



## GUAM WATERWORKS AUTHORITY

"Better Water. Better Lives."

Gloria B. Nelson Public Services Building  
688 Route 15, Mangilao, Guam 96913  
Tel: (671) 300-6026/6027 Fax: (671) 649-3750

### **Request for Proposals (RFP)**

The GUAM WATERWORKS AUTHORITY (GWA), will receive sealed proposal (s) for **Drug and Alcohol Collection and Testing Services, RFP 2021-01**. Proposals will be accepted until **4:00 p.m.** Chamorro Standard Time, Date: June 01, 2021 at the GWA Procurement Office located on the first floor at the Gloria B. Nelson Public Services Building in Mangilao.

Interested firms can obtain a set of proposal package at a charge of a non-refundable amount of \$15.00, which are available at the GWA Procurement Office. Interested firms can download a set of the proposal package on GWA's website at [www.guamwaterworks.org](http://www.guamwaterworks.org) without charge, although vendors are strongly encouraged to contact via e-mail at [psbids@guamwaterworks.org](mailto:psbids@guamwaterworks.org) or visit GWA Procurement Office to register to ensure that updated information, notices or amendments are distributed to you.

GWA reserves the right to revise or reject any or all proposals and to waive any minor imperfection in the bid proposal in the interest of the Guam Waterworks Authority.



Miguel C. Bordallo, P.E.  
General Manager

GWA STAMP ISSUE DATE:

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## **GUAM WATERWORKS AUTHORITY**

### **Request for Proposals 2021-01 (RFP 2021-01) Drug and Alcohol Collection and Testing Services**

**ISSUED BY:** Guam Waterworks Authority  
Gloria B. Nelson Public Service Building  
688 Route 15  
Mangilao, Guam 96913

**PROPOSAL NO:** RFP-2021-01

**ISSUE DATE:** April 30, 2021

**DEADLINE:** June 01, 2021

**TIME:** 4:00 **AM/PM**

**NAME AND LOCATION OF PROJECT(S):**

Drug and Alcohol Collection and Testing Services

**GWA DIVISION:** Human Resource Division

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## **I. INSTRUCTIONS TO PROPOSERS**

### **1.0 Purpose**

To provide standardized guidance and procedures for requesting for drug and/or alcohol specimen collection based on the revised Drug and Alcohol-Free Workplace Policy (DAFWP). The DAFWP was approved by the Consolidated Commission on Utilities (CCU) Resolution No. 27-FY2019 on 25 April 2019.

The GWA's intent is to consistently provide a safe, healthy and secure work environment for all employees and to ensure all employees perform their duties in a safe, responsible, efficient, and productive manner.

### **2.0 Scope**

This standard operating procedure (SOP) applies to all GWA employees in the classified and unclassified service, to include applicants being conditionally offered employment with GWA. This SOP is established for employees to be responsible and ensure that the equipment and facilities utilized are maintained appropriately to prevent any potential risk of harm to themselves, customers, or the community. The use of drugs and/or the misuse of alcohol obstructs the reliability of delivering services, protecting water resources, and GWA assets in a safe, productive and dependable manner. Furthermore, employees who illegally use drugs or abuse alcohol may be a danger to themselves, other people, and environment which may cause various work-related problems including tardiness, absenteeism, substandard job performance, disruptive behavior, delays in completing tasks, accidents, and poor service. This SOP will remain in effect to protect the health, safety and welfare of GWA employees and their interactions with the community during the course and scope of employment.

### **3.0 Policy**

This SOP supports the re-evaluation and implementation of the revised Guam Waterworks Authority (GWA) Drug and Alcohol-Free Workplace Policy, adopted and signed by the Consolidated Commission on Utilities on 25 April 2019. This policy is to be effectively implemented and strictly enforced, beginning 01 October 2019.

### **4.0 Definitions**

Alcohol:	Includes any beverage or substance containing alcohol manufactured for the primary purpose of personal consumption.
DAFWP Coordinator:	HR staff designated by the Personnel Services Administrator (PSA) assigned to maintain specific areas of responsibilities of the DAFWP. The PSA will also designate an alternate coordinator.
Drugs:	Refers to marijuana, cocaine, amphetamines. Opiates (including heroin and codeine), phencyclidine, and all other "controlled substances" as defined in Title 9 G.C.A. Chapter 7 Guam Uniform Controlled Substance Act.

Laboratory:	Contracted by GWA. Certified and licensed by the Territory of Guam in forensic and/or clinical/medical laboratory toxicology to conduct drug and alcohol testing.
Over-the-counter medication:	Includes any substance which does not require a prescription but has the capacity to affect a person physically, mentally, or emotionally or which could otherwise affect a person's ability to safely perform his/her duties.
Prescription Drugs:	Any substance, which is attainable only by lawful prescription from a physician.
Testing Designated Position (TDP):	List of positions designated as requiring drug testing determined by GWA's Legal Counsel to be health & safety sensitive to the performance of duties and responsibilities of an employee approved by the General Manager (GM). This list is subject to change as necessary and approved by the GM in accordance with the Substance Abuse and Mental Health Services Administrator (SAMHSA) guide for selection of TDPs.

**APPENDICES:**

- (a) Guam Waterworks Authority (GWA) Drug and Alcohol Free Workplace Policy**
- (b) DAFWP General Notice**
- (c) Employee Individual Notice – Testing Designated Position (TDP)**
- (d) DAFWP Reasonable Suspicion/Cause for Drug Testing**
- (e) DAFWP On-Duty Motor Vehicle/On-the-Job Accident Drug Testing**
- (f) Notice & acknowledgement – Return to Duty Drug Testing**
- (g) Request Access to Drug/Alcohol Records**

**A. TABLE OF CONTENTS**

This Solicitation Notice consists of the following:

1. Cover Sheet
2. Solicitation Notice
3. RFP Proposal Including Scope of Work
4. Proposed Contract
5. Major Shareholders Disclosure Affidavit Form
6. Non-Collusion Affidavit Form
7. Certification of Non-Employment of Convicted Sexual Offenders Form
8. Affidavit Re Gratuities or Kickbacks
9. Affidavit Re Ethical Standards
10. Affidavit Re Contingent Fees
11. Appendices (may or may not be used)



## **B. SUBMISSION OF RESPONSES**

**One (1) original hard copy, five (5) complete hard copies and one (1) electronic copy of the bid must be submitted.** The original bid must be signed in ink by a person authorized to submit proposals on behalf of the proposer. All proposals shall be submitted entirely in English (including brochures if any). The electronic copy of the proposal shall be submitted on a **USB Drive but must follow GWA's requirements/guidelines: Product must be made in the USA or TAA compliant country, must be an encrypted USB thumb drive/External drive (like SanDisk, Data Traveler, Defender etc...) Encryption key must be provided upon submittal and USB must be free from viruses.** All documents shall be in ".pdf" format. Electronic bids shall constitute an exact replica of the original hard copy of the proposal that is being submitted.

Sealed responses shall be submitted at GWA Procurement Office, located on the first floor of the Gloria B. Nelson Public Services Building in Mangilao. Failure to submit the required forms in the number required may be cause for rejection of proposals due to non-responsiveness. A narrative Statement of Qualifications shall not exceed ten (10) pages (exclusive of resumes and exhibits). See Response Format and Content provision for instructions and minimum requirements. The outer envelope shall be marked in bold letters, **"GWA RFP No.2021-01, For "Drug and Alcohol Collection and Testing Services"**.

**Responses must be received not later than June 01, 2021, 4:00 p.m., Chamorro Standard Time. Responses received after the closing time for receipt will not be considered.**

Each firm submitting a proposal for any portion of the work covered by the proposing documents shall execute an affidavit, in the form provided with the proposal, to the effect that it has not colluded with any other person, firm or corporation in regard to any proposal submitted. Such affidavit shall be attached to the proposal.

## **C. RESPONSE FORMAT AND CONTENT**

All responses should follow and address each of the evaluation criteria, and must be complete as to the requested information. Failure to follow the prescribed format or omission of required information will result in a lower score on evaluation and may result in disqualification. Supporting graphical information, i.e., photos, drawings, illustrations may be provided that back up the information given in the response; however, such material will not be separately evaluated, but may be utilized as supporting documentation of knowledge and experience.

Firms may declare portions of their Proposal as being confidential. Material so designated shall accompany the Proposal and shall be readily separable from the Proposal in order to facilitate public inspection of the non-confidential portion of the Proposal.

GWA may review the material declared to be confidential to determine the validity of any requests for nondisclosure of trade secrets and other proprietary data identified in writing. If the parties do not agree as to the disclosure of data, GWA shall inform the offerors in writing what portions of the proposals will be disclosed. The successful Proposal shall be opened to public inspections subject to any continuing prohibition on the confidential data.

**As a minimum, the following must be included in all responses:**

- Cover letter referencing RFP-2020-05 which lists the contents of the response.
- RFP Response as required herein.

- Non-Collusion Affidavit (attached).
- Affidavit Re Gratuities or Kickbacks (attached)
- Affidavit Re Ethical Standards (attached)
- Affidavit Re Contingent Fees (attached)
- Major Share Holder Affidavit (attached).
- Wage and Benefit Determination (attached)
- Certification of Non-Employment of Convicted Sexual Offenders (attached)

#### **D. EVALUATION COMMITTEE**

GWA will convene an evaluation committee comprised of 3 to 5 members to evaluate the proposals based on the established criteria. The evaluation committee will develop a list of qualified firms, rank the firms, and select the most qualified to negotiate the scope of services and related fees.

#### **E. CONTENTS OF THE PROPOSAL**

At a minimum, the proposal shall contain:

- a) The name of the Offeror, the location of the Offeror's principal place of business, and, if different, the place of performance of the proposed contract;
- b) The age of the Offeror's business and the average number of employees over the past year;
- c) Time of delivery of the service illustrating all major tasks and their duration;
- d) The abilities, qualifications, and experience of key personnel who will be assigned to perform the required services;
- e) A listing of other contracts under which services similar in scope, size and discipline for the required services were performed or undertaken in the past ten years;
- f) A plan giving as much detail as is practical explaining how the services will be provided; and
- g) Reference list of clients.

#### **F. EVALUATION CRITERIA**

Proposals will be evaluated based on the following criteria:

Criteria	Weight
Experience of the firm in this type of service	20%
Key personnel assigned to project	20%
Project approach and turn- around time from collection and testing process	30%
Overall presentation (Quality of submittal, professionalism, etc.)	25%
References	5%

Each team member will rank each Offeror based on points received from the total weighted criteria. A final ranking will be determined by consolidating the team members' rankings.

#### **G. AMENDMENTS TO REQUEST FOR PROPOSAL**

GWA reserves the right to amend this RFP at any time prior to the date set for opening proposals. Changes will be announced by an amendment or amendments to this RFP and shall be identified as such. Amendments shall refer



to the portions of the RFP it amends. Amendments shall be sent to all parties known to have received an RFP. GWA requires that all prospective proposers acknowledge receipt of all amendments issued. Amendments shall be distributed to allow prospective firms time to consider it in preparing its proposal. GWA may extend the due date if such amendment makes compliance with the original proposed due date impractical.

## **II. GENERAL TERMS AND CONDITIONS**

### **A. AUTHORITY**

This Request for Proposal ("RFP") solicitation is issued subject to all of the provisions of the Guam Procurement Act (as amended) and the Guam Procurement Regulations (copies are available for inspection at General Services agency). The RFP requires all parties involved in the preparation, negotiation, performance, or administration of contracts to act in good faith.

### **B. EXPLANATION TO PROPOSERS**

Except as otherwise provided herein, no oral explanation in regard to the meaning of any provision of this RFP will be made and no oral instructions will be given before the award of the proposal. Discrepancies, omissions, or doubts as to the meaning of any provision of this RFP shall be communicated via email to [psbids@guamwaterworks.org](mailto:psbids@guamwaterworks.org) and shall state in bold letters in the subject line: **"GWA RFP No. RFP 2021-01 for Drug and Alcohol Collection and Testing Services"**.

Direct or indirect contact with GWA employees, the Government of Guam, Consolidated Commission on Utilities (CCU) Board Members, or any person participating in the selection process not named above is strictly prohibited.

### **C. METHOD OF AWARD**

GWA intends to review the proposals immediately upon the opening of the proposals as provided herein. The proposals submitted will be the primary documents for evaluation. GWA reserves the right to waive any minor information or irregularity in proposals received. GWA shall have the prerogative to award, amend or reject proposals in whole or in part. GWA is not responsible for any costs incurred by the proposers. GWA reserve the right to retain all proposals submitted regardless of whether a firm is selected. Submission of a proposal indicates acceptance of these terms and conditions by the firm.

### **D. REJECTION**

GWA shall have the right to reject all proposals or offers which have been submitted in response to this RFP, at any time, if GWA determines such to be in the best interest of GWA.

### **E. TAXES**

Proposers are cautioned that they may be subject to taxation, including but not limited to, Gross Receipts Tax, Guam Business Privilege Tax, Guam Income Tax and the payment of any and all taxes which may be due as a result of entering into this agreement are the sole responsibility of the Proposer and its subcontractors and assignees.

Specific information of taxes may be obtained from the Director of the Guam Department of Revenue and Taxation.

**F. LICENSING, COMPLIANCE WITH LAWS, SUBCONTRACTING AND ASSIGNMENT**

Proposers are cautioned that GWA will not award any contract to a proposer who has not complied with Guam Licensing Laws. Specific information on licenses may be obtained from the Director of Revenue and Taxation.

All Proposers agree by submitting this proposal that they will follow all applicable federal and local laws and regulations governing their submissions and performance under any contract issued under this RFP. Proposers further agree to pay all employees the rates specified by the U.S. Department of Labor and Guam law for the work covered hereunder.

All Proposers agree to secure GWA's written consent prior to hiring any subcontractor. All subcontractors will comply with all terms and conditions of this RFP as well as any Contract issued under this RFP. Proposers shall ensure that subcontractors are bound to the exact terms and conditions applicable to the firm whose proposal is accepted by GWA. No firm shall assign any work or payment due under this RFP without GWA's written permission.

**G. COVENANT AGAINST CONTINGENT FEES**

The Proposer warrants that it has not employed any person to solicit or secure any resultant contract upon agreement for a commission, percentage, brokerage or contingent fee. Breach of this warranty shall give GWA the right to terminate the contract, or at its discretion, deduct from the contract price or consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commission payable by the proposer upon contracts or sales secured or made through bona-fide established commercial or selling agencies maintained by the proposer for the purpose of securing business.

**H. JUSTIFICATION OF DELAY**

The Proposer who is awarded the proposal guarantees that performance will be completed within the agreed upon completion date. If, however, the selected Proposer cannot comply with the completion requirement, it is the selected Proposer's responsibility to advise GWA in writing explaining the cause and reasons of the delay.

**I. DISCLOSURE OF MAJOR SHAREHOLDERS**

As a condition of proposing, any partnership, sole proprietorship or corporation doing business with GWA shall submit an affidavit executed under oath that lists the name and address of any person who has held more than ten percent (10%) of the outstanding interest or shares in said partnership, sole proprietorship or corporation at any time during the twelve (12) month period immediately preceding submission of a proposal. The affidavit shall contain the number of shares or the percentage of all assets of such partnership, sole proprietorship or corporation, which have held by each such person during the twelve (12) month period. In addition, the affidavit shall contain the name and address of any person who has received or is entitled to receive a commission, gratuity or other compensation for procuring or assisting in obtaining business related to the proposal for the proposer and shall also contain the amounts of any such commission, gratuity or other compensation. A proposal from any firm that has person on the list that owns 10% or more that is a member of the CCU or a GWA or Guam Power Authority (GPA) officer that reports directly to the Board will not be evaluated and will be rejected. The affidavit shall be open and available to the public inspection and copying.



**J. EQUAL EMPLOYMENT OPPORTUNITY**

Section 3.01(1) of Presidential Executive Order No. 10935 dated March 7, 1965, requires that the proposer not discriminate against any employee or applicant for employment because of race, creed, color or national origin. The proposer will take whatever steps are necessary to ensure that its employees are treated equally during employment without regard to their race, creed, color or national origin.

**K. ASSIGNMENT**

An assignment of any portion of a contract or obligation as a result of this RFP is not valid unless written approval is first obtained from GWA. No other requests for assignment will be accepted.

**L. DETERMINATION OF RESPONSIBILITY OF OFFERORS**

GWA reserve the right to secure information necessary to assess the competency and qualifications of the Proposer in accordance with methodologies set forth herein.

**M. STANDARD FOR DETERMINATION OF MOST QUALIFIED PROPOSER**

In determining the most qualified proposer, GWA shall be guided by the following:

1. The ability, capacity, and skill of the proposer to perform;
2. Whether the proposer can perform promptly or within the reasonable time for the anticipated scope of services;
3. The character, integrity, reputation, judgment experience, and efficiency of the proposer;
4. The quality of performance of the proposer with regard to awards previously made;
5. The previous and existing compliance by the proposer with laws and regulations relative to procurement;
6. The sufficiency of the financial resources and ability of the proposer to perform;
7. Whether the proposer can meet the terms and conditions of the RFP; and
8. The number and scope of conditions attached to the proposal.

**N. PRE-PROPOSAL CONFERENCES**

Pre-proposal conferences may be held at any time prior to the date established herein for submission of proposals to explain the procurement requirements for this RFP. GWA will notify all proposers of any substantive clarification provided in response to any inquiry. GWA may extend the due date if such information significantly amends the solicitation or makes compliance with the original proposed due date impractical.

**O. PROPOSALS**

The Proposer is required to read each and every page of the proposal and by the act of submitting a proposal shall be deemed to have accepted all conditions contained therein except as noted elsewhere in the proposal. In no case will failure to inspect constitute grounds for a claim or for the withdrawal of a proposal after opening. Proposals shall be filled out in ink or typewritten and signed in ink. Erasures or other changes in a proposal must be explained or noted over the signature of the proposer. Proposals containing any conditions, omissions, unexplained erasures or alterations or items not called for in the proposal or irregularities of any kind may be rejected by GWA in whole or in part.

**P. COMPETENCY OF PROPOSERS**

Proposals will be considered only from such Proposers who, in the opinion of GWA, can show evidence of their ability, experience, equipment, and facilities to render satisfactory performance of the terms and conditions herein.

**Q. REQUEST FOR PROPOSAL FORMS**

Additional copies may be provided upon request at a charge of \$15.00 per RFP. All payments shall be by cash, certified check or money order and shall be made payable to the GWA.

**R. MODIFICATION / ALTERATION**

After the receipt and opening of proposals and at its option, GWA or its designee(s), may conduct discussions with proposers that have submitted valid proposals for the purpose of clarification to assure full understanding and responsiveness to the solicitation requirement. Proposers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision to proposals and such revisions shall be permitted after submission and prior to award for the purpose of obtaining best and final offers. However, please bear in mind that proposals should be submitted initially on the proposer's most favorable terms. In conducting discussions there shall be complete confidentiality of any information derived from proposals submitted by competing Proposers.

**S. MODIFICATION OR WITHDRAWAL OF PROPOSALS**

Proposals may be modified or withdrawn at any time prior to the conclusion of discussions, as provided herein.

**T. SELECTION OF BEST-QUALIFIED OFFERORS**

Upon the conclusion of the evaluation and discussion procedures as provided in the "Modification/Alteration" section, GWA or its designee(s), will select in the order of their respective qualification and evaluation ranking, no fewer than three acceptable proposals (or such lesser number if less than three acceptable proposals were received) deemed to be the best qualified to provide the required services.

**U. EVALUATION CRITERIA FOR SELECTION**

Upon the receipt of all proposals, a selection team will be convened to select the most responsive and qualified proposers. It is common for the team to select two or more of the best proposals and conduct further review, which may include interviews. This is commonly known as "short listing." The evaluation factors and the maximum awarded points for each are shown on the above Uniform Questionnaire.

**V. NEGOTIATION AND AWARD OF CONTRACT**

GWA shall negotiate a contract with the best-qualified Proposer for the required services at a compensation determined in writing to be fair and reasonable. GWA reserves the right to contract for the work hereunder in planned phases which is dependent upon need and funding availability. Contract negotiations will be directed toward: (1) making certain that the Proposer has a clear understanding of the scope of work, specifically, the essential requirements involved in providing the required services; (2) determining that the Proposer will make available the necessary personnel and facilities to perform the services within the required time; and (3) agreeing

upon compensation which is fair and reasonable, taking into account the estimated value of the required services, and the scope, complexity and nature of such services.

1. **SUCCESSFUL NEGOTIATION OF CONTRACT WITH BEST-QUALIFIED PROPOSER:** If compensation, contract requirements, and contract documents can be agreed upon with the best-qualified proposer, the contract will be awarded to that Proposer.
2. **FAILURE TO NEGOTIATE CONTRACT WITH BEST-QUALIFIED PROPOSER:** If compensation, contract requirements or contract documents cannot be agreed upon with the best qualified proposer, a written record stating the reasons therefore shall be placed in the file and GWA will advise such proposer of the termination of negotiations which shall be confirmed by written notice within three (3) days. Upon failure to negotiate a contract with the best- qualified proposer, GWA will enter into negotiations with the next most qualified proposer. If negotiations again fail, negotiations will be terminated as provided in this Section and commence with the next most qualified proposer.
3. **NOTICE OF AWARD:** Written notice of award will be public information and made a part of the contract file.
4. **FAILURE TO NEGOTIATE CONTRACT WITH PROPOSERS INITIALLY SELECTED AS BEST QUALIFIED:** Should GWA be unable to negotiate a contract with any of the Proposers initially selected as the best qualified proposers, offers may be re-solicited or additional Proposers may be selected based on original, acceptable submissions in the order of their respective qualification ranking and negotiations may continue in accordance with the procedures and process herein specified.
5. **CONTRACT TERM:** Contract term shall be for 3 years with an option to renew for 2-year, one year term from the date of award of the contract with an option to extend the contract, subject to the availability of funds, and may, by mutual written agreement, be renewed at the same terms and conditions for additional periods subject to availability of funding.

*This Request for Proposal was approved by Miguel C. Bordallo, P.E., GWA General Manager.*

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**MAJOR SHAREHOLDER DISCLOSURE AFFIDAVIT**

TERRITORY OF GUAM

HAGATNA, GUAM

I, the undersigned \_\_\_\_\_, being first duly sworn, depose and says:

1. That the persons who have held more than ten percent (10%) of the company's share during the past twelve months preceding the submission of the bid are as follows (if none, so state):

<u>NAME</u>	<u>ADDRESS</u>	<u>PERCENTAGE OF SHARES HOLD</u>
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_____	_____	_____
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TOTAL NUMBER OF SHARES \_\_\_\_\_

2. Persons who have received or are entitled to receive a commission, gratuity or other compensation for procuring or assisting in obtaining business related to the bid for which this affidavit is submitted are as follows:

<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT OF COMMISSIONS, GRATUITY OR OTHER COMPENSATION</u>
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_____	_____	_____
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Further, affiant sayeth naught.

Date: \_\_\_\_\_

Signature of individual if bidder is a sole proprietorship;  
partner, if the bidders is a partnership; officer, if the bidder  
is a corporation (or other authorized person).

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2021.

Notary Public  
In and for the Territory of Guam  
My commission expires:

### NON-COLLUSION AFFIDAVIT

Guam )

)ss:

Tamuning )

I, \_\_\_\_\_ first being duly sworn, depose and say:  
(Name of Declarant)

1. That I am the \_\_\_\_\_ of \_\_\_\_\_.  
(Title) (Name of Company or Person Bidding/RFP)

2. That in making the foregoing proposal or bid, that such proposal or bid is genuine and not collusive or sham, that said bidder/offeror has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to put in a sham or to refrain from bidding or submitting a proposal and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the bid price of affiant or any other bidder, or to secure any overhead, project or cost element of said bid price, or of that of any bidder, or to secure any advantage against the GUAM WATERWORKS AUTHORITY or any person interested in the proposed contract; and

3. That all statements in said proposal or bid are true.

4. This affidavit is made in compliance with 2 G.A.R. § 3126(b).

So sayeth \_\_\_\_\_  
(Declarant)

Signed on this \_\_\_\_ day of \_\_\_\_\_ 2021, before me a Notary Public in and for Guam, personally appeared \_\_\_\_\_, known to me to be the authorized representative of \_\_\_\_\_, whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed on behalf of \_\_\_\_\_, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date last above written.

) Seal (

Notary Public

**CERTIFICATION OF NON-EMPLOYMENT OF CONVICTED SEXUAL OFFENDERS**

Pursuant to Guam Public Law 28-24, as amended by Guam Public Law 28-98, if a contract for services is awarded to the bidder or offeror, then the service provider must warrant that no person in its employment who has been convicted of a sex offense under the provisions of Chapter 25 of Title 9 of the Guam Code Annotated or of an offense defined in Article 2 of Chapter 28 of Title 9 of the Guam Code Annotated, or who has been convicted in any other jurisdiction of an offense with the same elements as heretofore defined, or who is listed on the Sex Offender Registry, shall provide services on behalf of the service provider while on government of Guam property, with the exception of public highways. If any employee of a service provider is providing services on government property and is convicted subsequent to an award of a contract, then the service provider warrants that it will notify the Government of the conviction within twenty-four hours of the conviction, and will immediately remove such convicted person from providing services on government property. If the service provider is found to be in violation of any of the provisions of this paragraph, then the Government will give notice to the service provider to take corrective action. The service provider shall take corrective action within twenty-four hours of notice from the Government, and the service provider shall notify the Government when action has been taken. If the service provider fails to take corrective steps within twenty-four hours of notice from the Government, then the Government in its sole discretion may suspend temporarily any contract for services until corrective action has been taken.

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I, \_\_\_\_\_ being a duly authorized representative acknowledge the  
(print name)

directive as describe above and ensure the Bid Proposal as submitted addresses the directive.

\_\_\_\_\_  
(Company Name)

\_\_\_\_\_  
(Title)

### WAGE AND BENEFIT DETERMINATION

Bid or RFP No.: \_\_\_\_\_ Name of Offeror: \_\_\_\_\_

I, \_\_\_\_\_ hereby certify under penalty of perjury as follows:

(1) That I am \_\_\_\_\_ [*please select one: the offeror, a partner of the offeror, an officer of the offeror*] making the bid or proposal in the foregoing identified procurement;

(2) That I have read and understand the provisions of 5 GCA § 5801 and § 5802 below and that I will ensure that I and my subcontractors will comply with said provisions which read as follows:

#### **§ 5801. Wage Determination Established.**

In such cases where the government of Guam enters into contractual arrangements with a sole proprietorship, a partnership or a corporation ("Contractor") for the provision of a service to the government of Guam, and in such cases where the Contractor employs a person(s) whose purpose, in whole or in part, is the direct delivery of service contracted by the government of Guam, then the Contractor shall pay such employee(s) in accordance with the Wage Determination for Guam and the Northern Mariana Islands issued and promulgated by the U.S. Department of Labor for such labor as is employed in the direct delivery of contract deliverables to the government of Guam.

The Wage Determination most recently issued by the U.S. Department of Labor at the time a contract is awarded to a Contractor by the government of Guam shall be used to determine wages, which shall be paid to employees pursuant to this Article. Should any contract contain a renewal clause, then at the time of renewal adjustments, there shall be made stipulations contained in that contract for applying the Wage Determination, as required by this Article, so that the Wage Determination promulgated by the U.S. Department of Labor on a date most recent to the renewal date shall apply.

#### **§ 5802. Benefits**

In addition to the Wage Determination detailed in this Article, any contract to which this Article applies shall also contain provisions mandating health and similar benefits for employees covered by this Article, such benefits having a minimum value as detailed in the Wage Determination issued and promulgated by the U.S. Department of Labor, and shall contain provisions guaranteeing a minimum of ten (10) paid holidays per annum per employee.

(3) That the offeror and its subcontractors are now, or will be prior to beginning performance and throughout the contract term, in full compliance with 5 GCA § 5801 and § 5802.

(4) That I have attached the most recent wage and benefit determinations applicable to Guam issued by the U.S. Department of Labor and that I will ensure all of my employees and the employees of my subcontractors will be provided a minimum of ten (10) paid holidays per annum.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## NON-GRATUITY or KICKBACKS AFFIDAVIT

Guam                    )  
                              )ss:  
Tamuning                )

I, \_\_\_\_\_ first being duly sworn, depose and say:  
(Name of Declarant)

1. That I am the \_\_\_\_\_ of \_\_\_\_\_.  
(Title) (Name of Company or Person Bidding/Offeror)
2. To the best of my knowledge, neither I, nor any of Offeror's officers, representatives, agents, subcontractors or employees have violated or are violating the prohibition against gratuities and kickbacks set forth in 2 GAR Division 4 § 11107. Further, I promise, on behalf of Offeror, not to violate the prohibition against gratuities and kickbacks as set forth in 2 GAR Division 4 § 11107.
3. To the best of my knowledge, neither I, nor any of Offeror's officers, representatives, agents, subcontractors or employees have offered, given or agreed to give, any GWA employee and/or former GWA employee any payment, gift, kickback, gratuity or offer of employment in connection with Offeror's proposal.
4. I make these statements on behalf of myself as a representative of Offeror, and on behalf of the Offeror's officers, representatives, agents, subcontractors, and employees.

So sayeth \_\_\_\_\_  
(Declarant)

Signed on this \_\_\_\_ day of \_\_\_\_\_ 2021, before me a Notary Public in and for Guam, personally appeared \_\_\_\_\_, known to me to be the authorized representative of \_\_\_\_\_, whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed on behalf of \_\_\_\_\_, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date last above written.

) Seal (

Notary Public



### ETHICAL STANDARD AFFIDAVIT

Guam                    )  
                              )ss:  
Tamuning             )

I, \_\_\_\_\_ first being duly sworn, depose and say:  
(Name of Declarant)

1. That I am the \_\_\_\_\_ of \_\_\_\_\_.  
(Title) (Name of Company or Person Bidding/Offeror)

2. To the best of my knowledge, neither I nor any officers, representatives, agents, subcontractors or employees of Offeror have knowingly influenced any GWA employee to breach any of the ethical standards set forth in 5 GCA Chapter 5, Article 11. Further, I promise that neither I, nor any officer, representative, agent, subcontractor, or employee of Offeror will knowingly influence any GWA employee to breach any ethical standards set forth in 5 GCA Chapter 5, Article 11.

3. All statements in this affidavit and in the bid are true to the best of the knowledge of the undersigned. This statement is made pursuant to 2 GAR Division 4 § 3126.

4. I make these statements on behalf of myself as a representative of Offeror, and on behalf of the Offeror's officers, representatives, agents, subcontractors, and employees.

So sayeth \_\_\_\_\_  
(Declarant)

Signed on this \_\_\_\_ day of \_\_\_\_\_ 2021, before me a Notary Public in and for Guam, personally appeared \_\_\_\_\_, known to me to be the authorized representative of \_\_\_\_\_, whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed on behalf of \_\_\_\_\_, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date last above written.

) Seal (

Notary Public

**CONTINGENT FEE AFFIDAVIT**

GUAM/State of \_\_\_\_\_)

)ss:

Municipality/City of \_\_\_\_\_)

I, the undersigned, \_\_\_\_\_[name] being first duly sworn, deposes and says:

1. I am the \_\_\_\_\_[title] of \_\_\_\_\_ [name of Offeror] ("offeror").

2. As part of offeror's bid or proposal, to the best of my acknowledge, the offeror has not retained any person or agency on a parentage, commission, or other contingent arrangement to secure this contract.

3. As part of offeror's bid or proposal, to the best of my acknowledge, the offeror has not retained A person to solicit or secure a contract with the government of Guam upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

4. All statements in this affidavit and in the proposal are true to the best of my acknowledge of the undersigned.

5. These statements are made pursuant to 2 GAR Division 4 § 11108(h).

6. I make these statements on behalf of myself as a representative of offeror, and on behalf of the Offeror's office, representatives, agents, subcontractors, and employees.

Further, affidavit sayeth naught.

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Subscribe and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public in and for Guam  
My commission expires





CONSOLIDATED COMMISSION ON UTILITIES  
Guam Power Authority | Guam Waterworks Authority  
P.O. Box 2977 Hagatna, Guam 96932 | (671)649-3002 | guamccu.org

## **GUAM WATERWORKS AUTHORITY (GWA)** **Drug and Alcohol-Free Workplace Policy**

### **I. Statement of Policy**

It is the policy of the GWA to provide a safe, healthy and secure work environment for all employees and to ensure that all employees perform their job duties in a responsible, efficient and productive manner.

GWA employees are responsible to ensure that its equipment and facilities are maintained and utilized appropriately so as not to pose a risk of harm to customers or the community. The use of drugs and the misuse of alcohol are inconsistent with delivering services, protecting water resources and GWA assets in a safe, productive and reliable manner. Furthermore, employees who illegally use drugs or abuse alcohol may be a danger to themselves, other people and the environment as well as cause various work-related problems including tardiness, absenteeism, substandard job performance, disruptive behavior, delays in completing tasks and poor service. Accordingly, to protect the health, safety and welfare of employees, citizens, visitors and persons who interact with GWA employees during the course and scope of their employment, GWA has adopted this Drug and Alcohol-Free Workplace Policy. GWA will not tolerate illegal use of drugs or abuse of alcohol by enforcing a policy of zero-tolerance.

### **II. Prohibited Conduct**

The following violations of the Drug and Alcohol-Free Workplace Policy constitute gross misconduct and shall result in immediate termination:

1. Unauthorized use, possession, sale, or solicitation for purchase/sale of drugs. Drug paraphernalia or alcohol on GWA property, in GWA vehicles or while the employee is on duty.
2. Reporting to work or engaging in any work activity whatsoever on behalf of the GWA in a condition which could pose a threat of harm to the employee or any other person, or reporting to or engaging in any work on behalf of the GWA in a condition which could impair the ability to satisfactorily perform any essential function of the job, due to the use of drugs or misuse of alcohol. Should any detectable amount of drugs, or alcohol in a concentration of 0.04 breath alcohol content (BAC) or greater be established, the employee is in violation of the GWA Drug and Alcohol-Free Workplace Policy. No employee shall perform their job functions within four hours after using alcohol.
3. Abusing or misusing prescription drugs or over-the-counter medication when such conduct could reasonably interfere with the safe or satisfactory performance of any

## **GWA Drug and Alcohol-Free Workplace Policy**

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essential job function. This includes, but is not limited to, the use, possession, sale or solicitation for the purpose of purchase or sale any prescription medication for which the employee lacks a valid prescription. Use of prescriptions prohibited in the policy such as medical marijuana are a violation of Section III(1)(a).

4. Hindering, obstructing or refusing to cooperate or participate in any investigation involving suspected violations of this policy. This includes, but is not limited to, providing false, misleading or incomplete information in response to any inquiry from a supervisor related to a suspected violation of this policy. It also includes refusing to undergo a drug or alcohol test(s).
  - a) Refusal by an applicant to sign a consent form will be considered a refusal to submit to a drug and/or alcohol test as a condition of employment and will be considered the equivalent of receiving a confirmed "positive" result for employment and disqualification purposes. Such applicant will have his/her name removed from the certified list of eligible candidates and the position eligibility listing.
  - b) Refusal by an employee to sign a consent form will be considered a refusal to submit to a drug and/or alcohol test as a condition of employment and will be considered the equivalent of receiving a confirmed "positive" result for employment and subject to immediate termination.
  - c) Hindering, delaying or obstructing a drug or alcohol test(s), including but not limited to, tampering with a sample or interfering in any way with the chain of custody.

### **III. Prohibited Substances**

As used in this policy, "prohibited substances" include but are not limited to, the following:

1. "Drugs" refers to marijuana, cocaine, amphetamines, opiates (including heroin and codeine), phencyclidine, and all other "controlled substances" as defined in Title 9 GCA Chapter 67 Guam Uniform Controlled Substances Act.
  - a) Specimens from applicants and employees will be screened in all cases to identify the following classes of substances:
    - i. Marijuana/Cannabinoids (THC);
    - ii. Cocaine Metabolites;
    - iii. Opiates;
    - iv. Phencyclidine (PCP);
    - v. Amphetamines/Methamphetamine; and
    - vi. Barbiturates
  - b) GWA reserves the right to change, add or delete any combination of "controlled substances" for screening as new forms become available.
2. "Alcohol" includes any beverage or substance containing alcohol manufactured for the primary purpose of personal consumption.

## **GWA Drug and Alcohol-Free Workplace Policy**

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3. "Prescription drugs" means any substance, which is attainable only by lawful prescription from a physician.
4. "Over-the-counter medication" includes any substance which does not require a prescription but has the capacity to affect a person physically, mentally, or emotionally or which could otherwise affect a person's ability to safely perform his/her duties.

### **IV. When Testing is Required**

1. Random Testing: Positions listed on Appendix A as Testing Designated Positions (TDPs) at GWA shall be subject to random testing as follows:
  - a) Tests will be ordered on a random, unannounced basis from the entire population of GWA list of TDP employees.
    - i. A scientifically valid method such as a random number table or a computer-based random number generator will be used to select employees, thereby allowing each employee an equal chance of being tested each quarter.
    - ii. At least 25% of the employees will be selected for drug testing each quarter of the testing year.
    - iii. An employee's name will remain in the potential testing population after being selected so that every employee will have an equal chance of being tested each time selections are made. Therefore, it is possible that any employee, who is randomly selected for testing, may be randomly selected again every quarter.
    - iv. Every employee selected for random testing must be tested unless that employee is excused by the General Manager for reasons such as long-term leave, disability or termination of employment.
    - v. Any employee who has not had an equal chance of being tested each time a selection was made will be tested on or before September 30 of any year.
  - b) GWA reserves the right to increase or decrease the frequency of testing based on the needs of each utility, availability of resources, and experience in the program, consistent with the duty to achieve a drug free workplace.
  - c) GWA reserves the right to add or delete positions it deems as health, safety and security sensitive in nature to its TDP list, with supporting opinion by its Legal Counsel in accordance with the Substance Abuse and Mental Health Services Administration's (SAMHSA) Guidance for Selection of Testing Designated Positions.



## GWA Drug and Alcohol-Free Workplace Policy

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2. All competitive and non-competitive recruitments within GWA will be tested after a conditional offer of employment has been extended. Drug testing will be required for but, not limited to the following:

- a) **Pre-Employment:**

**(Probational/Unclassified/Exempt/Provisional/Temporary):** Applicants selected for positions within GWA must report for pre-employment drug testing within three business days of receiving a conditional offer of employment. An applicant who refuses a drug test(s) or who tests positive, or fails to comply with this subsection shall not be extended a final offer of employment.

- b) **Promotions, Transfers, Reclassification from non-TDP to TDP:**

Employees within GWA will be tested upon the General Manager's approval for selection/reclassification. An employee who refuses a drug test(s) or who tests positive, shall be subject to immediate termination.

Except for emergency situations, applicants and employees will not be permitted to reschedule drug testing after they are notified that such testing is scheduled.

3. **Return to Duty Testing:** Employees who are absent from work without approval for more than fifteen calendar (15) days shall be tested for drugs and alcohol immediately after returning to work and before performing any job duties.
4. **Reasonable Suspicion:** All employees will be subject to testing when there is reasonable suspicion that the employee has used drugs or misused alcohol in violation of this policy. Grounds for reasonable suspicion testing shall include, but not be limited to personal observation of the employee's job performance, appearance, behavior, speech or odor which causes reasonable suspicion that the employee:
  - a) is impaired by drugs or alcohol,
  - b) has used drugs or alcohol while on duty,
  - c) or poses a threat to personal safety or others due to the use of drugs or misuse of alcohol in violation of this policy.
5. When specific and objective facts indicate that drug or alcohol use by an employee may have caused or been a contributing factor to an **on-duty motor vehicle accident**. An alcohol test(s) shall be completed within two (2) hours of the accident and a drug test(s) within twenty-four (24) hours of the accident. The following facts, if present, may independently or collectively, depending upon the circumstances, give rise to reasonable suspicion:
  - a) the appearance, behavior, speech or odor of the employee immediately prior to or after the accident;

## GWA Drug and Alcohol-Free Workplace Policy

- b) the employee left the scene or attempted to leave the accident scene without legal authority or permission to do so;
  - c) the employee acted contrary to a safety rule, established safety practice or otherwise engaged in demonstrably unsafe behavior for which there is no reasonable explanation;
  - d) the employee was arrested or received a traffic citation;
  - e) the employee or any person received medical attention as a result of the accident;
  - f) the employee has been involved, as a contributing factor, in a pattern of repetitive on-duty motor vehicle accidents whether they involved actual or potential injury.
6. When specific and objective facts indicate that drug or alcohol use by an employee may have caused or been a contributing factor to an **on the job accident**. An alcohol test(s) shall be completed within two (2) hours of the accident and a drug test(s) within forty-eight (48) hours of the accident. The following facts, if present, may independently or collectively, depending on the circumstances, give rise to reasonable suspicion:
- a) The appearance, behavior, speech or odor of the employee immediately prior to or after the accident;
  - b) The employee left the accident scene or attempted to leave the accident scene without legal authority or authorization to do so, or failed to report the accident to the appropriate individual or otherwise attempted to keep appropriate persons from learning about the accident or the extent of the accident;
  - c) The employee acted contrary to a safety rule, established safety practices or otherwise engaged in demonstrably unsafe behavior without a reasonable explanation.
  - d) The employee or any other person received medical attention because of the accident;
  - e) The employee has been involved as a contributing factor in a pattern of on-duty accidents whether or not they involved actual or potential injury.
7. Drugs, drug paraphernalia, alcohol or containers indicating the presence of drugs or alcohol are observed or discovered in a location in which the employee had primary control or access, including but not limited to, desks, lockers, equipment, machines or vehicles. The employee must have accessed the location within eight (8) hours prior to the discovery of such items.

## **GWA Drug and Alcohol-Free Workplace Policy**

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8. **Consent:** By acknowledging receipt of this Policy in writing, the employee is providing his or her consent to any and all testing required to comply with the Policy.

### **V. Who May Request a Reasonable Suspicion Drug or Alcohol Test(s)**

1. Any supervisor who has received training in the signs and symptoms of drug and alcohol use and impairment may request an employee to undergo a reasonable suspicion test(s) for drugs or alcohol based upon:
  - a) the personal observation of the employee by the trained individual, or
  - b) personal observation of the employee by another employee who has fully disclosed the observations to the trained individual, or
  - c) observation of the employee by a nurse or physician engaged in the treatment or evaluation of a work-related injury who has disclosed such observation to the trained individual.
2. Any untrained supervisor may request a reasonable suspicion test(s) for drugs or alcohol based upon his personal observation of the employee, under the following circumstances:
  - a) The employee has been independently observed by a trained supervisor;  
or
  - b) A trained supervisor has reviewed the underlying facts and agrees that reasonable suspicion exists to require a test.
  - c) Any supervisor, personnel of managerial capacity, or personnel of the Safety and Human Resources Divisions trained in detecting drug and alcohol impairment, may request a reasonable suspicion drug or alcohol test(s) following a work-related accident based upon personal observation of the employee or upon review of the specific and objective facts underlying the accident.

### **VI. Testing Procedures**

1. Whenever there is reasonable suspicion to require a drug or alcohol test(s) under this policy, the General Manager, department/division heads or designees and Human Resources shall be notified of the circumstances necessitating the test(s) as soon as possible.
2. All circumstances causing reasonable suspicion to require a drug or alcohol test(s) shall be fully documented by the supervisor(s) and/or managerial personnel and all appropriate witnesses as soon as possible.
3. All GWA-issued equipment, property and facilities, including but not limited to, desks, lockers, and vehicles (collectively "materials") are subject to inspection at



## **GWA Drug and Alcohol-Free Workplace Policy**

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any time and for any reason. No employee shall have any privacy interest whatsoever in any GWA issued materials. No personal property may be searched unless the owner of the property has consented or a search is otherwise legally permissible.

4. Alcohol screening will be conducted using a federally approved evidential breath-testing device. An initial screening test of one (1) breath sample will be conducted first, and if an initial test detects any level of alcohol, a second confirmation test of one (1) additional breath sample will be completed.
5. Testing will be performed by a certified, licensed forensic laboratory. Drug test methods, collection, security and chain of custody procedures will conform to federal regulations. The drug test will include marijuana, cocaine, amphetamines, methamphetamines, opiates (including heroin and codeine), and phencyclidine (PCP) and barbiturates. Other "controlled substances" may be added as new forms become available. All specimens identified as positive for illegal drugs on the initial screening will be confirmed using the gas chromatography/mass spectrometry technique.
6. All positive test results for drugs will be interpreted by a physician approved by GWA as a medical review officer (MRO) before the results are reported to the GWA. Prior to notifying GWA, the MRO will make reasonable efforts to contact the employee for the purpose of allowing the employee to offer an alternative medical explanation for the positive test result. If the MRO is able to contact the employee and determines there is a legitimate medical explanation for the positive test, the result will be communicated as negative to GWA. The MRO's inability to contact the employee before providing test results to the GWA will not void the test result or make the test result unusable in any subsequent disciplinary action. Because the employee is present for interpretation of an alcohol test, the procedure concerning prior notification by the MRO is not applicable.
7. Upon notification by the MRO of a verified positive result for drugs, the employee may request that the remaining portion of his split specimen undergo a second confirmation test at his expense. The results of the second confirmation test, upon review by the MRO, will be determinative. If the results from the second confirmation test is negative, all prior positive tests will be disregarded and shall not be the basis for any disciplinary or adverse action.
8. The GWA will make reasonable efforts to notify the employee of a positive drug test within five (5) days from the date it receives the test results. Because the results of a breath alcohol test are immediately available, this provision will not apply to alcohol tests conducted in such a manner.
9. Any employee ordered to be tested, based upon reasonable suspicion, shall be immediately removed from duty, escorted to the testing facility and taken home (unless other suitable arrangements have been made to transport the employee including calling a cab). The employee shall turn in keys to a GWA vehicle, building or office, their identification badge or any other property belonging to the



## **GWA Drug and Alcohol-Free Workplace Policy**

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GWA. The employee shall be placed on paid administrative leave pending the results of the test.

10. An employee who tests positive for drugs or alcohol shall immediately be relieved from duty, required to turn in keys to a GWA vehicle, building or office, identification badge or any other property that belongs to the GWA, placed on paid administrative leave, and sent home pending disciplinary action, if appropriate. A supervisor may take an employee home. If a supervisor is not comfortable taking an employee home, however, a cab may be called to come and take the employee home at the employee's expense.
11. In situations in which the employee has been ordered to be tested or tests positive and the employee refuses assistance in leaving the building and walks out or insists on leaving in his/her own vehicle, document the situation and, depending upon the circumstances, call Guam Police Department's non-emergency phone number. Give the police the employee's name, vehicle description, and license plate number. However, if the employee is extremely agitated, violent or is making threats of violence, leaves the premises in a GWA vehicle, or you believe the employee has violated the law, call the Guam Police Department at 9-1-1.
12. A refusal to consent to a drug or alcohol test is a violation of the Policy and will be considered the equivalent of receiving a confirmed "positive" result for employment and subject to immediate termination.
13. If it is not reasonable under the circumstances to conduct an alcohol test, based on a breath test, GWA reserves the right to test for the presence of alcohol by a blood test analysis. If this procedure is used, the GWA will attempt to notify the employee of the results within five (5) days after the results are received. An MRO will not be used when a blood test for alcohol is conducted.

### **VII. Training**

1. All Department Heads, Managers and Supervisors and Leads are required to participate in GWA Drug and Alcohol-Free Workplace Policy training every two (2) years. All new employees and any employee who is hired or promoted into a supervisory position must receive training on this policy within sixty (60) days of hire or promotion. The training shall include the following topics:
  - a) The requirements of the Drug-Free Workplace Policy, including supervisor responsibilities.
  - b) Behavioral indicators of drug and alcohol use in the workplace.
  - c) The prevalence of alcohol and drug abuse and its impact on the workplace.
2. Proper procedures including documentation for applying the Drug and Alcohol-Free Workplace Policy. All employees are required to participate in GWA Drug

## **GWA Drug and Alcohol-Free Workplace Policy**

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and Alcohol-Free Workplace Policy training. The training shall be required every two years and include the following topics:

- a) The requirements of the Drug-Free Workplace Policy and Zero-tolerance.
- b) The prevalence of alcohol and drug abuse and its impact on the workplace.
- c) Behavioral indicators of drug and alcohol use in the workplace.
- d) The progression of the disease of addiction.
- e) What types of assistance are available in the community.

### **VIII. Employee Assistance Program**

Prior to September 30, 2019, any employee who self-refers to a GWA Employee Assistance Program (EAP) or a similarly available treatment program will not be subject to disciplinary action. Failure to comply with all requirements of a treatment program will result in termination. Employees that do not self-refer for assistance with a drug or alcohol abuse problem who are found in violation of Section II of this policy will be subject to immediate termination.

Beginning on October 1, 2019, employee entry into the EAP upon voluntary identification by himself or herself as a user of drugs or abuser of alcohol will not be protected from disciplinary action if found in violation of Section II of this policy.

### **IX. Arrests for Drug and Alcohol Related Offenses**

Any employee who is arrested for a drug or alcohol related offense must notify the General Manager of the arrest immediately. GWA will decide at that time whether the arrest causes a temporary or permanent disqualification from holding that position, or constitutes grounds for disciplinary action. All convictions for alcohol or drug related offenses must be reported immediately by an employee to the General Manager. GWA reserves the right to take appropriate action based upon such conviction.

All employees who are required to operate a GWA vehicle as a regular part of their job must report any drug or alcohol arrest, temporary or permanent suspension of driving privileges, and any drug/alcohol related conviction to the General Manager immediately. GWA reserves the right to take appropriate action, including relieving the employee from duty, transferring the employee to a non-driving position, or instituting disciplinary action up to and including termination.

### **X. Alcohol at GWA Sponsored Events**

At GWA sponsored social events where alcohol is present, legal age employees may consume moderate and responsible amounts of alcohol. Any employee misconduct as a result of the consumption of alcohol is subject to disciplinary action. All employees are

## **GWA Drug and Alcohol-Free Workplace Policy**

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responsible for behaving in a professional and courteous manner consistent with GWA code of conduct standards regardless of any consumption of alcohol.

### **XI. Confidentiality**

All reports of test results for drug and alcohol, searches, or any employee referral, or participation in an EAP program or treatment program for addictive disorders, will be maintained in strict confidence. Any person authorized to have access to such confidential information, who, without authorization, discloses it to another person shall have engaged in gross misconduct and be subject to severe disciplinary action up to and including dismissal. The confidentiality of such information shall not apply to any use by or communication to the GWA General Counsel, or where the information is relevant to the GWA's defense in an administrative or civil action. Such information may also be disclosed to the extent required by any federal, state or local law, statute, ordinance or regulation.

### **XII. Effective Date**

This policy will go into effect 01 October 2019, consistent with the CCU's adoption by resolution and will apply to all employees of GWA regardless of status or classification. The policy will be strictly enforced.



## GWA Drug and Alcohol-Free Workplace Policy

### APPENDIX A GWA Test Designated Position List

<i>Existing TDP Listing</i>	<i>Approved Additional TDP Listing</i>
<b>ENGINEERING</b>	<b>LABORATORY &amp; COMPLIANCE</b>
Chief Engineer	Biologist I
Engineer I	Biologist II
Engineer II	Biologist III
Engineer III	Chemist I
Engineering Supervisor	Chemist II
Engineering Technician I	Chemist III
Engineering Technician II	Laboratory Technician I
Construction Inspector I	Laboratory Technician II
Construction Inspector II	Laboratory Technician Supervisor
Construction Inspector III	Utility Laboratory Technician I
	Utility Laboratory Technician II
<b>FACILITIES, MAINTENANCE, &amp; EQUIPMENT</b>	Utility Laboratory Technician Leader
Equipment Maintenance Superintendent	Utility Laboratory Technician Supervisor
Equipment Operator I	Monitoring Laboratory Services Administrator
Equipment Operator II	Cross Connection Control Manager
Equipment Operator III	Source Control Manager
Equipment Operator IV	Utility Compliance Inspector I
Equipment Operator Leader I	Utility Compliance Inspector II
Equipment Operator Leader II	Utility Compliance Inspector Leader
Equipment Operator Supervisor	
Heavy Equipment Mechanic I	<b>INFORMATION TECHNOLOGY</b>
Heavy Equipment Mechanic II	Computer Operator I
Heavy Equipment Mechanic Leader	Computer Operator II
Heavy Equipment Mechanic Supervisor	Computer Operator III
<b>COMPLIANCE &amp; SAFETY</b>	Information Security Administrator
Safety Inspector I	Information Technology Manager
Safety Inspector II	Network Systems Administrator
Safety Inspector III	Network Analyst
Safety Inspector Supervisor	Programmer Analyst I
	Programmer Analyst II
<b>OPERATIONS &amp; MAINTENANCE</b>	Systems & Programming Administrator
Pumping Station Leader	<b>OPERATIONS &amp; MAINTENANCE</b>
Pumping Station Operator I	Operations & Maintenance Manager
Pumping Station Operator II	<b>Leak Detection</b>
Pumping Station Supervisor	Leak Detection Technician I
Sewer Plant Leader	Leak Detection Technician II
Sewer Plant Operator I	Leak Detection Technician Leader
Sewer Plant Operator II	Leak Detection Technician Supervisor
Sewer Plant Supervisor	<b>Electricians/Instrument Technicians</b>
Wastewater Construction-Maintenance Superintendent	Electrician I
Wastewater Maintenance Mechanic I	Electrician II
Wastewater Maintenance Mechanic II	Electrician Leader
Wastewater Maintenance Mechanic Leader	Electrician Supervisor
Wastewater Maintenance Mechanic Supervisor	Plant Instrument Technician I
Wastewater Plant Superintendent	Plant Instrument Technician II
Wastewater Systems Assistant Manager	Plant Instrument Technician Leader
Wastewater Systems Manager	Plant Electrical Instrument Superintendent
Water Distribution Systems Assistant Manager	<b>Maintenance &amp; Related</b>
Water Distribution Systems Manager	Water Meter Maintenance & Repair Worker I
Water Plant Operator I	Water Meter Maintenance & Repair Worker II
Water Plant Operator II	Water Meter Maintenance & Repair Supervisor
Water Plant Operator Leader	Water Meter Reader I
Water Plant Operator Supervisor	Water Meter Reader II
Water Treatment Plant Superintendent	Water Meter Reader Leader
Water-Sewer Maintenance Supervisor	Water Meter Reader Supervisor
Water-Sewer Maintenance Worker I	Centralized Wastewater Maintenance Superintendent
Water-Sewer Maintenance Worker II	Wastewater Collection Superintendent
Water-Sewer Maintenance Worker Leader	<b>Systems Control Center</b>
<b>MANAGEMENT</b>	Water & Wastewater Systems Control Dispatcher I
General Manager	Water & Wastewater Systems Control Dispatcher II
	Trouble Dispatcher
<b>Approved Additional TDP Listing</b>	Trouble Dispatcher Supervisor
Assistant General Manager of Compliance & Safety	<b>Trades</b>
Assistant General Manager of Operations	Utility Trades Helper
Assistant General Manager of Administration & Support	

## DRUG AND ALCOHOL-FREE WORKPLACE POLICY GENERAL NOTICE

**To:** All Employees  
**From:** Miguel C. Bordallo, P.E., General Manager  
**Cc:** Program Managers  
**Subject:** General Notice  
Implementation of the GWA Drug and Alcohol-Free Workplace Policy  
**Date:** 26 August 2019

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In accordance with the Consolidated Commission on Utilities (CCU) Resolution No. 27-FY2019, the Guam Waterworks Authority (GWA) has revised its Drug and Alcohol-Free Workplace Policy (DAFWP). It is the policy of the GWA to provide a safe, healthy and secure work environment. All employees are responsible to ensure they perform their job duties in a responsible, efficient and productive manner. All employees are responsible to ensure that its equipment and facilities are maintained and utilized appropriately so as not to pose a risk of harm to customers or the community.

As a condition of employment, employees must refrain from the use of illicit/illegal drugs or misuse of alcohol while on or off duty. An illicit drug is one that is illegal, unlawful or prohibited. The use of illicit/illegal drugs and misuse of alcohol are not consistent with delivering services, protecting the water resources and GWA assets in a safe, productive and reliable manner. Through its adoption of this DFWAP, GWA will not tolerate the illegal use of drugs or abuse of alcohol by enforcing a policy of zero-tolerance.

***Prior to or by 30 September 2019***, an employee may self-refer to an Employee Assistance Program (EAP) or a similarly available treatment program. Upon voluntarily identifying himself or herself as a user of illegal drug use and/or alcohol abuse, the employee will not be subject to disciplinary action. However, failure to comply with all requirements of a treatment program enrolled in, will result in termination.

***Beginning on October 1, 2019***, an employee who did not self-refer to an EAP and who is found in violation of Section II of the DAFWP will be subject to immediate termination.

All employees subjected to drug testing, shall be allowed to provide urine specimens in a private restroom facility by the contracting laboratory personnel. All employees subjected to undergo breathalyzer alcohol testing by the contracting laboratory personnel. Prohibited substances include, but not limited to the following:

- Marijuana/Cannabinoids (THC);
- Cocaine Metabolites;
- Opiates;
- Phencyclidine (PCP);
- Amphetamines/Methamphetamines; and
- Barbiturates; or
- Alcohol Concentration of 0.04 breath alcohol content (BAC) or greater

GWA reserves the right to change, add or delete any combination of “controlled substances” for screening as new forms become available. You are also advised that CBD in its various forms may result in a positive test result. Claimed use of CBD will not be accepted as a defense to negate a positive drug test.

The types of testing authorized by this policy includes:

- **Random Drug Testing:**  
Incumbents who hold positions identified on Appendix A of the policy, occupying safety sensitive positions known as Testing Designated Positions (TDPs)
- **Pre-Employment Testing:**  
Applicants conditionally offered initial employment with the GWA. Employees who hold non-TDP positions and are conditionally offered positions known as TPD.
- **Return to Duty Testing:**  
Employees who are absent from work without approval for more than fifteen (15) calendar days.
- **Reasonable Suspicion Testing:**  
Employees will be subject to testing when there is reasonable suspicion that the employee has used drug or misused alcohol in violation of this policy.
- **On-Duty Motor Vehicle Accident:**  
When specific and objective facts presented of an employee who may have caused or been a contributing factor to an on-duty motor vehicle accident and authorized for testing by the General Manager. A drug test shall be completed within twenty-four (24) hours of the accident and an alcohol test shall be completed within two (2) hours of the accident.
- **On the Job Accident:**  
When specific and objective facts presented of an employee who may have caused or been a contributing factor to an on the job accident authorized for testing by the General Manager. A drug test shall be completed within twenty-four (24) hours of the accident and an alcohol test shall be completed within two (2) hours of the accident.



- **Presence of drugs or alcohol**

When drugs and/or alcohol is observed or discovered in a location which the employee had primary control or access, including but not limited to desks, lockers, equipment, machines or vehicles.

All employees will be provided a copy of the approved and adopted GWA DAFWP at forthcoming mandatory scheduled training. The policy can also be found on the GWA website on the Human Resources webpage for complete details. You will also be required to acknowledge and sign off on all pertinent DAFWP documents relative to your position, status of employment at the end of the training session.

Should you have any questions or require further guidance, please feel free to contact Zina Pangelinan-Charfauros, Personnel Services Administrator at 300.6073 or email at [zinac@guamwaterworks.org](mailto:zinac@guamwaterworks.org)

***Employee Acknowledgement:***

I, \_\_\_\_\_, acknowledge the GWA Drug and Alcohol-Free Policy. I understand that I am required to undergo training to understand the importance of the awareness and enforcement in adhering to the policy. Non-compliance of this policy will result in disciplinary action. I understand that any further inquiries and/or questions can be directed to the Personnel Services Administrator or designee.

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**PRINT EMPLOYEE NAME & BADGE #**

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**EMPLOYEE SIGNATURE**

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**DATE**

**EMPLOYEE INDIVIDUAL NOTICE  
TESTING DESIGNATED POSITION (TDP)**

**To:** All Employees  
**From:** General Manager  
**Subject:** Individual Notice - Testing Designated Position (TDP)  
**Date:** 26 August 2019

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Pursuant to the Consolidated Commission on Utilities (CCU) Resolution No. 27-FY2019, approved the implementation of GWA's (Revised) Drug and Alcohol-Free Workplace Policy effective 01 October 2019. The policy includes random drug testing and it has been determined that your position meets the criteria identified as a testing designated position (TDP). Therefore, you may be subjected to random drug testing through a scientifically valid computer generated method by a certified laboratory.

Selection for random drug testing will be based on the entire population of GWA list of employees holding TDP positions, with an equal chance at being tested each quarter. Every employee selected for random testing must be tested unless that employee is excused by the General Manager for reasons such as long-term leave, disability or termination of employment.

In the event a urine specimen tests positive, the employee will be given an opportunity to provide a legitimate medical explanation. If the medical review officer (MRO) determines and certifies that the employee's explanation for use of over-the-counter or prescription drugs is of reasonable cause, the test result will be communicated to Guam Waterworks Authority as negative. Any employee who tests positive shall immediately be relieved from duty, surrender any property of the Authority, placed on paid administrative leave, and sent home pending disciplinary action.

Refusal to participate in a drug test or failure to report for testing will be considered the equivalent of receiving a confirmed positive test result. This refusal is a conclusive violation of the Guam Waterworks Authority's Drug and Alcohol-Free Workplace Policy and will subject the employee to immediate termination.

By acknowledging receipt of this notice, the employee provides consent to any and all testing required to comply with section IV (I), Random Testing of the GWA Drug and Alcohol-Free Workplace Policy.

**EMPLOYEE INFORMATION:**

I acknowledge receipt of this notice, read and understood its contents. I voluntarily and willingly admit to participate without pressure, intimidation or harassment, on the part or management in signing this agreement. I understand that failure to adhere to the terms of this notice will be subject to immediate termination.

**Employee's Name & Badge #:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_ **Social Security # (last 4): XXX-XX-** \_\_\_\_\_

**Position Title:** \_\_\_\_\_

**Division:** \_\_\_\_\_ **Section:** \_\_\_\_\_

**Employee Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**HUMAN RESOURCES:**

\_\_\_\_\_  
DAFWP Representative (Print Name)

\_\_\_\_\_  
Signature and Date

Zina Pangelinan-Charfauros  
Personnel Services Administrator

\_\_\_\_\_  
Signature and Date



**DRUG AND ALCOHOL-FREE WORKPLACE POLICY  
REASONABLE SUSPICION/CAUSE FOR DRUG TESTING**

Date/Time of Incident: \_\_\_\_\_

**A. Employee Information:**

Employee Name & Badge No.: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ SSN No. (last 4): XXX-XX- \_\_\_\_\_

Position Title: \_\_\_\_\_ Division/Section: \_\_\_\_\_

Observing Supervisor/Position Title: \_\_\_\_\_

Division Manager: \_\_\_\_\_

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***Instructions: This form is to be completed whenever reasonable suspicion/cause occurs. The immediate supervisor shall note any/all pertinent behaviors and physical signs/symptoms that led the supervisor to reasonably believe the employee has recently used or is under the influence of alcohol and/or prohibited drug substances. The supervisor shall complete each applicable section of this form and attach any/all pertinent documents as required. This form and supporting documents must be submitted to the Personnel Administrator or designee and Legal Counsel for review and prior to obtaining final approval by the General Manager.***

**B. Reasonable Suspicion/Cause Questions:**

Question	Yes	No
1. Does the employee have a history of documented performance related concerns? If yes, attach documentation.		
2. Has there been any discussion(s) with the employee regarding reasonable suspicion/cause for drug testing? If yes, attach documentation.		
3. Has the employee been referred for special medical examination? If yes, include date.		
4. Has the employee notified the department that he/she has been arrested, charges, indicted or convicted for a drug-related offense? If yes, attach a copy of the notification of arrest, criminal charges or newspaper clipping(s).		
5. Was this reasonable suspicion/cause as a result of a search of the employee's locker, desk and/or area of assignment?		
6. Was there a positive reaction from a narcotic detection canine to the employee's property?		

**C. Reasonable Suspicion/Cause Observations:**

- ☐ Observed/reported possession or use of a controlled substance.
- ☐ Observed/reported possession or consumption of alcohol while on the job.
- ☐ Observed/reporting to work under the influence of alcohol as outlined in the Drug and Alcohol-Free Workplace Policy.
- ☐ Observed abnormal or erratic behavior.
- ☐ Arrested, charged, indicted or convicted for a drug and/or alcohol related offense.
- ☐ A positive reaction from a narcotic detection canine to an employee's property
- ☐ \* Other (e.g., direct violation of safety regulations, serious fighting or argumentative/abusive language, refusal of supervisor instructions, unauthorized absence on the job, detailed explanation required)

\*Detailed explanation of other behavior(s) (attach additional sheets as necessary):

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**D. Abnormal Behaviors:**

- ☐ Verbal abusiveness                      ☐ Physical abusiveness      ☐ Extreme aggressiveness or agitation
- ☐ Withdrawal, Depression, Mood Changes or Unresponsiveness
- ☐ Inappropriate verbal response to questioning or instructions
- ☐ \* Other erratic or inappropriate behavior (hallucinations, confusion, etc.)

\*Detailed explanation of other behavior(s) (attach additional sheets as necessary):

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**E. Physical Signs or Symptoms:**

- |  |   |
|--|---|
| <input type="checkbox"/> Possessing, dispensing or using controlled substances | <input type="checkbox"/> Odor of alcohol                  |
| <input type="checkbox"/> Slurred or incoherent speech                          | <input type="checkbox"/> Odor of marijuana                |
| <input type="checkbox"/> Dry mouth (frequent swallowing/lip wiping)            | <input type="checkbox"/> Dizziness or fainting            |
| <input type="checkbox"/> Dilated or constricted pupils or unusual eye movement | <input type="checkbox"/> Bloodshot or watery eyes         |
| <input type="checkbox"/> Shaking hands or body tremors/twitching               | <input type="checkbox"/> Irregular or difficult breathing |
| <input type="checkbox"/> Extreme sweating or clamminess to the skin            | <input type="checkbox"/> Flushed or very pale face        |
| <input type="checkbox"/> Runny nose and/or sores around nostrils               | <input type="checkbox"/> highly excited or nervous        |
| <input type="checkbox"/> Nausea o vomiting                                     | <input type="checkbox"/> Puncture marks or "tacks"        |

\*Detailed explanation of other behavior(s) (attach additional sheets as necessary):

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**F. Written Summary:**

Summarize the facts and circumstances of the incident, employee, supervisor actions and any other pertinent information not previously noted on this form. Attach additional sheets as necessary.

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**G. Employee's Statement (to be completed by Employee):**

Summarize the facts and circumstances of the incident, employee, supervisor actions and any other pertinent information not previously noted on this form. Attach additional sheets as necessary.

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I acknowledge receipt of this form and have read and understood its contents. Failure to sign this form does not indicate that I will not be subjected to drug and/or alcohol testing.

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**Print Employee's Name**

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**Employee's Signature and Date**

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**Print Supervisor's Name**

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**Supervisor's Signature and Date**

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**Print Division Manager's Name**

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**Division Manager's Signature and Date**

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**Print Personnel Administrator's Name**

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**Personnel Administrator's Signature and Date**

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**Print Legal Counsel's Name**

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**Legal Counsel's Signature and Date**

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**Print General Manager's Name**

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**General Manager's Signature and Date**



**DRUG AND ALCOHOL-FREE WORKPLACE POLICY  
ON-DUTY MOTOR VEHICLE/ON-THE JOB ACCIDENT DRUG TESTING**

Date/Time of Incident: \_\_\_\_\_

**A. Employee Information:**

Employee Name & Badge No.: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ SSN No. (last 4): XXX-XX- \_\_\_\_\_

Position Title: \_\_\_\_\_ Division/Section: \_\_\_\_\_

Observing Supervisor/Position Title: \_\_\_\_\_

Division Manager: \_\_\_\_\_

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**Instructions:** This form is to be completed whenever motor vehicle and/or on-the-job accidents occur. The immediate supervisor shall note any/all pertinent behaviors and physical signs/symptoms that led to the accident. The immediate supervisor shall complete each applicable section of this form and attach any/all pertinent documents as required. This form and supporting documents, including an incident report by a GWA Safety Officer, must be submitted to the Personnel Administrator or designee and Legal Counsel for review and prior to obtaining final approval by the General Manager.

**Important Note:** Alcohol testing must be completed within 2 hours of the accident and Drug testing must be completed within twenty-four (24) hours of the accident.

**B. Questions:**

	Yes	No
1. Has the appearance, behavior, speech or odor of the employee the result of the accident? If yes, specify in Section C.		
2. Did the employee attempt to leave the scene the scene without legal authority or permission to do so? If yes, specify in Section C.		
3. Was the accident caused by the employee's act contrary to a safety rule, established safety practice or otherwise engagement of unsafe behavior for which the is no reasonable explanation? If yes, specify in Section C.		
4. Did the accident cause the employee to be arrested or receive a traffic violation? If yes, specify in Section C.		
5. Has the accident resulted in the requirement of hospitalization of the employee or anyone involved? If yes, specify in Section C.		
6. Was there a positive reaction from a narcotic detection canine to the employee's property? If yes, specify in Section C.		

[illegible]

Summarize the facts and circumstances of the incident, employee, supervisor actions and any other pertinent information not previously noted on this form. **Attach GWA Safety Incident Report with details related to the accident.**

[illegible]

Summarize the facts and circumstances of the incident, employee, supervisor actions and any other pertinent information not previously noted on this form. Attach additional sheets as necessary.

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**Print Employee's Name**

**Employee's Signature and Date**

**F. REQUIRED SIGNATURES:**

\_\_\_\_\_  
**Print Supervisor's Name**

\_\_\_\_\_  
**Supervisor's Signature and Date**

\_\_\_\_\_  
**Print Division Manager's Name**

\_\_\_\_\_  
**Division Manager's Signature and Date**

\_\_\_\_\_  
**Print Personnel Administrator's Name**

\_\_\_\_\_  
**Personnel Administrator's Signature and Date**

\_\_\_\_\_  
**Print Legal Counsel's Name**

\_\_\_\_\_  
**Legal Counsel's Signature and Date**

\_\_\_\_\_  
**Print General Manager's Name**

\_\_\_\_\_  
**General Manager's Signature and Date**

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## Notice & Acknowledgement Return to Duty Drug Testing

**To:** \_\_\_\_\_  
Print Employee Name & Badge #

**From:** **Miguel C. Bordallo, P.E., General Manager**

**Via:** \_\_\_\_\_  
Print Supervisor Name & Badge #

**Subject:** **Return to Duty Drug Testing**

**Date:** \_\_\_\_\_

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The Consolidated Commission on Utilities (CCU) Resolution No. 27-FY2019, approved the implementation of GWA's (revised) Drug and Alcohol-Free Workplace Policy (DAFWP), effective 01 October 2019. In accordance with Section IV (3), Return to Duty Drug Testing, requires employees who are absent from work without approval for more than fifteen (15) calendar days to undergo drug testing. GWA Human Resources DAFWP coordinator has been notified by your supervisor of your return to work, without authorization and therefore, must undergo drug testing immediately and not authorized to perform work duties.

In the event a urine specimen tests positive, the employee will be given an opportunity to provide a legitimate medical explanation. If the medical review officer (MRO) determines and certifies that the employee's explanation for use of over-the-counter or prescription drugs is of reasonable cause, the test result will be communicated to Guam Waterworks Authority as negative. Any employee who tests positive shall immediately be relieved from duty, surrender any property of the Authority, placed on paid administrative leave, and sent home pending disciplinary action.

Refusal to participate in a drug test or failure to report for testing will be considered the equivalent of receiving a confirmed positive test result. This refusal is a conclusive violation of the Guam Waterworks Authority's Drug and Alcohol-Free Workplace Policy and will subject the employee to immediate termination.

By acknowledging receipt of this notice, the employee provides consent to any and all testing required to comply with section IV (3), Return to Duty Drug Testing of the GWA Drug and Alcohol-Free Workplace Policy.



**EMPLOYEE INFORMATION:**

I acknowledge receipt of this notice, read and understood its contents. I voluntarily and willingly admit to participate without pressure, intimidation or harassment, on the part of management in signing this agreement. I understand that failure to adhere to the terms of this notice will be subject to immediate termination.

Date of Birth: \_\_\_\_\_ Social Security # (last 4): XXX-XX- \_\_\_\_\_

Position Title: \_\_\_\_\_

Division: \_\_\_\_\_ Section: \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Reporting Supervisor/Manager: \_\_\_\_\_  
Print Name & Badge #

\_\_\_\_\_  
Signature & Date

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**HUMAN RESOURCES:**

\_\_\_\_\_  
DAFWP Representative (Print Name)

\_\_\_\_\_  
Signature and Date

Zina Pangelinan-Charfauros  
Personnel Services Administrator

\_\_\_\_\_  
Signature and Date

<i>For Human Resources Use Only</i>	
Date of scheduled drug test	
Date of Results	
Results (negative/positive)	

**HR Notes (as necessary):**

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## REQUEST ACCESS TO DRUG/ALCOHOL RECORDS

*An applicant or employee of the Guam Waterworks Authority, I request access and copies of any/all records relative to my drug/alcohol test results. I understand that my complete records include chain of custody/screening information, notes from the Medical Review Officer and test results released by the GWA HR Personnel Administrator or Designee. By requesting such records, I hereby release the GWA and its employees from any liabilities regarding the confidentiality of such records.*

Employee Name & Badge No.: \_\_\_\_\_

SSN No. (last 4): XXX-XX-\_\_\_\_\_

Date of Birth: \_\_\_\_\_

Position Title: \_\_\_\_\_ Division/Section: \_\_\_\_\_

Purpose of Request:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Print Employee Name

\_\_\_\_\_  
Employee Signature & Date

<i>For Human Resources Use Only</i>	
Date & Time of Request for Access to Records	
Employee ID (Badge & Photo) verified? (Attach Copies)	
Date & Time of Records Released	

HR Notes (as necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Print Personnel Administrator or Designee Name

\_\_\_\_\_  
Personnel Administrator or Designee Signature & Date