018 and April 18, 2018

Buenas and Hafa Adai Speaker Cruz,

We are submitting the Contractors License Board Meeting Minutes of March 21, 2018 and April 18, 2018. If you have questions, please call me at 649-2215 or email at eduardo.ordonez@clb.guam.gov. Thank you.

Respectfully,

Eduardo R. Ordonez
Executive Director

Attachments

2105

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EDUARDO R. ORDONEZ
EXECUTIVE DIRECTOR

Regular Board Meeting
CLB Conference Room, Upper Tumon
Minutes of March 21, 2018

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

II. Roll Call:
a. Marian Christian, Chairman – Not Present
b. Adelia Custodio, Vice Chairman
c. James Casallo, Member
d. Joseph Ulloa, DPW Ex-Officio/ Alt.
e. Robert Tongson, Rev. & Tax Ex-Officio

CLB Staff Members Present:
f. Eduardo Ordonez, Executive Director
g. Nida Bailey, Investigator
h. Vince Aguon, Investigator
i. Maria Perez, Administrative Officer
j. Mae Arile, Administative Aide

III. Approval of Minutes:
a. February 21, 2018: A motion to approve the minutes for February 21, 2018 was made by James Casallo, Seconded by Joseph Ulloa. Favored by ALL.

IV. Section Report:
Administration Section – Maria Perez, Administrative Officer – MP announces list of New Company applications. MP also states that all 5 applications were routed to majority of the board members already. A motion to approve the applications was made by James Casallo, Seconded by Joseph Ulloa. Favored by ALL.

Approval of NEW Applications:
1. Ezell Simon Jr. dba: Expert Restorations
2. Insituform Technologies, LLC
3. V.C. Construction Management Inc.
4. Glenda C. Arcilla dba: Builders Technical Solutions
5. JE Construction Corporation

- Investigation (Interim: Nida Bailey) – NB stated that the Investigation Section is still on status quo and that NB & VA are continuing their work in regards to the cases and

investigations that are currently being reviewed. NB asked VA if there was anything to add to the report for their section. VA asked if we were able to still hire an investigator supervisor due to the hiring freeze. NB stated it has been mentioned but we are still waiting on approval to hire. AC stated according to NB the one she is investigating is pending right now.

V. Executive Directors Report: *Executive Director Eduardo Ordonez* –Like I have said we are working on the problem with the government now. Either we are going to lessen hours or do the furlough. We proposed to the Governor's Office cost cutting measures to insure that our agency save money. The Governor's Office is working on it and reviewing our proposal. There are some agencies that have taken the 32 hour work week. JC asked if our agency is affected by the 32 Hour work week. MP stated that we are not as of yet affected by it because we don't spend all of our fund for the fiscal year. We always have a lot left at the end of the fiscal year. We continue to cut cost as well as watch how we spend our budget.

VI. Old Business: Bestry Corporation

a. VA stated that two contractors are taking Bestry Corporation to court. Two license contractors. 1. Bestry Corporation haven't paid them against Harbin Construction, Inc. so there is a civil matter and they already have a court date for April. 2. The other one is where Bestry Corporation falsified and signed a contract using this license contractor. They were unaware and are now being billed for an amount of $500,000. So their representative is taking them to court. VA stated that he will be going to the lawyer to get copies of court documents. AC is asking for a copy of the AG's opinion in regards to Bestry Corporation application because the information limited and vague in the minutes. EO stated that he will be meeting with the AG's in the afternoon.

VII. Open Discussion:

RT asked about the status of testing with UOG. MP stated that she emailed UOG (Mr. Taitano) but hasn't heard from them. Right now as you are aware we have a furlough so I have been getting stuff from Department of Administration. What I've been doing is asking the employees if they want to do the 32 hours work week and everyone stated that it will be harder to survive. I already got two emails from Department of Administration. I'm trying to work out the numbers to how much we are trying to save in order to not get furloughed. And if we save that amount, I just received another email this morning again from them and they want something sent to them today. I been really working on that. I have spoken to Mr. Ordonez the renewal for 2019 has already started there were two ex officio before which are Mike Unsiog and Joseph Guevara. I don't know if it was approved or tabled but they wanted to sign off on each renewal application. Everyone in the office said that it's already taking too long just to get the signatures. Before in the past the board members said that they will show up on Fridays just to sign off on the applications for New/Renewal and it has never happened. We have over close to 900 contractors. We want to know if you still want to do the attachment so that each member signs off or do you just want to do the renewals. Because right now it's really back logging. A lot of people are asking if they can get their licenses and we have to inform them that they would have to wait pending signatures. These contractors paid for their renewals in full and some of them filed since the 1st of March and today is the 21st of March. JC we're holding it? MP stated yes our department is holding it because we are waiting for signatures. MA explains in the past as they come in to renew they get their license & ID same day no waiting period. Whereas, back in 2006 contractors waited 3 to 5 months for their license & ID. Then we made so contractors got it all in the same day that they file their renewals. Now as of this day we are going backwards again. We once were going forward and now we are going backwards. VA stated in regards to the UOG Testing on behalf of Mr. Ordonez's instructions, I went there yesterday and met with

Carlos Taitano and he confirm that he received an email from one of the ladies and said that MP was busy. He did confirm it but he really would like to meet with CLB to discuss testing and that Mr. Taitano is excited to help CLB. He just needs a date & time to meet with MP to go over testing. RT stated so let's move forward. JC – So we have 900 waiting. MP- No we have 900 renewals right now so they are starting to come in as of March 15th. JC – so they don't have application here that you have not processed. Those are the renewals. JC- so do we have to sign those again? MP – No. JC – What about these ones? MP - Those are new applications. MA – The new applications should go before the board. The renewals shouldn't have to go before the board. AC – Yes I agree with you on that. New applications should go before the board. JC – CLB staff knows what to look for in these renewals and if there problems with certain contractors it would be address with the investigators before it goes before the board. MP – Can you board members vote for the renewals not to go before the board and to be process accordingly as they come in to renew? JC stated for example Bestry Corporation is trying to renew. MP stated no they are a new company trying to get licensed. MP stated that she & NB were discussing to have a list of who have complaints or have not cleared their cases. Should the contractors have a complaint or existing cases they would have to see investigators before renewal can be processed. Now if the contractor request for a hearing before the board they can do so in writing and the investigators will process their request. The board will make the final decisions. VA – Back to Bestry Corporation Section 70110 No License issued when (2) Any person who does not possess a good reputation for honesty, truthfulness, financial integrity and fair dealing; so since they are getting sued and it's going to court. Should we wait for the judgement? MP no it has to go before the board. The board is the one that decides not the employees. The board has to be aware of the case. The law states that you're supposed to give them a letter, 45 days and what the outcome of the hearing would be from the board. VA – Bestry Corporation received their letter and they requested for a hearing. Everything was forwarded to AG Tom Keeler violations from Department of Labor, Department of Public Works and Contractors License Board. And we are still awaiting a hearing and AG's Opinion. The meeting for October was cancelled with Mr. Keeler because not all the documents were submitted. EO Let us continue discussion of renewals. Let the board members come every Friday to sign off the renewal applications. AC stated that we should just let CLB handle the renewals accordingly and if there is a problem with the contractors that is should be addressed with the investigators. A motion to not have the renewal applications go before the board was made by James Casallo,

VIII. Board Hearing:

IX. Public Comment:

X. Announcement:
   a. Next scheduled Board Meeting for April 18, 2018 @ **10 am.**

XI. Adjournment: A motion to adjourn the Board Meeting at 10:51 am was made by James Casallo, seconded by Joseph Ulloa. Favored by ALL.

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EDUARDO R. ORDONEZ
EXECUTIVE DIRECTOR

Regular Board Meeting
CLB Conference Room, Upper Tumon
Minutes of April 18, 2018

I. Call To Order: Meeting called to order at **10:07 am**

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

CLB Staff Members Present:
f. Eduardo Ordonez, Executive Director
g. Nida Bailey, Investigator
h. Vince Aguon, Investigator
i. Maria Perez, Administrative Officer
j. Mae Arile, Administative Aide

III. Approval of Minutes:
a. March 21, 2018: MU asked for clarification from last board meeting regarding the review and approval of application renewals. MC based on the minutes from last meeting. NB stated that JC motion for the application renewals to be process without going before the board if in fact that the contractors have no current complaints and are in good standing. However, the motion was never voted on. MU stated that the board continue to review and approve the renewal applications. James Casallo motion to revert process of review and approval of all new and renewal applications, seconded by Michael Unsiog. Favored by ALL. James Casallo motion to approve the minutes of March 21, 2018, seconded by Joseph Ulloa. Favored by ALL.

IV. Section Report:
Administration Section – Maria Perez, Administrative Officer – MP announces list of New Company applications. MP also states that all 5 applications were routed to majority of the board members already. A motion to approve the applications was made by Adelia Custodio, Seconded by Joseph Ulloa. Favored by ALL.

Approval of NEW Applications:
1. EATC JV

2. Relyant Mechanical
3. Duo Duo Shen, LLC
4. RAP
5. Dionosio Corpuz RME for QBC Inc.

- Investigation (Interim: Nida Bailey) – NB stated that the Investigation Section is still on status quo and that NB & VA are continuing their work in regards to the cases and investigations that are currently being reviewed. 110 Building Permit Clearances, 11 New Applications, 3 Cases – 1 closed, 2 currently active. NB had brought up concern in regards to applicants SSN. The board would look into the matter regarding the federal law referencing the SSN.

V. Executive Directors Report: *Executive Director Eduardo Ordonez* –Budget hearing for CLB and would like the board to show support. EO also thanks the board for their decision in the process of application review & approval.

VI. Old Business: Bestry Corporation
a. VA stated that there is only one contactor that is taking Bestry Corporation to Court and the amount that this contractor is suing them for $495,529.00. We are still seeking legal counsel on this matter because it's a civil matter. Harbin Construction legal counsel alleges fraud against Bestry Corporation. Harbin Construction has put a mechanic's lien against Bestry Corporation at Land Management. Sterling Blair have been keeping CLB informed of the case. Attorney Keeler is also being informed.

VII. New Business:

VIII. Board Hearing:

IX. Public Comment:

X. Announcement:
a. Next scheduled Board Meeting for May 16, 2018 @ **10 am.**

XI. Adjournment: A motion to adjourn the Board Meeting at 11:05 am was made by James Casallo, seconded by Joseph Ulloa. Favored by ALL.