

ORIGINAL

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FILE NO OPA-PA: 15-009

**IN THE OFFICE OF PUBLIC ACCOUNTABILITY  
HAGATNA GUAM**

In the Appeal of

**DOCKET NO. OPA-PA-15-009**

Korando Corporation,  
  
Appellant.

**DECLARATION OF TERANGUE  
"TIGER" GILLHAM IN SUPPORT OF  
KORANDO CORPORATION'S  
OPPOSITION TO DEPARTMENT OF  
PUBLIC WORKS' MOTION FOR  
SUMMARY JUDGMENT**

I, **TERANGUE GILLHAM**, hereby declare that:

1. I am President of GK2, Inc., a structural and civil engineering company licensed to do business in Guam and Palau. I registered in Guam as a civil engineer (Registration No. 1075) and a structural engineer (Registration No. 1781). I hold a Bachelor's Degree in Civil Engineering from the University of California Berkeley. I have over 25 years of civil and structural engineering experience. My experience as a structural engineer includes work on bridge projects on Guam and Palau.

2. On November 12, 2015, I visited the site of the Bile and Pigua Bridges. I observed and documented significant corrosion on both the Original Bridges. I noted that neither bridge has signage indicating maximum load limits.

3. A maximum load signage is required under Section 6.82 of the Manual of Bridge Evaluation produced by AASHTO (American Association of State Highway and Transportation Officials) if the load capacity is less than that which is required by governing highway standards.

4. Had the 5 ton maximum load information been provided with the bid documents, a contractor would have considered this in its bid.

5. I have reviewed the Original Phasing Plan. It required Korando to move their construction cranes across both bridges while it conducted its work. It is highly questionable whether the existing Temporary Bridges had the capacity to support heavy equipment such as cranes as they pass over the bridge. If the Existing Temporary Bridge collapsed, the Original Bridges would not be able to support the load.

6. A maximum load signage is required under Section 6.82 of the Manual of Bridge Evaluation produced by AASHTO (American Association of State Highway and Transportation Officials).

7. Under the Original Phasing Plan, there was not sufficient clearance for the crane boom to move the piles during pile driving. The proposed positioning of the crane would result in the boom striking the high voltage power lines at both bridges and violating the OSHA requirements regarding 10 foot setback from existing high voltage power lines.

8. I have been apprised of the updates and deletions to submittal logs on the Bile and Pigua Bridge Replacement Project. In my professional opinion, it is not acceptable practice to delete the previous status of submittals from a submittal log. If a submittal undergoes a change in status, the logs must be updated in such a manner so as

to reflect the original review as well as the new review status. This is necessary to preserve the record of events during the course of the project.

9. In changing the status on 10/27/2015 of "EAN" to "Revise/Resubmit" on March 1, 2015, Stanley was instructing Korando to stop all work on the phasing work – the primary driver of the work on the project at that time, unless and until the 13 items comments were fully addressed and approved by Stanley. The four (4) month delay in review and notification to Korando was unreasonable and exceeded the review period allowed under the Contract to the CM.

10. The delay in review of the 10/27 Phasing Plan submittal was caused by Stanley, DPW's consultants and should be treated as change under Section 109.06 of the Special Contract Requirements (Modifications to FP-03) Contract, which gives Korando additional time to complete the project as a result of DPW delay.

11. The constructability issues relating to the Phasing Plan support Korando's proposed 10/27 APP.

I declare under penalty of perjury under the laws of Guam that the foregoing is true and correct.

Executed at Hagatna, Guam on November 13, 2015.

  
TERANGUE GILLHAM