



**BEFORE THE JUDICIAL COUNCIL OF GUAM**

**RESOLUTION NO. JC 15-025**

**RELATIVE TO AUTHORIZING THE ADMINISTRATOR OF THE COURTS TO  
ISSUE A REQUEST FOR PROPOSAL FOR A FINANCING ARRANGEMENT  
REGARDING THE JUDICIAL BUILDING FUND PURSUANT TO 7 G.C.A. § 9512**

**WHEREAS**, over the course of the budget hearings conducted by the Guam Legislature in preparation for the Fiscal Year 2016, it was recognized that the Judiciary's facilities are in need of improvements and repair; and

**WHEREAS**, as a result of such determinations, a new section of law, § 9512 to Title 7 Guam Code Annotated, was added by Section Chapter XI Section 31 of Public Law 33-66, attached hereto, allowing the Judicial Council to enter into a financing arrangement to include a loan agreement or line of credit for the specific purposes of addressing facility needs of the Judiciary and other purposes up to a maximum limit of \$15,000,000.00; and

**WHEREAS**, the law requires that the current creditor and the Judicial Council approve the terms of the loan agreement or line of credit; and that repayment shall be made utilizing funds from the Judicial Building Fund; and

**WHEREAS**, the Judicial Council has determined that in order to secure the best loan terms and conditions, it would be beneficial to solicit interest in a competitive environment, and it is therefore appropriate to direct the Judiciary's Administrative offices to utilize its competitive procurement procedures in this effort.

**WHEREAS**, the Judicial Council of Guam, in furtherance of these efforts, seeks to refinance the Judicial Building Fund loan; and

**WHEREAS**, the Judicial Council of Guam has determined that it is in the best interest of the Judiciary and the People of Guam to ascertain whether or not refinancing the Judicial Building Fund is practicable.

**NOW, THEREFORE BE IT RESOLVED**, that the Judicial Council of Guam hereby authorizes the Procurement and Facilities Management Administrator and the Controller to prepare, and the Administrator of the Courts to issue, a Request for Proposals for the purpose of securing a financing arrangement pursuant to 7 GCA § 9512 in an amount not to exceed \$15,000,000.00 and with a term not to exceed 40 years from the date of the loan. The Judicial Building Fund, and its accompanying revenue stream shall serve as collateral for the loan.

**BE IT FURTHER RESOLVED**, that the Administrator of the Courts shall report the results of the Request for Proposals and submit his recommendations to the Judicial Council, which will determine which proposal, if any, meets the needs of the Judiciary.

**BE IT FURTHER RESOLVED**, that if the Judicial Council approves the loan terms the proceeds of the loan shall be expended or encumbered within one year as follows:

- (A) Repayment of any existing debt;
- (B) Fulfilling the other requirements specified under § 9512 to Title 7 Guam Code Annotated, added by Section Chapter XI Section 31 of Public Law 33-66.

**BE IT FURTHER RESOLVED**, that if the Judicial Council approves the loan terms the proceeds of the loan shall be expended or encumbered for the completion of the Capital Improvement Projects set forth in Schedule "A" attached and incorporated into this resolution by reference.

**BE IT FURTHER RESOLVED**, that if the Judicial Council approves the loan terms the proceeds of the loan shall be expended or encumbered for additional capital improvement projects or real property acquisition as recommended in the Updated Master Plan and approved by the Judicial Council.

**BE IT FURTHER RESOLVED**, that if the Judicial Council approves the loan terms the proceeds of the loan shall be expended or encumbered for additional projects as are recommended by the IT consultant and approved by the Judicial Council.

**DULY ADOPTED** this 25<sup>th</sup> day of November, 2015 at a duly-noticed meeting of the Judicial Council of Guam.

  
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**ROBERT J. TORRES**, Chairman

Dated: 1-05-16

ATTEST:

  
\_\_\_\_\_  
**JOANNA S. McDONALD**, Secretary

Dated: 1-05-16

## **SCHEDULE “A” LIST OF APPROVED CAPITAL IMPROVEMENT PROJECTS FOR FUNDING FROM JBF LOAN REFINANCE**

### **REPAIR OF GUAM JUDICIAL CENTER ROOF & SKYLIGHT - \$1,750,000**

*Project Estimate: \$1.75 Million (Construction & A&E)*

### **HISTORICAL COURT BUILDING REPAIRS - \$950,000**

A. Replacement of Generator

*Project Estimate: \$200,000*

B. General building repairs, replacement of windows, mitigation of environmental and safety concerns, modernization of electrical & communications systems, fire alarms

*Project Estimate: \$700,000 (Scope of Work to be Refined)*

C. Furniture & Cubicle Replacement and Acquisition

*Project Estimate: \$50,000*

### **CONSTRUCTION AND IMPROVEMENT PROJECTS - \$505,000**

A. Refurbishment and Furniture Replacement of Court Rooms + Grand Jury Room

*Project Estimate: \$200,000 + \$25,000 for GJ Room*

B. Furniture and Cubicle Replacement and Acquisition for Judges Chambers and General Administration

*Project Estimate: \$200,000*

C. Parking Lot Hardening – Law Library

*Project Estimate: \$80,000*

### **GUAM JUDICIAL CENTER IMPROVEMENTS**

Engage Architect to update Master Plan to include the following:

*Project Estimate to Engage Architect: \$30,000 (FY 15 JBF)*

A. Additional Holding Cells, Marshals Operations, Judge’s Storage in Basement through the Relocation of Facilities Maintenance Shops and Offices elsewhere.

SCHEDULE "A" LIST OF APPROVED CAPITAL IMPROVEMENT PROJECTS FOR FUNDING FROM JBF  
LOAN REFINANCE

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- B. Establishment of Trial Courtroom to achieve site and sound separation for juvenile detainees through the Relocation of the MIS Division and Server Room to the 2<sup>nd</sup> Floor necessitating the Relocation of Court Programs Office, Anti-Bullying Program, and Justice Corps Programs elsewhere.
- C. Physical Unification of Traffic & Small Claims Offices and Courtroom with Courts & Ministerial Division on 1<sup>st</sup> Floor thereby expanding the operational area of C&M and Relocation of Judicial Hearings Division to 2<sup>nd</sup> Floor of Court Building taking over the offices and conference room of the Office of the Ethics Prosecutor and the Traffic & Small Claims Section and Courtroom.
- D. Unification of General Administration through the removal of walls and the reallocation of office space within the current foot print (Human Resources, FMD, Procurement, and AOC).
- E. Construction of Butler Building for Facilities & Maintenance Division

*Land Acquisition:*

**SECURITY CONCERNS - \$ 594,044**

- A. Update, Install and Replace Camera Monitoring Systems, Building Access Security Systems, Fire Alarms, and Duress at Guam Judicial Center, Historic Court Building, and Northern Court Satellite

*Project Estimate:*            \$190,956 (FY16 JBF Budget)  
   \$190,044

- B. Implementation of NCSC Security Assessment Report

*Project Estimate:*            \$400,000

**NETWORK INFRASTRUCTURE & SYSTEMS**

Engage IT Consultant to Review and Recommend IT Upgrade Plan of Action to Include the Following:

*Project Estimate to Engage IT Consultant:* \$50,000 (FY16 JBF Budget)

- A. Judicial Tools for Case Management \$340k
- B. Replacement of Computer Systems \$130k
- C. Network Infrastructure Upgrades for speed and performance \$300k
- D. Expansion of Video Conferencing in Court Rooms and Off-Site Locations \$95k
- E. External Storage Solutions/ Redundant Systems / Continuity of Operations Plan \$500k
- F. CJIS expansion