



# GUAM WATERWORKS AUTHORITY

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## PETITION

The General Manager of Guam Waterworks Authority (GWA) hereby petition to the Consolidated Commission on Utilities (CCU) the creation of position pursuant to Public Law 28-112, Section 9 (4GCA, Chapter 6, §6303(d) and to add the position to the certified, technical, and professional listing:

### POSITION TITLE

Contracts and Small Claims Administrator  
(Classified)

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#### Background Information:

Guam Waterworks Authority (GWA) has determined a need to create new position to carry out its mission towards providing "Good Water Always" to the people of Guam. Contracts and Small Claims Administrator will work under the direction of the GWA Legal Counsel and will provide GWA with enhanced contract management that will ensure that procurement is undertaken in a timely and cost-effective manner. The project will also assist GWA in collection outstanding balances owed to GWA by filing small claims cases, monitoring the papers for corporate dissolutions, bankruptcy and probate proceedings in order to file a claim.

**Justification for the new position:** Creation of this position is for the efficient and effective performance of the duties and functions of the Guam Waterworks Authority. The position will monitor the contracts during execution and performance will ensure that vendors perform project delivery on-time and a cost-effective manner while ensuring that services are not interrupted by having contracts expire without being re-bid or amended in timely manner thereby resulting in lower costs to GWA and more efficient operations and procurement management.

The Contracts and Small Claims Administrator will undertake a dual role to manage Small Claims cases will ensure that GWA obtains judgments against persons who refuse to pay their bills which will net GWA revenue and provide GWA with a judgment that will never expire and not be subject to the four (4) year statute-of-limitations that currently exists.

Creating a bankruptcy, probate and corporate dissolution program is necessary since there are daily postings in Guam’s papers for “creditors” to file claims against an estate, in a bankruptcy proceeding or prior to approval of a corporate dissolution. Where an individual has an outstanding balance, GWA can file claims in these matters to obtain funds that would otherwise not have been recovered. In one instance, GWA Legal Counsel noticed a probate case involving a person whose name had appeared on the accounts receivable listing at a CCU meeting. GWA legal counsel filed a claim and recovered \$35,000.00. This is one case and notices appear daily. All we need is the cost of the person who has the capacity to understand the nature of these matters (under the guidance of the legal counsel and legal secretary) in order to enhance GWA’s revenues.

GWA Legal Counsel strongly believes that this person will not only pay their own salary, they will produce over \$100,000 in additional revenue based on GWA Legal Counsel’s experience in such matters as well as data collected from GWA prior small claims/probate/bankruptcy and corporate dissolution program that has lacked personnel to continue the projects.

Analysis of similarities and differences between the positions to be created and the positions listed pursuant to 4 G.C.A. §4101.1. The above position is new for GWA. This position provide higher echelon position within the framework of the Authority in better managing its functions.

Position description. (See attachment)

Proposed pay range and demonstration of compliance with 4 G.C.A. §6301.

When the job description and qualification factors are taken into consideration and the new positions are slotted, the resultant new pay grade under the recently implemented compensation structure and per annum is as follows:

JOB TITLE	JOB EVAL POINTS	PAY GRADE STE/SUB STEP	MINIMUM/ MAXIMUM
Contracts and Small Claims Administrator	798	J6-B J9-B	\$44,084.00 \$49,675.00

As indicated in the table above, the salary ranges shown in minimum and maximum are at the 15<sup>th</sup> Market Percentile for these classified certified, technical and professional positions and are comparable with other U.S. jurisdictions and/or the American Waterworks Association (AWWA) salary surveys.

Fiscal note as required by 2 G.C.A. §9101 et seq. GWA certifies that this position is budgeted and that funds are available for the creation, filling and retention of its certified, technical, and professional newly created position.



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John M. Benavente, PE  
General Manager, Interim

**JOB DESCRIPTION  
FOR**

**CONTRACTS AND SMALL CLAIMS ADMINISTRATOR**

NATURE OF WORK IN THIS CLASS

Administers the programs and activities pertaining to contracts and certain procurement functions. Establish and manage small claims, probate, bankruptcy and corporate dissolution matters applicable to the Guam Waterworks Authority (hereinafter the "Authority").

ILLUSTRATIVE EXAMPLES OF WORK *(The examples below do not list all the duties which may be assigned.)*

1. Contract Management:

Reviews and assures that provisions in contracts are proper and in accordance with all applicable local and federal laws, rules and regulations, policies and procedures, and related administrative guidelines.

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Tracks and reports on all facets of contracts and associated procurements issued by the Authority in a manner that allows management and legal personnel to easily understand and manage the procurement and contracting process.

Responsible for ensuring that all contracts are renewed on a timely basis to allow continuous services to be provided to the Authority. Responsible for informing attorney of need modify contracts if required in order to meet the needs of the agency.

Reviews contracts, or coordinates review of contracts with appropriate divisional personnel (depending on the nature of the contract) to ensure that contract provisions are being met by vendors. Conducts periodic inspections and/or reviews through prospective departments dealing with contractors to monitor the performance of the contractor and to insure compliance with all provisions of the contract.

Assists in the procurement process in general; tries to obtain the best value for supplies, services or construction in the time required and at the lowest cost or price to the Authority.

2. Small Claims Management:

Establish and maintain a small claims program at the Authority. Coordinate with Customer Service and Accounting Division to identify and track accounts that are eligible for filing in the small claims court. Gather documents and file claims and appear at hearings when necessary. Track and manage and report on all small claims cases as required.

3. Probate Case Management:

Establish and maintain a small claims program at the Authority. Coordinate with Customer Service and Accounting Division to identify and track accounts that are eligible for filing in the small claims court. Gather documents and file claims and appear at hearings when necessary. Track and manage and report on all small claims cases as required.

3. Bankruptcy Case Management:

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Establish and maintain a small claims program at the Authority. Coordinate with Customer Service and Accounting Division to identify and track accounts that have been filed in the bankruptcy court. Gather documents and file creditor claims and appear at hearings when necessary. Track and manage and report on all small claims cases as required.

4. Corporate Dissolution Management:

Establish and maintain a corporate dissolution tracking program at the Authority. Coordinate with Customer Service and Accounting Division to identify and track accounts that are eligible for filing in the small claims court. Gather documents and file claims and appear at hearings when necessary. Track and manage and report on all corporate dissolution cases as required.

5. Administrative Management:

Ability to maintain and keep track of all records and file documents with generally accepted office standards.

### MINIMUM KNOWLEDGE, ABILITIES AND SKILLS:

- Knowledge of the principles, practices, techniques and procedures relating to contracts, procurement and supply management. Federal contracting or other government procurement experience is highly advantageous.
  - Familiarity with small claims proceedings, bankruptcy proceedings, probate proceedings and corporate dissolutions is a plus, but not absolutely required.
  - Ability to interpret and apply pertinent laws, regulations and policies governing contracts, and the cases and claims above.
  - Highly organized.
  - Ability to make decisions in accordance with appropriate program guidelines.
  - Ability to work effectively with the public and employees.
  - Proven ability to utilize MS Word, MS Excel, MS PowerPoint, Adobe and other software.
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- Ability to communicate effectively orally and in writing.
  - Ability to maintain records and prepare detailed reports for the Authority's legal counsel and senior management.
  - Ability to understand legal terms such as those found in contracts, small claims cases and other applicable legal proceedings.

### MINIMUM EXPERIENCE AND TRAINING:

- A. Graduation from an accredited college or university with a Bachelor's degree in public or business administration or related field; and three (3) years experience directly related to contracts, procurement and supply management and/or legal proceedings; or
- B. Any equivalent combination of experience and training which provides the minimum knowledge, abilities and skills.

RATING EVALUATION AND JOB CREATION DATE:

ESTABLISHED: September 2010

PAY GRADE: MIN: J6-B \$44,084.00 Per Annum  
MAX: J9-B \$49,675.00 Per Annum

JOB EVALUATION POINTS : 798



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John M. Benavente, PE  
General Manager, Interim

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