Guam Legislature Clerks <clerks@guamlegislature.org>

Messages & Communications for Doc. No. 36GL-22-1944*

1 message

Committee on Rules 36GL <cor@guamlegislature.org> Wed, Apr 20, 2022 at 11:16 AM
To: Clerks <clerks@guamlegislature.org>, Rennae Meno <rennae@guamlegislature.org>
Cc: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>

Håfa Adai Clerks,

Please see attached M&C Doc. No. 36GL-22-1944 for processing:

36GL-22-1944	Government of Guam Solid Waste Funds(GSWF) FY2021 Financial Audit Reports*	Office of Public Accountability

Si Yu'os Ma'åse',

COMMITTEE ON RULES
Vice Speaker Tina Rose Muña Barnes
36th Guam Legislature
I Mina'trentai Sais Na Liheslaturan Guåhan
163 Chalan Santo Papa Hågatña Guam 96910
Email: cor@guamlegislature.org

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From: **Speaker Therese M. Terlaje** <speaker@guamlegislature.org>
Date: Wed, Apr 20, 2022 at 11:00 AM
Subject: Messages & Communications Doc. No. 36GL-22-1944
To: Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>, Committee on Rules 36GL <cor@guamlegislature.org>

Håfa Adai,

Please see attached M&C Doc. No. 36GL-22-1944.

36GL-22-1944	Government of Guam Solid Waste Funds(GSWF) FY2021 Financial Audit Reports*	Office of Public Accountability

Si Yu'os Ma'åse',

Joseph Rapirap Madlangbayan
Policy Analyst

Office of Speaker Therese M. Terlaje
Committee on Health, Land, Justice and Culture
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36th Guam Legislature
Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
T: (671) 472-3586 F: (671) 989-3590 Email: speaker@guamlegislature.org
website: www.senatorterlaje.com

---------- Forwarded message ---------
From: **Office of Public Accountability** <info@guamopa.com>
Date: Wed, Apr 20, 2022 at 9:43 AM
Subject: Transmittal: Government of Guam Solid Waste Funds (GSWF) FY 2021 Financial Audit Reports
To:
Cc: Benjamin Cruz <bjcruz@guamopa.com>, Frederick Jones <fjones@guamopa.com>, Ren Jalandoni <rjalandoni@guamopa.com>

Hafa Adai Senators of the 36th Guam Legislature,

Transmitted here are the Government of Guam Solid Waste Operations Funds' financial audit reports: Audited FY 2021 Financial Statements and Report on Compliance and Internal Controls and Letter to Those Charged With Governance. We included in the attachment our financial highlights of the results of GSWF's FY 2021 operations. You may visit our website to download these and other reports at www.opaguam.org.

Thank You!

36GL-22-1944.pdf
3975K

Speaker Therese M. Terlaje <speaker@guamlegislature.org>

Transmittal: Government of Guam Solid Waste Funds (GSWF) FY 2021 Financial Audit Reports

1 message

*Time changed to reflect time received 3

Office of Public Accountability <info@guamopa.com> Wed, Apr 20, 2022 at 9:42 AM*
Cc: Benjamin Cruz <bjcruz@guamopa.com>, Frederick Jones <fjones@guamopa.com>, Ren Jalandoni <rjalandoni@guamopa.com>
Bcc: speaker@guamlegislature.org

Hafa Adai Senators of the 36th Guam Legislature,

Transmitted here are the Government of Guam Solid Waste Operations Funds' financial audit reports: Audited FY 2021 Financial Statements and Report on Compliance and Internal Controls and Letter to Those Charged With Governance. We included in the attachment our financial highlights of the results of GSWF's FY 2021 operations. You may visit our website to download these and other reports at www.opaguam.org.

Thank You!

3 attachments

- **SWOF_fs21 [Final Apr 18 2022].pdf** 366K
- **GSWA FY 2021 Financial Highlights (FINAL).pdf** 404K
- **SWOF_sas21 [Final Apr 18 2022].pdf** 1840K

4
Doc Type: 36GL-22-1944*
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

04 20 2022
Time: 9:43 AM
Received:

COMMITTEE ON RULES
RECEIVED:
April 20, 2022
11:00 A.M.

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

(GOVERNMENTAL FUNDS OF THE GOVERNMENT OF GUAM)

FINANCIAL STATEMENTS, ADDITIONAL INFORMATION AND INDEPENDENT AUDITOR'S REPORT

YEAR ENDED SEPTEMBER 30, 2021

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

Year Ended September 30, 2021
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INDEPENDENT AUDITOR'S REPORT

Board of Directors
Guam Solid Waste Authority:

Report on the Financial Statements

We have audited the accompanying financial statements of the Guam Solid Waste Authority (GSWA) Solid Waste Operations Fund, Capital Projects Fund and Debt Service Fund, governmental funds of the Government of Guam (GovGuam), which comprise the balance sheet as of September 30, 2021, and the related statement of revenues, expenditures, and changes in fund balances for the year then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the GSWA Solid Waste Operations Fund, Capital Projects Fund, and Debt Service Fund as of September 30, 2021, and the results of their operations for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matters

Reporting Entity

As discussed in Note 1 to the financial statements, the financial statements referred to above present only the GSWA Solid Waste Operations Fund, Capital Projects Fund and Debt Service Fund and are not intended to present fairly the financial position and results of operations of GovGuam in conformity with accounting principles generally accepted in the United States of America.

COVID-19

As discussed in Note 7 to the financial statements, GSWA determined that the COVID-19 pandemic may negatively impact GSWA's solid waste operations.

Our opinion is not modified with respect to these matters.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis on pages 4 through 8 be presented to supplement the financial statements. Such information, although not a part of the financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the financial statements, and other knowledge we obtained during our audit of the financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

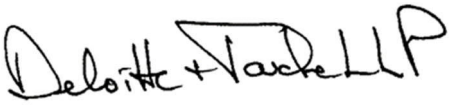
Other Information

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The Other Supplementary Information, as set forth in Section IV of the foregoing table of contents, is presented for purposes of additional analysis and is not a required part of the financial statements. The Other Supplementary Information is the responsibility of GSWA management. The 2021 information on pages 25 through 28 as well as the information on pages 29 and 30 was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standard generally accepted in the United States of America. In our opinion, the 2021 information on pages 25 through 28 as well as the information on pages 29 and 30 is fairly stated, in all material respects, in relation to the financial statements as a whole.

The 2020 information on pages 25 through 28 as well as the additional information on page 31 has not been subjected to the auditing procedures applied in the audit of the financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated April 18, 2022, on our consideration of GSWA's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of GSWA's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering GSWA's internal control over financial reporting and compliance.



April 18, 2022

GOVERNMENT OF GUAM
SOLID WASTE OPERATIONS FUND

Management's Discussion and Analysis
September 30, 2021 and 2020

Our discussion and analysis of the Government of Guam ("GovGuam") Solid Waste Funds ("GGSWF") financial performance provides an overview of the GGSWF's financial activities for the fiscal years ended September 30, 2021 and 2020. Please read it in conjunction with the GGSWF's financial statements, which follow this section.

1. Financial Highlights

- For the fiscal year ended September 30, 2021, total fund balance decreased by $12,053,659 (or 25.9%) from $46,582,072 in 2020 to $34,528,413 in 2021. This decrease was primarily attributable to a $11,020,404 decrease for the Capital Projects Fund due to ongoing construction activities associated with the Layon Municipal Sanitary Landfill new cell.

- During the years ended September 30, 2021 and 2020, total combined expenditures for governmental fund operations were $52,160,968 and $58,802,215, respectively, including expenditures recorded or payments relating to capital projects of $11,030,734 and $19,364,595, respectively; debt service requirements of $23,979,500 and $22,640,694, respectively; and solid waste operations expenditures of $17,150,734 and $16,796,926, respectively. These expenditures were funded, in part, by the generation of tipping fee revenues during the years ended September 30, 2021 and 2020 of $18,519,091 and $18,170,090, respectively; and a transfer in from GovGuam's General Fund of $20,981,875 and $20,972,750, respectively, for debt service.

- Total combined expenditures decreased by $6,641,247 (or 11.3%) from 2020 to 2021 due, in part, to the $8,333,861 (or 43%) decrease in payments relating to capital projects expenditures offset by the $1,338,806 (5.9%) increase in debt service payments. Total combined revenues increased by $596,427 (or 1.5%) from $39,510,882 in 2020 to $40,107,309 in 2021. This increase was primarily due to the $349,001 (or 1.9%) increase in tipping fee revenues and the $545,732 increase in transfers from the ARPA Fund offset by the $329,139 (or 98.5%) decrease in interest income.

- During the years ended September 30, 2021 and 2020, the Solid Waste Operations Fund generated operating deficits of $1,078,987 and $1,972,016, respectively. Tipping fee revenues recorded by the Solid Waste Operations Fund were $18,519,091 in 2021, an increase of $349,001 compared to the previous year. Expenditures recorded by the Solid Waste Operations Fund were $17,159,945 in 2021, an increase of $29,872 (or 0.2%) compared to the previous year.

2. Overview of the Financial Statements

The GGSWF's financial statements include all of the activities of the Solid Waste Operations Fund, the Capital Projects Fund and funds related to the Limited Obligation (Section 30) Bonds, 2016 Series A and General Obligation (GO) Bonds 2019 Series A (the "Funds"). The financial statements present a balance sheet and a statement of revenues, expenditures, and changes in fund balances. The financial statements do not include the liabilities for the Ordot landfill closure, the recognition of a liability for the eventual closure of the Layon landfill or the Trustee payments discussed in Section 4. These liabilities have been included in the government-wide financial statements of the Government of Guam for the year ended September 30, 2021. The assets, liabilities and fund balances of the Funds are reported in self-balancing funds.

GGSWF's financial statements have been prepared in accordance with accounting principles generally accepted in the United States of America (GAAP). The Governmental Accounting Standards Board (GASB) is the recognized standard-setting body for establishing governmental accounting and financial reporting principles. The GGSWF financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as they become susceptible to accrual; generally when they are both measureable and available. Expenditures generally are recorded in the period in which the related fund liability is incurred, as under accrual accounting, with the exception of debt service expenditures, which are recorded only when payment is due.

The notes to the financial statements include additional information needed to provide a further understanding of the GGSWF financial statements.

3. Financial Statement Analysis

Balance Sheet

The balance sheet presents information on GGSWF's assets, liabilities and fund balance at year-end. A condensed summary of GGSWF's balance sheet is shown below as of September 30, 2021 and 2020.

	2021	2020	Change	Total Percentage Change 2021-2020
ASSETS:				
Cash and cash equivalents	$ 4,947,806	$ 6,941,437	$ (1,993,631)	-28.7%
Tipping fees receivable	2,889,404	2,847,386	42,018	1.5%
Restricted assets	32,262,946	45,804,600	(13,541,654)	-29.6%
Total assets	**$ 40,100,156**	**$ 55,593,423**	**$ (15,493,267)**	**-27.9%**
LIABILITIES:				
Accounts payable and other liabilities	$ 447,466	$ 412,264	$ 35,202	8.5%
Contracts and retention payable	3,403,206	5,771,326	(2,368,120)	-41.0%
Due to General Fund	1,721,071	2,827,761	(1,106,690)	-39.1%
Total liabilities	**5,571,743**	**9,011,351**	**(3,439,608)**	**-38.2%**
FUND BALANCES:				
Restricted	28,691,060	39,913,704	(11,222,644)	-28.1%
Committed	5,837,353	6,668,368	(831,015)	-12.5%
Total fund balance	**34,528,413**	**46,582,072**	**(12,053,659)**	**-25.9%**
	$ 40,100,156	**$ 55,593,423**	**$ (15,493,267)**	**-27.9%**

Total assets decreased by $15,493,267 (or 27.9%) from $55,593,423 in 2020 to $40,100,156 in 2021. This decrease was primarily the result of a decrease in amounts deposited in the Construction Account. In 2019, GO Bonds were issued for the purpose of funding the new cell construction that generated $31,637,747 in bond proceeds, which were deposited to the Construction Account in accordance with the bond indenture as maintained by the Bond trustee.

Total liabilities decreased by $3,439,608 (or 38.2%) from $9,011,351 in 2020 to $5,571,743 in 2021. This decrease was the result of a decrease in payables to contractors associated with the new cell construction.

Total fund balances decreased by $12,053,659 (or 25.9%) during 2021 from $46,582,072 to $34,528,413. Of the total fund balance amounts presented at each respective fiscal year end, certain restrictions limit the availability of fund resources for future use. Specifically, fund balances are restricted by the bond indenture associated with the Limited Obligation (Section 30) Bonds and the GO Bonds, wherein these funds are restricted for future debt service and capital projects.

Statement of Revenues, Expenses and Changes in Fund Balances

The statement of revenues, expenses and changes in fund balances shows the effect of revenues and expenditures on GGSWF's fund balance for the year. GGSWF's statements of revenues, expenses and changes in fund balances for the years ended September 30, 2021 and 2020 are summarized as follows:

	2021	2020	Change	Total Percentage Change 2021-2020
REVENUES:				
Tipping fees	$ 18,519,091	$ 18,170,090	$ 349,001	1.9%
Use of money and property	5,059	334,198	(329,139)	-98.5%
Transfers in from ARPA Fund	545,732	-	545,732	
Transfers in from COVID-19 Fund	55,552	33,844	21,708	64.1%
Transfers in from General Fund	20,981,875	20,972,750	9,125	0.0%
Total revenues	**40,107,309**	**39,510,882**	**596,427**	**1.5%**
EXPENDITURES:				
Environmental protection	16,825,545	16,479,862	345,683	2.1%
Capital projects	11,030,734	19,364,595	(8,333,861)	-43.0%
Debt service	23,979,500	22,640,694	1,338,806	5.9%
Host community premium benefits	325,189	317,064	8,125	2.6%
Total expenditures	**52,160,968**	**58,802,215**	**(6,641,247)**	**-11.3%**
Net change in fund balance	(12,053,659)	(19,291,333)	7,237,674	-37.5%
Fund balance - beginning	46,582,072	65,873,405	(19,291,333)	-29.3%
Fund balance - ending	**$ 34,528,413**	**$ 46,582,072**	**$ (12,053,659)**	**-25.9%**

Total revenues increased by $596,427 (or 1.5%) from $39,510,882 in 2020 to $40,107,309 in 2021. This increase was primarily due to the $349,001 increase in tipping fee revenues and the $545,732 increase in transfers from the ARPA Fund offset by the $329,139 decrease in interest income.

Total expenditures decreased by $6,641,247 (or 11.3%) from $58,802,215 in 2020 to $52,160,968 in 2021. This decrease was, in part, due to the $8,333,861 decrease in payments relating to capital projects expenditures offset by the $1,338,806 increase in debt service payments. The decrease in payments relating to capital projects expenditures represent costs associated with the new cell construction. The increase in payments relating to debt service was due to an increase in scheduled debt service payments associated with the 2016 Series bond issue and commencement of debt service payments associated with the 2019 Series bond issue in 2020.

Long Term Debt

In 2016, GovGuam issued $236,605,000 in Limited Obligation (Section 30) Bonds. Proceeds were primarily to be used: (i) to refund all the outstanding 2009 Series A Limited Obligation (Section 30) Bonds; (ii) to refinance all of the outstanding 2013 Series B Guam Education Financing Foundation II, Inc. Certificates of Participation (Okkodo High School Expansion Project); (iii) to finance certain Guam Memorial Hospital Authority (GMHA) capital costs, refinancing of GMHA Bank of Guam Loan, and paying GMHA vendor accounts payable for 2016 and 2017; and (iv) other bond costs. The Limited Obligation Bonds are to be paid solely from and secured by a pledge of Section 30 Revenues.

In 2019, GovGuam issued $27,610,000 in GO Bonds. Proceeds were primarily to be used: (i) to pay costs relating to the new cell construction for the Layon Municipal Sanitary Landfill operated by the Guam Solid Waste Authority (GSWA); and (ii) to pay costs associated with the issuance of the bonds. GovGuam pledged its full faith and credit for the punctual payment of principal and interest on the bonds. In addition, GovGuam has covenanted to make deposits from the Solid Waste Operations Fund to the Debt Service Fund in sufficient amounts to cover future debt service obligations.

For additional information related to long-term debt, refer to Note 4 to the financial statements.

4. Outlook, Challenges and Opportunities

Partial End of Receivership

In 2019, the Court issued an order regarding Partial End of Receivership turning day-to-day operations of GSWA from the Receiver to GSWA management, effective May 1, 2019. The Receiver's remaining responsibilities include the approval of Ordot Dump Post Closure Care Plan by the U.S. Environmental Protection Agency (USEPA) and Guam Environmental Protection Agency, and the issuance of a Post Closure Permit.

USEPA, in consultation with the Receiver, issued an estimated revised technical path for Ordot's Post Closure Care Plan approval and issuance of the Post Closure permit date to June 1, 2021.

Under the order, GSWA was required to fully fund by August 2026 an account held in trust to pay for the estimated future costs of managing and maintaining the Ordot landfill site until it can be reclaimed by GovGuam for alternative use.

Capital Projects

In 2019, GovGuam successfully issued GO Bonds to fund the new cell construction at the Layon Landfill. Net proceeds were deposited into the Construction Account held with the Bond trustee.

Even with the COVID-19 pandemic impacting the construction process, Core Tech International is keeping construction on schedule and GSWA anticipates completion of Cell 3 this summer.

Contracts

On July 1, 2019, GovGuam and GSWA entered into a Continuing Covenant Agreement in which GSWA committed to pay the debt service of the GO Bonds using all lawfully available gross income and other amounts received by or on behalf of GSWA as revenues of the system (which are recorded within the Solid Waste Operations Fund) as long as bonds are outstanding.

On November 11, 2019, the Receiver assigned the Cell 3 construction contract with Core Tech International Corporation to GSWA.

The Receiver will continue to review and approve invoices from the operator of the Ordot Dump post closure facility until such time the Post Closure Care Plan is approved and permit is issued, the Trustee is in place and the Court has ordered the transfer of the Ordot Dump Post Closure Care Reserve funds to the Ordot Dump Post Closure Trust Fund account.

The Receiver has developed two rate options for presentation to the Guam Public Utilities Commission. Each option would provide for adequate funding for GGSWF for 2013 and thereafter.

These options are outlined in the following table:

Customer Type	Current Rate*	Full Gov't Reimbursement Rate
Commercial (per ton)	$ 172	$ 225
Residential (per month)	$ 30	$ 35
Residential Transfer Station	$ 7.50 / $ 15	$ 7.50 / $ 15
Cost to GovGuam	$ 7,483,397	$ -

*The effective commercial rate per ton is $156 per ton when haulers pay on time, electronically using ACH, and do not use Public Law 25-93.

Based on the Receiver's determination, the Current Rate option was adequate to provide for the operation of GGSWF through 2019. The current rate can be maintained if GovGuam does not seek to obtain reimbursement from GSWA for the debt service paid from Federal Section 30 funds. If however, GovGuam seeks reimbursement from GSWA for that portion of the debt service of Section 30 funds, it will need to adopt the full government reimbursement rate. To date, no action has been taken to adopt a new rate for GSWA. Rates are subject to the Guam Public Utilities Commission approval.

COVID-19

On March 13, 2020, President Donald Trump declared a national emergency concerning the Novel Corona Virus (COVID-19) outbreak. On March 14, Governor Lourdes Leon Guerrero issued an Executive Order 2020-03 declaring a state of emergency in response to COVID-19 closing all schools, non-essential Government of Guam agencies and businesses. The public health emergency has been extended by the Governor.

On March 28, 2020, the U.S. President signed a major disaster declaration for Guam and ordered federal assistance to supplement local recovery efforts in connection with the COVID-19 pandemic. As a result, GovGuam received direct aid under the Coronavirus Act Relief, and Economic Security ("CARES") Act of $117,968,258, of which $55,552 and $33,844 was made available to GSWA during the years ended September 30, 2021 and 2020, respectively.

On March 11, 2021, the U.S. President signed into law the American Rescue Plan Act ("ARPA") to speed up recovery from the economic and health effects of the COVID-19 pandemic. Under ARPA, GovGuam received $553,582,247, of which $545,732 was made available to GSWA during the year ended September 30, 2021 to GSWA to offset revenue shortfalls resulting from the COVID-19 pandemic.

While operating results are expected to be negatively impacted, the financial impact cannot be reasonably estimated at this time.

5. Contacting Government of Guam Financial Management

This financial report is designed to provide our citizens, taxpayers, customers and creditors with a general overview of GGSWF's finances and to show the GGSWF's accountability for the money it receives. Questions concerning any of the information provided in this report or request for additional information should be addressed to: Division of Accounts, Attention: Edward M. Birn, Director, P.O. Box 884, Hagatna, Guam 96932. Telephone No.: (671) 475-1101/1250, Facsimile: (671) 477-6788; Website address: www.doa.guam.gov.

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

Balance Sheet
September 30, 2021

	Solid Waste Operations Fund	Capital Projects Fund	Debt Service Fund	Total
ASSETS				
Cash and cash equivalents	$ 4,947,806	$ -	$ -	$ 4,947,806
Receivables:				
Tipping fees	2,889,404	-	-	2,889,404
Restricted assets:				
Cash and cash equivalents	5,056,015	3,755,128	23,451,803	32,262,946
Total assets	$ 12,893,225	$ 3,755,128	$ 23,451,803	$ 40,100,156
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	$ 248,656	$ -	$ -	$ 248,656
Contracts payable	650,711	1,217,920	-	1,868,631
Receiver fees payable	69,849	-	-	69,849
Retention payable	115,114	1,419,461	-	1,534,575
Host community premium benefits payable	91,215	-	-	91,215
Accrued payroll and other	37,746	-	-	37,746
Due to General Fund	1,692,448	15,128	13,495	1,721,071
Total liabilities	2,905,739	2,652,509	13,495	5,571,743
Commitments and contingencies				
Fund balances:				
Restricted for:				
Capital projects	-	1,102,619	-	1,102,619
Debt service	-	-	23,438,308	23,438,308
Postclosure costs	4,150,133	-	-	4,150,133
Committed for:				
Solid waste operations	5,837,353	-	-	5,837,353
Total fund balances	9,987,486	1,102,619	23,438,308	34,528,413
Total liabilities and fund balances	$ 12,893,225	$ 3,755,128	$ 23,451,803	$ 40,100,156

See accompanying notes to financial statements.

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

Statement of Revenues, Expenditures, and Changes in Fund Balances
Year Ended September 30, 2021

	Solid Waste Operations Fund	Capital Projects Fund	Debt Service Fund	Total
Revenues:				
Tipping fees	$ 18,193,903	$ -	$ -	$ 18,193,903
Host community premium surcharge fees	325,188	-	-	325,188
Use of money and property	3,104	1,119	836	5,059
Transfer in from General Fund	-	-	20,981,875	20,981,875
Total revenues	18,522,195	1,119	20,982,711	39,506,025
Expenditures:				
Current:				
Environmental protection	16,224,261	-	-	16,224,261
Capital projects	9,211	11,021,523	-	11,030,734
Debt service:				
Principal	-	-	12,060,000	12,060,000
Interest	-	-	11,919,500	11,919,500
Host community premium benefits	325,189	-	-	325,189
Total expenditures	16,558,661	11,021,523	23,979,500	51,559,684
Excess (deficiency) of revenues over (under) expenditures	1,963,534	(11,020,404)	(2,996,789)	(12,053,659)
Other financing sources (uses):				
Transfers in from other funds	-	-	3,042,521	3,042,521
Transfers out to other funds	(3,042,521)	-	-	(3,042,521)
Total other financing sources (uses), net	(3,042,521)	-	3,042,521	-
Net change in fund balances	(1,078,987)	(11,020,404)	45,732	(12,053,659)
Fund balances at the beginning of the year	11,066,473	12,123,023	23,392,576	46,582,072
Fund balances at the end of the year	$ 9,987,486	$ 1,102,619	$ 23,438,308	$ 34,528,413

See accompanying notes to financial statements.

(1) Summary of Significant Accounting Policies

The accompanying financial statements have been prepared in accordance with accounting principles generally accepted in the United States of America (GAAP). The Governmental Accounting Standards Board (GASB) is the recognized standard-setting body for establishing governmental accounting and financial reporting principles. The following is a summary of the significant accounting policies used.

A. Reporting Entity

The Government of Guam (GovGuam) Solid Waste Operations Fund, created by Public Law 24-272, was established to provide solid waste collection and disposal services and a financing source for GovGuam's costs directly related to the closure and post-closure of the solid waste landfill. Revenues are derived from tipping, user and other associated fees to be used solely for solid waste management practices. The Solid Waste Operations Fund includes the Ordot Dump Postclosure Reserve Account, which was established to comply with a Court Order issued on May 2, 2016 concerning the financing plan for postclosure care of Ordot Dump.

In 2009, GovGuam issued Limited Obligation (Section 30) Bonds, 2009 Series A, for the purpose of constructing a new landfill, closure of Ordot Dump, prepaying a bank loan and funding capitalized interest. In 2016, the Limited Obligation (Section 30) Bonds, 2009 Series A were refunded by GovGuam through issuance of the Limited Obligation (Section 30) Bonds, 2016 Series A.

In 2011, Public Law 31-20 was enacted, which provided for the continuation of the existence of the Solid Waste Management Division, a sub-entity of GovGuam's Department of Public Works, as an autonomous public corporation now referred to as the Guam Solid Waste Authority (GSWA). GSWA's transactions are accounted for under the Solid Waste Operations Fund, the Capital Projects Fund and the Debt Service Fund. The GovGuam Department of Administration (DOA) is responsible for establishing and managing these funds on behalf of GSWA. The accompanying financial statements relate solely to those accounting records maintained by DOA associated with GSWA and do not incorporate any accounts related to any other departments or agencies of GovGuam.

In 2019, the District Court ordered the partial end of the Receivership, effective April 30, 2019. Accordingly, administrative and managerial responsibility of day-to-day operations were returned to GovGuam. Control and responsibility of all aspects of the solid waste operations previously under the control of the Receiver were turned over to GSWA with the exception of the Ordot Dump Post Closure Reserve Account. Furthermore, GovGuam issued General Obligation Bonds, 2019 Series A, for the purpose of paying the costs related to the construction of a new cell for the Layon Municipal Sanitary Landfill. The Capital Projects Fund is used to account for the closure of the Ordot Dump and the construction of a new landfill from bond proceeds. The Debt Service Fund is used to account for funds required by the bond indenture to redeem bond principal and to pay bond interest as such becomes due.

B. Fund Accounting

The accompanying financial statements present a balance sheet and a statement of revenues, expenditures, and changes in fund balances. The assets, liabilities and fund balances of the Solid Waste Operations Fund and those funds related to the Limited Obligation (Section 30) Bonds, 2016 Series A and the General Obligation Bonds, 2019 Series A, are reported in self-balancing funds. Transactions between funds, if any, have not been eliminated.

(1) Summary of Significant Accounting Policies, Continued

C. Measurement Focus and Basis of Accounting

The accompanying financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as they become susceptible to accrual; generally when they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, revenues are considered available if they are collected within 90 days of the end of the current fiscal period. Revenues susceptible to accrual include tipping, user and associated fees. Investment earnings are recorded as earned, since they are both measurable and available. Expenditures are generally recorded in the period in which the related fund liability is incurred, as under accrual accounting, with the exception of debt service expenditures, which are recorded only when payment is due.

Tipping and associated fees imposed are as follows:

Commercial

Commercial haulers are billed per tonnage of trash. The rate per tonnage is $171.60.

Residential

Residential customers are billed for weekly curbside trash collection services. The monthly rate per one 96-gallon cart is $30. Further, residential customers are billed $15 per month for every additional 96-gallon cart. Residential customers bringing their household trash to the transfer stations are assessed the following fees: (a) $7.50 up to three cubic yards, and (b) $15 from three up to a maximum of six cubic yards.

Host Community Premium Surcharge

In 2010, the Guam Legislature passed Public Law 30-165, amended by Public Law 32-021, which determined that a "Host Community Premium" be awarded for the villages of Inarajan and Ordot in the annual amount of $150,000 each. Pursuant to Public Law 30-165, as amended by Public law 32-021, and an Order by the Guam Public Utilities Commission on July 30, 2012, as amended on July 30, 2013, GSWA was authorized to assess Host Community Premium Surcharge (HCPS) fees of $3.57 per ton for commercial, including government customers, and $0.38 per month for residential customers beginning October 1, 2012. The HCPS fees were to compensate the villages of Inarajan and Ordot where solid waste management facilities, such as sanitary landfills, are located. During the year ended September 30, 2021, HCPS revenues were $325,188.

D. Budgetary Process

Legislation requires the Governor to present a proposed budget to the Legislature at the beginning of each annual session. The Legislature enacts the budget through passage of specific departmental appropriations. Before signing the Appropriations Act, the Governor may veto or reduce any specific appropriation, subject to legislative override. Once passed and signed, the budget becomes the financial plan for the ensuing fiscal year. Supplemental appropriations for specific purposes are made throughout the year. Encumbrances are commitments related to unperformed (executory) contracts for goods or services and are generally evidenced by outstanding purchase orders, contracts, and intradepartmental work requests. Encumbrances outstanding at year end are reported within the fund balance classifications since they do not constitute expenditures or liabilities. Unencumbered appropriations normally lapse at the end of each fiscal year unless they are designated by the Guam Legislature as representing in continuing appropriations.

(1) Summary of Significant Accounting Policies, Continued

E. Cash and Cash Equivalents

Cash and cash equivalents include cash held in demand deposit accounts and short-term investments in U.S. Treasury obligations and commercial paper with maturity dates within three months of the date acquired.

F. Receivables and Allowance for Uncollectible Accounts

Receivables are due from commercial haulers, government agencies and individuals residing on the island of Guam, are uncollateralized and are stated net of estimated allowances for uncollectible accounts. The allowance for uncollectible accounts is based on the evaluation of the collectability of current accounts and historical trends.

G. Interfund Receivables/Payables

During the course of its operations, the GovGuam General Fund records transactions between individual funds for goods provided or services rendered. These balances result from the time lag between the dates that 1) interfund goods and services are provided or reimbursable expenditures occur, 2) transactions are recorded in the accounting system, and 3) payments between funds are made, and are scheduled to be collected in the subsequent year.

Transfers are used to move revenues from the fund that enabling legislation or budget requires to collect them to the fund that enabling legislation or budget requires to expend them. Specifically, $3,042,521 was transferred from the Solid Waste Operations Fund to the Debt Service Fund representing covenanted deposits to the Debt Service Fund for the purpose of funding debt service payments associated with the General Obligation Bonds Series A, 2019.

Minimum future covenanted deposits from the Solid Waste Operations Fund to the Debt Service Fund are as follows:

Year Ending September 30,	
2022	$ 2,999,880
2023	2,999,880
2024	2,999,880
2025	3,059,880
2026	3,059,880
2027 - 2031	15,299,400
2032	492,126
	$ 30,910,926

H. Restricted Assets

The bond indenture relating to the Limited Obligation (Section 30) Bonds, 2016 Series A and Government of Guam General Obligations Bonds, 2019 Series A, require amounts to be restricted for capital projects and debt service. Furthermore, a Court Order requires amounts to be restricted for Ordot Dump post closure activities. These amounts have been classified as restricted assets.

(1) Summary of Significant Accounting Policies, Continued

H. Restricted Assets, Continued

As of September 30, 2021, restricted cash and cash equivalents consist of funds restricted for the following purposes:

Court order - Postclosure Account	$ 5,056,015
GOB 2019 Series A Construction Account	3,755,128
GOB 2019 Series A Bond Fund	2,160,924
LOB (Section 30) 2016 Series A Debt Service Fund	21,290,879
	$ 32,262,946

I. Fund Balance

Governmental fund balances are classified as follows:

- Restricted - includes fund balance amounts that are constrained for specific purposes which are externally imposed by providers, such as creditors or amounts constrained due to constitutional provisions or enabling legislation.

- Committed - includes fund balance amounts that are constrained for specific purposes that are internally imposed by the government through formal action of the highest level of decision-making authority and does not lapse at year-end.

Restricted/committed amounts are spent first when both restricted and unrestricted fund balance is available unless there are legal documents/contracts that prohibit doing this. A formal minimum fund balance policy has not been adopted.

J. Encumbrances

Encumbrance accounting is utilized to identify fund obligations. Encumbrances represent commitments related to unperformed contracts for goods. At September 30, 2021, significant encumbrances are summarized as follows:

Solid Waste Operations Fund	Capital Projects Fund	Debt Service Fund	Total
$ 164,308	$ 171,298	$ -	$ 335,606

K. Management Estimates

The preparation of financial statements in accordance with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

(1) Summary of Significant Accountin Policies, Continued

L. Total Columns

Total columns are presented primarily to facilitate financial analysis. The Management's Discussion and Analysis includes certain prior year summarized comparative information in total. Such information does not include sufficient detail to constitute a full comparative presentation. Accordingly, such information should be read in conjunction with the financial statements of the GSWA Solid Waste Operations Fund, Capital Projects Fund and Debt Service Fund for the year ended September 30, 2020 from which summarized information was derived.

M. New Accounting Standards

In 2020, GASB issued Statement No. 95, *Postponement of the Effective Dates of Certain Authoritative Guidance*, which postponed the effective dates of GASB Statement No. 84, 89, 90, 91, 92 and 93 by one year and GASB Statement No. 87 by 18 months; however, earlier application of the provisions addressed in GASB Statement No. 95 is encouraged and is permitted to the extent specified in each pronouncement as originally issued. In accordance with GASB Statement No. 95, management has elected to postpone implementation of these statements.

During the year ended September 30, 2021, GSWA implemented the following pronouncements:

- GASB Statement No. 84, *Fiduciary Activities*, which improves guidance regarding the identification of fiduciary activities for accounting and financial reporting purposes and how those activities should be reported.

- GASB Statement No. 90, *Majority Equity Interests - An Amendment of GASB Statements No. 14 and 61*, which improves the consistency and comparability of reporting a government's majority equity interest in a legally separate organization and to improve the relevance of financial statement information for certain component units.

- GASB Statement No. 93, *Replacement of Interbank Offered Rates*, which establishes accounting and reporting requirements related to the replacement of Interbank Offered Rates such as the London Interbank Offered Rate (LIBOR) for hedging derivative instruments. The provision removing LIBOR as an appropriate benchmark interest rate for the evaluation of the effectiveness of derivative instruments is effective for the year ended September 30, 2022.

The implementation of these statements did not have a material effect on the accompanying financial statements.

In June 2017, GASB issued Statement No. 87, *Leases*. The objective of this Statement is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments. This Statement increases the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and as inflows of resources or outflows of resources recognized based on the payment provisions of the contract. Management believes that this statement, upon implementation, will have a material effect on the financial statements. In accordance with GASB Statement No. 95, GASB Statement No. 87 will be effective for fiscal year ending September 30, 2022.

(1) Summary of Significant Accounting Policies, Continued

M. New Accounting Standards, Continued

In June 2018, GASB issued Statement No. 89, *Accounting for Interest Cost Incurred Before the End of a Construction Period*. The objectives of this Statement are (1) to enhance the relevance and comparability of information about capital assets and the cost of borrowing for a reporting period and (2) to simplify accounting for interest cost incurred before the end of a construction period. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. In accordance with GASB Statement No. 95, GASB Statement No. 89 will be effective for fiscal year ending September 30, 2022.

In May 2019, GASB issued Statement No. 91, *Conduit Debt Obligations*. The primary objectives of this Statement are to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. This Statement achieves those objectives by clarifying the existing definition of a conduit debt obligation; establishing that a conduit debt obligation is not a liability of the issuer; establishing standards for accounting and financial reporting of additional commitments and voluntary commitments extended by issuers and arrangements associated with conduit debt obligations; and improving required note disclosures. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. In accordance with GASB Statement No. 95, GASB Statement No. 91 will be effective for fiscal year ending September 30, 2023.

In January 2020, GASB issued statement No. 92, *Omnibus 2020*. The objectives of this Statement are to enhance comparability in accounting and financial reporting and to improve the consistency of authoritative literature by addressing practice issues that have been identified during implementation and application of certain GASB Statements. This Statement addresses a variety of topics and includes specific provisions about the effective date of Statement No. 87, *Leases*, and Implementation Guide No. 2019-3, *Leases*, for interim financial reports, the terminology used to refer to derivative instruments and the applicability of certain requirements of Statement No. 84, *Fiduciary Activities*, to postemployment benefits. The requirements related to the effective date of GASB Statement No. 87 and Implementation Guide 2019-3, reissuance recoveries and terminology used to refer to derivative instruments are effective upon issuance. In accordance with GASB Statement No. 95, the remaining requirements of GASB Statement No. 92 is effective for the fiscal year ending September 30, 2022.

In March 2020, GASB issued Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*. The primary objective of this statement is to improve financial reporting by addressing issues related to public-private and public-public partnership arrangements. This statement also provides guidance for accounting and financial reporting for availability payment arrangements. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. GASB Statement No. 94 will be effective for fiscal year ending September 30, 2023.

(1) Summary of Significant Accounting Policies, Continued

M. New Accounting Standards, Continued

In May 2020, GASB issued Statement No. 96, *Subscription-Based Information Technology Arrangements*. This Statement provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). This Statement (1) defines a SBITA; (2) establishes that a SBITA results in a right-to-use subscription asset - an intangible asset - and a corresponding subscription liability; (3) provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA; and (4) requires note disclosures regarding a SBITA. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. GASB Statement No. 96 will be effective for fiscal year ending September 30, 2023.

In June 2020, GASB issued Statement No. 97, *Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans - an amendment of GASB Statements No. 14 and No. 84, and a supersession of GASB Statement No. 32.* The primary objectives of this Statement are to (1) increase consistency and comparability related to the reporting of fiduciary component units in circumstances in which a potential component unit does not have a governing board and the primary government performs the duties that a governing board typically would perform; (2) mitigate costs associated with the reporting of certain defined contribution pension plans, defined contribution other postemployment benefit (OPEB) plans, and employee benefit plans other than pension plans or OPEB plans (other employee benefit plans) as fiduciary component units in fiduciary fund financial statements; and (3) enhance the relevance, consistency, and comparability of the accounting and financial reporting for Internal Revenue Code (IRC) Section 457 deferred compensation plans (Section 457 plans) that meet the definition of a pension plan and for benefits provided through those plans. GASB Statement No. 97 will be effective for fiscal year ending September 30, 2022.

In October 2021, GASB issued Statement No. 98, *The Annual Comprehensive Financial Report*. This Statement establishes the term annual comprehensive financial report and its acronym ACFR. That new term and acronym replace instances of comprehensive annual financial report and its acronym in generally accepted accounting principles for state and local governments. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. GASB Statement No. 98 will be effective for fiscal year ending September 30, 2022.

(2) Deposits

The deposit and investment policies of GovGuam are governed by 5 GCA 21, *Investments and Deposits*, in conjunction with applicable bond indentures. The DOA Director is responsible for the safekeeping of all monies paid into the Treasury of Guam. The DOA Director invests any monies of GovGuam that are deemed not necessary for immediate use. Legally authorized investments include securities issued or guaranteed by the U.S. Treasury or agencies of the United States government; demand and time deposits in or certificate of deposit of, or bankers' acceptances issued by, any eligible institution; corporate debt obligations, including commercial paper; certain money market funds; state and local government securities, including municipal bonds; and repurchase and investment agreements. With the exception of investments in U.S. government securities, which are explicitly or implicitly guaranteed by the United States government, all other investments must be rated Aa1/P-1 by Moody's.

Custodial credit risk is the risk that in the event of a bank failure, the entity's deposits may not be returned to it. Such deposits are not covered by depository insurance and are either uncollateralized or collateralized with securities held by the pledging financial institution or held by the pledging financial institution but not in the depositor-government's name.

(2) Deposits, Continued

As of September 30, 2021, the carrying amount of cash and cash equivalents and the corresponding bank balances were $37,210,752. Of the bank balances, $9,950,088 is maintained in financial institutions subject to Federal Deposit Insurance Corporation (FDIC) insurance. The remaining amount of $27,260,664 represents short-term investments held and administered by GovGuam's trustees in accordance with various trust agreements and bond indentures. Based on negotiated trust and custody contracts, all of these investments were held in GovGuam's name by GovGuam's custodial financial institutions as of September 30, 2021. As of September 30, 2021, bank deposits in the amount of $607,201 were FDIC insured. In accordance with 5 GCA 21, *Investments and Deposits*, GovGuam requires collateralization of deposits in excess of depository insurance limits in an amount in value at least ten percent in excess of the amount of monies deposited with the financial institution. Such collateralization shall be in securities in U.S. treasury notes or bonds or in U.S. government agencies for which the faith and credit of the United States are pledged for the payment of principal and interest; evidence of indebtedness of GovGuam; investment certificates of the Federal Home Loan Bank; or such other securities as may be approved by the Director of Administration and the Governor of Guam. As of September 30, 2021, substantially all of GovGuam's bank deposits in excess of depository insurance limits are collateralized with securities held by the pledging financial institution but not in GovGuam's name.

Restricted cash and cash equivalents consist of funds restricted for the following purposes:

Court order - Postclosure Account	$ 5,056,015
GOB 2019 Series A Construction Account	3,755,128
GOB 2019 Series A Bond Fund	2,160,924
LOB (Section 30) 2016 Series A Debt Service Fund	21,290,879
	$ 32,262,946

(3) Receivables

Receivables as of September 30, 2021, including allowances for uncollectible accounts, are as follows:

Commercial	$ 1,825,604
Residential	1,366,524
Government:	
Guam Waterworks Authority (GWA)	74,370
Other	11,455
	3,277,953
Allowance for uncollectible accounts	(388,549)
	$ 2,889,404

(4) Bonds Payable

As of September 30, 2021, GovGuam had the following bonds outstanding associated with solid waste operations:

	Dated Date	Issue Amount	Interest Rate	Final Maturity	Outstanding Amount
General Obligation Bonds (GOB):					
Series A, 2019	July 25, 2019	$ 27,610,000	5%	November 15, 2031	$ 25,360,000
Limited Obligation Bonds (LOB):					
Series A (Section 30), 2016	August 17, 2016	$ 236,605,000	5%	December 1, 2046	$ 206,950,000

(4) Bonds Payable, Continued

General Obligation Bonds Series A, 2019

In 2019, GovGuam issued $27,610,000 in General Obligation Bonds, 2019 Series A, for the purpose of providing proceeds to fund the construction of a new cell for the Layon landfill (the Series 2019 Project), and which are backed solely by the full faith and credit of GovGuam. The net proceeds of $31,637,747 (including an issue premium of $4,027,747) together with a $375,000 contribution from the Solid Waste Operations Fund less cost of issuance of $1,007,755 were deposited to the Construction Account. Total principal and interest remaining on the General Obligation Bonds, 2019 Series A, 2016 bonds is $32,964,250 payable through November 2031.

The Issuance Certificate, dated July 1, 2019, sets forth the establishment of accounts, the periodic deposits into these accounts, and certain other covenants to ensure payment of debt service. The following funds and accounts are established under the Certificate dated July 1, 2019:

Proceeds Fund - Moneys on deposit in the Proceeds Fund will be disbursed by the Depositary for the payment of the expenses of GovGuam to be funded from Bond proceeds and the costs associated with the issuance of the Bonds, and, to the extent necessary, to fund any deficiency in the Bond Fund to pay principal of, mandatory sinking account payments for and interest on the Bonds.

Costs of Issuance Account - Moneys on deposit in the Costs of Issuance Account have been disbursed by the Depositary for the payment of the costs associated with the issuance of the Bonds.

Construction Account - Moneys on deposit in the Construction Account will be disbursed by the Depositary for the payment of the project costs associated with the Series 2019 Project.

Bond Fund - the Trustee shall apply moneys on deposit in this Fund solely for the purposes of (1) paying interest on the Bonds as it shall become due and payable, (2) paying the principal of the Serial Bonds when due and payable and (3) purchasing, redeeming or paying at maturity the Term Bonds as provided in the Certificate.

Annual debt service requirements to maturity for principal and interest associated with these general obligation bonds are as follows:

Year ending September 30,	Principal	Interest	Total
2022	$ 1,775,000	$ 1,223,625	$ 2,998,625
2023	1,865,000	1,132,625	2,997,625
2024	1,960,000	1,037,000	2,997,000
2025	2,060,000	936,500	2,996,500
2026	2,165,000	830,875	2,995,875
2027 - 2031	12,610,000	2,370,500	14,980,500
2032	2,925,000	73,125	2,998,125
	$ 25,360,000	$ 7,604,250	$ 32,964,250

(4) Bonds Payable, Continued

Limited Obligation (Section 30) Bonds Series A, 2016

The Section 30 Series A, 2016 bonds are backed by the full faith and credit of GovGuam, payable solely from and collateralized by a pledge of Section 30 revenues collected by the GovGuam General Fund. These bonds were issued for the purpose of refunding 2009 Section 30 LOB bonds; refinancing all of the outstanding 2013 Series B Certificates of Participation (Okkodo High School Expansion Project); and to provide additional proceeds to fund certain working capital costs of the Guam Memorial Hospital Authority (the 2016 Hospital Working Capital Project). Total principal and interest remaining on the Section 30 Series A, 2016 bonds is $311,565,750 payable through December 2046. For the year ended September 30, 2021, principal and interest paid and total Section 30 revenues were $20,981,875 and $65,109,936, respectively.

The Amended and Restated Indenture, dated August 1, 2016, as updated by supplemental indentures, sets forth the establishment of accounts, the application of revenues and of periodic deposits into these accounts, and certain other covenants to ensure payment of debt service. The following revenue covenant together with funds and accounts are established under the Amended and Restated Indenture dated August 1, 2016:

Revenue Covenant - GovGuam has covenanted that it will not issue or incur any obligations having a claim on the Section 30 Revenues prior to the claim of the Section 30 Series A, 2016 bonds and any bonds on a parity therewith. GovGuam has also covenanted that it shall deposit or cause to be deposited all Section 30 Revenues upon receipt into the Section 30 Revenue Fund which the Trustee shall maintain and hold in trust.

Escrow Fund - Moneys on deposit in the Escrow Fund to be disbursed to pay the principal of and interest on the refunded 2009 Section 30 LOB bonds and 2013 Series B certificates of participation.

Project Account - Moneys on deposit in the Project Account will be disbursed by the Depositary for the payment of 2016 Hospital Working Capital Project Costs.

Costs of Issuance Account - Moneys on deposit in the Costs of Issuance Account have been disbursed by the Depositary for the payment of the costs associated with the issuance of the Bonds.

Section 30 Revenue Fund - the Amended and Restated Indenture created the Section 30 Revenue Fund into which GovGuam shall deposit all Section 30 revenues, upon receipt, and which the Trustee, as Depositary, will maintain and hold pursuant to the Amended and Restated Indenture. Accordingly, the Trustee created the Bond Reserve Fund and the Debt Service Fund within the Section 30 Revenue Fund.

Bond Reserve Fund - The Trustee is required to hold and maintain within the Bond Reserve Fund an amount equal to the Bond Reserve Fund Requirement. The Bond Reserve Fund Requirement means, as of any date of calculation and with respect to any Bonds, monies in the aggregate amount within each Bond Year at least sufficient to pay and provide for the sum of: (1) an aggregate amount equal to at least 125% of aggregate annual debt service for such Bond Year; (2) an aggregate amount equal to the amounts required to be deposited in the Rebate Fund during such Bond Year required by the Amended and Restated Indenture, plus the amount of Bond Expenses estimated by the Trustee to be payable during such Bond Year; and (3) such amounts as may be required pursuant to the Amended and Restated Indenture (and any supplemental indenture for the issuance of additional Bonds) to increase or restore the Bond Reserve Fund to the Bond Reserve Fund Requirement. As of September 30, 2021, the GovGuam General Fund maintains $16,317,823 in this fund in accordance with the Bond Reserve Fund Requirement.

(4) Bonds Payable, Continued

Limited Obligation (Section 30) Bonds Series A, 2016, Continued

Debt Service Fund - the Trustee is required to hold and maintain within the Debt Service Fund an amount equal to the sum of: (1) the interest then due or to become due on all outstanding bonds during the period ending on November 30 of the next succeeding fiscal year; and (2) the principal (including any Mandatory Sinking Account Payments) then due or to become due on all outstanding bonds during the period ending on November 30 of the next succeeding fiscal year.

Annual debt service requirements to maturity for principal and interest associated with these limited obligation bonds are as follows:

Year ending September 30,	Principal	Interest	Total
2022	$ 10,915,000	$ 10,074,625	$ 20,989,625
2023	11,475,000	9,514,875	20,989,875
2024	10,140,000	8,974,500	19,114,500
2025	9,280,000	8,489,000	17,769,000
2026	9,755,000	8,013,125	17,768,125
2027 - 2031	57,555,000	31,972,125	89,527,125
2032 - 2036	59,380,000	16,047,250	75,427,250
2037 - 2041	14,895,000	7,825,125	22,720,125
2042 - 2046	19,120,000	3,594,250	22,714,250
2047	4,435,000	110,875	4,545,875
	$ 206,950,000	$ 104,615,750	$ 311,565,750

Events of Default

The respective Certificates and Indentures specify that any one or more of the following events will be considered an Event of Default:

(A) Default by GovGuam in the due and punctual payment of the principal or Redemption Price of any Bond when and as the same shall become due and payable, whether at maturity as therein expressed, by proceedings for redemption, by declaration or otherwise; default by GovGuam in the redemption from any Mandatory Sinking Account Payment of any Term Bonds in the amounts and at the times provided therefor; or default by GovGuam in the due and punctual payment of any installment of interest on any Bond when and as such interest installment shall become due and payable;

(B) Default by GovGuam in the observance of any of the covenants, agreements or conditions on its part contained in the Issuance Certificates or in the Bonds, if such default shall have continued for a period of 60 days after written notice thereof, specifying such default and requiring the same to be remedied, shall have been given to GovGuam by the Trustee or to GovGuam and the Trustee by the Holders of not less than 25% in aggregate principal amount of the Bonds at the time Outstanding; or

(C) The assumption, under the provisions of any law relating to bankruptcy or insolvency or any similar law relating to creditor's rights, by any court of competent jurisdiction, of custody or control of GovGuam or of the whole or any substantial part of its property, if such custody or control is not terminated or stayed within 60 days from the date of assumption of such custody or control.

(4) Bonds Payable, Continued

Events of Default, Continued

In the event that the amount in any Fund or Account is insufficient for the purposes for which such Fund or Account was established, the Trustee shall transfer such amount as is necessary to satisfy such deficiency. If after making all such transfers, the amount in such Fund or Account is insufficient, the Trustee shall promptly issue a notice of default to Bondholders.

Acceleration of Maturities

If an Event of Default shall occur, then, and in each and every such case during the continuance of such Event of Default, the Trustee or the Holders of not less than a majority in aggregate principal amount of the Bonds at the time Outstanding shall be entitled, upon notice in writing to GovGuam, to declare the principal of all of the Bonds then Outstanding, and the interest accrued thereon, to be due and payable immediately, and upon any such declaration the same shall become and shall be immediately due and payable, anything in the Issuance Certificates or in the Bonds contained to the contrary notwithstanding.

If an Event of Default occurs and is continuing, all moneys then held or thereafter received by the Trustee or the Depositary under any of the provisions of the respective Certificates and Indentures is required to be under the control of and applied by the Trustee as outlined in the respective Certificates and Indentures.

Management of GovGuam believes that it is in compliance with all significant covenants, limitations and restrictions of the respective Certificates and Indentures as of September 30, 2021.

Changes in Long-Term Obligations

The change in solid waste operations long-term bonds payable for the year ended September 30, 2021 is as follows:

	Balance October 1, 2020	Additions	Reductions	Balance September 30, 2021	Due Within One Year
Bonds payable:					
General obligation bonds	$ 27,045,000	$ -	$ (1,685,000)	$ 25,360,000	$ 1,775,000
Limited obligation bonds	217,325,000	-	(10,375,000)	206,950,000	10,915,000
	$ 244,370,000	$ -	$ (12,060,000)	$ 232,310,000	$ 12,690,000

During the year ended September 30, 2021, payments for debt service associated with the Limited Obligation (Section 30) Bonds, 2016 Series A bonds totaled $20,981,875, of which $10,375,000 represents payment on principal. These debt service payments were funded by accumulated deposits in the Debt Service Fund. During the year ended September 30, 2021, GovGuam transferred $20,981,875 from its General Fund to the Debt Service Fund in accordance with the Amended and Restated Indenture dated August 1, 2016 for the purpose of funding future debt service.

(5) Commitments and Contingencies

A. Land Condemnation

In 2012, a Court Order was issued for the payment of approximately $25,115,683 for the condemnation of land that encompasses the Layon landfill. A payment of $3,410,000 was deposited to the Court and distributed to the landowners, with the remaining balance of $21,705,683 plus interest at 6% per annum calculated from January 24, 2008 to be made. GovGuam negotiated long-term tax credit certificates with certain landowners.

(5) Commitments and Contingencies

B. Receiver Appointment

In 2004, GovGuam and the U.S. Environmental Protection Agency filed a Consent Decree in the United States District Court of Guam. The consent decree included deadlines for the opening of a new landfill and implementing an Ordot Dump closure plan. Within a period of forty-five months, GovGuam was required to complete an environmental impact statement analyzing at least three potential new landfill locations; complete design, permitting, and construction for the selected landfill location; begin operations at the new landfill; and properly and permanently close the Ordot Dump. In the event that GovGuam failed to meet any of the stipulated deadlines under the consent decree, GovGuam would be liable for civil penalties.

In 2008, the District Court issued a Court Order that placed the Solid Waste Division of the Department of Public Works (DPW) in Guam in Receivership. After receiving and reviewing qualifications information on firms presented by GovGuam and the U.S. Environmental Protection Agency, and conducting interviews and reference checks, the District Court Judge selected and appointed a receiver. The Receiver was given full power and authority to enforce the terms of the Consent Decree, including closure of the Ordot Dump and opening of a new landfill, and assume all of the responsibilities for the operations of DPW's Solid Waste Division.

In 2009, the District Court issued a Court Order associated with the DPW Solid Waste Division Receivership requiring GovGuam to provide for costs of the new landfill. GovGuam subsequently issued $202,425,000 in Limited Obligation Revenue Bonds for the purpose of financing facilities of the Solid Waste Management System of Guam. On August 31, 2011, the Ordot Dump was finally closed and the Layon landfill opened on September 1, 2011.

For the year ended September 30, 2021, recorded receiver related expenditures were $204,102 with accumulated receiver related expenditures since the appointment of the Receiver on March 17, 2008 through September 30, 2021 amount to $22,320,055. Of this amount, $3,848,700 was funded by the General Fund and the remaining was funded from solid waste operations. The District Court maintains a separate trust account from which Receiver fees are paid. Accordingly, timing differences occur between GovGuam records and the fees actually paid and payable to the Receiver by the District Court.

C. Litigation

GSWA is party to certain legal proceedings. The Office of the Attorney General is of the opinion that the probable outcome of suits existing as of September 30, 2021 is unknown and not predictable. No provision for any liability has been made in the accompanying financial statements because management believes that no unfavorable outcome is likely to occur.

D. Ordot Dump Financing Plan

In 2016, the District Court ordered the financial plan submitted by the Receiver for the post closure care of the Ordot Dump be adopted. In accordance with the requirements of the order, GovGuam through the Solid Waste Operations Fund is required to make deposits to the Ordot Post Closure Reserve Account of $2,000,000 per annum through August 2026.

(5) Commitments and Contingencies, Continued

D. Ordot Dump Financing Plan, Continued

Minimum future deposits required from the Solid Waste Operations Fund to the Ordot Post Closure Reserve Account are as follows:

Year Ending September 30,	
2022	$ 2,000,000
2023	2,000,000
2024	2,000,000
2025	2,000,000
2026	1,833,333
	$ 9,833,333

(6) Major Customers

During the year ended September 30, 2021, one commercial customer accounted for approximately 24% of total tipping fees revenues.

(7) COVID-19

On March 11, 2020, the World Health Organization declared the novel strain of coronavirus (COVID-19) a global pandemic and recommended containment and mitigation measures worldwide. On March 13, 2020, President Donald J. Trump declared a national emergency within the United States. In response to the national emergency declared by the U.S. President, on March 14, 2020, Governor Lourdes A. Leon Guerrero issued Executive Order 2020-03 declaring a state of emergency in response to the COVID-19 outbreak. Furthermore, Executive Order 2020-04 ordered the closure of all non-essential GovGuam offices, prohibited large gatherings, and restricted entry into Guam from countries with confirmed COVID-19 cases. As a result, schools and non-essential government agencies and private sector businesses temporarily closed. GSWA closed its offices to the public and required all non-essential employees to work from home.

On March 28, 2020, the U.S. President signed a major disaster declaration for Guam and ordered federal assistance to supplement local recovery efforts in connection with the COVID-19 pandemic. As a result, GovGuam received direct aid under the Coronavirus Act Relief, and Economic Security ("CARES") Act of $117,968,258, of which $55,552 was made available during the year ended September 30, 2021 to GSWA to fund certain hazard pay to Solid Waste Management Division employees.

On March 11, 2021, the U.S. President signed into law the American Rescue Plan Act ("ARPA") to speed up recovery from the economic and health effects of the COVID-19 pandemic. Under ARPA, GovGuam received $553,582,247, of which $545,732 was made available during the year ended September 30, 2021 to GSWA to offset revenue shortfalls resulting from the COVID-19 pandemic.

Because of the evolving nature of the COVID-19 pandemic and the federal and local responses thereto, GovGuam cannot predict the extent or duration of the outbreak. While the disruption is currently expected to be temporary, there is uncertainty around the duration. Therefore, GovGuam expects this matter to negatively impact commercial tipping fee collections and general economic conditions globally, nationally and locally, for which the related financial impact cannot be reasonably estimated at this time.

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

Comparative Balance Sheets
September 30, 2021 and 2020

	Solid Waste Operations Fund		Capital Projects Fund		Debt Service Fund	
	2021	2020	2021	2020	2021	2020
ASSETS						
Cash and cash equivalents	$ 4,947,806	$ 6,941,437	$ -	$ -	$ -	$ -
Receivables, net:						
Tipping fees	2,889,404	2,847,386	-	-	-	-
Restricted assets:						
Cash and cash equivalents	5,056,015	5,381,684	3,755,128	17,027,122	23,451,803	23,395,794
Total assets	$ 12,893,225	$ 15,170,507	$ 3,755,128	$ 17,027,122	$ 23,451,803	$ 23,395,794
LIABILITIES AND FUND BALANCES						
Liabilities:						
Accounts payable	$ 248,656	$ 288,522	$ -	$ -	$ -	$ -
Contracts payable	650,711	748,659	1,217,920	3,469,510	-	-
Receiver fees payable	69,849	12,058	-	-	-	-
Retention payable	115,114	133,696	1,419,461	1,419,461	-	-
Host community premium benefits payable	91,215	73,980	-	-	-	-
Accrued payroll and other	37,746	37,704	-	-	-	-
Due to General Fund	1,692,448	2,809,415	15,128	15,128	13,495	3,218
Total liabilities	2,905,739	4,104,034	2,652,509	4,904,099	13,495	3,218
Fund balances:						
Restricted for:						
Capital projects	-	-	1,102,619	12,123,023	-	-
Debt service	-	-	-	-	23,438,308	23,392,576
Postclosure costs	4,150,133	4,398,105	-	-	-	-
Committed for:						
Solid waste operations	5,837,353	6,668,368	-	-	-	-
Total fund balances	9,987,486	11,066,473	1,102,619	12,123,023	23,438,308	23,392,576
Total liabilities and fund balances	$ 12,893,225	$ 15,170,507	$ 3,755,128	$ 17,027,122	$ 23,451,803	$ 23,395,794

See accompanying independent auditors' report.

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

Comparative Statements of Revenues, Expenditures by Function, and Changes in Fund Balances
Years Ended September 30, 2021 and 2020

	Solid Waste Operations Fund		Capital Projects Fund		Debt Service Fund	
	2021	2020	2021	2020	2021	2020
Revenues:						
Tipping fees	$ 18,193,903	$ 17,853,026	$ -	$ -	$ -	$ -
Host community premium surcharge fees	325,188	317,064	-	-	-	-
Use of money and property	3,104	13,455	1,119	228,253	836	92,490
Transfer in from COVID-19 Fund	-	33,844	-	-	-	-
Transfer in from General Fund	-	-	-	-	20,981,875	20,972,750
Total revenues	18,522,195	18,217,389	1,119	228,253	20,982,711	21,065,240
Expenditures:						
Current:						
Environmental protection	16,224,261	16,479,862	-	-	-	-
Capital projects	9,211	333,147	11,021,523	19,031,448	-	-
Principal retirement	-	-	-	-	12,060,000	10,425,000
Interest and fiscal charges	-	-	-	-	11,919,500	12,215,694
Host community premium benefits	325,189	317,064	-	-	-	-
Total expenditures	16,558,661	17,130,073	11,021,523	19,031,448	23,979,500	22,640,694
Excess (deficiency) of revenues over (under) expenditures	1,963,534	1,087,316	(11,020,404)	(18,803,195)	(2,996,789)	(1,575,454)
Other financing sources (uses):						
Transfers in from other funds	-	-	-	-	3,042,521	3,059,332
Transfers out to other funds	(3,042,521)	(3,059,332)	-	-	-	-
Total other financing sources (uses), net	(3,042,521)	(3,059,332)	-	-	3,042,521	3,059,332
Net change in fund balances	(1,078,987)	(1,972,016)	(11,020,404)	(18,803,195)	45,732	1,483,878
Fund balances at the beginning of the year	11,066,473	13,038,489	12,123,023	30,926,218	23,392,576	21,908,698
Fund balances at the end of the year	$ 9,987,486	$ 11,066,473	$ 1,102,619	$ 12,123,023	$ 23,438,308	$ 23,392,576

See accompanying independent auditors' report.

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

Comparative Statements of Revenues, Expenditures by Object, and Changes in Fund Balances
Years Ended September 30, 2021 and 2020

	Solid Waste Operations Fund		Capital Projects Fund		Debt Service Fund	
	2021	2020	2021	2020	2021	2020
Revenues:						
Tipping fees	$ 18,193,903	$ 17,853,026	$ -	$ -	$ -	$ -
Host community premium surcharge fees	325,188	317,064	-	-	-	-
Use of money and property	3,104	13,455	1,119	228,253	836	92,490
Transfer in from COVID-19 Fund	-	33,844	-	-	-	-
Transfer in from General Fund	-	-	-	-	20,981,875	20,972,750
Total revenues	18,522,195	18,217,389	1,119	228,253	20,982,711	21,065,240
Expenditures:						
Salaries and wages - regular	1,633,836	1,769,018	-	-	-	-
Salaries and wages - overtime	88,275	105,085	-	-	-	-
Fringe benefits	644,581	624,407	-	-	-	-
Travel	3,536	16,405	-	-	-	-
Contractual services	13,160,692	13,510,881	11,021,523	19,031,448	-	-
Supplies	301,303	303,712	-	-	-	-
Equipment	628	53,761	-	-	-	-
Utilities - power and water	85,234	88,799	-	-	-	-
Communications	59,236	60,405	-	-	-	-
Capital outlays	45,980	8,350	-	-	-	-
Principal retirement	-	-	-	-	12,060,000	10,425,000
Interest and fiscal charges	-	-	-	-	11,919,500	12,215,694
Host community premium benefits	325,189	317,064	-	-	-	-
Miscellaneous	210,171	272,186	-	-	-	-
Total expenditures	16,558,661	17,130,073	11,021,523	19,031,448	23,979,500	22,640,694
Excess (deficiency) of revenues over (under) expenditures	1,963,534	1,087,316	(11,020,404)	(18,803,195)	(2,996,789)	(1,575,454)
Other financing sources (uses):						
Transfers in from other funds	-	-	-	-	3,042,521	3,059,332
Transfers out to other funds	(3,042,521)	(3,059,332)	-	-	-	-
Total other financing sources (uses), net	(3,042,521)	(3,059,332)	-	-	3,042,521	3,059,332
Net change in fund balances	(1,078,987)	(1,972,016)	(11,020,404)	(18,803,195)	45,732	1,483,878
Fund balances at the beginning of the year	11,066,473	13,038,489	12,123,023	30,926,218	23,392,576	21,908,698
Fund balances at the end of the year	$ 9,987,486	$ 11,066,473	$ 1,102,619	$ 12,123,023	$ 23,438,308	$ 23,392,576

See accompanying independent auditors' report.

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

Comparative Schedule of Receivables, Revenues and Collections
Years Ended September 30, 2021 and 2020

	2021	2020
Receivables:		
Commercial haulers	$ 1,756,710	$ 1,354,157
Residential	1,366,524	1,394,967
Government	85,825	215,024
Other commercial	68,894	54,265
	3,277,953	3,018,413
Allowance for uncollectible accounts	(388,549)	(171,027)
	$ 2,889,404	$ 2,847,386
Revenues:		
Commercial haulers	$ 8,870,366	$ 8,705,845
Residential	7,537,720	7,523,815
Government	1,467,954	1,475,398
Transfer stations	447,656	360,175
Other commercial	109,392	52,018
Other	86,003	52,839
Total revenues	$ 18,519,091	$ 18,170,090
Collections:		
Commercial haulers	$ 8,481,214	$ 9,280,282
Residential	7,754,352	7,456,888
Government	1,587,491	1,418,071
Transfer stations	447,656	360,175
Other commercial	99,270	43,248
Other	86,003	52,889
Total collections	$ 18,455,986	$ 18,611,553

See accompanying independent auditors' report.

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

Combining Balance Sheet
Solid Waste Operations Fund
September 30, 2021

	Operations	Ordot Post Closure Reserve	Total
ASSETS			
Cash and cash equivalents	$ 4,947,806	$ -	$ 4,947,806
Receivables, net:			
Tipping fees	2,889,404	-	2,889,404
Restricted assets:			
Cash and cash equivalents	-	5,056,015	5,056,015
Total assets	$ 7,837,210	$ 5,056,015	$ 12,893,225
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	$ 13,647	$ 235,009	$ 248,656
Contracts payable	-	650,711	650,711
Receiver fees payable	69,849	-	69,849
Retention payable	94,952	20,162	115,114
Host community premium benefits payable	91,215	-	91,215
Accrued payroll and other	37,746	-	37,746
Due to General Fund	1,692,448	-	1,692,448
Total liabilities	1,999,857	905,882	2,905,739
Fund balances:			
Restricted for:			
Postclosure costs	-	4,150,133	4,150,133
Committed for:			
Solid waste operations	5,837,353	-	5,837,353
Total fund balances	5,837,353	4,150,133	9,987,486
Total liabilities and fund balances	$ 7,837,210	$ 5,056,015	$ 12,893,225

See accompanying independent auditors' report.

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

Combining Statement of Revenues, Expenditures by Function, and Changes in Fund Balances
Solid Waste Operations Fund
Year Ended September 30, 2021

	Operations	Ordot Post Closure Reserve	Sub-total	Elimination	Total
Revenues:					
Tipping fees	$ 18,193,903	$ -	$ 18,193,903	$ -	$ 18,193,903
Host community premium surcharge fees	325,188	-	325,188	-	325,188
Use of money and property	3,104	-	3,104	-	3,104
Total revenues	18,522,195	-	18,522,195	-	18,522,195
Expenditures:					
Current:					
Environmental protection	13,976,290	2,247,971	16,224,261	-	16,224,261
Capital projects	9,211	-	9,211	-	9,211
Host community premium benefits	325,189	-	325,189	-	325,189
Total expenditures	14,310,690	2,247,971	16,558,661	-	16,558,661
Excess (deficiency) of revenues over (under) expenditures	4,211,505	(2,247,971)	1,963,534	-	1,963,534
Other financing sources (uses):					
Transfers in from other funds	-	1,999,999	1,999,999	(1,999,999)	-
Transfers out to other funds	(5,042,520)	-	(5,042,520)	1,999,999	(3,042,521)
Total other financing sources (uses), net	(5,042,520)	1,999,999	(3,042,521)	-	(3,042,521)
Net change in fund balances	(831,015)	(247,972)	(1,078,987)	-	(1,078,987)
Fund balances at the beginning of the year	6,668,368	4,398,105	11,066,473	-	11,066,473
Fund balances at the end of the year	$ 5,837,353	$ 4,150,133	$ 9,987,486	$ -	$ 9,987,486

See accompanying independent auditors' report.

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

Comparative Schedule of Employees and Other Data
Years Ended September 30, 2021 and 2020

	2021	2020
Full Time Employees:		
Employee count:		
Administrative support	13	12
Residential collection	21	26
Convenience center/transfer stations	3	3
Total employee count	37	41
Personnel costs:		
Salaries and wages - regular	$ 1,633,836	$ 1,769,018
Salaries and wages - overtime	88,275	105,085
Fringe benefits	644,581	624,407
Total personnel costs	$ 2,366,692	$ 2,498,510
Contract services:		
Employee count:		
Administrative support	2	5
Sanitation workers	30	22
Total employee count	32	27
Total personnel costs	$ 1,175,096	$ 959,718

See accompanying independent auditors' report.

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INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

Board of Directors
Guam Solid Waste Authority:

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the Guam Solid Waste Authority (GSWA) Solid Waste Operations Fund, Capital Projects Fund and Debt Service Fund, which comprise the balance sheet as of September 30, 2021, and the related statement of revenues, expenditures and changes in fund balances for the year then ended, and the related notes to the financial statements, and have issued our report thereon dated April 18, 2022.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered GSWA's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of GSWA's internal control. Accordingly, we do not express an opinion on the effectiveness of GSWA's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether GSWA's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which are described in the accompanying Schedule of Findings and Responses as item 2021-001.

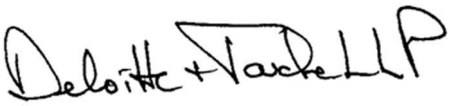
Deloitte.

GSWA Response to Findings

GSWA's responses to the findings identified in our audit are described in the accompanying Schedule of Findings and Responses. GSWA's responses were not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



April 18, 2022

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

Schedule of Findings and Responses
Year Ended September 30, 2021

Finding No. 2021-001

Procurement

Criteria: In accordance with applicable procurement requirements, procurement transactions shall be conducted in a manner providing full and open competition and will maintain records sufficient to detail the significant history of procurement. These records will include a rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

Local procurement regulations state that any procurement not exceeding the amount established by regulation, between $500 and $15,000 may be made in accordance with small purchase procedures. If these methods are not used, the other methods of source selection provided in 5 GCA §5210 (Methods of Source Selection) of the Guam Procurement Act and these Regulations shall apply.

In addition, local procurement regulations Article 9 Subarticle A, Section 5425 (g) states that in the event of a timely protest under Subsection (a) of this Section or under Subsection (a) of § 5480 of this Chapter, the Territory shall not proceed further with the solicitation or with the award of the contract prior to final resolution of such protest, and any such further action is void, unless under specific circumstances provided in this Subsection (g).

Condition: During the year ended September 30, 2021, local funds of $1,175,096 were utilized for Solid Waste Management Division expenditures, which did not demonstrate competitive procurement (ie., sole source procurement) or which were procured through a possible inappropriate procurement method. A summary of these services is as follows:

Temporary staffing services for the Guam Solid Waste Authority	$ 1,175,096

Cause: The lack of internal control policies to facilitate potential compliance with Guam procurement requirements.

Effect: The Solid Waste Operations Fund may be in noncompliance with applicable procurement regulations.

Recommendation: We recommend that the department or agency responsible for procuring goods or services under the Solid Waste Operations Fund follow established procurement regulations consistently for all procurements. Furthermore, based on the goods and services being procured, we recommend that the responsible department or agency use the appropriate method of source selection.

Prior Year Status: Lack of compliance with Guam procurement requirements was reported as a finding in prior audits as items 2011-1, 2012-1, 2013-1, 2014-001, 2015-001, 2016-001, 2017-001, 2018-001, 2019-001, and 2020-001.

Auditee Response and Corrective Action Plan: Based on 10 GCA Chapter 51A § 51A118(b), it allows GSWA to continue the PHR contract for no more than three (3) years from the date of transfer of management from federal receivership. GSWA attempted to recruit the positions as government employees. Since GSWA didn't receive sufficient applicants, GSWA proceeded with the procurement process for temporary staffing services. It is likely the procurement process will extend beyond the contract date and an extension with the vendor will be required. It is GSWA's intent to award a new contract as soon as possible.

GOVERNMENT OF GUAM
SOLID WASTE FUNDS

Unresolved Prior Year Findings
Year Ended September 30, 2021

Unresolved Prior Year Findings

As of September 30, 2021, the status of all audit findings included in the Schedule of Findings and Responses as of September 30, 2021 is as follows:

Finding No. 2011-1 – Not corrected. See corrective action plan to Finding No. 2021-001.

Finding No. 2012-1 – Not corrected. See corrective action plan to Finding No. 2021-001.

Finding No. 2013-1 – Not corrected. See corrective action plan to Finding No. 2021-001.

Finding No. 2014-001 – Not corrected. See corrective action plan to Finding No. 2021-001.

Finding No. 2015-001 – Not corrected. See corrective action plan to Finding No. 2021-001.

Finding No. 2016-001 – Not corrected. See corrective action plan to Finding No. 2021-001

Finding No. 2017-001 – Not corrected. See corrective action plan to Finding No. 2021-001.

Finding No. 2018-001 – Not corrected. See corrective action plan to Finding No. 2021-001.

Finding No. 2019-001 – Not corrected. See corrective action plan to Finding No. 2021-001.

Finding No. 2020-001 – Not corrected. See corrective action plan to Finding No. 2021-001.

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Government of Guam Solid Waste Funds – FY 2021 Financial Highlights

April 20, 2022

The Office of Public Accountability has released the Government of Guam (GovGuam) Solid Waste Funds financial statements, report on compliance and internal control, and the auditor's communication with those charged with governance for fiscal year (FY) 2021. Independent auditors Deloitte and Touche, LLP rendered an unmodified (clean) opinion on the financial statements.

The Guam Solid Waste Funds (GSWF) financial statements include three funds: (1) Solid Waste Operations Fund, (2) Capital Projects Funds, and (3) Debt Service Fund. These funds collectively ended FY 2021 with a decrease in total fund balance (net loss) of $12.05 Million (M) (or 26%), from $46.58M in FY 2020 to $34.53M in FY 2021. This was primarily attributed to the decrease in the Capital Projects Fund of $11M due to ongoing new cell construction activities associated with the Layon Landfill.

Coronavirus (COVID-19) Impact
Subsequent to the Governor of Guam's issuance of Executive Order 2020-03 in March 2020, GovGuam received direct aid under the Coronavirus Act Relief and Economic Security (CARES) Act of $118M, of which $56 Thousand (K) and $34K was made available to the Guam Solid Waste Authority (GSWA) in FY 2021 and FY 2020, respectively. In addition, GovGuam received $553.6M under the American Rescue Plan Act (ARPA) of which $546K was made available to GSWA in FY 2021 to help defer a rate.

Revenues Increased and Expenses Decreased
GSWF reported total revenues of $40.1M in FY 2021, which is a $596 thousand (K) increase (or 1.5%) from $39.5M in FY 2020. The increase was primarily due to the $341K (or 1.9%) rise in tipping fee revenues, which is GSWA's major source of revenue, and a $546K increase in transfers from ARPA offset by the $329K (or 98.5%) decrease in interest income. The significant decrease in interest income was due to a reduction in cash account by $11M for the construction of Cell 3 at the Layon Landfill.

Total expenditures for FY 2021 amounted to $52.2M, which is a $6.6M decrease (or 11%) compared to $58.8M in FY 2020. This is due, in part, to the $8.3M decrease (or 43%) in capital projects expenditures offset by the $1.3M increase in debt service payments.

The Transition from Receiver to GovGuam
In April 2019, the United States District Court of Guam issued an order regarding the partial end of receivership turning over day-to-day operations of GSWA from the Receiver to GSWA management, effective April 30, 2019. The Receiver's remaining responsibilities include the approval of the Ordot Dump Post Closure Care Plan by the U.S. Environmental Protection Agency (USEPA) and Guam Environmental Protection Agency (Guam EPA), and the issuance of a Post Closure Permit.

In consultation with the Receiver, USEPA issued an estimated revised technical path for Ordot's Post Closure Care Plan approval and issuance of the Post Closure permit date to June 1, 2021. Under the order, GSWA was required to fully fund by August 2026 an account held in trust to pay for the estimated future costs of the Ordot landfill until GovGuam can reclaim it for an alternative use. Guam EPA with concurrence with USEPA issued the Ordot Post Closure Care permit on January 2022.

Receiver fees paid to Gershman, Brickner, and Bratton amounted to $204K in FY 2021 for a total of $22.1M since March 2008. Of the total amount, the General Fund partially funded $3.8M with the remaining paid from the Solid Waste Operations Fund.

GovGuam Payments for Construction of New Landfill

In 2019, GovGuam issued $27.6M in General Obligation Bonds, 2019 Series A. The bonds were primarily used to finance the construction of a new cell for the Layon Landfill operated by GSWA, which are backed solely by the full faith and credit of GovGuam. Total principal and interest remaining on the General Obligation Bond are $33M payable through November 2031.

GovGuam will continue to assume the bond payments using the Federal Section 30 funds at GSWA's current rate. Should GovGuam seek reimbursement from GSWA, it will need to adopt the full government reimbursement rate. To date, no action has been taken to adopt a new rate for GSWA.

Table 1. Rate Options

Customer Type	Current Rate *	Full Gov't Reimbursement Rate
Commercial (per ton)	$ 172	$ 225
Residential (per month)	$ 30	$ 35
Residential Transfer Station	$ 7.50/$ 15	$ 7.50/$ 15
Cost to GovGuam	$ 7,483,397	$ -

Report on Internal Control and Compliance

GSWA had findings relative to the sole-source procurement for temporary staffing services for ten (10) consecutive years since FY 2011 and remains unresolved as of FY 2021. During the year ended September 30, 2021, local funds of $1.2M were expended, which did not demonstrate a competitive procurement or which were procured through a possible inappropriate procurement method.

Independent auditors recommended GSWA follow established procurement regulations consistently for all procurements and use the appropriate method of source selection.

The auditee responded that Title 10, Chapter 51A, §51A118(b) of the Guam Code Annotated, allows GSWA to continue the contract for no more than three (3) years from the date of transfer of management from federal receivership. However, GSWA plans to bid out the services before the 3-year period lapses.

For a detailed discussion on GSWA's operations, refer to the Management's Discussion and Analysis or view the reports in their entirety on our website at www.opaguam.org.

Deloitte.

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USA

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April 18, 2022

Board of Directors
Guam Solid Waste Authority

Dear Board of Directors:

We have performed an audit of the financial statements of the Guam Solid Waste Authority (GSWA) Solid Waste Operations Fund, Capital Projects Fund, and Debt Service Fund, governmental funds of the Government of Guam (GovGuam), as of and for the year ended September 30, 2021, in accordance with auditing standards generally accepted in the United States of America ("generally accepted auditing standards") and have issued our report thereon dated April 18, 2022.

We have prepared the following comments to assist you in fulfilling your obligation to oversee the financial reporting and disclosure process for which management of GSWA is responsible.

This report is intended solely for the information and use of management, the Board of Directors, and the Office of Public Accountability of Guam and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

Deloitte & Touche LLP

Cc: To Management of the Guam Solid Waste Authority

Deloitte.

OUR RESPONSIBILITY UNDER GENERALLY ACCEPTED AUDITING STANDARDS AND GENERALLY ACCEPTED GOVERNMENT AUDITING STANDARDS

Our responsibility under generally accepted auditing standards and standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, have been described in our engagement letter dated November 17, 2021. As described in that letter, the objective of a financial statement audit conducted in accordance with the aforementioned standards is to:

- Express an opinion on the fairness of the financial statements of the GSWA Solid Waste Operations Fund, Capital Projects Fund, and Debt Service Fund and the accompanying supplementary information, and to disclaim an opinion on the required supplementary information as of and for the year ended September 30, 2021, in conformity with accounting principles generally accepted in the United States of America ("generally accepted accounting principles"), in all material respects;

- Express an opinion on whether the supplementary information that accompanies the basic financial statements is presented fairly, in all material respects, in relation to the basic financial statements taken as a whole; and

- Report on GSWA's internal control over financial reporting and on their compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters for the year ended September 30, 2021, based on an audit of financial statements performed in accordance with the standards applicable to financial audits contained in *Government Auditing Standards*.

Our responsibilities under generally accepted auditing standards include forming and expressing an opinion about whether the financial statements that have been prepared with the oversight of management and the Board of Directors are presented fairly, in all material respects, in conformity with generally accepted accounting principles. The audit of the financial statements does not relieve management or the Board of Directors of their responsibilities.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether caused by fraud or error. In making those risk assessments, we considered internal control over financial reporting relevant to GSWA's preparation and fair presentation of the financial statements in order to design audit procedures that were appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of GSWA's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of GSWA's internal control over financial reporting. Our consideration of internal control over financial reporting was not designed to identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses.

MANAGEMENT JUDGMENTS AND ACCOUNTING ESTIMATES

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and on assumptions about future events. No significant accounting estimates are reflected in GSWA's 2021 financial statements.

UNCORRECTED MISSTATEMENTS

Our audit of the financial statements was designed to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement, whether caused by error or fraud. We have attached to this letter, as Appendix A to Attachment II, a summary of uncorrected misstatements that we presented to management during the current audit engagement that were determined by management to be immaterial, both individually and in the aggregate, to the financial statements taken as a whole. Uncorrected misstatements or matters underlying these uncorrected misstatements could potentially cause future-period financial statements to be materially misstated, even if we have concluded that the uncorrected misstatements are immaterial to the financial statements for the year ended September 30, 2021.

Deloitte.

AUDIT ADJUSTMENTS

Our audit of the financial statements was designed to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement, whether caused by error or fraud. As the result of our audit work, we identified matters that resulted in audit adjustments that we believe, either individually or in the aggregate, would have a significant effect on GSWA's financial reporting process. Such adjustments, listed in Attachment I, have been recorded in the accounting records and are reflected in the 2021 financial statements.

SIGNIFICANT ACCOUNTING POLICIES

GSWA's significant accounting policies are set forth in Note 1 to GSWA's 2021 financial statements. During the year ended September 30, 2021, there were no significant changes in previously adopted accounting policies or their application.

We have evaluated the significant qualitative aspects of GSWA's accounting practices, including accounting policies, accounting estimates and financial statement disclosures and concluded that the policies are appropriate, adequately disclosed, and consistently applied by management.

DISAGREEMENTS WITH MANAGEMENT

We have not had any disagreements with management related to matters that are material to GSWA's 2021 financial statements.

OUR VIEWS ABOUT SIGNIFICANT MATTERS THAT WERE THE SUBJECT OF CONSULTATION WITH OTHER ACCOUNTANTS

We are not aware of any consultations that management may have had with other accountants about auditing and accounting matters during 2021.

SIGNIFICANT ISSUES DISCUSSED, OR SUBJECT OF CORRESPONDENCE, WITH MANAGEMENT PRIOR TO OUR RETENTION

Throughout the year, routine discussions regarding the application of accounting principles or auditing standards were held with management in connection with transactions that have occurred, transactions that are contemplated, or reassessment of current circumstances. In our judgment, such discussions were not held in connection with our retention as auditors.

SIGNIFICANT DIFFICULTIES ENCOUNTERED IN PERFORMING THE AUDIT

In our judgment, we received the full cooperation of GSWA's management and staff and had unrestricted access to GSWA's senior management in the performance of our audit.

MANAGEMENT'S REPRESENTATIONS

We have made specific inquiries of GSWA's management about the representations embodied in the financial statements. Additionally, we have requested that management provide to us the written representations the Funds are required to provide to its independent auditors under generally accepted auditing standards. We have attached to this letter, as Attachment II, a copy of the representation letter we obtained from management.

EMPHASIS-OF-MATTERS PARAGRAPHS

Reporting Entity

GSWA's transactions are accounted for under the Solid Waste Operations Fund, the Capital Projects Fund and the Debt Service Fund. The GovGuam Department of Administration (DOA) is responsible for establishing and managing these funds on behalf of GSWA. The accompanying financial statements relate solely to those accounting records maintained by DOA associated with GSWA and do not incorporate any accounts related to any other departments or agencies of GovGuam.

EMPHASIS-OF-MATTERS PARAGRAPHS, CONTINUED

COVID-19

On March 11, 2020, the World Health Organization declared the novel strain of coronavirus (COVID-19) a global pandemic and recommended containment and mitigation measures worldwide. On March 13, 2020, President Donald J. Trump declared a national emergency within the United States. In response to the national emergency declared by the U.S. President, on March 14, 2020, Governor Lourdes A. Leon Guerrero issued Executive Order 2020-03 declaring a state of emergency in response to the COVID-19 outbreak. Furthermore, Executive Order 2020-04 ordered the closure of all non-essential GovGuam offices, prohibited large gatherings, and restricted entry into Guam from countries with confirmed COVID-19 cases. As a result, schools and non-essential government agencies and private sector businesses temporarily closed. GSWA closed its offices to the public and required all non-essential employees to work from home.

On March 28, 2020, the U.S. President signed a major disaster declaration for Guam and ordered federal assistance to supplement local recovery efforts in connection with the COVID-19 pandemic. As a result, GovGuam received direct aid under the Coronavirus Act Relief, and Economic Security ("CARES") Act of $117,968,258, of which $55,552 was made available during the year ended September 30, 2021 to GSWA to fund certain hazard pay to Solid Waste Management Division employees.

On March 11, 2021, the U.S. President signed into law the American Rescue Plan Act ("ARPA") to speed up recovery from the economic and health effects of the COVID-19 pandemic. Under ARPA, GovGuam received $553,582,247, of which $545,732 was made available during the year ended September 30, 2021 to GSWA to offset revenue shortfalls resulting from the COVID-19 pandemic.

Because of the evolving nature of the COVID-19 pandemic and the federal and local responses thereto, GovGuam cannot predict the extent or duration of the outbreak. While the disruption is currently expected to be temporary, there is uncertainty around the duration. Therefore, GovGuam expects this matter to negatively impact commercial tipping fee collections and general economic conditions globally, nationally and locally, for which the related financial impact cannot be reasonably estimated at this time.

The proposed wording of the emphasis-of-matters paragraphs follows:

Reporting Entity

As discussed in Note 1 to the financial statements, the financial statements referred to above present only the GSWA Solid Waste Operations Fund, Capital Projects Fund and Debt Service Fund and are not intended to present fairly the financial position and results of operations of GovGuam in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

COVID-19

As discussed in Note 8 to the financial statements, GSWA determined that the COVID-19 pandemic may negatively impact GSWA's solid waste operations. Our opinion is not modified with respect to this matter.

CONTROL-RELATED MATTERS

We have issued a separate report to you, also dated April 18, 2022, concerning certain matters involving GSWA's internal control over financial reporting and on its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters, which was based on the audit performed in accordance with *Government Auditing Standards*. Although we have included management's written response to our findings, such responses have not been subjected to the auditing procedures applied in our audit of the financial statements and, accordingly, we do not express an opinion or provide any form of assurance on the appropriateness of the responses or the effectiveness of any corrective actions described therein.

GovGuam Solid Waste Funds
Summary of Corrected Misstatements
September 30, 2021

#	Name	Debit	Credit
	1 AJE To correctly record Fund 364 transfer from 416		
336450416	TRANSFER IN		3,042,520.80
136414100	DUE TO/FR GENERAL FUND	3,042,520.80	
		3,042,520.80	3,042,520.80
	To correct and adjust for transfer of GOB Series 2019 debt service from Fund 416 to 364		

We have reviewed the adjustment above and authorize such be recorded in the general ledger as of September 30, 2021. The adjustment is the result of error and is not the result of fraud or illegal acts.

Signed:

Gaudencio Rosario
DOA Deputy Financial Manager

Signed:

Katherine Kakigi
GSWA Comptroller

EDWARD M. BIRN
Director (Direktot)
BERNADINE C. GINES
Deputy Director (Sigundo Direktot)

DEPARTMENT OF ADMINISTRATION

DIPATTAMENTON ATMENESTRASION
DIRECTOR'S OFFICE
(Ufisinan Direktot)
Telephone (*Telifon*): (671) 475-1101/1250

LOURDES A. LEON GUERRERO
Governor (Maga'håga)
JOSHUA F. TENORIO
Lt. Governor (Sigundo Maga'låhl)

April 18, 2022

Deloitte & Touche LLP
361 South Marine Corps Drive
Tamuning GU 96913

We are providing this letter in connection with your audit of the financial statements of the Guam Solid Waste Authority (GSWA) Solid Waste Operations Fund (Fund 416), Capital Projects Fund (Fund 254 and 258), and Debt Service Fund (Fund 363 and 364), governmental funds of the Government of Guam (GovGuam), which comprise the balance sheet as of September 30, 2021, and the related statement of revenues, expenditures, and changes in fund balances for the year ended September 30, 2021, for the purpose of expressing an opinion as to whether the financial statements present fairly, in all material respects, the financial position and results of operations of GSWA in accordance with accounting principles generally accepted in the United States of America (GAAP). The GovGuam Department of Administration (DOA) is responsible for establishing and managing these funds on behalf of GSWA.

We confirm that we are responsible for the following:

a. The preparation and fair presentation in the financial statements of financial position and results of operations of GSWA in accordance with GAAP.

b. The fair presentation of the additional information accompanying the financial statements that is presented for the purpose of additional analysis of the financial statements.

c. The design, implementation, and maintenance of internal control:

- Relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error
- To prevent and detect fraud.

d. The review and approval of the financial statements and related notes and acknowledge your role in the preparation of this information. Specifically, we acknowledge that your role in the preparation of the financial statements was a matter of convenience rather than one of necessity. We have reviewed the financial statement preparation assistance provided by you and acknowledge that the financial statements are prepared in accordance with GAAP. Our review was based on the use of the financial statement disclosure checklist for general purpose financial statements obtained from the Government Finance Officers Association.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We confirm, to the best of our knowledge and belief, the following representations made to you during your audit.

1. The financial statements referred to above are fairly presented in accordance with GAAP. In addition:

   a. The financial statements present only GSWA transactions accounted for within the funds established and managed by DOA and are not intended to present the financial position and results of operations of GovGuam in accordance with GAAP.

   b. Deposits are properly classified in the category of custodial credit risk.

   c. Required supplementary information is measured and presented within prescribed guidelines.

   d. Applicable laws and regulations are followed in adopting, approving, and amending budgets.

   e. The financial statements properly classify all funds and activities, including special and extraordinary items.

   f. GSWA has followed GASB Codification Section 1800.178 regarding which resources (restricted, committed, assigned, or unassigned) are considered to be spent for expenditures to determine the fund balance classifications for financial reporting purposes.

   g. Interfund, internal, and intra-Government activity and balances have been appropriately classified and reported.

   h. Fund balance restrictions, commitments, and assignments are properly classified and, if applicable, approved.

2. GSWA and DOA have provided to you all relevant information and access as agreed in the terms of the audit engagement letter.

3. GSWA and DOA have made available to you:

   a. All public laws as enacted by the Guam Legislature that pertain to GSWA.

   b. All financial records and related data for all financial transactions of GSWA and for all funds administered by DOA on behalf of GSWA. The records, books, and accounts, as provided to you, record the financial and fiscal operations of all funds established and managed by DOA related to GSWA and provide the audit trail to be used in a review of accountability. Information presented in financial reports is supported by the books and records from which the financial statements have been prepared.

   c. Contracts and grant agreements (including amendments, if any) and any other correspondence that has taken place with federal agencies.

4. There has been no:

   a. Action taken by GSWA and DOA management that contravenes the provisions of federal laws, or Guam laws, and laws and regulations, or of contracts and grants applicable to GSWA.

   b. Communications with other regulatory agencies concerning noncompliance with or deficiencies in financial reporting practices or other matters that could have a material effect on the financial statements.

5. We believe the effects of any uncorrected financial statement misstatements aggregated by you during the current audit engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. A summary of such uncorrected misstatements has been attached as Appendix A.

6. GSWA has not performed a formal risk assessment, including the assessment of the risk that the financial statements of GSWA may be materially misstated as a result of fraud. However, management has made available to you their understanding about the risks of fraud in GSWA and do not believe that the financial statements of GSWA are materially misstated as a result of fraud.

7. We have no knowledge of any fraud or suspected fraud affecting GSWA involving:

   a. Management.

   b. Employees who have significant roles in GSWA's internal control.

   c. Others, where the fraud could have a material effect on the financial statements.

8. We have no knowledge of any allegations of fraud or suspected fraud affecting GSWA's financial statements communicated by employees, former employees, analysts, regulators, or others.

9. There are no unasserted claims or assessments that legal counsel has advised us are probable of assertion and must be disclosed in accordance with GASB Codification Section C50, *Claims and Judgments*, except as disclosed in Note 5 to the financial statements.

10. The methods, significant assumptions, and the data used by us in making the accounting estimates and the related disclosures are appropriate to achieve recognition, measurement, or disclosure that is in accordance with GAAP.

11. We are responsible for compliance with local, state, and federal laws, rules, and regulations, including compliance with the provisions of grants and contracts relating to GSWA's operations. We are responsible for understanding and complying with the requirements of the federal statutes and regulations. We are responsible for establishing and maintaining the components of internal control relating to our activities in order to achieve the objectives of providing reliable financial reports, effective and efficient operations, and compliance with laws and regulations. We are responsible for maintaining accounting and administrative control over revenues, obligations, expenditures, assets, and liabilities.

12. We have informed you of all investigations or legal proceedings that have been initiated during the year ended September 30, 2021 or are in process as of September 30, 2021.

13. We are responsible for all nonaudit services performed by you during the year ended September 30, 2021 and through April 18, 2022.

14. We have disclosed to you all deficiencies in the design or operation of internal control over financial reporting identified as part of our evaluation, including separately disclosing to you all such deficiencies that are significant deficiencies or material weaknesses in internal control over financial reporting.

15. No changes in internal control over compliance or other factors that might significantly affect internal control over financial reporting, including any corrective actions taken by GSWA with regard to significant deficiencies and material weaknesses in internal control over compliance, have occurred subsequent to September 30, 2021.

16. We are responsible for taking corrective action on audit findings and have developed a corrective action plan. We have taken timely and appropriate steps to remedy fraud, illegal acts, violations of provisions of contracts or grant agreements, or abuse that you report.

17. Management has identified and disclosed to you all laws and regulations that have a direct and material effect on the determination of financial statement amounts.

18. We have adopted the provisions of GASB Codification Section 2100, *Defining the Financial Reporting Entity*. No organization meets the criteria established in GASB Codification Section 2100, *Defining the Financial Reporting Entity*, for inclusion as a component unit.

19. During the year ended September 30, 2021, the GALC implemented the following pronouncements:

- GASB Statement No. 84, *Fiduciary Activities*, which improves guidance regarding the identification of fiduciary activities for accounting and financial reporting purposes and how those activities should be reported.

- GASB Statement No. 90, *Majority Equity Interests - An Amendment of GASB Statements No. 14 and 61*, which improves the consistency and comparability of reporting a government's majority equity interest in a legally separate organization and improves the relevance of financial statement information for certain component units.

- GASB Statement No. 93, *Replacement of Interbank Offered Rates*, which establishes accounting and reporting requirements related to the replacement of Interbank Offered Rates such as the London Interbank Offered Rate (LIBOR) for hedging derivative instruments. The provision removing LIBOR as an appropriate benchmark interest rate for the evaluation of the effectiveness of derivative instruments is effective for the year ended September 30, 2022.

The implementation of these statements did not have a material effect on GSWA's financial statements.

20. In June 2017, GASB issued Statement No. 87, *Leases*. The objective of this Statement is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments. This Statement increases the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and as inflows of resources or outflows of resources recognized based on the payment provisions of the contract. Management believes that this statement, upon implementation, will have a material effect on the financial statements. In accordance with GASB Statement No. 95, GASB Statement No. 87 will be effective for fiscal year ending September 30, 2022.

21. In June 2018, GASB issued Statement No. 89, *Accounting for Interest Cost Incurred Before the End of a Construction Period*. The objectives of this Statement are (1) to enhance the relevance and comparability of information about capital assets and the cost of borrowing for a reporting period and (2) to simplify accounting for interest cost incurred before the end of a construction period. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. In accordance with GASB Statement No. 95, GASB Statement No. 89 will be effective for fiscal year ending September 30, 2022.

22. In May 2019, GASB issued Statement No. 91, *Conduit Debt Obligations*. The primary objectives of this Statement are to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. This Statement achieves those objectives by clarifying the existing definition of a conduit debt obligation; establishing that a conduit debt obligation is not a liability of the issuer; establishing standards for accounting and financial reporting of additional commitments and voluntary commitments extended by issuers and arrangements associated with conduit debt obligations; and improving required note disclosures. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. In accordance with GASB Statement No. 95, GASB Statement No. 91 will be effective for fiscal year ending September 30, 2023.

23. We are responsible for taking corrective action on audit findings and have developed a corrective action plan. We have taken timely and appropriate steps to remedy fraud, illegal acts, violations of provisions of contracts or grant agreements, or abuse that you report.

24. We are responsible for taking corrective action on audit findings and have developed a corrective action plan. We have taken timely and appropriate steps to remedy fraud, illegal acts, violations of provisions of contracts or grant agreements, or abuse that you report.

25. In January 2020, GASB issued statement No. 92, *Omnibus 2020.* The objectives of this Statement are to enhance comparability in accounting and financial reporting and to improve the consistency of authoritative literature by addressing practice issues that have been identified during implementation and application of certain GASB Statements. This Statement addresses a variety of topics and includes specific provisions about the effective date of Statement No. 87, *Leases*, and Implementation Guide No. 2019-3, *Leases*, for interim financial reports, the terminology used to refer to derivative instruments and the applicability of certain requirements of Statement No. 84, *Fiduciary Activities*, to postemployment benefits. The requirements related to the effective date of GASB Statement No. 87 and Implementation Guide 2019-3, reissuance recoveries and terminology used to refer to derivative instruments are effective upon issuance. In accordance with GASB Statement No. 95, the remaining requirements of GASB Statement No. 92 is effective for the fiscal year ending September 30, 2022.

26. In March 2020, GASB issued Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*. The primary objective of this statement is to improve financial reporting by addressing issues related to public-private and public-public partnership arrangements. This statement also provides guidance for accounting and financial reporting for availability payment arrangements. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. GASB Statement No. 94 will be effective for fiscal year ending September 30, 2023.

27. In May 2020, GASB issued Statement No. 96, *Subscription-Based Information Technology Arrangements*. This Statement provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). This Statement (1) defines a SBITA; (2) establishes that a SBITA results in a right-to-use subscription asset - an intangible asset - and a corresponding subscription liability; (3) provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA; and (4) requires note disclosures regarding a SBITA. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. GASB Statement No. 96 will be effective for fiscal year ending September 30, 2023.

28. In June 2020, GASB issued Statement No. 97, *Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans - an amendment of GASB Statements No. 14 and No. 84, and a supersession of GASB Statement No. 32.* The primary objectives of this Statement are to (1) increase consistency and comparability related to the reporting of fiduciary component units in circumstances in which a potential component unit does not have a governing board and the primary government performs the duties that a governing board typically would perform; (2) mitigate costs associated with the reporting of certain defined contribution pension plans, defined contribution other postemployment benefit (OPEB) plans, and employee benefit plans other than pension plans or OPEB plans (other employee benefit plans) as fiduciary component units in fiduciary fund financial statements; and (3) enhance the relevance, consistency, and comparability of the accounting and financial reporting for Internal Revenue Code (IRC) Section 457 deferred compensation plans (Section 457 plans) that meet the definition of a pension plan and for benefits provided through those plans. GASB Statement No. 97 will be effective for fiscal year ending September 30, 2022.

29. In October 2021, GASB issued Statement No. 98, *The Annual Comprehensive Financial Report.* This Statement establishes the term annual comprehensive financial report and its acronym ACFR. That new term and acronym replace instances of comprehensive annual financial report and its acronym in generally accepted accounting principles for state and local governments. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. GASB Statement No. 98 will be effective for fiscal year ending September 30, 2022.

Except where otherwise stated below, matters less than $200,000 collectively are not considered to be exceptions that require disclosure for the purpose of the following representations. These amounts are not necessarily indicative of amounts that would require adjustment to, or disclosure in, the financial statements.

30. Except as listed in Appendix A, there are no transactions that have not been recorded and reflected in the financial statements.

31. GSWA has no plans or intentions that may affect the carrying value or classification of assets and liabilities.

32. Regarding related parties:

    a. We have disclosed to you the identity of GSWA's related parties and all the related party relationships and transactions of which we are aware.

    b. To the extent applicable, related parties and all related-party relationships and transactions, including sales, purchases, loans, transfers, leasing arrangements, and guarantees (written or oral) have been appropriately identified, properly accounted for, and disclosed in the financial statements.

33. In preparing the financial statements in accordance with GAAP, management uses estimates. All estimates have been disclosed in the financial statements for which known information available prior to the issuance of the financial statements indicates that both of the following criteria are met:

    a. It is reasonably possible that the estimate of the effect on the financial statements of a condition, situation, or set of circumstances that existed at the date of the financial statements will change in the near term due to one or more future confirming events.

    b. The effect of the change would be material to the financial statements.

34. Risks associated with concentrations, based on information known to management, that meet all of the following criteria have been disclosed in the financial statements:

    a. The concentration exists at the date of the financial statements.

    b. The concentration makes GSWA vulnerable to the risk of a near-term severe impact.

    c. It is at least reasonably possible that the events that could cause the severe impact will occur in the near term.

35. There are no:

    a. Instances of identified or suspected noncompliance with laws and regulations whose effects should be considered when preparing the financial statements.

    b. Known actual or possible litigation and claims whose effects should be considered when preparing the financial statements that have not been disclosed to you and accounted for and disclosed in accordance with GAAP.

c. Known actual or likely instances of abuse that have occurred that could be quantitatively or qualitatively material to the financial statements.

d. Other liabilities or gain or loss contingencies that are required to be accrued or disclosed by GASB Codification Section C50, *Claims and Judgments*, except as discussed in Note 5 to the financial statements.

36. GSWA has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral except as discussed in Notes 2 and 3 to the financial statements.

37. GSWA has complied with aspects of contractual agreements that may affect the financial statements.

38. No department or agency of GSWA has reported a material instance of noncompliance to us.

39. GSWA has identified all derivative instruments as defined by GASB Codification Section D40, *Derivative Instruments*, and appropriately recorded and disclosed such derivatives in accordance with GASB Codification Section D40.

40. No events have occurred after September 30, 2021, but before April 18, 2022, the date the financial statements were issued that requires consideration as adjustments to or disclosures in the financial statements.

41. Regarding required supplementary information:

a. We confirm that we are responsible for the required supplementary information.

b. The required supplementary information is measured and presented in accordance with GASB Codification Section 2200, *Comprehensive Annual Financial Report*.

c. The methods of measurement and presentation of the supplementary information have not changed from those used in the prior period.

42. Regarding supplementary information:

a. We are responsible for the preparation and fair presentation of the supplementary information in accordance with GASB Codification Section 2200, *Comprehensive Annual Financial Report*.

b. We believe the supplementary information, including its form and content, is fairly presented in accordance with GASB Codification Section 2200, *Comprehensive Annual Financial Report*.

c. The methods of measurement and presentation of the supplementary information have not changed from those used in the prior period.

43. Receivables recorded in the financial statements represent valid claims against debtors for sales or other charges arising on or before the balance-sheet date and have been appropriately reduced to their estimated net realizable value.

44. Management of GSWA believes that it is in compliance with all significant limitations and restrictions of the 2016 Series A Limited Obligation (Section 30) Bonds and 2019 Series A General Obligation Bonds as of September 30, 2021.

45. Tax-exempt bonds issued have retained their tax-exempt status.

46. We have appropriately identified and properly recorded and disclosed in the financial statements all interfund transactions, including repayment terms.

Very truly yours,

Edward M Birn
2022-04-18
T11:17:09+10:00

EDWARD M. BIRN
Director
Department of Administration

GAUDENCIO "Goody" ROSARIO
Deputy Finance Manager
Department of Administration

Guam Solid Waste Authority (GSWA) Solid Waste Operations Fund, Capital Projects Fund, and Debt Service Fund
Appendix A
Summary of Uncorrected Misstatements
September 30, 2021

	Assets		Liabilities		Equity		Income	
	Dr.	(Cr.)	Dr.	(Cr.)	Dr.	(Cr.)	Dr.	(Cr.)
To correct misstatement of tipping fees receivable and accounts payable	203,650			(203,650)				
To correct understatement of allowance for doubtful accounts		(234,451)					234,451	
	203,650	(234,451)	-	(203,650)	-	-	234,451	-

GUAM SOLID WASTE AUTHORITY

LOURDES A. LEON GUERRERO
Governor of Guam

JOSHUA F. TENORIO
Lt. Governor of Guam

IRVIN L. SLIKE
General Manager
PEDRO A. LEON GUERRERO JR.
Assistant General Manager

April 18, 2022

Deloitte & Touche LLP
361 South Marine Corps Drive
Tamuning GU 96913

We are providing this letter in connection with your audit of the financial statements of the Guam Solid Waste Authority (GSWA) Solid Waste Operations Fund (Fund 416), Capital Projects Fund (Fund 254 and 258), and Debt Service Fund (Fund 363 and 364), governmental funds of the Government of Guam (GovGuam), which comprise the balance sheet as of September 30, 2021, and the related statement of revenues, expenditures, and changes in fund balances for the year ended September 30, 2021, for the purpose of expressing an opinion as to whether the financial statements present fairly, in all material respects, the financial position and results of operations of GSWA in accordance with accounting principles generally accepted in the United States of America (GAAP). The GovGuam Department of Administration (DOA) is responsible for establishing and managing these funds on behalf of GSWA.

We confirm that we are responsible for the following:

a. The preparation and fair presentation in the financial statements of financial position and results of operations of GSWA in accordance with GAAP.

b. The fair presentation of the additional information accompanying the financial statements that is presented for the purpose of additional analysis of the financial statements.

c. The design, implementation, and maintenance of internal control:

- Relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error
- To prevent and detect fraud.

d. The review and approval of the financial statements and related notes and acknowledge your role in the preparation of this information. Specifically, we acknowledge that your role in the preparation of the financial statements was a matter of convenience rather than one of necessity. We have reviewed the financial statement preparation assistance provided by you and acknowledge that the financial statements are prepared in accordance with GAAP. Our review was based on the use of the financial statement disclosure checklist for general purpose financial statements obtained from the Government Finance Officers Association.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We confirm, to the best of our knowledge and belief, the following representations made to you during your audit.

1. The financial statements referred to above are fairly presented in accordance with GAAP. In addition:

   a. The financial statements present only GSWA transactions accounted for within the funds established and managed by DOA and are not intended to present the financial position and results of operations of GovGuam in accordance with GAAP.

   b. Deposits are properly classified in the category of custodial credit risk.

   c. Required supplementary information is measured and presented within prescribed guidelines.

   d. Applicable laws and regulations are followed in adopting, approving, and amending budgets.

   e. The financial statements properly classify all funds and activities, including special and extraordinary items.

   f. GSWA has followed GASB Codification Section 1800.178 regarding which resources (restricted, committed, assigned, or unassigned) are considered to be spent for expenditures to determine the fund balance classifications for financial reporting purposes.

   g. Interfund, internal, and intra-Government activity and balances have been appropriately classified and reported.

   h. Fund balance restrictions, commitments, and assignments are properly classified and, if applicable, approved.

2. GSWA and DOA have provided to you all relevant information and access as agreed in the terms of the audit engagement letter.

3. GSWA and DOA have made available to you:

   a. All public laws as enacted by the Guam Legislature that pertain to GSWA.

   b. All financial records and related data for all financial transactions of GSWA and for all funds administered by DOA on behalf of GSWA. The records, books, and accounts, as provided to you, record the financial and fiscal operations of all funds established and managed by DOA related to GSWA and provide the audit trail to be used in a review of accountability. Information presented in financial reports is supported by the books and records from which the financial statements have been prepared.

   c. Contracts and grant agreements (including amendments, if any) and any other correspondence that has taken place with federal agencies.

4. There has been no:

   a. Action taken by GSWA and DOA management that contravenes the provisions of federal laws, or Guam laws, and laws and regulations, or of contracts and grants applicable to GSWA.

   b. Communications with other regulatory agencies concerning noncompliance with or deficiencies in financial reporting practices or other matters that could have a material effect on the financial statements.

5. We believe the effects of any uncorrected financial statement misstatements aggregated by you during the current audit engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. A summary of such uncorrected misstatements has been attached as Appendix A.

6. GSWA has not performed a formal risk assessment, including the assessment of the risk that the financial statements of GSWA may be materially misstated as a result of fraud. However, management has made available to you their understanding about the risks of fraud in GSWA and do not believe that the financial statements of GSWA are materially misstated as a result of fraud.

7. We have no knowledge of any fraud or suspected fraud affecting GSWA involving:

   a. Management.

   b. Employees who have significant roles in GSWA's internal control.

   c. Others, where the fraud could have a material effect on the financial statements.

8. We have no knowledge of any allegations of fraud or suspected fraud affecting GSWA's financial statements communicated by employees, former employees, analysts, regulators, or others.

9. There are no unasserted claims or assessments that legal counsel has advised us are probable of assertion and must be disclosed in accordance with GASB Codification Section C50, *Claims and Judgments*, except as disclosed in Note 5 to the financial statements.

10. The methods, significant assumptions, and the data used by us in making the accounting estimates and the related disclosures are appropriate to achieve recognition, measurement, or disclosure that is in accordance with GAAP.

11. We are responsible for compliance with local, state, and federal laws, rules, and regulations, including compliance with the provisions of grants and contracts relating to GSWA's operations. We are responsible for understanding and complying with the requirements of the federal statutes and regulations. We are responsible for establishing and maintaining the components of internal control relating to our activities in order to achieve the objectives of providing reliable financial reports, effective and efficient operations, and compliance with laws and regulations. We are responsible for maintaining accounting and administrative control over revenues, obligations, expenditures, assets, and liabilities.

12. We have informed you of all investigations or legal proceedings that have been initiated during the year ended September 30, 2021 or are in process as of September 30, 2021.

13. We are responsible for all nonaudit services performed by you during the year ended September 30, 2021 and through April 18, 2022.

14. We have disclosed to you all deficiencies in the design or operation of internal control over financial reporting identified as part of our evaluation, including separately disclosing to you all such deficiencies that are significant deficiencies or material weaknesses in internal control over financial reporting.

15. No changes in internal control over compliance or other factors that might significantly affect internal control over financial reporting, including any corrective actions taken by GSWA with regard to significant deficiencies and material weaknesses in internal control over compliance, have occurred subsequent to September 30, 2021.

16. We are responsible for taking corrective action on audit findings and have developed a corrective action plan. We have taken timely and appropriate steps to remedy fraud, illegal acts, violations of provisions of contracts or grant agreements, or abuse that you report.

17. Management has identified and disclosed to you all laws and regulations that have a direct and material effect on the determination of financial statement amounts.

18. We have adopted the provisions of GASB Codification Section 2100, *Defining the Financial Reporting Entity*. No organization meets the criteria established in GASB Codification Section 2100, *Defining the Financial Reporting Entity*, for inclusion as a component unit.

19. During the year ended September 30, 2021, the GALC implemented the following pronouncements:

    - GASB Statement No. 84, *Fiduciary Activities*, which improves guidance regarding the identification of fiduciary activities for accounting and financial reporting purposes and how those activities should be reported.

    - GASB Statement No. 90, *Majority Equity Interests - An Amendment of GASB Statements No. 14 and 61*, which improves the consistency and comparability of reporting a government's majority equity interest in a legally separate organization and improves the relevance of financial statement information for certain component units.

    - GASB Statement No. 93, *Replacement of Interbank Offered Rates*, which establishes accounting and reporting requirements related to the replacement of Interbank Offered Rates such as the London Interbank Offered Rate (LIBOR) for hedging derivative instruments. The provision removing LIBOR as an appropriate benchmark interest rate for the evaluation of the effectiveness of derivative instruments is effective for the year ended September 30, 2022.

    The implementation of these statements did not have a material effect on GSWA's financial statements.

20. In June 2017, GASB issued Statement No. 87, *Leases*. The objective of this Statement is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments. This Statement increases the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and as inflows of resources or outflows of resources recognized based on the payment provisions of the contract. Management believes that this statement, upon implementation, will have a material effect on the financial statements. In accordance with GASB Statement No. 95, GASB Statement No. 87 will be effective for fiscal year ending September 30, 2022.

21. In June 2018, GASB issued Statement No. 89, *Accounting for Interest Cost Incurred Before the End of a Construction Period*. The objectives of this Statement are (1) to enhance the relevance and comparability of information about capital assets and the cost of borrowing for a reporting period and (2) to simplify accounting for interest cost incurred before the end of a construction period. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. In accordance with GASB Statement No. 95, GASB Statement No. 89 will be effective for fiscal year ending September 30, 2022.

22. In May 2019, GASB issued Statement No. 91, *Conduit Debt Obligations*. The primary objectives of this Statement are to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. This Statement achieves those objectives by clarifying the existing definition of a conduit debt obligation; establishing that a conduit debt obligation is not a liability of the issuer; establishing standards for accounting and financial reporting of additional commitments and voluntary commitments extended by issuers and arrangements associated with conduit debt obligations; and improving required note disclosures. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. In accordance with GASB Statement No. 95, GASB Statement No. 91 will be effective for fiscal year ending September 30, 2023.

23. In January 2020, GASB issued statement No. 92, *Omnibus 2020*. The objectives of this Statement are to enhance comparability in accounting and financial reporting and to improve the consistency of authoritative literature by addressing practice issues that have been identified during implementation and application of certain GASB Statements. This Statement addresses a variety of topics and includes specific provisions about the effective date of Statement No. 87, *Leases*, and Implementation Guide No. 2019-3, *Leases*, for interim financial reports, the terminology used to refer to derivative instruments and the applicability of certain requirements of Statement No. 84, *Fiduciary Activities*, to postemployment benefits. The requirements related to the effective date of GASB Statement No. 87 and Implementation Guide 2019-3, reissuance recoveries and terminology used to refer to derivative instruments are effective upon issuance. In accordance with GASB Statement No. 95, the remaining requirements of GASB Statement No. 92 is effective for the fiscal year ending September 30, 2022.

24. In March 2020, GASB issued Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*. The primary objective of this statement is to improve financial reporting by addressing issues related to public-private and public-public partnership arrangements. This statement also provides guidance for accounting and financial reporting for availability payment arrangements. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. GASB Statement No. 94 will be effective for fiscal year ending September 30, 2023.

25. In May 2020, GASB issued Statement No. 96, *Subscription-Based Information Technology Arrangements*. This Statement provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). This Statement (1) defines a SBITA; (2) establishes that a SBITA results in a right-to-use subscription asset - an intangible asset - and a corresponding subscription liability; (3) provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA; and (4) requires note disclosures regarding a SBITA. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. GASB Statement No. 96 will be effective for fiscal year ending September 30, 2023.

26. In June 2020, GASB issued Statement No. 97, *Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans - an amendment of GASB Statements No. 14 and No. 84, and a supersession of GASB Statement No. 32.* The primary objectives of this Statement are to (1) increase consistency and comparability related to the reporting of fiduciary component units in circumstances in which a potential component unit does not have a governing board and the primary government performs the duties that a governing board typically would perform; (2) mitigate costs associated with the reporting of certain defined contribution pension plans, defined contribution other postemployment benefit (OPEB) plans, and employee benefit plans other than pension plans or OPEB plans (other employee benefit plans) as fiduciary component units in fiduciary fund financial statements; and (3) enhance the relevance, consistency, and comparability of the accounting and financial reporting for Internal Revenue Code (IRC) Section 457 deferred compensation plans (Section 457 plans) that meet the definition of a pension plan and for benefits provided through those plans. GASB Statement No. 97 will be effective for fiscal year ending September 30, 2022.

27. In October 2021, GASB issued Statement No. 98, *The Annual Comprehensive Financial Report*. This Statement establishes the term annual comprehensive financial report and its acronym ACFR. That new term and acronym replace instances of comprehensive annual financial report and its acronym in generally accepted accounting principles for state and local governments. Management does not believe that this statement, upon implementation, will have a material effect on the financial statements. GASB Statement No. 98 will be effective for fiscal year ending September 30, 2022.

Except where otherwise stated below, matters less than $200,000 collectively are not considered to be exceptions that require disclosure for the purpose of the following representations. These amounts are not necessarily indicative of amounts that would require adjustment to, or disclosure in, the financial statements.

28. Except as listed in Appendix A, there are no transactions that have not been recorded and reflected in the financial statements.

29. GSWA has no plans or intentions that may affect the carrying value or classification of assets and liabilities.

30. Regarding related parties:

    a. We have disclosed to you the identity of GSWA's related parties and all the related party relationships and transactions of which we are aware.

    b. To the extent applicable, related parties and all related-party relationships and transactions, including sales, purchases, loans, transfers, leasing arrangements, and guarantees (written or oral) have been appropriately identified, properly accounted for, and disclosed in the financial statements.

31. In preparing the financial statements in accordance with GAAP, management uses estimates. All estimates have been disclosed in the financial statements for which known information available prior to the issuance of the financial statements indicates that both of the following criteria are met:

    a. It is reasonably possible that the estimate of the effect on the financial statements of a condition, situation, or set of circumstances that existed at the date of the financial statements will change in the near term due to one or more future confirming events.

    b. The effect of the change would be material to the financial statements.

32. Risks associated with concentrations, based on information known to management, that meet all of the following criteria have been disclosed in the financial statements:

    a. The concentration exists at the date of the financial statements.

    b. The concentration makes GSWA vulnerable to the risk of a near-term severe impact.

    c. It is at least reasonably possible that the events that could cause the severe impact will occur in the near term.

33. There are no:

    a. Instances of identified or suspected noncompliance with laws and regulations whose effects should be considered when preparing the financial statements.

    b. Known actual or possible litigation and claims whose effects should be considered when preparing the financial statements that have not been disclosed to you and accounted for and disclosed in accordance with GAAP.

    c. Known actual or likely instances of abuse that have occurred that could be quantitatively or qualitatively material to the financial statements.

    d. Other liabilities or gain or loss contingencies that are required to be accrued or disclosed by GASB Codification Section C50, *Claims and Judgments*, except as discussed in Note 5 to the financial statements.

34. GSWA has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral except as discussed in Notes 2 and 3 to the financial statements.

35. GSWA has complied with aspects of contractual agreements that may affect the financial statements.

36. No department or agency of GSWA has reported a material instance of noncompliance to us.

37. GSWA has identified all derivative instruments as defined by GASB Codification Section D40, *Derivative Instruments*, and appropriately recorded and disclosed such derivatives in accordance with GASB Codification Section D40.

38. No events have occurred after September 30, 2021, but before April 18, 2022, the date the financial statements were issued that requires consideration as adjustments to or disclosures in the financial statements.

39. Regarding required supplementary information:

    a. We confirm that we are responsible for the required supplementary information.

    b. The required supplementary information is measured and presented in accordance with GASB Codification Section 2200, *Comprehensive Annual Financial Report*.

    c. The methods of measurement and presentation of the supplementary information have not changed from those used in the prior period.

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    a. We are responsible for the preparation and fair presentation of the supplementary information in accordance with GASB Codification Section 2200, *Comprehensive Annual Financial Report*.

    b. We believe the supplementary information, including its form and content, is fairly presented in accordance with GASB Codification Section 2200, *Comprehensive Annual Financial Report*.

    c. The methods of measurement and presentation of the supplementary information have not changed from those used in the prior period.

41. Receivables recorded in the financial statements represent valid claims against debtors for sales or other charges arising on or before the balance-sheet date and have been appropriately reduced to their estimated net realizable value.

42. Management of GSWA believes that it is in compliance with all significant limitations and restrictions of the 2016 Series A Limited Obligation (Section 30) Bonds and 2019 Series A General Obligation Bonds as of September 30, 2021.

43. Tax-exempt bonds issued have retained their tax-exempt status.

44. We have appropriately identified and properly recorded and disclosed in the financial statements all interfund transactions, including repayment terms.

Very truly yours,

Irvin Slike
General Manager
Guam Solid Waste Authority

Kathrine Kakigi
Comptroller
Guam Solid Waste Authority

Guam Solid Waste Authority (GSWA) Solid Waste Operations Fund, Capital Projects Fund, and Debt Service Fund
Appendix A
Summary of Uncorrected Misstatements
September 30, 2021

	Assets		Liabilities		Equity		Income	
	Dr.	(Cr.)	Dr.	(Cr.)	Dr.	(Cr.)	Dr.	(Cr.)
To correct misstatement of tipping fees receivable and accounts payable	203,650			(203,650)				
To correct understatement of allowance for doubtful accounts		(234,451)					234,451	
	203,650	(234,451)	-	(203,650)	-	-	234,451	-