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**Appendix A: Notice of Appeal Form
 PROCUREMENT APPEAL**

PART I- To be completed by OPA

In the Appeal of)
) **NOTICE OF APPEAL**
)
 JRN AIR CONDITIONING &)
 REFRIGERATION, INC.,)
 Appellant)
)
) Docket No. OPA-PA _____
)

PART II- Appellant Information

Name: JRN Air Conditioning & Refrigeration, Inc,
 Mailing Address: PO Box 27070 GMF Barrigada, GU 96913
 Business Address: 1755 Army Dr Barrigada, GU 96913
 Email Address: info@jrngu.com
 Daytime Contact No: (671) 649-8120
 Fax No.: (671) 649-5737

PART III- Appeal Information

- A) Purchasing Agency: Guam Memorial Hospital Authority
- B) Identification/Number of Procurement, Solicitation, or Contract: GMHA IFB 002-2020
- C) Decision being appealed was made on May 22, 2020 by:
 Chief Procurement Officer Director of Public Works Head of Purchasing Agency

Note: You must serve the Agency checked here with a copy of this Appeal within 24 hours of filing.

- D) Appeal is made from:
(Please select one and attach a copy of the Decision to this form)
 Decision on Protest of Method, Solicitation or Award
 Decision on Debarment or Suspension
 Decision on Contract or Breach of Contract Controversy
 (Excluding claims of money owed to or by the government)
 Determination on Award not Stayed Pending Protest or Appeal
 (Agency decision that award pending protest or appeal was necessary to protect the substantial interests of the government of Guam)

E) Names of Competing Bidders, Offerors, or Contractors known to Appellant:

Ammanabat Corporation
PMB 182-535 Pale Ramon Haya
Yigo, GU 96929

J&B Modern Tech
153 Unit B East Harmon Industrial
Park
Tamuning, GU 96913

PART IV- Form and Filing

In addition to this form, the Rules of Procedure for Procurement Appeals require the submission together with this form of additional information, including **BUT NOT LIMITED TO**:

1. A concise, logically arranged, and direct statement of the grounds for appeal;
2. A statement specifying the ruling requested;
3. Supporting exhibits, evidence, or documents to substantiate any claims and the grounds for appeal unless not available within the filing time in which case the expected availability date shall be indicated.

Note: Please refer to 2 GAR § 12104 for the full text of filing requirements.

PART V- Declaration Re Court Action

Pursuant to 5 GCA Chapter 5, unless the court requests, expects, or otherwise expresses interest in a decision by the Public Auditor, the Office of Public Accountability will not take action on any appeal where action concerning the protest or appeal has commenced in any court.

The undersigned party does hereby confirm that to the best of his or her knowledge, no case or action concerning the subject of this Appeal has been commenced in court. All parties are required to and the undersigned party agrees to notify the Office of Public Accountability within 24 hours if court action commences regarding this Appeal or the underlying procurement action.

Submitted this 2nd day of June 2020

By: JRN Air Conditioning & Refrigeration, Inc.
APPELLANT



Julienne Nucum, Esq. (14015)
Appellant's Duly Authorized Representative
210 N 4th St, Ste 200A San Jose, CA 95112
(650) 892-6207 and [fax] (408) 217-6132
julienne.nucum@gmail.com



**Appendix D: Hearing Request/Waiver Form
PROCUREMENT APPEAL**

In the Appeal of)
)
) **HEARING**
) **REQUEST/WAIVER**
)
) **JRN AIR CONDITIONING &**
) **REFRIGERATION, INC.,**
) **Appellant**
)
_____)
)
) **Docket No. OPA-PA_____**

Please select one:

- Pursuant to 2 GAR § 12108(a), the undersigned party does hereby request a hearing on the appeal stated above.
- Pursuant to 2 GAR § 12108(a), the undersigned party does hereby waive his/her right to a hearing and is submitting the appeal stated above on record without a hearing.

Submitted this 2nd day of June 2020.

By: (Please select one)

- APPELLANT
- ___ Chief Procurement Officer
- ___ Director of Public Works
- ___ Head of Purchasing Agency



Signature

Julienne Nucum, Esq., Attorney for Appellant
Print Name

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8 *Attorney for Appellant JRN Air Conditioning & Refrigeration, Inc.*

9
10
11 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**

12 In the Appeal of

13 JRN AIR CONDITIONING &
14 REFRIGERATION, INC.,

15 Appellant

Docket No. OPA-PA _____

**APPELLANT'S STATEMENT AND
EXHIBITS; RULING(S) REQUESTED**

16 COMES NOW JRN AIR CONDITIONING & REFRIGERATION, INC. ("Appellant") and
17 files this appeal before the Office of Public Accountability (OPA) pursuant to 5 GCA § 5425(c) and
18 2 GAR § 12112 and alleges as follows:

19 **INTRODUCTION**

- 20 1. This appeal concerns a decision on a protest of method, solicitation, or award made by
21 the Guam Memorial Hospital Authority (GMHA) denying Appellant's protest in relation
22 to the procurement identified as GMHA IFB 002-2020. GMHA denied Appellant's
23 underlying protest on May 22, 2020, indicating that it was final. **Exhibit 3.**
- 24 2. Though Appellant responded to GMHA's denial of protest the same day it was received,
25 claiming the denial was premature as GMHA failed to address all parts of Appellant's
26 protest, Appellant files this appeal now as it is believed no contract has yet been awarded.
27 **Exhibit 4.**
3. Currently, the procurement is stayed pursuant to 5 GCA § 5425(g) as Appellant's protest
was filed after GMHA's notice of possible award but prior to a final selection of an

1 award. **Exhibit 1** (see Notice of Stay of Procurement).

- 2 4. Appellant's Exhibits, referenced herein and attached hereto, consist of Appellant's own
3 documents and the procurement records provided by GMHA on or about May 19, 2020.

4 **FACTS**

- 5 5. The above paragraphs 1-4 are incorporated herein.
- 6 6. GMHA IFB 002-2020 was issued on October 11, 2019 for the removal and replacement
7 of one (1) boiler unit and piping system. Included in the invitation for bid were general
8 provisions for the Determination of Responsibility of Bidders and the Standard for
9 Determination of Lowest Responsible Bidder and the Special Reminder to Prospective
10 Bidders. The time for the submission of bids was extended to November 19, 2019 after
several requests from prospective bidders for additional time to obtain quotations.

11 **Exhibit 5.**

- 12 7. A total of three (3) bids were received by GMHA: Appellant's bid at a price of
13 \$475,000, Ammanabat Corporation's bid at a price of \$485,000, and J&B Modern Tech's
14 bid at a price of \$852,135.
- 15 8. On December 5, 2019, GMHA issued a Clarification Request to Appellant stating that
16 "Qualifications and performance was received for Air Conditioning Sales and & Repair
17 Services. We are unable to locate any statements, experience or projects related to boiler
18 installation." **Exhibit 7.**
- 19 9. This first request also stated that documentation regarding authorization to contract for
20 engineering services from the Guam Board of Registration for Professional Engineers,
21 Architects, and Land Surveyors (PEALS), or item #13 in the Special Reminder to
22 Prospective Bidders was "not included or addressed" in Appellant's bid. **Exhibit 7.**
- 23 10. On December 10, 2019, Appellant responded to this first request by submitting various
24 documents to supplement its original bid packet. To supplement the literature provided
25 by the boiler equipment manufacturer (Cleaver Brooks) that explained all-around
26 technical support, Appellant provided a letter stating it had secured from the
27 manufacturer start-up and commissioning supervision and function testing support,
among others, by the manufacturer's personnel. Appellant also stated that it had retained
a licensed professional mechanical engineer (Mauro R. Navarte) experienced in the

1 planning and installation of steam and hot water boilers of both fire tube and water tube
2 types through his profession. Appellant provided a signed statement by Mr. Navarte and
3 a copy of his PEALS certification. **Exhibits 6 and 7.**

4 11. On January 24, 2020, GMHA then issued its Second Request for Additional
5 Documentation to Appellant, repeating the same two requests described above in
6 Paragraphs 8 and 9 and specifying that GMHA still found no “statements, experience, or
7 projects related to boiler installation.” GMHA also requested the same PEALS
8 certification submitted previously. **Exhibit 8.**

9 12. On January 29, 2020, in response to this second request, Appellant provided two (2)
10 sworn affidavits, both of which were duly notarized. One affidavit was made in relation
11 to Appellant’s contract with Mr. Navarte because of his experience with boiler systems
12 and installation throughout his career as a licensed professional engineer, and the other
13 was made by a very experienced technician (Teddy Garcia) in Appellant’s regular and
14 employ whose entire resume had been included in Appellant’s original bid packet. Mr.
15 Garcia provided more information regarding his time with three (3) other companies
16 prior to working for Appellant in which he regularly oversaw the operation and
17 maintenance of commercial-use boiler systems as part of his usual duties. **Exhibit 8.**

18 13. On April 13, 2020, GMHA issued to Appellant its Written Determination of Non-
19 Responsibility, Bid Status, & Deposit Return. GMHA indicated that Appellant still “did
20 not provide sufficient information to demonstrate [Appellant’s] statement of qualification
21 and performance data specific to boiler installation” and that the experience of
22 employees, even a licensed professional mechanical engineer, was not enough. **Exhibit**
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24 14. On April 17, 2020, Appellant made a timely protest following GMHA’s Written
25 Determination of Non-Responsibility on the grounds that GMHA rejected the various
26 information and documents provided by Appellant without any real or specific
27 explanation as to how the resumes, certifications, manufacturer input, signed statements,
and sworn affidavits still did not meet GMHA’s oft-repeated and vague requirement of
“qualification and performance data.” In its protest, Appellant demanded three (3) things
(reproduced here from **Exhibit 1**, with original emphasis): “Given that the invitation for
bid and its Special Reminder to Prospective Bidders gave no criteria as to what would be

1 sufficient to demonstrate qualification and performance, nor do the GMHA procurement
2 rules or general procurement law provide such, this bidder demands the following: **first**,
3 that GMHA immediately release the procurement records pertaining to GMHA IFB 002-
4 2020, including the official abstract of bids that has never been provided, all of which
5 GMHA is required to maintain and make available for inspection under 26 GAR §§
6 16330 and 16332; **second**, that GMHA provide all of the information regarding
7 qualification and performance submitted by the winning bidder and all other prospective
8 bidders determined to be sufficient, responsible, and/or responsive by the same
9 “evaluators” and any records pertaining to their determinations as to such information;
10 and **third**, any information as to GMHA’s criterion for qualification and performance
11 that was not but should have been included in the invitation for bid, if existing at the time
12 the invitation for bid was issued. As to this third item, if no such information, records, or
13 guidelines existed at the time the invitation for bid was issued, this bidder demands a
14 statement in writing confirming that such did not exist.”

- 15 15. On May 14, 2020, in a letter responding to the records request Appellant’s protest,
16 GMHA indicated that the procurement records would be made available to Appellant for
17 a fee. Notably, in direct response to Appellant’s third demand described above in
18 Paragraph 14, GMHA stated, “There are no responsive documents.” **Exhibit 2.**
- 19 16. On or about May 19, 2020, Appellant obtained what it believed to be the whole of
20 GMHA’s procurement records for GMHA IFB 002-2020 as of that date.
- 21 17. On May 22, 2020, GMHA denied Appellant’s protest “as being without merit,” stating
22 that “[Appellant] is well aware of the type of documentation that would have satisfied the
23 IFB’s requirement” on a flawed reasoning that Appellant submitted “lists of licenses,
24 memberships, past and current projects, and supplier information which were specific to
25 air conditioning sales and repair services.” **Exhibit 3.**
- 26 18. Also on May 22, 2020, Appellant wrote to GMHA communicating its belief that
27 GMHA’s final decision was premature as Appellant’s protest had not been addressed in
its entirety, specifically as two Appellant’s third demand – information as to GMHA’s
criterion for qualification and performance that was not but should have been included in
the invitation for bid, if existing at the time the invitation for bid was issued. Appellants
requested that if no such criterion existed, that GMHA admit so in writing. To this,

1 GMHA simply stated that it had no documents responsive to this demand. **Exhibit 4.**
2 19. This appeal was necessitated by GMHA's arbitrary and unreasonable method in
3 conducting the procurement for GMHA IFB 002-2020. The procurement records
4 obtained from GMHA only further substantiates Appellant's position.

5 **ARGUMENTS**

6 20. The above paragraphs 1-19 are incorporated herein.

7 21. In its May 14, 2020 response to Appellant's protest, GMHA declined to admit that it had
8 no set criterion whatsoever as to what "qualification and performance data" would be
9 deemed sufficient for the purposes of GMHA IFB 002-2020, yet GMHA did readily state
10 that it possessed zero information or documents as to the standard it wanted bidders to
11 meet. **Exhibit 2.** Instead, GMHA required prospective bidders to simply guess as to
12 what information each should provide to be considered responsive. This is evidenced by
13 GMHA's stated position that Appellant should have just known since Appellant
14 submitted various information as to HVAC work.

15 22. This is problematic because while GMHA had no qualification criterion, GMHA
16 proceeded to impose arbitrary standards against prospective bidders. GMHA made
17 capricious determinations that signed statements and sworn affidavits about past
18 professional experience with boiler installation and partnership with the boiler
19 manufacturer were not reliable.

20 23. In fact, GMHA's procurement method with regard to GMHA IFB 002-2020 overall was
21 problematic based on the records obtained. In addition to having no qualification
22 criterion, it appears GMHA held prospective bidders to different standards and even
23 applied those differing standards recklessly.

24 24. Of the three bids submitted, that of Ammanabat was the second lowest. In the initial
25 review of bids on or about November 25, 2019, GMHA determined Ammanabat
26 presented "[e]xperience and project undertaking for boiler installation" but did not
27 include Ammanabat's business license or a PEALS certification (#13 of Special
Reminder to Prospective Bidders). **Exhibit 10.**

25. Upon reviewing the procurement records, GMHA presumably determined Ammanabat
presented sufficient qualification because its subcontractor, WSM Construction

1 Company/Wilfredo S. Meneses (who is not an engineer by profession), provided a
2 project list containing just one line for a \$1,500 project for a boiler install at a golf
3 clubhouse and one other line for a steam boiler repair in 1995. No other document in
4 Ammanabat's bid could have been the basis as the employee resumes included, one of
5 which was duplicated, presented general construction work such as renovations. **Exhibit**
6 **11.**

7 26. As to the bid of J&B, GMHA initially determined that it lacked qualification or
8 experience in "anything related to boiler installation" and lacked proof PEALS
9 certification. **Exhibit 10.**

10 27. On January 24, 2020, GMHA sent to both Ammanabat and J&B a First Request for
11 Additional Documents. The one sent to Ammanabat asked for information as to PEALS
12 certification only while the one sent to J&B was similar to those sent to Appellant in
13 December 2019 and on January 24, 2020 in that it requested documentation for both
14 qualification and performance data and PEALS certification. **Exhibits 13 and 14.**

15 28. In response to GMHA's request for Ammanabat's PEALS certification, Ammanabat
16 responded that it did not believe such was necessary since the plans and specifications in
17 GMHA IFB 002-2020 was provided by a professional engineer. As such, Ammanabat
18 believed it should not be required to comply with item #13 on the Special Reminder to
19 Prospective Bidders. **Exhibit 13.**

20 29. GMHA agreed with Ammanabat's position regarding this requirement and waived it
21 despite the invitation of bid described GMHA IFB 002-2020 as phased, requiring
22 decommissioning, disconnecting, and removal prior to new installation (see internal e-
23 mail communication included in **Exhibit 13**). Though this requirement should have been
24 likely waived for all bidders, Appellant was never informed of this development. From
25 the procurement records obtained from GMHA, it does not appear that J&B was also
26 ever informed. Such change was made to only Ammanabat's advantage since no other
27 bidder was informed, whether via writing or through a bid amendment.

28 30. The procurement records also indicated that J&B provided no response to GMHA
29 regarding the request for qualification and performance data, which was wholly lacking
30 from J&B's original bid packet. **Exhibit 14** (also see **Exhibit 10** for initial bid review by
31 GMHA). Yet, the records show that J&B was rejected simply because of price. **Exhibits**



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PROCUREMENT APPEAL**

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JRN AIR CONDITIONING & REFRIGERATION, INC.,)	Docket No. OPA-PA_____
Appellant)	
_____)	

PART II- Appellant Information

Name: JRN Air Conditioning & Refrigeration, Inc,
Mailing Address: PO Box 27070 GMF Barrigada, GU 96913

Business Address: 1755 Army Dr Barrigada, GU 96913

Email Address: info@jrngu.com
Daytime Contact No: (671) 649-8120
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- B) Identification/Number of Procurement, Solicitation, or Contract: GMHA IFB 002-2020
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APPENDIX A



**Appendix D: Hearing Request/Waiver Form
PROCUREMENT APPEAL**

In the Appeal of)

JRN AIR CONDITIONING &)
REFRIGERATION, INC.,)
Appellant)

**HEARING
REQUEST/WAIVER**

Docket No. OPA-PA_____

Please select one:

Pursuant to 2 GAR § 12108(a), the undersigned party does hereby request a hearing on the appeal stated above.

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APPELLANT

Chief Procurement Officer

Director of Public Works

Head of Purchasing Agency



Signature

Julienne Nucum, Esq., Attorney for Appellant
Print Name

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2 Miranda & Nucum, LLP
3 210 North Fourth Street, Suite 200A
4 San Jose, CA 95112
5 T (408) 217-6125
6 F (408) 217-6132
7 julienn@mirandanucum.com

8 *Attorney for Appellant JRN Air Conditioning & Refrigeration, Inc.*

9
10 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**

11 In the Appeal of

12 JRN AIR CONDITIONING &
13 REFRIGERATION, INC.,

14 Appellant

Docket No. OPA-PA _____

**APPELLANT'S STATEMENT AND
EXHIBITS; RULING(S) REQUESTED**

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22 Prospective Bidders was "not included or addressed" in Appellant's bid. **Exhibit 7.**

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27 manufacturer start-up and commissioning supervision and function testing support,
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3 a copy of his PEALS certification. **Exhibits 6 and 7.**

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5 **ARGUMENTS**

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12 what information each should provide to be considered responsive. This is evidenced by
13 GMHA's stated position that Appellant should have just known since Appellant
14 submitted various information as to HVAC work.

15 22. This is problematic because while GMHA had no qualification criterion, GMHA
16 proceeded to impose arbitrary standards against prospective bidders. GMHA made
17 capricious determinations that signed statements and sworn affidavits about past
18 professional experience with boiler installation and partnership with the boiler
19 manufacturer were not reliable.

20 23. In fact, GMHA's procurement method with regard to GMHA IFB 002-2020 overall was
21 problematic based on the records obtained. In addition to having no qualification
22 criterion, it appears GMHA held prospective bidders to different standards and even
23 applied those differing standards recklessly.

24 24. Of the three bids submitted, that of Ammanabat was the second lowest. In the initial
25 review of bids on or about November 25, 2019, GMHA determined Ammanabat
26 presented "[e]xperience and project undertaking for boiler installation" but did not
27 include Ammanabat's business license or a PEALS certification (#13 of Special
Reminder to Prospective Bidders). **Exhibit 10.**

28 25. Upon reviewing the procurement records, GMHA presumably determined Ammanabat
presented sufficient qualification because its subcontractor, WSM Construction

1 Company/Wilfredo S. Meneses (who is not an engineer by profession), provided a
2 project list containing just one line for a \$1,500 project for a boiler install at a golf
3 clubhouse and one other line for a steam boiler repair in 1995. No other document in
4 Ammanabat's bid could have been the basis as the employee resumes included, one of
5 which was duplicated, presented general construction work such as renovations. **Exhibit**
6 **11.**

7 26. As to the bid of J&B, GMHA initially determined that it lacked qualification or
8 experience in "anything related to boiler installation" and lacked proof PEALS
9 certification. **Exhibit 10.**

10 27. On January 24, 2020, GMHA sent to both Ammanabat and J&B a First Request for
11 Additional Documents. The one sent to Ammanabat asked for information as to PEALS
12 certification only while the one sent to J&B was similar to those sent to Appellant in
13 December 2019 and on January 24, 2020 in that it requested documentation for both
14 qualification and performance data and PEALS certification. **Exhibits 13 and 14.**

15 28. In response to GMHA's request for Ammanabat's PEALS certification, Ammanabat
16 responded that it did not believe such was necessary since the plans and specifications in
17 GMHA IFB 002-2020 was provided by a professional engineer. As such, Ammanabat
18 believed it should not be required to comply with item #13 on the Special Reminder to
19 Prospective Bidders. **Exhibit 13.**

20 29. GMHA agreed with Ammanabat's position regarding this requirement and waived it
21 despite the invitation of bid described GMHA IFB 002-2020 as phased, requiring
22 decommissioning, disconnecting, and removal prior to new installation (see internal e-
23 mail communication included in **Exhibit 13**). Though this requirement should have been
24 likely waived for all bidders, Appellant was never informed of this development. From
25 the procurement records obtained from GMHA, it does not appear that J&B was also
26 ever informed. Such change was made to only Ammanabat's advantage since no other
27 bidder was informed, whether via writing or through a bid amendment.

30. The procurement records also indicated that J&B provided no response to GMHA
regarding the request for qualification and performance data, which was wholly lacking
from J&B's original bid packet. **Exhibit 14** (also see **Exhibit 10** for initial bid review by
GMHA). Yet, the records show that J&B was rejected simply because of price. **Exhibits**

1 **15 and 16.** J&B's bid was not treated as non-responsive despite J&B not having
2 provided even one document or statement regarding qualifications at any time. Compare
3 this to GMHA's treatment of Appellant, which did submit various and several documents
4 supporting its qualifications for GMHA IFB 002-2020 in its original bid packet and its
5 two subsequent responses to GMHA. **Exhibit 9.**

6 **RULINGS REQUESTED**

7 31. The above paragraphs 1-30 are incorporated herein.

8 32. Appellant requests that the OPA make a finding that GMHA, in its procurement of
9 GMHA IFB 002-2020, grossly mismanaged the government procurement process by
10 failing to provide even minimal guidance or a criterion for bidder responsiveness while
11 evaluating bids inconsistently and arbitrarily.


12 33. Appellant requests that the OPA require GMHA, which previously developed its own
13 procurement rules, to provide prospective bidders with clearly written criteria for
14 qualifications whenever additional demonstration of such is required in an invitation for
15 bid.

16 34. Appellant requests that the OPA require GMHA to eliminate potential bias as to
17 prospective bidders by requiring that all bidders be informed of changes to bid
18 requirements at the same time, by written amendments to the invitation for bid.

19 35. Appellant requests that the OPA make a finding that Appellant was the lowest responsive
20 bidder in GMHA IFB 02-2020 and that Appellant should receive the award accordingly.

21 Respectfully submitted June 2, 2020


22
23 By

24
25 
26 _____
27 JULIENNE NUCUM, ESQ.
 Attorney for Appellant

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VERIFICATION

I, JULISIS R. NUCUM, declare that I am the President of JRN Air Conditioning & Refrigeration, Inc., the Appellant in the above-entitled matter. I have read the foregoing Statement and know the contents thereof, that the same is true of my own knowledge, except as to the matters which are therein stated on my information and belief, and as to those matters I believe them to be true. I make such declaration under penalty of perjury under the laws of the Territory of Guam on this 2nd day of June 2020 in Barrigada, Guam.



JULISIS R. NUCUM

APPELLANT'S EXHIBIT LIST

Number	Description
1	Appellant's Protest dated April 17, 2020 and subsequent Notice of Stay of Procurement issued by GMHA on April 24, 2020
2	May 14, 2020 letter from GMHA in response to Appellant's request for procurement records and GMHA invoice for copying
3	May 22, 2020 Denial of Protest
4	May 22, 2020 letter from Appellant regarding GMHA's denial of protest
5	Invitation for Bid cover page, provisions for the Determination of Responsibility of Bidders and the Standard for Determination of Lowest Responsible Bidder, Special Reminder to Prospective Bidders, and Amendment #3
6	Excerpt from Appellant's initial bid packet submitted on November 19, 2019
7	First Clarification Request from GMHA on December 5, 2019 and December 10, 2019 response by Appellant, including Certification by a licensed mechanical engineer
8	Second Request from GMHA on January 24, 2020 and January 29, 2020 response by Appellant, including Sworn Affidavit regarding employment of a licensed mechanical engineer and Sworn Affidavit regarding additional employee's technical experience and qualifications
9	April 13, 2020 Written Determination of Non-Responsibility, Bid Status, & Deposit Return
10	November 25, 2019 initial review of bids by GMHA (internal e-mail communication)
11	Excerpt from bidder Ammanabat Corporation's initial bid packet submitted in November 19, 2019
12	Excerpt from bidder J&B Modern Tech's initial bid packet submitted in November 19, 2019
13	First Request for Additional Documents from GMHA on January 24, 2020, response by Ammanabat, and internal e-mail communication striking bid document requirement

14	First Request for Additional Documents from GMHA on January 24, 2020 (no response from J&B)
15	April 6, 2020 Bid Evaluation Analysis by GMHA
16	Bid Status for J&B issued by GMHA on April 6, 2020

EXHIBIT 1



AIR CONDITIONING & REFRIGERATION
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April 17, 2020

MS. LILLIAN PEREZ-POSADAS, MN, RN
Hospital Administrator/CEO
Guam Memorial Hospital Authority
Fax (671) 649-3640 and (671) 649-0145

RE: **PROTEST** of Certain Determinations and Award in GMHA IFB 002-2020
(Removal and Replacement of One Boiler Unit and Piping System)

Hafa Adai, Ms. Perez-Posadas:

This writing shall serve as both notice of and the written protest of certain determinations made and the award in GMHA IFB 002-2020 (Removal and Replacement of One Boiler Unit and Piping System) pursuant to 5 GCA § 5425 and 26 GAR § 16901. Said protest is timely filed following this bidder's receipt of GMHA's Written Determination of Non-Responsibility, Bid Status, & Deposit Return dated April 13, 2020.

GMHA did not provide any specific information as to what GMHA's "evaluators determined" this bidder's "submissions failed to show" regarding qualification and performance. The April 13, 2020 communication merely dismissed this bidder's various submissions – which included among other items the signed certification and license of a mechanical engineer explicitly detailing boiler systems, a signed affidavit verifying the employ of said mechanical engineer, and a signed affidavit of a senior technician skilled and experienced in boiler systems – as insufficient.

Given that the invitation for bid and its Special Reminder to Prospective Bidders gave no criteria as to what would be sufficient to demonstrate qualification and performance, nor do the GMHA procurement rules or general procurement law provide such, this bidder demands the following: **first**, that GMHA immediately release the procurement records pertaining to GMHA IFB 002-2020, including the official abstract of bids that has never been provided, all of which GMHA is required to maintain and make available for inspection under 26 GAR §§ 16330 and 16332; **second**, that GMHA provide all of the information regarding qualification and performance submitted by the winning bidder and all other prospective bidders determined to be sufficient, responsible, and/or responsive by the same "evaluators" and any records pertaining to their determinations as to such information; and **third**, any information as to GMHA's criterion for qualification and performance that was not but should have been included in the invitation for bid, if existing at the time the invitation for bid was issued. As to this third item, if no such information, records, or guidelines existed at the time the invitation for bid was issued, this bidder demands a statement in writing confirming that such did not exist.

*P.O. BOX 27070 GMF, Guam 96921 Tel: (671) 649-8120/21 fax: (671) 649-5737
e-mail: INFO@jrngu.com*




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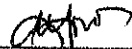
In accordance with 5 GCA § 5425(g), filing of this protest herewith triggers an automatic stay of procurement.

Thank you for your time.

Senseramente,


JULIS R. NUCUM
President

Acknowledgment of Receipt (please return by original method of transmission)

By: M. CASTRO 

Date: 04/17/20

P.O. BOX 27070 GMF, Guam 96921 Tel: (671) 649-8120/21 fax: (671) 649-5737
e-mail: INFO@jrngu.com

GUAM MEMORIAL HOSPITAL AUTHORITY
850 GOV. CARLOS G. CAMACHO ROAD
TAMUNING, GUAM 96913
PHONE: 671-647-2165 FAX: 671-649-3640

FAX TRANSMITTAL SHEET

TO: JRN Air Conditioning & Ref. Inc.
EMAIL: info@jrngu.com
FAX: 649-5737
FROM: Hospital Materials Management Administrator, Acting
DATE: April 24, 2020
SUBJECT: GMHA IFB 002-2020 Removal & Replacement of One (1) Boiler Unit and Piping System
Notice of Stay of Procurement
PAGES: 2 including cover sheet

NOTES:

An acknowledgement via a return fax would be appreciated as soon as possible. Return fax number is 649-3640.

DATE / VENDOR ACKNOWLEDGEMENT

04-20-2020 / JRN AIR CONDITIONING & REF. INC

FACSIMILE CONFIDENTIALITY NOTICE 

These documents accompanying this transmission contain confidential information that is legally privileged. This information is intended only for the use of the individual or entity named above. The authorized recipient of this information is prohibited from disclosing this information to any other party unless required to do so by law or regulation and is required to destroy the information after its stated need has been fulfilled.

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Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan

850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96913
TEL.: (671) 647-2444 or (671) 647-2330
FAX: (671) 649-0146



NOTICE OF STAY OF PROCUREMENT

**Removal and Replacement of One (1) Boiler Unit and Piping System
Invitation for Bid No. 002-2020**

April 17, 2020

VIA EMAIL AND FACSIMILE

JRN Air Conditioning & Refrig.
Mr. Cesar Cordero
info@jrngu.com
Fax No.: (671) 6+49-5737

Ammanabat Corporation
Mr. Maximo J. Manabat, Jr.
ammanabatcorp@gmail.com

J&B Modern Tech
Mr. Generoso M. Bangayan
revangelista@jbmoderntech.com

Dear Prospective Bidders:

This **NOTICE** is to advise you that the Guam Memorial Hospital Authority (GMHA), received a procurement protest on April 17, 2020, regarding the IFB No. 002-2020. The protest was filed after the GMHA's notice of possible award, but before the final selection of an award; however, pursuant to 5 G.C.A. § 5425(g), the GMHA shall not proceed with the award of a contract under this IFB prior to final resolution of the protest.

The GMHA will advise you once the protest has been resolved.

Accordingly, this is a Notice of Stay of Procurement of this IFB that shall remain in effect until the protest is resolved.

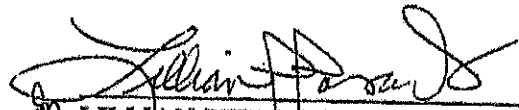

LILLIAN PEREZ-POSADAS, MN, RN
Hospital Administrator/CEO

EXHIBIT 2



Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan

850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96913
TEL.: (671) 647-2444 or (671) 647-2330
FAX: (671) 649-0145



May 14, 2020

BY ELECTRONIC MAIL

Julius R. Nucum
PO Box 27070
GMF Guam 96921
Tel 649-8120/21
info@imgu.com

Re: Your Protest of GMHA IFB 002-2020

Dear Mr. Nucum:

This letter acknowledges receipt of your letter regarding "PROTEST of Certain Determinations and Award in GMHA IFB 002-2020 (Removal and Replacement of One Boiler Unit and Piping System)" dated and received via electronic mail on April 17, 2020. Your protest also demanded disclosure of records related to the above-referenced procurement.

Please be advised that this response does not constitute a decision on your protest; instead, it addresses your demand for records related to IFB 002-2020.

Although your requests for public records were made pursuant to 26 GAR §§ 16330 and 16332, your "demand" for the "immediate release" and "inspection" of such records are effectively requests to inspect public records. Under Title 5 GCA § 10103, a "public record" is defined to include "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency in any format, including electronic format; and any out-of-court settlement records." Therefore, because the documents you have requested are defined as public records under 26 GAR §§ 16330, 16332 and 5 GCA §§ 5251, 10103, the requirements of the Sunshine Reforms Act of 1999 should be followed.

As provided under 5 GCA § 10103(e), in unusual circumstances, the time limit prescribed to respond to requests for public records may be extended up to ten (10) calendar days upon "a written notice by the director of agency to the person making the request setting for the reasons for the extension and date on which a determination is expected to be dispatched."

Pursuant to 5 GCA § 10103(e), the GMHA required an additional extension of ten (10) calendar days to respond to your requests. As of May 14, 2020, the procurement record is now available for you to inspect and/or copy, subject to payment of fees as provided under 5 GCA § 10103(c) and as further explained below. The need for an extension is due to the fact that the procurement record in total contains five hundred (500) or more pages as described under 5 GCA

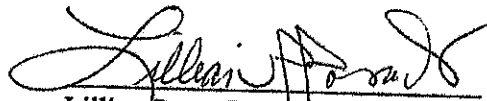
§ 10103(e). Moreover, GMHA is part of the Government of Guam's pandemic response team and all matters preparing for or responding to the declared public health emergency due to the COVID-19 pandemic must take precedence before other matters. While GMHA recognizes the importance of complying with the procurement regulations timelines, the Governor of Guam's Executive Order No. 2020-03 invoked Emergency Health Powers under 10 GCA §19403(a)(1) which suspended "provisions of any regulatory statute prescribing procedures for conducting local business, or the orders, rules and regulations of any government of Guam agency, to the extent that strict compliance with the same would prevent, hinder or delay necessary action (including emergency purchases) by the public health authority to respond to the public health emergency, or increase the health threat to the population." We thank you in advance for your professional courtesy.

The GMHA further recognizes your right to inspect and copy such records pursuant to 26 GAR §§ 16330 and 16332. However, please be advised that 5 GCA §10203 permits the GMHA to charge ten (10) cents for the first page of any requested document, and two (2) cents each for any remaining pages. Pursuant to Title 5 GCA §10103(c), the GMHA "shall make the records promptly available to any person, upon payment of fees covering direct costs of duplication." Accordingly, an invoice is attached herewith this letter. GMHA shall release the records upon receipt of JRN's payment of such invoice.

To ensure a thorough response to your request for records related to this procurement, please confirm the following:

1. Your demand that "GMHA immediately release the procurement records pertaining to GMHA IFB 002-2020, including the official abstract of bids that has never been provided, all of which GMHA is required to maintain and make available for inspection under 26 GARR Sections 16330 and 1633" – *Responsive documents will be provided.*
2. Your demand that "GMHA provide all of the information regarding qualification and performance submitted by the winning bidder and all other prospective bidders determined to be sufficient, responsible, and/or responsive by the same "evaluators" and any records pertaining to their determinations as to such information." – *Responsive documents will be provided.*
3. Your demand that "any information as to GMHA's criterion for qualification and performance that was not but should have been included in the invitation for bid, if existing at the time the invitation for bid was issued." – *There are no responsive documents.*

Sincerely,



Lillian Perez-Posadas, RN, MN
Hospital Administrator/CEO

Guam Memorial Hospital Authority

E-mail: info@jrngh.com

Phone: (670) 226-9000

http://www.gmha.gu

Address: P.O. Box 27070 GME, Guam 96921

Fax: (670) 226-9021

www.gmha.gu

Bill To: Julius Nucum; JRN Refrigeration

Ph:

Invoice #: 2020-05

Address:

P.O. Box 27070 GME, Guam 96921

Fax:

Date

5/14/2020

E-mail: info@jrngh.com

Invoice For: Protest of GMHA IFB 002-2020

Item #	Description	Qty	Unit Price	Discount	Price
1	Procurement Record of GMHA IFB 002-2020	1	\$ 27.54		\$ 27.54
			\$ -		\$ -
			\$ -		\$ -
			\$ -		\$ -
			\$ -		\$ -
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			\$ -		\$ -
Invoice Subtotal					\$ 27.54
Tax Rate					
Sales Tax					
Other					
Deposit Received					
					(670) 226-9000

Make all checks payable to Guam Memorial Hospital Authority.
 Please call the cashier at 647-2265 or 648-956 to make payment over the phone. Proof of payment
 required for release of documents.

EXHIBIT 3

From: Doreen Corpuz [mailto:doreen.corpuz@gmha.org]
Sent: Friday, May 22, 2020 9:15 AM
To: 'JRNAC'
Subject: Protest of Certain Determinations and Award of IFB 002-2020

Please confirm receipt of the Protest of Certain Determinations and Award. Thank you.

Doreen Therese Corpuz
Administrative Assistant
Materials Management Department
850 Gov. Carlos G. Camacho Road
Tamuning, Guam 96913
Website: gmha.org
Email: doreen.corpuz@gmha.org
Phone: (671) 647-2165
Fax: (671) 649-3640

This communication may contain CONFIDENTIAL and PRIVILEGED information for the sole use of the intended recipient(s). If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by EMAIL or telephone (671) 647-2555 and delete all copies of this message. GMHA Policy 6100-29.



Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan



850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96913
TEL: (671) 647-2444 or 647-2330
FAX: (671) 649-0145

May 18, 2020

VIA ELECTRONIC MAIL

Julius R. Nucum
President, JRN Air Conditioning & Refrigeration
P.O. Box 27070
GMF Guam 96921
info@jrngu.com

Re: Protest of Certain Determinations and Award of IFB 002-2020

Dear Mr. Nucum:

This letter responds to JRN Air Conditioning & Refrigeration's ("JRN") protest of certain determinations and award of IFB 002-2020 Removal and Replacement of One Boiler Unit and Piping System.

On April 13, 2020, the GMHA issued a written determination of non-responsibility pursuant to 5 GCA § 5230, setting forth the reasons for which JRN's bid was non-responsive. Prior to making its determination, the GMHA issued two letters to JRN dated December 5, 2019 and January 24, 2020. Both letters unequivocally advised that JRN failed to respond to Line #1 Special Reminders to Bidders i.e., JRN did not provide a statement of qualification and performance data specific to boiler installation.

The December 5, 2019 letter advised that while JRN submitted qualifications and performance data for air conditioning sales and repair services, the GMHA was unable to locate the same for boiler installation. The January 24, 2020 letter advised that the additional documents submitted still failed to provide JRN's statement of qualifications and performance data specific to boiler installation.

Specifically, the certification signed by Mauro R. Navarte (JRN's proffered mechanical engineer) states that JRN had an agreement to retain him for services including "specialty system such as Steam or Hot Water Boilers." The affidavit submitted by JRN similarly states that the company had entered into a contract with Mr. Navarte to provide professional services including "specialty system such as Steam or Hot Water Boilers." However, neither document provides information regarding JRN's qualifications or performance data (for example, past or current projects) specific to boiler installation; the documents merely state that Mr. Navarte had been retained to provide such services.

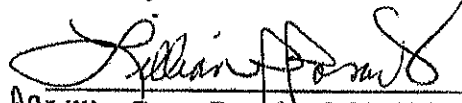
While the affidavit submitted by Teddy Glenn Roman Garcia appears to detail his personal experience, it does not provide any information related to JRN's qualifications or performance data specific to boiler installation.

JRN is well aware of the type of documentation that would have satisfied the IFB's requirement. This is evidenced by the fact that JRN submitted two statements of qualifications with its bid that included lists of licenses, memberships, past and current projects, and supplier information which were specific to air conditioning sales and repair services.

"The unreasonable failure of a bidder or offeror to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of non-responsibility with respect to such bidder or offeror." 26 GAR, Div. 2, §16317(1). Since December 5, 2019, JRN was provided with two opportunities to submit the required qualification and performance data. It was ultimately determined in April 2020 that JRN's bid was non-responsive.

Accordingly, your protest is denied as being without merit. You may choose to seek administrative and judicial review of this decision pursuant to 5 GCA §5425(c)(2).

Sincerely,



AP Lillian Perez-Posadas, MN, RN
AK Hospital Administrator/CEO

EXHIBIT 4



May 22, 2020

MS. LILLIAN PEREZ-POSADAS, MN, RN
Hospital Administrator/CEO
Guam Memorial Hospital Authority
Fax (671) 649-3640 and (671) 649-0145

RE: Denial of **PROTEST** of Certain Determinations and Award in GMHA IFB 002-2020 (Removal and Replacement of One Boiler Unit and Piping System)

Hafa Adai, Ms. Perez-Posadas:

I am in receipt of our letter dated May 18, 2020 (but electronically delivered only today) communicating GMHA's denial of our previously filed protest in the bid identified above. In this letter, you also indicate our recourse of seeking further administrative and/or judicial review.

You should note, however, that such denial is premature and improper under the procurement rules, including the cited 5 GCA § 5425. As you know, no final decision on an appeal may be rendered by GMHA unless all material bases of the appeal have been addressed. If you review the initial letter of protest dated April 17, 2020, the protest contained no less than three separate demands. For your convenience, the most relevant part of that letter is reproduced below:

Given that the invitation for bid and its Special Reminder to Prospective Bidders gave no criteria as to what would be sufficient to demonstrate qualification and performance, nor do the GMHA procurement rules or general procurement law provide such, this bidder demands the following: first, that GMHA immediately release the procurement records pertaining to GMHA IFB 002-2020, including the official abstract of bids that has never been provided, all of which GMHA is required to maintain and make available for inspection under 26 GAR §§ 16330 and 16332; second, that GMHA provide all of the information regarding qualification and performance submitted by the winning bidder and all other prospective bidders determined to be sufficient, responsible, and/or responsive by the same "evaluators" and any records pertaining to their determinations as to such information; and third, any information as to GMHA's criterion for qualification and performance that was not but should have been included in the invitation for bid, if existing at the time the invitation for bid was issued. As to this third item, if no such information, records, or guidelines existed at the time the invitation for bid was issued, this bidder demands a statement in writing confirming that such did not exist.



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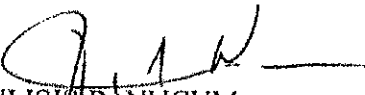


GMHA's only other response to the appeal, your letter dated May 14, 2020, did nothing more than preliminarily address the first item above by making available records and documents (after payment of requisite fees). It then categorically ignored the other two items above. Now, this latest communication continues to ignore as much. As such, there can be no denial of the appeal following such failure to address all parts of it. If, however, GMHA's position regarding both of its responses stands and insists the protest should now be escalated, it can be safely assumed that the mere procedural deficiencies in the handling of this appeal will be determinative during that further administrative and/or judicial review.

Please let me know if GMHA intends to comply with the procurement rules and address the remainder of the appeal.

Thank you for your time.

Senseramente,


JULIS R. NUCUM
President

Acknowledgment of Receipt (please return by original method of transmission)

By: _____

Date: _____

EXHIBIT 5

INVITATION FOR BID


LILLIAN PEREZ-POSADAS, RN, MN
HOSPITAL ADMINISTRATOR / CEO

ISSUING OFFICE:

GUAM MEMORIAL HOSPITAL AUTHORITY
MATERIALS MANAGEMENT DEPARTMENT
850 Gov. Carlos G. Camacho Road,
Oka Tamuning, Guam 96913

DATE ISSUED: October 11, 2019

INVITATION FOR BID NO: GMHA IFB 002-2020

BIDDERS INSTRUCTION: This BID shall be submitted in one (1) original and one (1) duplicate copy and sealed to the issuing office above no later than 9:00am, Monday, October 28, 2019 and will be publicly opened at 9:30am, Monday, October 28, 2019, in the GMHA Daniel L. Webb, Conference Room, 1st Floor Administration. Bids submitted after time and date specified above shall be rejected. See attached Solicitation Instructions and General Terms and Conditions for details.

BID FOR: Removal and Replacement of One(1) Boiler Unit and Piping System

SPECIFICATIONS: As per attached.

QUESTIONS ON BIDS: See Paragraph 3, Sealed Bid Solicitation Instructions

DESTINATION: Guam Memorial Hospital Authority

REQUIRED DELIVERY DATE: See General Terms & Conditions

NOTE TO BIDDERS: This bid is subject to the attached **General Terms and Conditions**. The undersigned offers and agrees to furnish within the time specified, the articles and services at the price stated opposite the respective items listed on the schedule provided, unless otherwise specified by the bidder. In consideration of the expense of the Government in opening, tabulating, and evaluating this and other bids, and other considerations, the undersigned agrees that this bid remain firm and irrevocable within 30 calendar days from the date opening to supply any or all of the items which prices are quoted. This bid is governed by the laws of the Territory of Guam, emphasis on the 5 GCA Government Operations - Chapter 5, the Guam Procurement Law and 26 GAR Public Health and Social Services, Division 2, Guam Memorial Hospital.

INDICATE WHETHER: () INDIVIDUAL () PARTNERSHIP () CORPORATION

INCORPORATED IN:

NAME AND ADDRESS OF BIDDER:

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS BID:

AWARD: (TO BE COMPLETED UPON AWARD)

CONTRACT NO.:

AMOUNT: \$

DATE:

ACCEPTED AS TO ITEMS NUMBERED:

CONTRACTING OFFICER:

LILLIAN PEREZ-POSADAS, RN, MN
HOSPITAL ADMINISTRATOR / CEO 

NAME AND ADDRESS OF CONTRACTOR:

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS CONTRACT:

16. () **SURETY BONDS:** Bid and Performance Bonds coverage must be signed or countersigned in Guam by a foreign or alien surety's resident general agent. The Surety must be Insurance Company, authorized by the Guam Memorial Hospital Authority and qualified to do business in Guam. Bids will be disqualified if the Surety Company does not have a valid Certificate of Authority from the Guam Memorial Hospital Authority to conduct business in Guam. §3-202.03.4(7) (GPR&R) / 26 GAR-2 §1630(c)(4)(G)
17. (X) **DETERMINATION OF RESPONSIBILITY OF BIDDERS:** The Hospital Administrator reserves the right for securing from bidders information to determine whether or not they are responsible and to inspect plant site, place of business; and supplies and services as necessary to determine their responsibility in accordance with Section 19 of these General Terms and Conditions. 3-401 (GPR&R) / 26 GAR-2 §16317.
18. (X) **COMPETENCY OF BIDDERS:** Offers will be considered only from such Offerors who, in the opinion of the Government, can show evidence of their ability, experience, equipment, and facilities to render satisfactory service. Offeror awarded the contract shall undergo an annual evaluation of services rendered in compliance with the center for Medicare and Medicaid Services (CMS) and the Joint Commission (JC) requirements.
19. (X) **STANDARD FOR DETERMINATION OF LOWEST RESPONSIBLE BIDDER (Invitation for Bid- IFB):** In determining the lowest responsible offer, the Hospital Administrator shall be guided by the following:
- a. Price of Items offered.
 - b. The ability, capacity, and skill of the Bidder to perform.
 - c. Whether the Bidder can perform promptly or within the specified time.
 - d. The quality of performance of the Bidder with regards to awards previously made to him.
 - e. The previous and existing compliance by the Bidder with laws and regulations relative to procurement.
 - f. The sufficiency of the financial resources and ability of the Bidder to perform.
 - g. The ability of the bidder to provide future maintenance and services for the subject of the award.
 - h. The compliance with all of the conditions to the Solicitation. 3-202.14.4 (GPR&R) / 26 GCA2-§16309(n)(4).
20. (X) **TIE BIDS:** If the bids are for the same unit price or total amount in the whole or in part, the Hospital Administrator has the authority to award the bid to any one of the bidders by drawing lots in public, or to reject all such bids GMHA Procurement Rules and Regulations §3-202-15 (GPR&R) / 26 GAR-2§16309(O)
21. (X) **BRAND NAMES:** Any reference in the Solicitation to manufacturer's Brand Names and number is due to lack of a satisfactory specification of commodity description. Such reference is intended to be descriptive, but not restrictive and for the sole purpose of indicating to prospective bidders a description of the article or services that will be satisfactory. Bids on comparable items will be considered provided the bidder clearly states in his bid the exact articles he is offering and how it differs from the original specification. 4-202.02.2(2) (GPR&R) / 26 GAR-2 §16403(2)(B).
22. (X) **DESCRIPTIVE LITERATURE:** Descriptive literature(s) of proposed item(s) that are not as specified in this solicitation must be furnished as part of the bid and must be received at the date and time set for Bid opening. The literature furnished must clearly identify the item(s) in the Bid. The descriptive literature is required to establish, for the purpose of evaluation and award, details of the product(s) the bidder proposes to furnish including design, materials, components, performance characteristics, methods of manufacture, construction, assembly or other characteristics which are considered appropriate. Rejection of the Bid will be required if the descriptive literature(s) do not show that the product(s) offered conform(s) to the specifications and other requirements of this solicitation. Failure to furnish the descriptive literature(s) by the time specified in the Solicitation will require rejection of the Bid. 3-202.05.3 (GPR&R) / 26 GAR-2 §16309 (E)(3).

**GUAM MEMORIAL HOSPITAL AUTHORITY
GMHA IFB 002-2020**

SPECIAL REMINDER TO PROSPECTIVE BIDDERS

Bidders are reminded to read the Sealed Bid Solicitation Instructions and the General Terms and Conditions attached this Invitation for Bid to ascertain that all the following (see boxes checked) requirements of the bid proposal are submitted in the bid envelope at the date and time for bid proposal submission.

- 1. Statement of Qualifications and performance data
- 2. Documents to demonstrate the ability, capacity and skill to perform the required scope of work.
- 3. Documentation that reflects past performance in completing projects within the agreed time.
- 4. Organizational Chart
- 5. Affidavit Disclosing Ownership and Commissions (form attached --AG002) 26 GAR Div 2 §16309
- 6. Affidavit -- Non Collusion Form (form attached) 5 GCA §5246
- 7. Affidavit re No Gratuities or Kickbacks (form attached) 26 GAR Div 2 §161107
- 8. Affidavit re Ethical Standards (form attached) 26 GAR Div 2 §161103
- 9. Declaration re Compliance with U.S. DOL Wage Determination (Form E) (form attached) 5 GCA §5801 and §5802
(Note: The latest wage determination must be submitted along with this form.)
- 10. Affidavit re Contingent Fees (form attached) 26 GAR Div 2 §161108
- 11. Bid Bond. Bid bond in the form cashier's check, letter of credit or Surety Bond. Surety Bond, to be valid, must be accompanied by (submission required only when a price bid is requested.)
 - a. Current certificate of authority issued by the Insurance Commissioner.
 - b. Power of Attorney issued by the Surety to the Resident General Agent
 - c. Power of Attorney issued by two (2) major officers of the surety To whoever is signing on their behalf.
- 12. Payment Bond and Performance Bond will be required upon award. See paragraph 13 & 14 of the General Terms and Conditions.
- 13. Copy of Current Certificate of Authorization to contract for engineering Services issued by the Guam Board of Registration for Professional Engineers, Architects and Land Surveyors.
- 14. Copy of current Business and Contractor's License.

Failure to comply with any of the requirements above may be cause for disqualification and rejection of the bid. This reminder must be signed and returned in the bid envelope together with the bid.

_____, an authorized representative of _____ acknowledge receipt of this special reminder to prospective bidders together with GMHA Bid Invitation Number 002-2020 this _____ day of _____, 2019 and that I have read and understand its intent and implications.

BIDDER REPRESENTATIVE'S SIGNATURE

5 GCA §5212, §5303 - §5304 and 26 GAR 2-§16309(c)(3), (c)(4)(G).



Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan



850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96913
TEL: (671) 647-2444 or 647-2330
FAX: (671) 649-0145

November 12, 2019

AMENDMENT #3

FOR

GMHA IFB NO: 002-2020: Removal & Replacement of One (1) Broiler Unit and Piping System

To all prospective bidders:

This amendment is issued to inform all prospective Offeror/Bidder to extend the submission and opening date of GMHA NO: 002- 2020.

As read Submission Date: Tuesday, November 12, 2019 at 0900 am and will be Open publicly at 09:30 am.

Should read as: November 19, 2019, submission at 0900 am and will publicly be open at 09:30 am in Facility Maintenance Conference Room.

Sincerely yours,

Dolores Pangelinan,
Hospital Materials Management Administrator, Acting

ACKNOWLEDGMENT OF RECEIPT:

(Signature)

TEDD / GLENN R. GARCIA / MECHANICAL ENGINEER
Print Name and Title

11-12-2019
Date

EXHIBIT 6

INVITATION FOR BID

W. J. Land
LILLIAN PEREZ-POSADAS, RN, MN
HOSPITAL ADMINISTRATOR / CEO

ISSUING OFFICE:
GUAM MEMORIAL HOSPITAL AUTHORITY
MATERIALS MANAGEMENT DEPARTMENT
850 Gov. Carlos G. Camacho Road,
Oka Tamuning, Guam 96913

DATE ISSUED: October 11, 2019

INVITATION FOR BID NO: GMHA IFB 002-2020

BIDDERS INSTRUCTION: This BID shall be submitted in one (1) original and one (1) duplicate copy and sealed to the issuing office above no later than 2:00am, Monday, October 28, 2019 and will be publicly opened at 9:30am, Monday, October 28, 2019, in the GMHA Daniel L. Webb, Conference Room, 1st Floor Administration. Bids submitted after time and date specified above shall be rejected. See attached Solicitation Instructions and General Terms and Conditions for details.

BID FOR: Removal and Replacement of One(1) Boiler Unit and Piping System

SPECIFICATIONS: As per attached.

QUESTIONS ON BIDS: See Paragraph 3, Sealed Bid Solicitation Instructions

DESTINATION: Guam Memorial Hospital Authority

REQUIRED DELIVERY DATE: See General Terms & Conditions

NOTE TO BIDDERS: This bid is subject to the attached General Terms and Conditions. The undersigned offers and agrees to furnish within the time specified, the articles and services at the price stated opposite the respective items listed on the schedule provided, unless otherwise specified by the bidder. In consideration of the expense of the Government in opening, tabulating, and evaluating this and other bids, and other considerations, the undersigned agrees that this bid remain firm and irrevocable within 30 calendar days from the date opening to supply any or all of the items which prices are quoted. This bid is governed by the laws of the Territory of Guam, emphasis on the 3 GCA Government Operations - Chapter 5, the Guam Procurement Law and 26 GAR Public Health and Social Services, Division 2, Guam Memorial Hospital.

INDICATE WHETHER: () INDIVIDUAL () PARTNERSHIP (X) CORPORATION

INCORPORATED IN: 1999

NAME AND ADDRESS OF BIDDER:

JRN Air Conditioning & Ref., Inc.

1755 Army Drive

Barrigada, Guam 96913

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS BID:

Cesar Cordero

Operations Manager

AWARD: (TO BE COMPLETED UPON AWARD)

CONTRACT NO.:

AMOUNT: \$

DATE:

ACCEPTED AS TO ITEMS NUMBERED:

CONTRACTING OFFICER:

LILLIAN PEREZ-POSADAS, RN, MN
HOSPITAL ADMINISTRATOR / CEO

NAME AND ADDRESS OF CONTRACTOR:

JRN Air Conditioning & Ref., Inc.

1755 Army Drive, Barrigada

Guam 96913

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS CONTRACT:

Cesar Cordero

Operations Manager

JRN Air Conditioning and Refrigeration, Inc.
CONFIDENTIAL

TOTAL BID OFFER: \$ 475,000.00

TOTAL BID BOND: \$ 71,250.00

(15% of total Bid Offer)

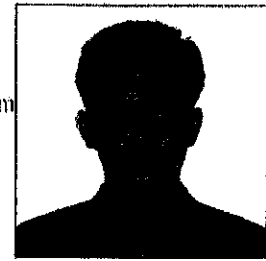
TEDDY GLENN ROMAN GARCIA

E-mail: teddygarcia@jrngu.com / tedurace_garcia39@yahoo.com / teddygarcia.roman@gmail.com

Mobile # :(671)-898-4486

Physical Address: 1755 Army Drive, Route 16, Barrigada, Guam, 96921/

P.O.Box 27070, GMF,96921



PROFESSIONAL OBJECTIVE

A challenging career in the field of Mechanical Engineering preferably in HVAC, through working in a reputable and professionally motivated company which offers an opportunity for professional growth.

SUMMARY OF QUALIFICATIONS

- Licensed Registered Mechanical Engineer with relevant field experience.
- Extensive experience in Construction Project Management and Mechanical, Electrical, Plumbing (MEP) Maintenance Works.
- Experience in Project Design and Evaluation, Quantity Surveying and Cost Estimation.
- Adept in Preparation of Relevant Engineering Reports, Schedules, Submittals & Handover Documents.
- Extensive experience in Installation, Testing & Commissioning of Heating, Ventilating & Air Conditioning (HVAC), Fire Protection & Plumbing Works.
- Computer literate: MS Excel, MS Word, Microsoft Project, MS Power Point, HVAC Program-Yorkworks
- ASHRAE Heat Load Calculation work experience for HVAC design purposes.
- Basic Knowledge in CADD.
- SMACNA literate with experience.
- Carrier Heat Load Programming training experience for HVAC Equipment Selection on Applied Systems.
- Johnson Controls Programs-Applied (Yorkworks,VAV Web-Select, Unitary Sales Tools) Training.
- York Programs Training (Unitary) & Sales experience.

PROFESSIONAL WORK EXPERIENCE

December 12,2010-Present

JRN Air-Conditioning & Refrigeration,Inc.

P.O. Box 27070, GMF, Guam, 96921

Telephone no: 671-649-8120/21 Fax no: 671-649-5737

Project Mechanical Engineer

- Quantity Surveyor and Cost Estimator for HVAC and Fire Protection Works.
- Evaluates Project Designs, Specifications and Drawings.
- Prepares Relevant Engineering Reports, Schedules, Submittals and Handover Documents to Clients.
- Manages the preparation of Design, Construction, Shop and As-Built Drawings.
- Prepares Tender Documents, Technical Specifications and Concept/Design Drawings and Material Submittals.
- Coordinates and monitors the implementation of Construction Design and Specifications.
- Manages HVAC –Chilled Water System, DX System and Duct Installation Works.
- Performs Actual Testing, Adjusting & Balancing (TAB) for Ventilation & Air Conditioning Works.
- Manages Testing and Commissioning for HVAC Works.
- With experience on Design Selection of Applied HVAC Equipment-York & Johnson Controls (Yorkworks)

August 2007-December 2010

Bin Omair Electromechanical & Air-Conditioning

P.O. Box 25172, Abu Dhabi, United Arab Emirates

Telephone no: 02-6721127 Fax no: 02-6721136

MEP Department Head / Senior Project Mechanical Engineer

- Associate in Project Design and Evaluation for HVAC, Fire Protection, Plumbing and Drainage Works.
- Quantity Surveyor and Cost Estimator for HVAC, Plumbing/Drainage and Fire Protection Works.
- Evaluated Project Designs, Specifications and Drawings for Consultancy Jobs.

- Prepared Relevant Engineering Reports, Schedules, Submittals and Handover Documents to Clients.
- Managed the preparation of Design, Construction, Shop and As-Built Drawings.
- Prepared Tender Documents, Technical Specifications, Concept/Design Drawings and Material Submittals.
- Coordinated and monitored the implementation of Construction Design and Specifications.
- Managed HVAC –Chilled Water System, DX System and Duct Installation Works.
- Managed and executes Plumbing/Drainage & Fire Protection System Installation Works.
- Performed Actual Testing, Adjusting & Balancing (TAB) for Ventilation & Air Conditioning Works.
- Managed Testing and Commissioning for HVAC, Plumbing/Drainage and Fire Protection Systems.

October 2005-August 2007

Garcia-De Dios Trading Ventures /Electro-Mechanical

Kalaw Hill, New Era, Quezon City, Philippines-1107

Telephone no: 632-9174282232

Sales Engineer

- Supervised sales of Mechanical, Electrical equipment & parts.
- Prepared, Budget Plans, Requisitions, Manpower & Logistics for subcontract works.

July 2004-September 2005

Taiyo Sinar Raya Teknik

5F Summitas II, Jalan Jenderal Sudirman, kav.61-62 Jakarta Selatan, Indonesia

Telephone no: 5253400/5202107 Fax no: 5253089/5205105

Technical Advisor / Project Engineer

- Coordinated and monitored the implementation of Construction Design and Specifications.
- Quantity Surveyor and Cost Estimator for HVAC, Fire Protection and Plumbing Works.
- Prepared Project Schedules, Budget Plans, Requisitions, Manpower & Logistics.
- Managed A/C Chilled Water System and DX Installation.
- Managed Air Handling Units, Fans, VAV System and Duct Installation Works.
- Managed Sanitary, Drainage, Plumbing and Fire Protection System Installation Works.
- Testing and Commissioning Engineer for HVAC, Fire Protection, Plumbing, Sanitary & Drainage System.

April 2004-July 2004

Technolux, Inc.

9729 Kamagong St., San Antonio Village, Makati City, Philippines

Telephone no: (632)8974477 Fax no: (632) 8977117

Technical Engineer

- Quantity Surveyor and Cost Estimator for Air Conditioning and Refrigeration Equipment Installation Works.
- Prepared Project Schedules, Budget Plans, Requisitions, Manpower & Logistics.
- Managed Air Conditioning and Refrigeration Equipment & Commercial Cold Storage Installation Works.
- Prepared Relevant Engineering Reports, Schedules, Submittals and Handover Documents to clients.
- Managed Subcontracting Firms, Service Providers and Suppliers.

April 2003-March 2004

Sumisetsu Philippines, Incorporated

6F The Pearlbank Centre, 146 Valero St., Salcedo Vill., Makati City, Philippines

Telephone no: 8175571 Fax no: 8134923/8135359

Project Engineer

- Associate Engineer in Project Design and Evaluation.
- Quantity Surveyor and Cost Estimator for HVAC, Fire Protection and Plumbing Works.
- Prepared Relevant Engineering Reports, Schedules, Submittals and Handover Documents to clients.
- Managed the preparation of Construction, Shop and As-Built Drawings.
- Prepared Project Schedules, Budget Plans, Requisitions, Manpower & Logistics.
- Implemented Quality Control and ISO 9001 Standards.
- Managed & Planned Installations, Inspections, Testing and Commissioning Works.

December 2000-March 2003

Obayashi Philippines Corporation

606 Pioneer Highlands Condominium, Pioneer corner Madison Streets, Mandaluyong City, Philippines

Project Engineer

- Associate Engineer in Project Design and Evaluation.
- Quantity Surveyor and Cost Estimator for HVAC, Fire Protection and Plumbing Works.
- Project-in-Charge for HVAC, Fire Protection, Sanitary, Drainage & Plumbing Installation Works.
- Prepared Relevant Engineering Reports, Schedules, Submittals and Handover Documents to clients.
- Managed the preparation of Construction, Shop and As-Built Drawings.
- Planned & managed Installations, Inspections, Testing and Commissioning Works.

January 1997-December 2000

FGM Equity General Construction Company

Clarkfield, Angeles City, Pampanga, Philippines

Project Manager

- Managed Site Development of Subdivisions, Mass Housing Projects and facilities.
- Managed Projects for Civil, Mechanical, Electrical, Plumbing and Maintenance works.
- Prepared Relevant Engineering Reports, Schedules, Submittals and Handover Documents to clients.
- Managed Subcontracting Firms, Service Providers and Suppliers.
- Monitored the processing of Government Permits and Clearances.

October 1991- December 1996

Koa Komouten / Yamashita Kensetsu

Yokohama-Shi, Minami-ku, Nakamura-cho, 5-316, Japan

Construction Supervisor

- Supervised general building construction, plumbing, drainage & sanitary works for high rise buildings.
- Supervised the installation/dismantling of Vertical access systems and tower cranes.
- Operated and supervised the maintenance of construction heavy equipment and machinery.
- Installed Light to Medium Heating & Air Conditioning Equipment & Ductworks.

April 1990-September 1991

Automation Center of the Philippines

Doña Amparo Bldg, P. Noval cor. España St., Sampaloc, Manila, Philippines

Office Staff / Project Engineer

- Prepared Engineering reports.
- Prepared Tender Documents, Requisitions and Submittals.
- Managed Subcontracting Firms, Service Providers and Suppliers.

SEMINARS & TRAININGS ATTENDED

- **ISO 9000** Philippine Society of Mechanical Engineers
November 1997 / Paco, Manila, Philippines
- **Sewage Treatment Plant and Facilities-Operation and Maintenance:** Worldchem Technologies
July 2001 / EMI-Yazaki Plant, Imus, Cavite, Philippines
- **A-C Fire Pump Systems** : ITT Industries
February 2002 / Century Park Hotel, Mabini, Metro Manila, Philippines
- **ISO 9001:2000 Training** : Sumisetsu Philippines, Incorporated
August 2003 / 19th Floor, The Pearlbank Center, 146 Valero St. Makati City, Philippines
- **Safety Awareness Training** : Sumisetsu Philippines, Incorporated
November 2003 / 19th Floor, The Pearlbank Center, 146 Valero St., Makati City, Philippines

TGRG-Curriculum 1100-2016

- *Safety Awareness Training* December 2005 / 5F Summitmas II, Jalan Jenderal Sudirman, kav.61-62 Jakarta Selatan, Indonesia Taiyo Sinar Raya Teknik
- *Seismic Protection of HVAC & Electrical Equipment Technical Seminar* November 26, 2007 / Millenium Hotel, Abu Dhabi, U.A.E. Metallairs/Mason Industries
- *Environmental Air Distribution & Laminar Flow Systems* February 28, 2008 / Beach Rotana Hotel, Abu Dhabi, U.A.E. UTS Carrier/Totaline
- *HVAC & Electrical Equipment Technical Seminar* October 19, 2008 / UTS-Carrier, Meena Zayed, Abu Dhabi, U.A.E. UTS Carrier/Totaline
- *HVAC & Commercial System Design-Technical Seminar* December 12-15, 2010 / Harmon Industrial Complex, Tamuning, Guam Johnson Controls, Inc
- *Johnson Controls, Inc./York HVAC Training* March 2011 / Harmon Industrial Complex, Tamuning, Guam Occupational Safety & Health Administration
- *OSHA* March 2013 / IP & E Complex, Tamuning, Guam IP& E, Guam
- *HACCP (Hazard Analysis & Critical Control Points)*

EDUCATION

- Bachelor of Science in Mechanical Engineering
1984-1990 University of Santo Tomas, Manila Philippines
- High School
1980-1984 Saint Augustine Academy of Pampanga, Pampanga Philippines
- Elementary
1974-1980 Floridablanca East Central Elementary School, Pampanga Philippines

ELIGIBILITY

- Registered Mechanical Engineer
- Philippine Professional Regulation Commission License No. 0043212 / 13th Placer M.E. Board Exam 1989

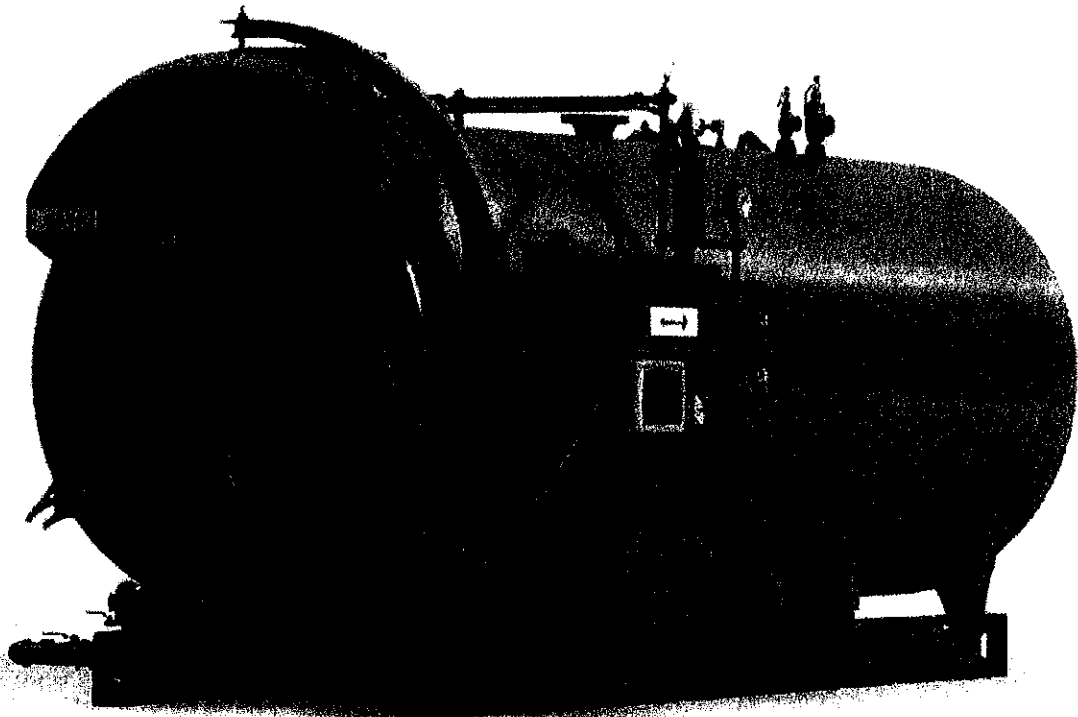
ORGANIZATIONS / AFFILIATIONS / ACCREDITATIONS

- Philippine Society of Mechanical Engineers Member
Sampaloc, Manila, Philippines
- Philippine Contractors Accreditation Board Accredited Sustaining Technical Engineer
Makati City, Philippines
- Professional Regulation Commission -License #-0043212 Registered Mechanical Engineer
Sampaloc, Manila, Philippines

PERSONAL PROFILE

Date of Birth : May 30, 1967
 Nationality : Filipino
 Languages : English, Filipino, Nihongo (Japanese) and Bahasa Indonesia.
 Skills : Carpentry, Masonry, Practical Plumbing, Arc Welding, Operation of heavy Equipment and machinery including automotive repair and maintenance.
 : Sheet Metal fabrication & Installation
 : Driving-Heavy Vehicles & Articulated Vehicles
 : Practical Electricity-Residential & Commercial
 : Air-Conditioning equipment troubleshooting.

**Cleaver
Brooks** 



HIGH-EFFICIENCY, LOW-EMISSIONS

4WI - CBLE

WET-BACK/DRY-BACK FIRETUBES

Steam & Hot Water 100-800 HP

OFFERED MODEL
SUBMITTALS
AVAILABLE UPON
AWARD

THE MODEL 4WI

Delivering high-efficiency, low-emissions control worldwide.

Our Model 4WI wet-back firetube boiler not only offers high efficiency but low emissions with options for low NOx. The Model 4WI not only has a history of being reliable, but offers a smaller footprint, maximum safety, easy maintenance and long life. Engineered by Cleaver-Brooks to provide a low lifecycle cost, the 4WI is a great value for the investment.

100 – 800 HP

4-pass, wet-back configuration

High efficiencies guaranteed at \$10,000 per point!

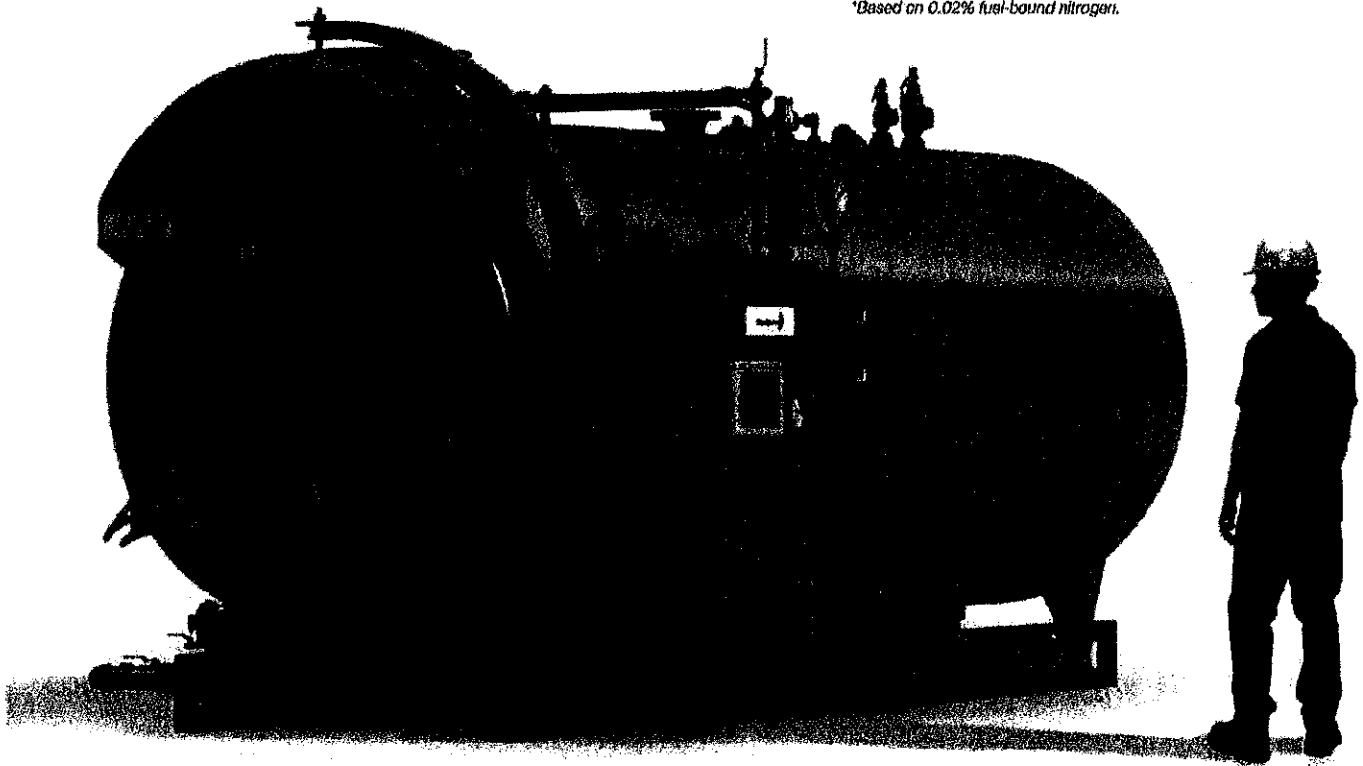
Low emissions to less than 7 ppm NOx, on natural gas and less than 70 ppm NOx on #2 oil*

Low NOx options (LE from 60 to 30) precisely matching your requirements

Ease of maintenance

Whisper-quiet operation

**Based on 0.02% fuel-bound nitrogen.*





THE MODEL CBLE

Offering easy maintenance, safety and flexibility.

Our Model CBLE firetube boiler has the same design elements of the 4WI only in a dry-back configuration. With the same great offerings, the Model CBLE also comes with an integral burner. It's a boiler package designed for long life, high fuel-to-steam/water efficiency, maximum safety, lowest emissions, quiet operation, ease of maintenance and the flexibility to add desired options to further enhance the package.

125 - 800 HP

Dry-back configuration

High efficiencies guaranteed at \$10,000 per point!

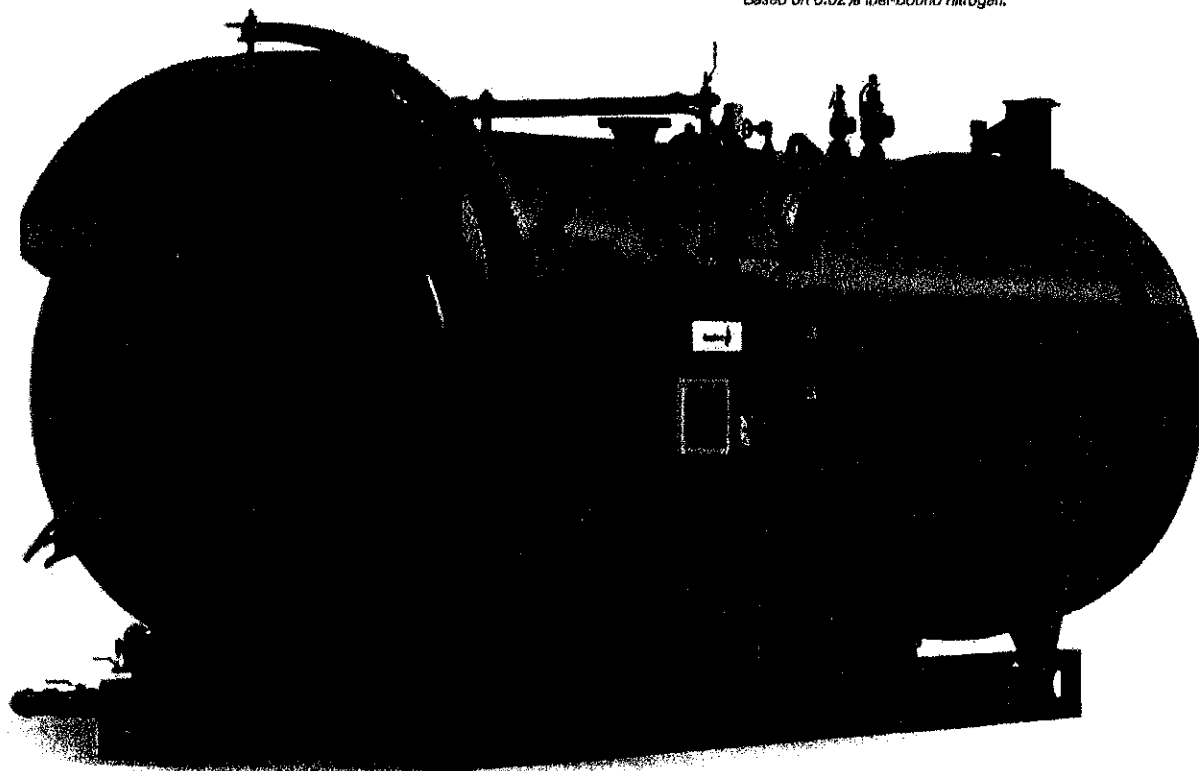
Low emissions to less than 7 ppm NO_x on natural gas and less than 70 ppm NO_x on #2 oil*

Low NO_x options (LE from 60 to 30) precisely matching your requirements

Ease of maintenance

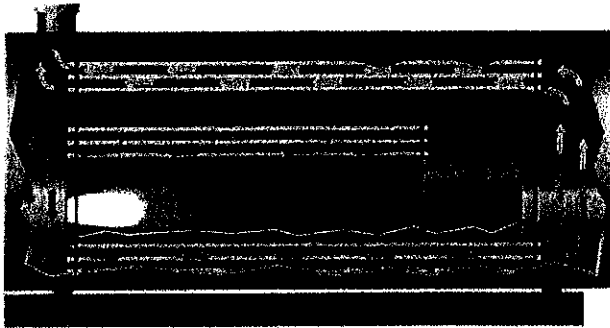
Whisper-quiet operation

**Based on 0.02% fuel-bound nitrogen.*

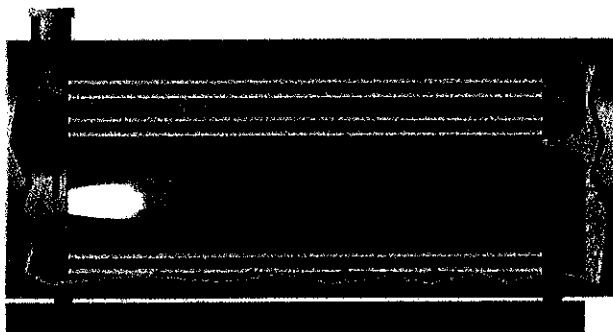


WET-BACK OR DRY-BACK CONFIGURATION

The Cleaver-Brooks 4WI and CBLE line of firetube boilers are offered in either a 4-pass wet-back (4WI) or dry-back design (CBLE), both of which come with an integral burner. It's a boiler package designed for long life, highest fuel-to-steam/water efficiency, maximum safety, lowest emissions, quiet operation, ease of maintenance and the flexibility to add desired options to further enhance the package.



Model 4WI – Wet-Back Design



Model CBLE – Dry-Back Design

Burner Design and the Furnace Geometry

Cleaver-Brooks team of highly qualified combustion and heat transfer engineers, using computational fluid dynamic modeling (CFD), collaborated in a design concept resulting in an optimized and efficient boiler package that is fully UL-approved and certified.

It all started with a basic set of design criteria:

- **Safety First** - Air-cooled integral front head and revolutionary LevelMaster™ water level control!
- **Space and Energy Savings** - Highly engineered boiler/burner package optimizes heat transfer surface.
- **Ease of Operation** - Unique AccuLink™ fuel/air control system; easy to set up, maintain!
- **Ease of Maintenance** - Everything is up-front, adjustable and accessible!
- **Efficient Fuel Burning** - High turndown on gas or #2 oil keeps the boiler efficiently online!

Most competitive burners may cycle on/off over 10 times per hour when operating below 25%. Excessive cycling means needless component wear and frequent pre/post purging; driving up maintenance and fuel costs. The Cleaver-Brooks High Turndown Burner (250-800 HP) is an integral part of our high-efficiency, low-maintenance and low-life-cycle-cost story.

Burner and Furnace Compatibility

Excellent combustion and heat transfer begin with Computational Fluid Dynamics or CFD modeling, matching the heat delivery and transfer components into a synergistic package for optimum heat transfer, high efficiency and long life. Precise compatibility of the burner and furnace is critical.

Lowering Emissions

Minimizing emissions is entirely dependent upon proper burner design and compatible furnace geometry. The 4WI and CBLE line of firetube boilers offers NOx reduction options of less than 70 ppm when burning #2 oil and 80, 30, 9 to less than 7 ppm when burning natural gas in conjunction with flue gas re-circulation (FGR)!

By using combustion air to draw 4th-pass flue gas (FGR) into the combustion mix, the flame temperature is reduced to a level that limits the propagation of nitrous oxides without quenching the flame or reducing overall efficiency.



Reliability & Long Life

Design, engineering and manufacturing excellence—the primary reasons for the extended life of a Cleaver-Brooks firetube boiler. With over 100,000 units in the field, the average life exceeds 25 years with many cases exceeding 50!

Therefore, reliability should not be considered an intangible. Not when you consider a single downtime occurrence can result in a production loss that far exceeds the cost of the boiler. And no other boiler holds such a high resale value or is the most preferred rental boiler choice. Why? Because it's the most ruggedly designed, efficient and reliable boiler on the market today.



Highest Efficiency

Attaining high fuel-to-steam/water efficiency in a boiler today requires a highly engineered package from a single source that is providing integrated burner controls and the heat-exchanging vessel. Cleaver-Brooks 4WI and CBLE line of firetube boilers is the premier package in the industry, guaranteeing the highest efficiencies and backing it up with a \$10,000-per-point guarantee.

Maximum Safety

The integral air-cooled front head, promoting comfort and safety, high-pressure steam boiler includes the revolutionary C-B LevelMaster™ low-water cutoff and level control. Combining solid state and microprocessor-based technologies, this level control with a brain is simply the safest low-water cutoff.

Lowest Emissions

The Cleaver-Brooks 4WI and CBLE boiler's integral burner design includes the latest advances in combustion technology.

"Hospital"-Quiet Operation

The secret to the Cleaver-Brooks 4WI and CBLE "hospital"-quiet operation is the integral burner. Simply the quietest in the industry!

\$10,000 Per Point Guarantee!

Low Life Cycle Cost

The best way to evaluate the actual cost for a long-term asset is through the life cycle costing discipline. When evaluating the best and lowest overall cost boiler to choose, one should seriously consider the following criteria in addition to initial cost:

What boiler gives me the longest life, reducing my replacement/renewal costs over the required life span of the asset?

The average Cleaver-Brooks firetube boiler has a life expectancy of 25 years with hundreds of units still efficiently performing after 50 years!

What boiler offers the greatest opportunity to upgrade, keeping the asset up-to-date, further increasing its life span?

The Cleaver-Brooks 4WI and CBLE boilers offer many options that can be retrofitted later, keeping it current and state-of-art for years to come! Or you may wish to add them now!

What boiler consumes the least amount of floor space, saving on initial cost during new construction?

The Cleaver-Brooks 4WI and CBLE boilers consume less space on average when compared to their closest competition. This, because of their optimized shell diameters, larger furnace volumes and integral burner. With rising costs for new construction, this is a significant offset to initial boiler cost!

What boiler will deliver the best fuel-to-steam/water efficiency?

The optimized and fully featured Cleaver-Brooks 4WI and CBLE boilers will on average save up to 5% in fuel cost annually when compared to their nearest competition. Remember too, that the average boiler consumes at least four (4) times its original cost in fuel during its first year of operation, and Cleaver-Brooks guarantees its efficiencies at \$10,000 per point!

What boiler will provide the lowest emission levels, reducing possible penalty costs and/or providing the greatest amount of emission credit opportunity?

The C-B 4WI and CBLE line of boilers offer the "LE" from 60 - 30 ppm and the "NT" for ultra low emissions from 9 - <7 ppm and less than 70 ppm with #2 oil!

What boiler gives me the lowest operating or sustaining cost over its life span?

The Cleaver-Brooks 4WI and CBLE model boilers with optimized design offer the highest fuel-to-steam/water efficiency when compared to their nearest competition. Additionally, their operating and service-friendly features provide ease of operation and maintenance; unsurpassed

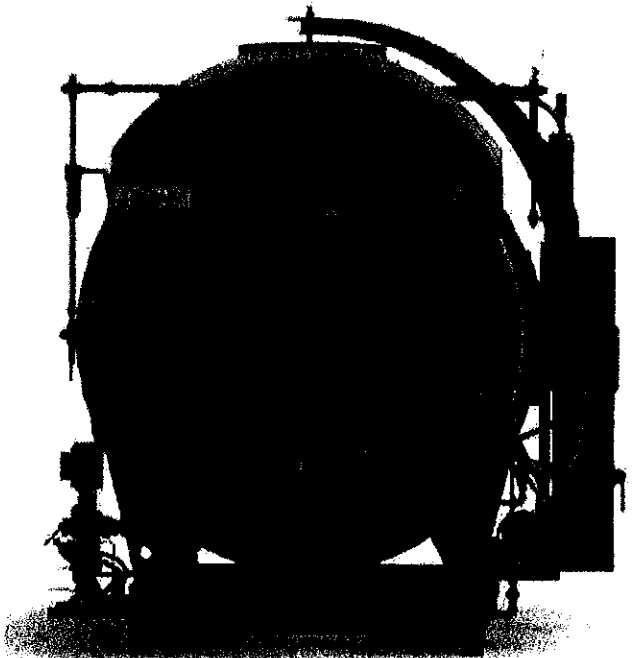
in the industry! Conservatively, this saves you thousands of dollars per year when compared to the nearest competitor!

What boiler gives me the highest residual value, reducing my life cycle cost should I choose to liquidate the asset?

Cleaver-Brooks boilers have traditionally been the boiler of choice for used equipment suppliers and rental companies because of their rugged quality, high efficiency and ease of operation and maintenance.

What boiler supplier gives me the greatest assurance of service and parts backup, increasing my uptime and saving production- or space-occupying losses?

Cleaver-Brooks has the largest network of Representatives throughout the world providing service and parts 24/7. It is your peace of mind and assurance of protection that keep our thousands of satisfied customers coming back year after year for upgrades and new equipment.

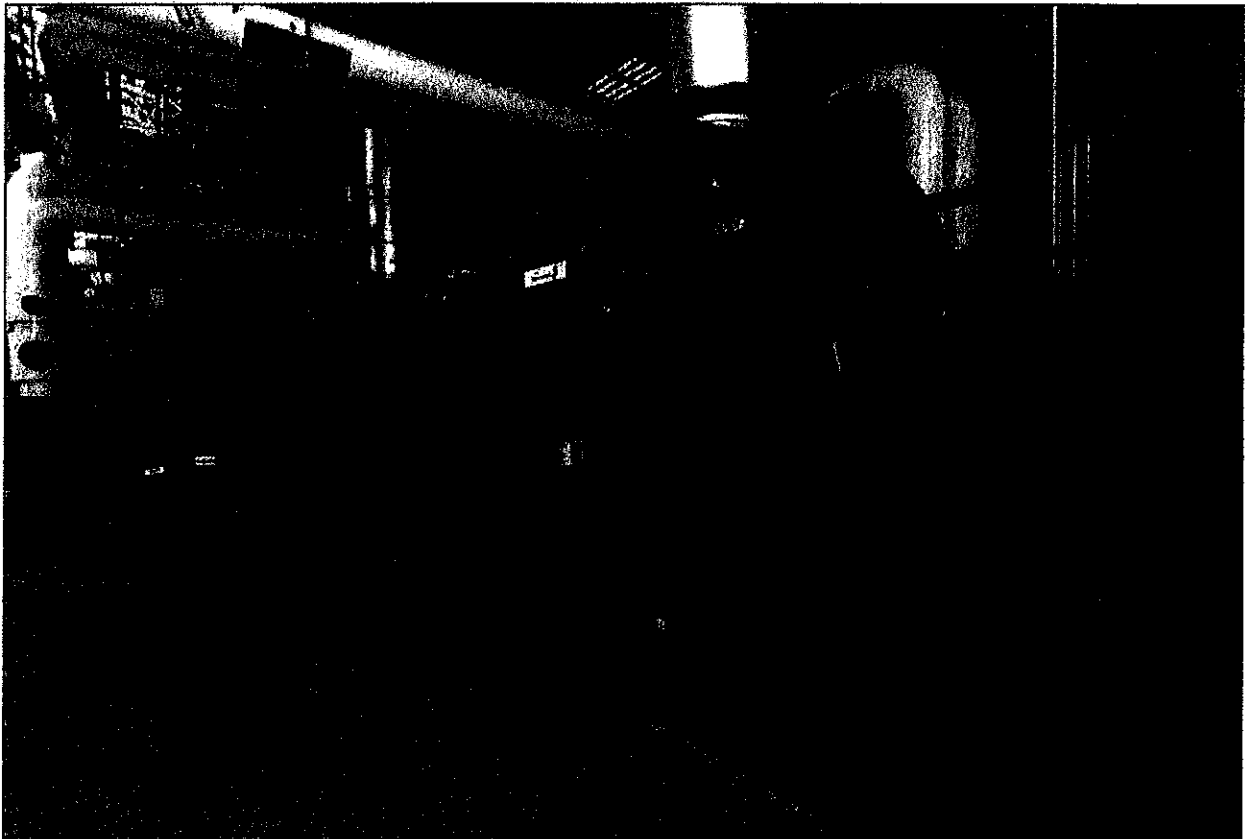


When Specifying, Buying or Replacing Your Next Boiler

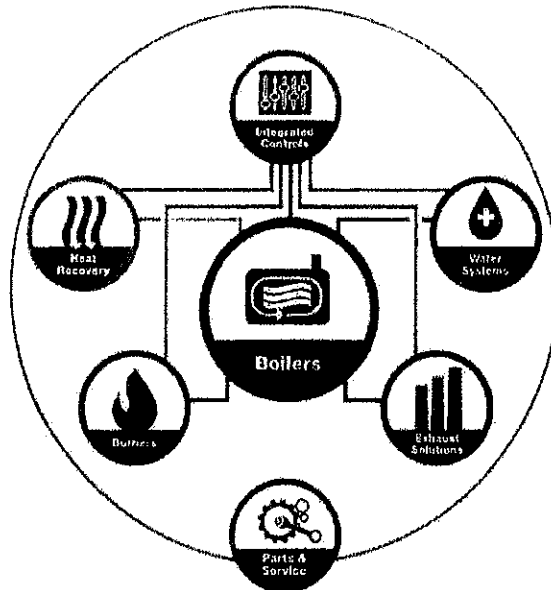


Remember the Cleaver-Brooks 4WI & CBLE Advantages:

- Highest efficiencies guaranteed at \$10,000 per point
- Lowest emissions to less than 7 ppm NOx on natural gas and less than 70 ppm NOx on #2 oil
- Low NOx options (LE from 60 – 30, NT from 9 to less than 7 ppm) precisely matching your requirements
- 4-pass Wet-Back or Dry-Back option
- Space savings
- Long life
- Maximum safety
- Ease of maintenance
- Whisper-quiet operation
- Flexible options
- Lowest life cycle cost
- Single source, single responsibility and backed up by an extraordinary sales and service distribution network that provides 24/7 service and parts all around the world



University of Florida installation of Three CBLE Firetube Boilers



Total Integration goes far beyond boilers.

For more than 80 years, Cleaver-Brooks has built a reputation for innovation in the boiler solutions industry. We remain committed to introducing technology and products that enable a more energy-efficient and environmentally friendly generation of steam and hot water.

When you come to us for a boiler, you can know that each element is created to the highest standards, and all will work together seamlessly to give you a highly efficient and reliable solution for protecting your boiler system. To learn more, please call or visit us online.



Packaged Boiler Systems
 221 Law Street • Thomasville, GA 31792 USA
 800.250.5883 • info@cleaverbrooks.com
cleaverbrooks.com

EXHIBIT 7

GUAM MEMORIAL HOSPITAL AUTHORITY
850 Gov. Carlos Camacho Road
Tamuning, Guam 96913
Phone: 671-647-2362 Fax: 671-649-3640
Fax Transmittal Sheet

To: JRN Air Conditioning & Ref., Inc.
Fax: 649-5737 (INFO@jrngu.com)
From: MaryAnn Castro, Buyer I
Date: December 05, 2019
Subject: IFB 002-2020 Removal and Replacement of One (1) Boiler Unit and Piping System – Clarification Request
Pages(s): 2 pgs. Including Cover Sheet

NOTES:

Dear Vendor,
 Please confirm receipt of attached IFB 002-2020: Removal and Replacement of One (1) Boiler Unit and Piping System – Clarification Request.
 Respectfully,
 MaryAnn Castro
 Buyer I-Guam Memorial Hospital Authority
 An Acknowledgement via a return email/fax would be appreciated as soon as possible. Return fax number is 649-3640.

DATE / VENDOR ACKNOWLEDGMENT BY:

~~_____~~ DECEMBER 05, 2019
JRN AIR CONDITIONING & REF.

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Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan

850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96913
TEL: (671) 647-2444 or 647-2330
FAX: (671) 649-0145



December 05, 2019

Mr. Cesar Cordero
Operations Manager
JRN Air Conditioning & Ref., Inc.
1755 Army Drive
Barrigada, Guam 96913

Dear Mr. Cordero,

After further review of your IFB Packet for IFB 002-2020 Removal and Replacement of One (1) Boiler Unit and Piping System. Guam Memorial Hospital Authority (GMHA) has identified that not all required documentation was provided as listed below:

Page 33-Special Reminders to Prospective Bidders:

- 1) Line Item #1-Statement of Qualifications and performance data
-Qualifications and performance data was received for Air Conditioning Sales & Repair Services. We are unable to locate any statements, experience or projects related to boiler installation.
- 2) Special Reminders to Prospective Bidders line item #13 – Copy of Current Certificate of Authorization to contract for Engineering Services issued by the Guam Board of Registration for Professional Engineers, Architects and Land Surveyors: Documentation not included or addressed in bid proposal.

Please respond and submit requested documentation by Tuesday, December 10, 2019, by close of business.

Sincerely,

Dolores F. Pangelinan
Hospital Materials Management Administrator

ACKNOWLEDGMENT OF RECEIPT:

(Signature)

TEDDY GLENN R. GARCIA / MECHANICAL ENGINEER

Print Name and Title

DEC. 05, 2019

Date



Reference # : JRNACR-L19-021
Date : December 10, 2019
To : Guam Memorial Hospital Authority
Attention : Ms. Lillian Perez-Posadas/RN,MN-Hospital Administrator/CEO
Through : Ms. Dolores F. Pangelinan/Hospital Materials Management Administrator
Subject : **Statement of Qualifications-Supplementary Details**
Air Conditioning Sales & Repair Services

Madam,

This is in response to the letter received from GMHA dated December 05, 2019, as a clarification for line item #1

In addition to the Statement of Qualifications that was submitted during the Bid Date, November 19, 2019, we wish to inform your good office that we were in contact with our supplier from Hawaii which is the Area distributor for Cleaver Brooks Fire tube Boilers. The equipment will be supplied by Cleaver Brooks through its regional supplier which will provide us with the following items based on the Bid Specifications:

- Fire tube Boiler as per the Bid Specifications and same as per existing(Same Model-Newer Features)
- Fuel Pump, valves and all related accessories
- Flue/Chimney including all related appurtenances
- Blower Motor
- Pressure and Temperature Transmitters
- Alarm Devices
- Pressure Relief Valves
- Miscellaneous Isolation & control Valves
- Pressure & Temperature Gauges
- Double guard Packaging of the equipment
- Fuel Day tank including Instrumentation and Controls
- Blower Motor Starters & Safety Controls

Most importantly, part of our package Proposal from the supplier is the inclusion of the necessary Technical Experience and capacity as Installer by the manufacturer itself. Below are list of the items included:

- Start-up & Commissioning by Cleaver Brooks-Full Supervision on Pre-start-up Checklists;
- Preliminary Function Test of all systems.
- Isolated Function Test(Not On-line)
- Fuel System Pressure Test

P.O. BOX 27070 GMF, Guam 96921 Tel: (671) 649-8120/21 fax: (671) 649-5737
e-mail: INFO@jrngu.com



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- Emergency Shut off of unit Testing
- Certification from the Testing Engineer/Commissioning Engineer for the Commissioning of the Equipment.

Further to the above, our Mechanical Engineer in our employ has experience in the installation of Boilers after having been employed previously in Mechanical, Electrical and Plumbing Companies (Please see submitted Resume) and will be working under a Professional Engineer registered here on Guam.

In view of the above, we request your kind consideration to have the merits mentioned above to satisfy the requirement on Line Item #1.

Respectfully yours,

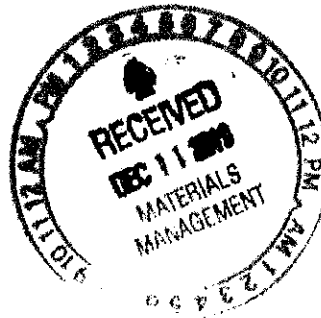
For

Julisis R. Nucum

President

Cc: File

Engineering/TGRG



P.O. BOX 27070 GMF, Guam 96921 Tel: (671 649-8120/21 fax: (671 649-5737
e-mail: INFO@jrngu.com



AIR CONDITIONING & REFRIGERATION

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Reference # : JRNACR-L19-022
Date : December 10, 2019
To : Guam Memorial Hospital Authority
Attention : Ms. Lillian Perez-Posadas/RN,MN-Hospital Administrator/CEO
Through : Ms. Dolores F. Pangelinan/Hospital Materials Management Administrator
Subject : **Statement of Qualifications-Supplementary Details-Line Item #2**
Air Conditioning Sales & Repair Services

Madam,

This is in response to the letter received from GMHA dated December 05, 2019, as a clarification for line item #2

Attached herewith are the credentials of the Professional Engineer which was retained by our company to provide various tasks in engineering fields.

The certification states the direct supervision of the Professional Engineer for this particular project and will be directly responsible from the start until the completion of the project by directly supervising our Mechanical Engineer and our Technical Crew. This will make sure that we will be in full compliance to all Technical Specifications regarding removal and installation, start-up and commissioning, and the eventual handover of the "operational" equipment to the owner (GMHA).

In view of the above, we request your kind consideration to have the merits mentioned above to satisfy the requirement on Line Item #2.

Respectfully yours,

Julius R. Nucum

President

Cc: File

Engineering/TGRG

P.O. BOX 27070 GMF, Guam 96921 Tel: (671 649-8120/21 fax: (671 649-5737
e-mail: INFO@jrngu.com

October 21, 2019

CERTIFICATION

This is to certify that JRN Air Conditioning and Refrigeration, Inc. (The Company) had been into an agreement and retainage of my Professional Services such as consultation, evaluation, planning, investigation, design and responsible supervision of Mechanical Installation and Removal Works including Mechanical Repairs in connection with any public or private utilities, structures involving but not limited to the following:

- (HVAC) Heating, Ventilating and Air Conditioning machines, equipment, processes, works or projects(Chillers, Cooling Towers & Air Handling Systems);
- Fire Protection Systems, including equipment, machines, Pipeworks and all ancillaries and auxiliary Systems;
- Air Conduit Systems(SMACNA), both for rigid and Flexible Systems including all Material Selections and management of Debris Disposal hereof;
- Plumbing Systems both for Low and High Pressure Systems, Low and High Temperature Systems;
- Power Generation Systems using Oil-Fueled Engines.
- Specialty Systems such as Steam or Hot Water Boilers (Fire tube & Water tube Types) including all pipeworks and safety accessories.

Further to the above information, all supervisors and engineers of the Company will be under my supervision on Specific Projects such as the Replacement of Boilers and related Systems necessary to complete the Mechanical Works.

Signed:


Mauro R. Narvarte

Professional Engineer (Mechanical)

License Number : 718

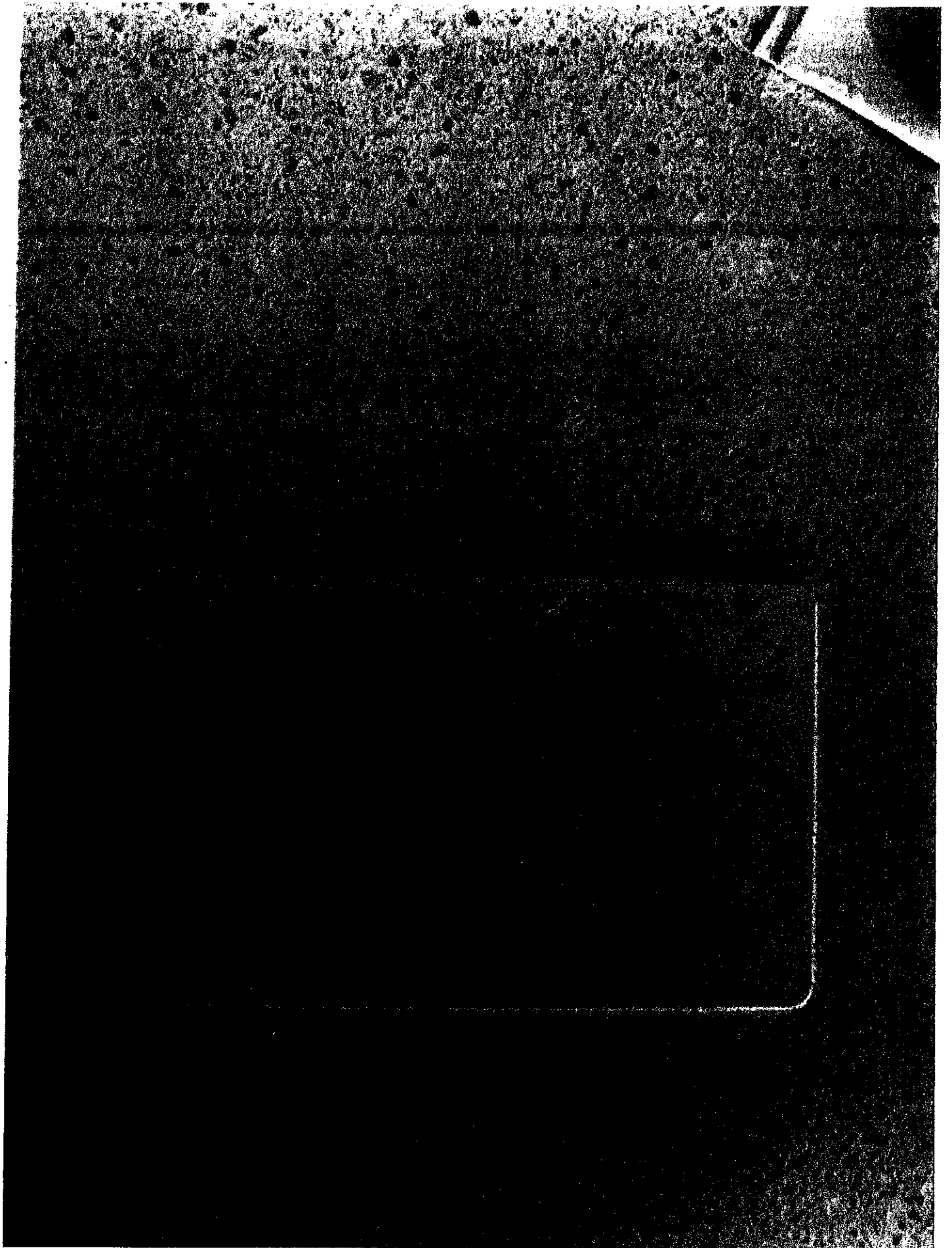
Registered : 02-14-1989

Valid Until : 04-30-2020

Attached: Copy of Guam PEALS Board Registration Card

Mauro P. Narvarte/P.E.



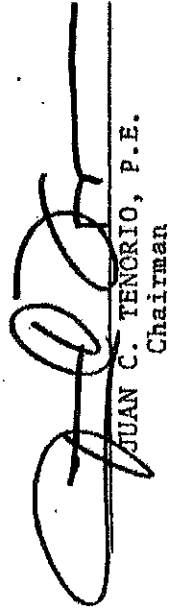


TERRITORY OF GUAM



WHEREAS Mauro R. Marranta has shown competency and fitness
to practice _____ and has complied with all
requirements of the Territorial Board of Registration for Professional Engineers, Architects and Land Surveyors; therefore, by
virtue of the power vested in said Board by the Territory of Guam, the TERRITORIAL BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS, ARCHITECTS, and LAND SURVEYORS hereby issues to him/her this
Certificate of Registration numbered 718 to practice Mechanical Engineering in the Territory of
Guam as provided by the laws of the Territory of Guam and subject to the powers of revocation as vested in the Board.

IN TESTIMONY WHEREOF, Witness the signature of the Chairman and Secretary under the Seal of the Board
this 14th day of February, 19 89.


JUAN C. TENORIO, P.E.
Chairman

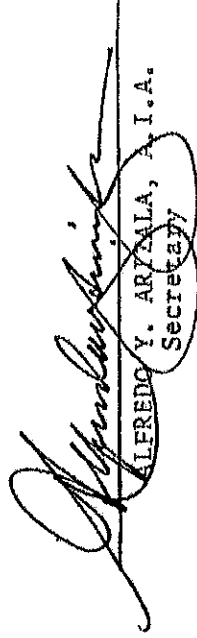

ALFREDO Y. ARZOLA, A.I.A.
Secretary

EXHIBIT 8



Guam Memorial Hospital Authority
Aturidåt Espetåt Mimuriåt Guåhan

850 GOV. CARLOS CAMACHO ROAD
 OKA, TAMUNING, GUAM 96913
 TEL.: (671) 647-2444 or (671) 647-2330
 FAX: (671) 649-0145



January 24, 2020

Mr. Cesar Cordero
 Operations Manager
 JRN Air Conditioning & Ref., Inc.
 1755 Army Drive
 Barrigada, Guam 96913

Re: Second Request for Additional Documentation

Dear Mr. Cordero,

The Guam Memorial Hospital Authority (GMHA) is in receipt of your letter and documentation dated December 10, 2019.

After reviewing your subsequent submission, the GMHA found that it still requires additional information to evaluate the following:

- a) Line Item #1 – Statement of Qualification and Performance Data
- b) Line Item #13- Copy of Current Certificate of Authorization to contract for Engineering Services issued by the Guam Board of Registration for Professional Engineers, Architects and Land Surveyors.

For line item #1, your letter states that a Mechanical Engineer employed by JRN has experience in installation of boilers and that such experience can be found in his resume. However, the GMHA was unable to identify any such statements, experience, or projects related to boiler installation. Please provide qualifications and performance data specific to boiler installation.

For line item #13, your letter or subsequent documentation did not address the GMHA's request. Please provide a copy of a Current Certificate of Authorization to Contract for Engineering Services.

Please respond and submit documentation by Wednesday, January 29, 2020, by close of business.

Dolores F. Pangelinan
 Dolores F. Pangelinan
 Hospital Materials Management Administrator

ACKNOWLEDGEMENT OF RECEIPT:

Teddy Cuerni R. Garcia
 Signature
 TEDDY CUERNI R. GARCIA
 Print Name/Title
 01-28-2020
 Date

EMAILED
 01-28-2020
 @ 3:24 PM



AIR CONDITIONING & REFRIGERATION

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Reference # : JRNACR-L20-011
 Date : January 29, 2020
 To : Guam Memorial Hospital Authority
 Attention : Ms. Lillian Perez-Posadas/RN,MN-Hospital Administrator/CEO
 Through : Ms. Dolores F. Pangelinan/Hospital Materials Management Administrator
 Subject : Request for Additional Documentation(2nd)
Supplementary Details

Madam,

This is in response to the letter received from GMHA dated January 24, 2020, as a clarification for line items #1 & #13.

Attached herewith are the Affidavit re Retainage of the Professional Services of a Licensed Professional Engineer who is currently in the roster of the PEALS Board. The retainage of the Professional Engineer by our company is to provide various tasks in engineering fields and as a certification that he has the authorization to contract engineering services via our company's prospective projects.

Additionally, an affidavit re the Professional Experience of the Mechanical Engineer in our company's employ is to address the concern regarding the Technical Capacity on the subject of Boilers to name a few. A diversified experience from reputable companies has been gained considerably to merit your consideration on this matter.

Respectfully yours,



Julius R. Nduka

President

Cc: File

Engineering/rng



P.O. BOX 27070 GMF, Guam 96921 Tel: (671 649-8120/21 fax: (671 649-5737

e-mail: INFO@rngu.com

TGRG/Correspondence

AFFIDAVIT DISCLOSING RETAINAGE OF PROFESSIONAL SERVICES

I, the undersigned, being first duly sworn, depose and say that in behalf of the company, have entered into a contract with Mr. Mauro P. Narvarte, a Professional Mechanical Engineer with License Number: 718, Registered on February 14, 1989 under the Professional Engineers, Architects and Land Surveyors (PEALS) Board to retain his Professional Services for the following:

Section A: Purpose

To provide services such as consultation, evaluation, planning, investigation, design and responsible supervision of Mechanical Installation and Removal Works including Mechanical Repairs in connection with any public or private utilities, structures involving but not limited to the following scope & conditions:

- (HVAC) Heating, Ventilating and Air Conditioning machines, equipment, processes, works or projects (Chillers, Cooling Towers & Air Handling Systems);
- Fire Protection Systems, including equipment, machines, Pipeworks and all ancillaries and auxiliary Systems;
- Air Conduit Systems (SMACNA), both for rigid and Flexible Systems including all Material Selections and management of Debris Disposal hereof;
- Plumbing Systems both for Low and High Pressure Systems, Low and High Temperature Systems;
- Power Generation Systems using Oil-Fueled Engines.
- Specialty Systems such as Steam or Hot Water Boilers (Fire tube & Water tube Types) including all pipeworks and safety accessories.

Section B: Duration

The Professional Engineer has been retained indefinitely and our contract is renewable on an annual basis. The contract has been finalized on the 21st day of October, 2019 and will include the following additional services:

- Issuance of Certifications, originally signed by P.E. upon request of the company for all bidding and business representation purposes on top of the items at Section A.
- Site Project representation or Project supervision.

Subscribed and sworn to before me this 28th day of January, 2020

Signed:



Cesar Cordero

JRN AIR CONDITIONING & REFRIGERATION, INC


NOTARY PUBLIC/SEAL

My Commission Expires: 10/01/2020

RAMON J.D. QUINEN
NOTARY PUBLIC
In and For Guam, U.S.A.
My Commission Expires: OCT. 01, 2020
1779 Army Drive Ste. 105 Tamuning, Guam 96911

AFFIDAVIT re PROFESSIONAL EXPERIENCE

I, the undersigned, being first duly sworn, depose and say that I possess the necessary Technical Skills and Related Work Experience with regards to the Removal, Installation and Maintenance of Steam and Hot Water Boilers (Wetback and Dryback).

My past experience is founded on my employment with the following Companies (Shown on my CV):

1. Talyo Sinar Raya Teknik (a Sumitomo Corporation in Indonesia) from July 2004 until September 2005, with an office address at 5F Summitmas II, Jalan Jenderal Sudirman, Kav. 61-62, Jakarta Selatan, Indonesia. I have been involved as a Technical Consultant on Mechanical Works for the particular Project Ritz Carlton Hotel-Mega Kuningan project at the heart of Jakarta, Indonesia. Part of my scope of Works are the following:
 - Air Conduit Systems(SMACNA), both for rigid and Flexible Systems including all Material Selections and management of Debris Disposal hereof;
 - Plumbing Systems both for Low and High Pressure Systems, Low and High Temperature Systems;
 - Power Generation Systems using Oil & Petrol-Fueled Engines.
 - Specialty Systems such as Steam or Hot Water Boilers (Fire tube & Water tube Types) including all pipeworks and safety accessories. This is for the Hotel's Hot Water Plumbing taps, Kitchen, Laundry Services and Spa/Sauna.
 - (HVAC) Heating, Ventilating and Air Conditioning machines, equipment, processes, works or projects(Chillers, Cooling Towers & Air Handling Systems);
 - Fire Protection Systems, including equipment, machines, Pipeworks and all ancillaries and auxillary Systems, Fire Alarm Mechanical Interconnectivity;
 - Analyzes Plans and Specifications for construction projects to plan the most appropriate construction methodologies for the projects, construction scheduling requirements, and critical path scheduling elements. Directs and monitors the execution and installation of the mechanical work elements for the construction projects by the company's construction workforce in order to ensure compliance with plans and specifications for projects, government regulations, and all conditions relevant to the building works, as approved by the government permits issued for the projects. Assists in resolving mechanical engineering design issues for the mechanical works construction. Prepares analyses, calculations and reports regarding technological specifications for various aspects of the mechanical construction works.
2. Sumisetsu Philippines Incorporated, (a Sumitomo Corporation in the Philippines) from April 2003 until March 2004, with an office address at 6F, The Pearlbank Center, 146 Valero St., Salcedo Village, Makati City, Philippines. I have been involved as a Project Engineer on Mechanical Works for the Maintenance of Factory Equipment including but not limited to Steam and Hot Water Boilers in the Laguna and Cavite Economic Zones.
3. Technolux, Inc. located at 9729 Kamagong St. San Antonio Village, Makati City, Philippines, from April 2004 until July 2004. I have been part of a Technical Team who supervises the Maintenance of Boilers for the Hotels' Laundry Services.

Subscribed and sworn to before me this 20th day of January, 2020

Signed:


Teddy Glenn Roman Garcia

JRN AIR CONDITIONING & REFRIGERATION, INC


NOTARY PUBLIC/SEAL

My Commission Expires: 10/16/2020

RAYMON JD QUINEN
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: OCT, 01, 2020
177 Army Drive Ste. 105 Tamuning, Guam 96911

EXHIBIT 9

GUAM MEMORIAL HOSPITAL AUTHORITY
850 GOV. CARLOS G. CAMACHO ROAD
TAMUNING, GUAM 96913
PHONE: 671-647-2165 FAX: 671-649-3640

FAX TRANSMITTAL SHEET

TO: JRN Air Conditioning & Ref. Inc.
FAX: info@jrngu.com
FROM: Hospital Materials Management Administrator, Acting
DATE: April 13, 2020
SUBJECT: GMHA IFB 002-2020 Removal & Replacement of One (1) Boiler Unit
and Piping System
**Re: Written Determination of Non-Responsibility, Bid Status &
Deposit Return**
PAGES: 6 including cover sheet

NOTES:

An acknowledgement via a return fax would be appreciated as soon as possible. Return
fax number is 649-3640.

DATE / VENDOR ACKNOWLEDGEMENT

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Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan



850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96913
TEL: (671) 647-2444 or 647-2330
FAX: (671) 649-0145

April 06, 2020

Mr. Cesar Cordero
Operations Manager
JRN Air Conditioning & Ref., Inc.
1755 Army Drive
Barrigada, Guam 96913

Re: Written Determination of Non-Responsibility Pursuant to 5 GCA § 5230 for Bid
GMHA IFB 002-2020 Removal and Replacement of One (1) Boiler Unit and Piping
System

Mr. Cordero:

Under 26 GAR Div 2 §16317(2)(b) and 2 GAR Div 4 §3116(b), the GMHA may use the following factor when determining responsibility, whether a prospective contractor has "available the appropriate financial, material, equipment, facility, and personnel resources and expertise, or the ability to obtain them, necessary to indicate its capability to meet all contractual requirements." A prospective contractor may demonstrate "the availability of necessary financing, equipment, facilities, expertise, and personnel by submitting upon requests: (A) evidence that such contractor possess such necessary items; (B) acceptable plans for such necessary items; or (C) a documented commitment from, or explicit arrangement with, a satisfactory source to provide the necessary items." *Id.* However, "before awarding a contract, the Hospital Administrator must be satisfied that the prospective contractor is responsible." *Id.*

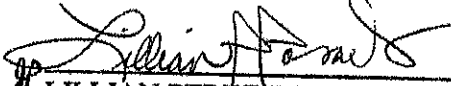
Pursuant to 5 GCA § 5230, a written determination of non-responsibility of a bidder or offeror shall be made in accordance with regulations promulgated by the Policy Office. GMHA's procurement regulations and the Guam Administrative Rules provide "a written determination of non-responsibility setting forth the basis of the finding shall be prepared by the Hospital Administrator. A copy of the determination shall be sent promptly to the non-responsible bidder or offeror. The final determination shall be made part of the procurement file." 26 GAR Div 2 §16317(e).

We have evaluated your bid and the subsequent documentation submitted in response to GMHA's first and second request for additional information. We found your submissions was non-responsible because you did not provide sufficient information to demonstrate your statement of qualification and performance data specific to boiler installation, as required by Line #1 Special Reminders to Bidders of the subject referenced Invitation for Bid. Although you

suggested the experience of a Mechanical Engineer employed by JRN was sufficient to show your qualification and performance data specific to boiler installation, our evaluators determined your submissions failed to show "(A) evidence that such contractor possess such necessary items; (B) acceptable plans for such necessary items; or (C) a documented commitment from, or explicit arrangement with, a satisfactory source to provide the necessary items."

Based on the GMHA's evaluation of your bid and subsequent submissions, the GMHA found your bid was non-responsible as defined under 5 GCA § 5201(f).

We appreciate your participation in the subject referenced bid. Thank you for your cooperation.


LILLIAN PEREZ-POSADAS, MN, RN
Hospital Administrator/CEO



Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan



850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96913
TEL: (671) 647-2444 or 647-2330
FAX: (671) 649-0145

April 06, 2020

BID STATUS

Mr. Cesar Cordero
Operations Manager
JRN Air Conditioning & Ref., Inc.
1755 Army Drive
Barrigada, Guam 96913

BID NO: GMHA IFB 002-2020 OPENED: November 12, 2019, @ 9:30am
FOR: Removal and Replacement of One (1) Boiler Unit and Piping System

in the best interest of Guam Memorial Hospital Authority the subject bid status as indicated by an "X", is as follows:

// Canceled (in whole and in part) for the reason indicated by an "X":

- Insufficient funds
- No longer require the supplies, services or construction;
- Major change or amendment of specifications;
- Insufficient number of bidders;

/X/ The bid [has] [have] been rejected in the best interest of Guam Memorial Hospital Authority for the reason including, but not limited to:


- Late submission of bid.
- No bid deposit submitted, as required by Section 11 of the General Terms and Conditions.
- Bid received after the time established by the invitation for bid.
- Not meeting the delivery requirement as stated in the invitation for bid.
- Nonconformance with specifications.
- Inability to provide future maintenance and services
- Exceeds budgeted amount.
- High Price.
- Others: Written Determination of Non-responsibility Pursuant to 5GCA § 5230 attached**

/X/ The lowest responsive and responsible bidder(s) [has] [have] been evaluated to be:

1. Ammanabat Corporation

Pursuant to 5GCA Chap 5 § 5211(e)(g) and Guam Memorial Hospital Authority Procurement Rules & Regulations 3-202.14, Bid Evaluation & Award;

Sincerely,


LILLIAN PEREZ-ROSADAS, MN, RN
Hospital Administrator/CEO

ACKNOWLEDGMENT OF RECEIPT:

(Signature) Date

Print Name and Title



Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan



850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96913
TEL: (671) 647-2444 or 647-2330
FAX: (671) 649-0145

April 06, 2020

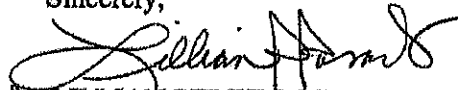
DEPOSIT RETURN

Mr. Cesar Cordero
Operations Manager
JRN Air Conditioning & Ref., Inc.
1755 Army Drive
Barrigada, Guam 96913

Dear Mr. Cordero:

Your Bid Bond # CKI-190035-APB, issued by Chung Kuo Insurance Co., Ltd., dated November 8, 2019, in the amount of: \$71,250.00, 15% of total bid amount, for GMHA IFB: 002-2020 is being returned for your disposition.

Sincerely,


LILLIAN PEREZ-POSADAS, MN, RN
Hospital Administrator/CEO

ACKNOWLEDGMENT OF RECEIPT:

(Signature)

Print Name and Title

Date

EXHIBIT 10

Maryann Castro

From: Zaldy Tugade <zaldy.tugade@gmha.org>
Sent: Monday, November 25, 2019 9:53 AM
To: Maryann Castro
Subject: Fwd: Boiler Bid Review

Sorry lai. Here it is FYI.

----- Forwarded Message -----

Subject:Boiler Bid Review
Date:Mon, 25 Nov 2019 09:45:47 +1000
From:Zaldy Tugade <zaldy.tugade@gmha.org>
To:Dolores Pangelinan <dfp@gmha.org>, William Kando <wnk@gmha.org>, don.rabanal@gmha.org <don.rabanal@gmha.org>

Lola,

Good Morning and here's my review.

Lowest bidder JRN Proposal is **\$475K within budget**. hows qualification in HVAC and refrigeration but none on Boiler Systems. Did not address or submit any document reference #13 of "Special reminders to prospective bidders". Can't find in their qualification statement and experience or projects anything related to boiler installation. business license and contractor license provided.

2nd lowest Bidder AMManabat is Proposal @ **\$485K within budget**. Addressed #13 of "Special reminders to prospective bidders". Has Contractors License but did not include Business License. Experience and Project undertaking for boiler installation presented.

3rd Bidder J&B Modern - Proposal is **high at \$825K** which is more than the in house budget/estimate of \$499K. Business and contractor license provided. Can't find in their qualification statement and experience or projects anything related to boiler installation. Did not address or submit any document reference #13 of "Special reminders to prospective bidders".

My recommendation as of now based on the above is to consider 2nd lowest bidder. Consider Lowest bidder only if they can establish experience. Reject Hoghers Cost Bidder to be rejected based on high cost and exccendance of about 90% from budget/estimate. . Need others to review and deliberate to affirm my recommendation.

DSYM
Z

Dangku'lu na Si Yu'us Ma'ase (DSYM) FM Theme "We don't fix the blame. We fix the problem" Zaldy S. Tugade, PE Facilities Maintenance Manager - Acting Ph: 671-647-2192/2224 Fax: 671-647-2121 CONFIDENTIALITY

EXHIBIT 11

INVITATION FOR BID

W. J. Land
LILLIAN PEREZ-POSADAS, RN, MN
HOSPITAL ADMINISTRATOR / CEO

ISSUING OFFICE:

GUAM MEMORIAL HOSPITAL AUTHORITY
MATERIALS MANAGEMENT DEPARTMENT
850 Gov. Carlos G. Camacho Road,
Oka Tamuning, Guam 96913

DATE ISSUED: October 11, 2019

INVITATION FOR BID NO: GMHA IFB 002-2020

BIDDERS INSTRUCTION: This BID shall be submitted in one (1) original and one (1) duplicate copy and sealed to the issuing office above no later than 9:00am, Monday, October 28, 2019 and will be publicly opened at 9:30am, Monday, October 28, 2019, in the GMHA Daniel L. Webb, Conference Room, 1st Floor Administration. Bids submitted after time and date specified above shall be rejected. See attached Solicitation Instructions and General Terms and Conditions for details.

BID FOR: Removal and Replacement of One(1) Boiler Unit and Piping System

SPECIFICATIONS: As per attached.

QUESTIONS ON BIDS: See Paragraph 3, Sealed Bid Solicitation Instructions

DESTINATION: Guam Memorial Hospital Authority

REQUIRED DELIVERY DATE: See General Terms & Conditions

NOTE TO BIDDERS: This bid is subject to the attached General Terms and Conditions. The undersigned offers and agrees to furnish within the time specified, the articles and services at the price stated opposite the respective items listed on the schedule provided, unless otherwise specified by the bidder. In consideration of the expense of the Government in opening, tabulating, and evaluating this and other bids, and other considerations, the undersigned agrees that this bid remain firm and irrevocable within 30 calendar days from the date opening to supply any or all of the items which prices are quoted. This bid is governed by the laws of the Territory of Guam, emphasis on the 5 OCA Government Operations - Chapter 5, the Guam Procurement Law and 26 GAR Public Health and Social Services, Division 2, Guam Memorial Hospital.

INDICATE WHETHER: () INDIVIDUAL () PARTNERSHIP (x) CORPORATION

INCORPORATED IN: GUAM

NAME AND ADDRESS OF BIDDER:

AMMANABAT CORPORATION

PMB 182-535 PALE RAMON HAYA

YIGO GUAM 96929

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS BID:

[Signature]
VICE PRESIDENT

AWARD: (TO BE COMPLETED UPON AWARD)

CONTRACT NO.:

AMOUNT:

DATE:

ACCEPTED AS TO ITEMS NUMBERED:

CONTRACTING OFFICER:

LILLIAN PEREZ-POSADAS, RN, MN
HOSPITAL ADMINISTRATOR / CEO WJ

NAME AND ADDRESS OF CONTRACTOR:

AMMANABAT CORPORATION

PMB 182-535 RAMON HAYA YIGO GU 96929

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS CONTRACT:

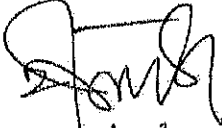
[Signature]
VICE PRESIDENT

TOTAL BID OFFER: \$ 485,000.00

TOTAL BID BOND: \$ 72,750.00

(15% of total Bid Offer)

BANKOF GUAM
CASHIER'S CHECK
NO. 1001157
DATED 11/15/2019


11/18/19

AMMANABAT CORPORATION

PMB 182-535 CHALAN PALE RAMON HAYA
YIGO, GUAM 96929 U.S.A.

TELFAX: (671) 969-2269
Email: ammanabatcorp@gmail.com

November 18, 2019

To: Lillian Perez-Posadas , RN, MN
Hospital administrator/CEO
GUAM MEMORIAL HOSPITAL AUTHORITY
850 Gov. Carlos G. Camacho Road
Oka Tamuning GU 96913 .

Thru: Dolores F. Pangellinan,
GMHA Procurement Administrator

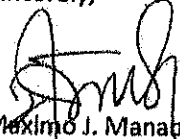
Subject: Statement of Qualification and Performance Data

Re: GMHA IFB-002-2020 REMOVAL AND REPLACEMENT OF ONE BOILER UNIT AND PIPING SYSTEM

In COMPLIANCE to submit the above subject as requirement to the bid proposal submission with regards to the above referenced project, AMMANABAT CORPORATION in collaboration with other partner companies specialized in Mechanical Projects as HVAC and other Specialty contracts which has a performed very satisfactory ratings on all completed projects .

AMMANABAT CORPORATION, With our partner WSM CONSTRUCTION COMPANY as SUBCONTRACTOR doing business specialty with all related mechanical projects, we are qualified and hereby attached accomplished projects for the ready reference.

Sincerely,


Maximo J. Manapat Jr.
Vice President

A.M. MANABAT CORPORATION
ABC General Construction Company

Maximo J. Manabat Jr.
General Manager

PMB 182
Chalan Pala Ramon Haya
Yigo, Guam 96929
Tel./Fax: (671) 969-2269

Call: (671) 898-3807
Email: ammanabatcorp@gmail.com
Email: maxmanabat@yahoo.com



WSM CONSTRUCTION COMPANY
General Specialty Contractor

189 E.Chalan Isa Yigo, Guam 96928

WILFREDO S. MENESES Tel/Fax: (671) 653-4368
General Manager Cell: (671) 488-2858
Email: wsmrervice@gmail.com

Specializing in:
High Voltage splice and installation; Electrical, Mechanical & Civil
Works; Fire Pumps, Fire Alarm & Fire Sprinkler Installation
Certification: Master Electrician; HVAC Type I & II Technician

Wilferdo S. Meneses

Master Electrician, HVAC Type I & II Technical Person
 159 E. CHN. ISA, YIGO, GU 96929
 671-653 4368; EMAIL: wsmervice@gmail.com

Item	Contract No:	Contract Title:	Contracting Govt:	Nature of Work:	Contracting Officer:	Address:	Tel No:	Value:
1.	F84133-91-C-0024	Security System Upgrade Andersen, AFB, Guam, M.I.	U.S. Air Force Guam	Civil, Architectural and Electrical Work	Sherry Wall	36 Cons / LGCU Unit 14040 APO AP 96543-4040	(671) 366-2354	\$ 542,638.00
2.	F84133-92-C-0014	Construct Car Wash Facility at Andersen AFB, Guam	U.S. Air Force Guam	Civil, Mechanical and Electrical Work	Sherry Wall	36 Cons / LGCU Unit 14040 APO AP 96543-4040	(671) 366-2354	\$ 222,549.00
3.	F84133-92-C-2014	Replace Altitude Valves at Various U.S. Navy Water Reservoirs	U.S. Navy Guam	Mechanical Work, Replace Main Gate Valves	Dennis Garcia	ROIIC PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-7072	\$ 179,000.00
4.	F8133-92-C-0018	Renovate PMEL Facility at Bldg. 17000 Andersen AFB, Guam, M.I.	U.S. Air Force Guam	Architectural, Mechanical and Electrical Work	Carol Alison	36 Cons / LGCU Unit 14040 APO AP 96543-4040	(671) 366-2354	\$ 269,000.00
5.	F84133-92-C-0017	Replace Primary and Secondary Electrical Distribution System Phase III, Andersen AFB, Guam, M.I.	U.S. Air Force Guam	Replace Primary and Secondary Electrical Distribution System	Carol Alison	36 Cons / LGCU Unit 14040 APO AP 9654-4040	(671) 366-2354	\$ 2,066,919.00
6.	D.S.-GUAM-93-C-633427	Renovate of ATO Office and Generator Bldg. Annex Dandan, Guam, M.I.	Dept of State	Civil, Architectural, Mechanical and Electrical Work	Jim Stocking	DEPT OF STATE Dandan, Guam 93-100	(671) 828-3103	\$ 1,571,694.00
7.	USCG-DTCG88-93-C-633427	Replace Emergency Generator at U.S. Coast Guard, Guam, M.I.	U.S. Coast Guard	Civil, Mechanical and Electrical Work	Verna O. Jackson	Coast Guard Guam	(809) 541-2157	\$ 154,202.00
8.	F84133-93-D-0009	Repair Street Lighting, Military Housing & Base Wide Andersen AFB, Guam, M.I.	U.S. Air Force Guam	Repair/Replacement of Underground Electrical Work	Sherry Wall	36 Cons/ LGCU Unit 14040 APO AP 96543-4040	(671) 366-2354	\$ 2,689,018.00
9.	N82786-93-C-2321	Repair Galley Reefer Rooms Bldg. 1 U.S. Naval Hospital Guam, M.I.	U.S. Navy Guam	Civil, Mechanical and Electrical Work	Dennis Garcia	ROIIC PSC 455, BOX 175 FPO AP 96540-2200	(671) 3397972	\$ 899,437.00

Page 1 of 6
 Project Undertaken and Certified

Wilferdo S. Meneses

Master Electrician, HVAC Type I & II Technical Person

159 E. CHN. ISA, YIGO, GU 96929

671-653 4368; EMAIL: wmservice@gmail.com

10. N62766-93-C-2362	Replace Electrical Panels, Bldg. 20 and 21 SRF, Guam	U.S. Navy Guam	Remove and Replace Electrical Panels and Electrical Work	Johanna Mendiola	ROICC PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-2051	\$	155,986.00
11. N62766-93-C-2340	Repair A/C Return Air Duct Bldg. 1 at U.S. Naval Hospital, Guam, M.I.	U.S. Navy Guam	Install New Return Air Duct Mechanical Work	Nelson Mar	ROICC PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-8450	\$	1,093,300.00
12. DAHA-74-94-C0002	Replace Dust Collection Sys. Guam National Guard 254 CES Bldg. 21012 AFB	USPFO for Guam	Mechanical Work	Jaine Callung	Guam National Guard 254 CES Bldg. 21012 AFB	(671) 366-2451	\$	89,000.00
13. N62766-94-C-2420	Replace Feedwater Pump Nos. 4A & 5 Pfl Power Plant, Guam, M.I.	U.S. Navy Guam	Mechanical Work	Dennis Garcia	ROICC PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-7072	\$	399,605.00
14. N6766-94-C-2461	Replace Sliding Glass Doors New & Old Apra Heights Housing Area, Guam, M.I.	U.S. Navy Guam	Civil and Architectural Work	Jess Fontanilla	ROICC PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-8420	\$	1,749,179.00
15. F64133-95-C-0010	Replace Primary and Secondary Electrical Distribution System Phase IV, AAFB	U.S. Air Force Guam	Civil, Mechanical and Electrical Work	Sherry Wall	36 Consl/GCU Unit 14040 APO AP 96543-4040	(671) 366-2354	\$	871,801.00
16. N62766-93-C-2549	Repair Steam Boiler, Install Steam Meter, Repair Airlift Pump Piping Screw Conveyor	U.S. Navy Guam	Civil, Mechanical and Electrical Work	Salve Sabido	ROICC PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-4097	\$	198,296.00
17. N62766-95-C-2559	Install Emergency Generator Delta and Echo Wharves, Fisc. Guam, M.I.	U.S. Navy Guam	Civil, Mechanical and Electrical Work	Dan Paterson	ROICC PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-7173	\$	119,775.00
18. N62766-95-C-2543	Upgrade Gen. Bldg. 1700 Repl. Wiring for Motorized Valves in Sasa Valley, Guam	U.S. Navy Guam	Civil, Mechanical and Electrical Work	Dan Paterson	ROICC PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-7173	\$	209,880.00

Wilferdo S. Meneses

Master Electrician, HVAC Type I & II Technical Person
 159 E. CHN. ISA, YIGO, GU 96929
 671-653 4368; EMAIL: wsmervice@gmail.com

19. N62766-96-C-2609	Construct Precast Concrete Decorative Perimeter Wall & Security Fence, Guam, M.I.	U.S. Navy Guam	Civil Work	Nelson Mar	ROIIC PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-8450	\$ 1,422,441.00
20. GU-NH-0301(015)	Traffic Signal System Emergency Power, Guam, M.I.	Department of Public Works of Guam	Civil and Mechanical Work	Joel Sugcang	DEPT OF PUBLIC WORKS 542 N.M. TAM, Guam 9611	(671) 646-3256	\$ 539,666.00
21. N62766-97-C2728	Install Sewer By-Pass at Lockwood Housing Naval Activities, Guam, M.I.	U.S. Navy Guam	Civil and Mechanical Work	Jess Fontanilla	ROIIC PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-8420	\$ 256,984.00
22. GAA-FY92-17-5	Computer Terminal Building Project	A.B. Won Pat Guam	Civil and Architectural and Electrical Work	Joe Gutierrez	GMP Associates GITC Bldg. 590 N. M. Tam, Gu. 96911	(671) 475-4467	\$ 749,000.00
23. 420-1047-L-TYN	Procurement & Installation of New 175 KW Emergency Gen. At DPHSS, Guam	Department of Public Health	Civil, Mechanical and Electrical Work	Juanito M. Juliano	DEPT of PUBLIC WORKS 542 N.M. TAM, Guam 96911	(671) 646-3235	\$ 72,568.00
24. F64133-98-C-0010	Construct Cooling Tower at Det. 5 Andersen AFB, Guam M.I.	U.S. Air Force Guam	Mechanical Work	Sid Pizarra	36 Cons / LGCU Unit 14040 APO AP 96543-4040	(671) 366-2520	\$ 116,117.00*
25. F64133-98-C0017	Repair Electrical System South Runway Andersen, AFB, Guam, M.I.	U.S. Air Force Guam	Electrical Work	Sgt Dwanryne Cannon	36 Cons / LGCU Unit 14040 APO AP 96543-4040	(671) 366-2357	\$ 539,064.00
26. N62766-98-C-2817	Replace/Provide Street Sign, Traffic Regulatory Signs, & Streetlights at Various Locations, Guam, M.I.	U.S. Navy Guam	Civil and Electrical Work	Nelson Mar	ROIIC PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-8450	\$ 1,171,000.00
27. N62766-97-C-2723	Install Fire Protection System at the Immunition Maintenance Bldg. 779 Guam, M.I.	U.S. Navy Guam	Mechanical and Electrical Work	Nelson Mar	ROIIC PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-8450	\$ 48,600.00

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 671-653 4368; EMAIL: wsmeservice@gmail.com

28.	N62766-99-C-0201	FY-99 MCON R-412 Part (B) Bldg. 3169, Waterfront Cosol. Facilities, Commanmar	U.S. Navy Guam	Mechanical & Fire Sprinkler/Alarm Works	Jun Villanueva	ROICG PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-8489 \$ 1,300,000.00
29.	N62766-99-C-2942	Repair/Alter BEQ 11 & 12	U.S. Navy Guam	Electrical, Fire Alarm Sprinkler Works	Jun Villanueva	ROICG PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-8489 \$ 3,400,000.00
30	N62766-90-C-00121	Replace Potable Water Lines And Salt Water Pumps, Replace Water Service Lines And Service Valves	U.S. Navy Guam	Mechanical, Electrical	Dennis Garcia	ROICG PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-8489 \$ 1,700,000.00
31	N62766-89-C-00324	Install Pre-Action, Wet Pipe And Underground Pipes And Fire Hydrants at Bldg. 112 NCTAMS	U.S. Navy Guam	Mechanical, Electrical	Dennis Garcia	ROICG PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-8489 \$ 1,350,000.00
32	N62766-00-C-00100	Upgrade Wet Pipe Fire Sprinkler and Pre-Action Sprinkler System at Army National Guard	U.S. Navy Guam	Mechanical, Electrical	Julio Maragillano	ROICG PSC 455, BOX 175 FPO AP 96540-2200	(671) 339-8489 \$ 320,000.00
33	Maintain and Trouble shoot ATS, Gen., & Elevator Imperial Suites & Hotel and Various business of Oceanic Lumber, Inc. (Current)	Oceanic Lumber, Inc.	Electrical, Mechanical, Fire Alarm Sprinkler Works	Jun Robato	Oceanic Lumber	(671) 646-9111 On call Maintenance (671) 788-0368	
34	Maintain and Trouble shoot ATS, Gen., & Elevator Paul's Inc. (Current)	Oceanic Lumber, Inc.	Electrical, Mechanical, Fire Alarm Sprinkler Works	Rick Mescardo Jr.	Paul's Inc	(671) 647-0202 On call Maintenance (671) 687-3850	
35	Maintain and Trouble shoot Booster Pumps for Century 21 Commonwealth Realty	Century 21 Commonweath Realty	Electrical, Mechanical, Fire Alarm Sprinkler Works	Manny Reyes	Century 21	(671) 646-2100 On call Maintenance (671) 646-3877	
36	Westin Resort Guam, Repair and certify Fire Pumps	Westin Resort Guam	Certify Fire Pumps	Frank Fink	Westin Resort Guam	(671) 647-1020 On call Maintenance	
37	Capital Hotel, Install Fire Pump and Certify Fire Sprinkler System	Capital Hotel	Certify Fire Sprinkler System	Tai-Li-Hu	Capital Hotel	(671) 646-3903 On call Maintenance Project Undertaken and Certified	

Wilferdo S. Meneses

Master Electrician, HVAC Type I & II Technical Person
 159 E. CHN. ISA, YIGO, GU 96929
 671-653 4368; EMAIL: wsmervice@gmail.com

38	GSE Building Andersen Air Force Base, Install Fire Sprinkler System	U.S. Navy Guam	Install & Certify Fire Sprinkler System	Glenn Mazar	Phoenix Pacific (Guam) Inc.	(671)646-6461	\$	20,000.00
39	Agana Shopping Center (Tony Romas) Installation & HBR Certification of FSS	HBR International	Install & Certify Fire Sprinkler System	Gilbert N. Salidez	HBR International	(670)235-3637	\$	9,300.00
40	Tropicana Communication System, Install FM 200 (Labor installation only)	U.S. Air Force Guam	Install & Certify FM 200 System	Glenn Mazar	Phoenix Pacific (Guam) Inc.	(671)646-6461	\$	62,000.00
41	MGM Spa, Fire Sprinkler Repair & Certification	MGM SPA	Repair & Certify Fire Sprinkler System	Cho Ina	MGM SPA	(671)646-4634	\$	3,800.00
42	Atkins Kroil, Inc., Install and Certify Fire Sprinkler System	Atkins Kroil, Inc.	Install & Certify Fire Sprinkler System	George Cabrera	Atkins Kroil, Inc.	(671)646-1877	On call	Maintenance
43	Sand Castle Inc. Test & Certify Fire Sprinkler System	Sand Castle Inc.	Test & Certify Fire Sprinkler System	Ray Visen	Sand Castle Inc.	(671)649-7263	\$	3,480.00
44	Sunflower Villa, Hafa Adai Specialist Group, Repair, Test & Certify Fire Sprinkler System	Sunflower Villa	Test & Certify Fire Sprinkler System	Dr. Kda Rahmani	Sunflower Villa	(671)647-4542	On call	Maintenance
45	Villa Kanton Tasi Codo, Repair & Test Fire Sprinkler System	Villa Kanton Tasi	Test & Repair Fire Sprinkler System	Vic Reyes, P.E.	Villa Kanton Tasi	(671)649-0186	On call	Maintenance
46	Pepsi Cola Bottling Co. Repair, Test & Certify Sprinkler System	Pepsi Cola Bottling Co.	Test & Repair Fire Sprinkler System	Dan D. Doromal	Pepsi Cola Bottling Co.	(671)646-6941	On call	Maintenance
47	Villa De Coco, Repair, Test & Certify Fire Sprinkler System	Villa De Coco	Install & Certify Fire Sprinkler System	Glenn Mazar	Phoenix Pacific (Guam) Inc.	(671)646-6461	On call	Maintenance
48	Honeywell Nasa Remole Tracking Station, NCTS, Check, Test Fire Hydrants Flow	NCTS, Guam	Check, Test Fire Hydrant Flow	Glenn Mazar	Phoenix Pacific (Guam) Inc.	(671)646-6461	On call	Maintenance
49	Pedro's Plaza, Start up Fire Pump And Program Controllers	Pedro's Plaza	Certify Fire Pump	Elmer Talanguba	R & C Corporation	(671)649-4259	\$	4,300.00
50	Itc Building, Brutus Cafe, Install & Certify Fire Sprinkler Repair	Itc Building	Install & Certify Fire Sprinkler System	Rhody Mantucu	PMPCC	(671)646-6220	\$	2,500.00

Wilferdo S. Meneses

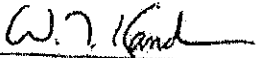
Master Electrician, HVAC Type I & II Technical Person
 159 E. CHIN, ISA, YIGO, GU 96929
 671-653 4368; EMAIL: wsmervice@gmail.com

51	HO-25 Hangar, Repair, Test Fire Pump for Foam and Water Controllers System	U.S. Navy Guam	Test, Program Fire Pumps Controllers	Glenn Mezzar	Phoenix Pacific (Guam) Inc.	(671)646-6461	On call Maintenance
52	Agana Beach Condo, Repair, Test & Certify Fire Sprinkler System	Agana Beach Condo	Repair & Certify Fire Sprinkler System	Glenn Mezzar	Phoenix Pacific (Guam) Inc.	(671)646-6461	\$ 4,800.00
53	Nissan Motors, Repair, Test & Certify Fire Sprinkler System	Nissan Motors	Repair & Certify Fire Sprinkler System	Paul Garcia	Phoenix Pacific (Guam) Inc.	(671)646-6461	On call Maintenance
54	GIAA, Test & Certify Pre-Action Sprinkler System	Guam International Airport Authority	Test & Certify Pre-action Sprinkler System	Paul Garcia	Phoenix Pacific (Guam) Inc.	(671)646-6461	On call Maintenance
55	E.C. Enterprise, Repair Fire Sprinkler Risers and Pipe Branches	Citi Bank Bldg. Calvo Commercial Bldg. Palm Village Bldg	Repair Sprinkler System	Tony D' Angelo	E. Calvo Enterprise	(671)687-1114	On call Maintenance
56	Ohana Oceanview Resort, Repair Fire Sprinkler System	Ohana Oceanview	Repair Sprinkler System	Ben Cruz	Ohana Oceanview Resort	(671)646-2400	On call Maintenance
57	Onward Takofa Golf Resort, Repair & Certify Fire Sprinkler System	Onward Hotel	Repair & Certify Fire Sprinkler System	Paul Garcia	Phoenix Pacific (Guam) Inc.	(671)646-6461	On call Maintenance
58	Tumon Sand Plaza Hotel, Test, Repair & Certify Fire Sprinkler System	Tumon Sands Plaza	Repair & Certify Fire Sprinkler System	Paul Garcia	Phoenix Pacific (Guam) Inc.	(671)646-6461	On call Maintenance
59	Tumon Sand Plaza Hotel, Test, Repair & Certify Fire Sprinkler System	Tumon Sands Plaza	Repair & Certify Fire Sprinkler System	Paul Garcia	Phoenix Pacific (Guam) Inc.	(671)646-6461	On call Maintenance
60	Fire Suppression Premier Hotel and Resorts (Labor installation only)	Shearaton Hotel Tumon Guam	Install FM200 Fire Suppression System	John Sandstrom	Phoenix Pacific (Guam) Inc.	(671)646-6461	\$ 48,000.00
61	Fire Suppression Sprint Guam Office	Sprint Guam Office	Install FM200 Fire Suppression System	John Sandstrom	Phoenix Pacific (Guam) Inc.	(671)646-6461	\$ 89,000.00
62	Start up and commissioning of Leo Palace Club House Boiler	Uniss Enterprises	Install new Club house Bt Steve Palomero and Boiler pumps	Leo Palace Resort and Boiler pumps	Leo Palace Resort Guam Yona, Guam	(671)300-0908	\$ 1,500.00

Page 6 of 6
 Project Undertaken and Certified

EXHIBIT 12

INVITATION FOR BID


LILLIAN PEREZ-POSADAS, RN, MN
HOSPITAL ADMINISTRATOR / CEO

ISSUING OFFICE:
GUAM MEMORIAL HOSPITAL AUTHORITY
MATERIALS MANAGEMENT DEPARTMENT
850 Gov. Carlos G. Camacho Road,
Oka Tamuning, Guam 96913

DATE ISSUED: October 11, 2019

INVITATION FOR BID NO: GMHA IFB 002-2020

BIDDERS INSTRUCTION: This BID shall be submitted in one (1) original and one (1) duplicate copy and sealed to the issuing office above no later than 9:00am, Monday, October 28, 2019 and will be publicly opened at 9:30am, Monday, October 28, 2019, in the GMHA Daniel L. Webb, Conference Room, 1st Floor Administration. Bids submitted after time and date specified above shall be rejected. See attached Solicitation Instructions and General Terms and Conditions for details.

BID FOR: Removal and Replacement of One(1) Boiler Unit and Piping System

SPECIFICATIONS: As per attached.

QUESTIONS ON BIDS: See Paragraph 3, Sealed Bid Solicitation Instructions

DESTINATION: Guam Memorial Hospital Authority

REQUIRED DELIVERY DATE: See General Terms & Conditions

NOTE TO BIDDERS: This bid is subject to the attached General Terms and Conditions. The undersigned offers and agrees to furnish within the time specified, the articles and services at the price stated opposite the respective items listed on the schedule provided, unless otherwise specified by the bidder. In consideration of the expense of the Government in opening, tabulating, and evaluating this and other bids, and other considerations, the undersigned agrees that this bid remain firm and irrevocable within 30 calendar days from the date opening to supply any or all of the items which prices are quoted. This bid is governed by the laws of the Territory of Guam, emphasis on the 5 GCA Government Operations - Chapter 5, the Guam Procurement Law and 26 GAR Public Health and Social Services, Division 2, Guam Memorial Hospital.

INDICATE WHETHER: () INDIVIDUAL () PARTNERSHIP (X) CORPORATION

INCORPORATED IN:

NAME AND ADDRESS OF BIDDER:

Phil-Gets (Guam) Int'l Trading Corp. Dba: J&B Modern Tech
153 Unit B East Harmon Ind'l. Park
Tamuning, Guam 96913

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS BID:


Generoso M. Bangayan, PRESIDENT

AWARD: (TO BE COMPLETED UPON AWARD)

CONTRACT NO.:

AMOUNT: \$

DATE:

ACCEPTED AS TO ITEMS NUMBERED:

CONTRACTING OFFICER:

LILLIAN PEREZ-POSADAS, RN, MN
HOSPITAL ADMINISTRATOR / CEO 

NAME AND ADDRESS OF CONTRACTOR:

Phil-Gets (Guam) Int'l Trading Corp. DBA: J&B Modern Tech
153 Unit B East Harmon Ind'l. Park, Tamuning, Guam 96913

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS CONTRACT:


Generoso M. Bangayan, PRESIDENT

TOTAL BID OFFER: \$ 852,135.00

TOTAL BID BOND: \$ 127,820.25

(15% of total Bid Offer)

EXHIBIT 13



Guam Memorial Hospital Authority

Guam Memorial Hospital Authority

850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96913
TEL.: (671) 647-2444 or (671) 647-2330
FAX: (671) 649-0145



January 24, 2020

Mr. Maximo J. Manabat, Jr.,
Vice-President
AMManabat Corp.
PMB 182-535 Pale Ramon Haya
Yigo, Guam 96929

Re: First Request for Additional Documentation

Dear Mr. Manabat,

The GMHA requires additional evidence to properly evaluate your submission for IFB 002-2020, a bid for the Removal and Replacement of One (1) Boiler Unit and Piping System.

GMHA found that your submission failed to provide the following:

- a) Line Item #13- Copy of Current Certificate of Authorization to contract for Engineering Services issued by the Guam Board of Registration for Professional Engineers, Architects and Land Surveyors.

Please respond and submit documentation by Wednesday, January 29, 2020, by close of business.

Sincerely,

Dolores F. Pangelinan
Hospital Materials Management Administrator

ACKNOWLEDGEMENT OF RECEIPT:

Signature

Print Name/Title

Date

AMMANABAT CORPORATION

1101 CHALAN PALETAMON H
HGO, GUAM 96929 U.S.A.

TELFAX: (671) 969-2269, 898-3807
Email: ammanabatcorp@gmail.com

January 27, 2020

To: Lillian Perez-Posadas, RN, MN
Hospital administrator/CEO
GUAM MEMORIAL HOSPITAL AUTHORITY
850 Gov. Carlos G. Camacho Road
Oka Tamuning GU 96913

Thru: Dolores F. Pangelinan,
GMHA Procurement Administrator

Subject: **First Request for Additional Documentation**

Re: GMHA IFB-002-2020 REMOVAL AND REPLACEMENT OF ONE UNIT BOILER AND PIPING SYSTEM

Dear Madam,

We acknowledged receipt of the IFB 002-2020, Re: First Request for Additional Documentation.

We would like request a further clarification on the matter, if we still need to submit the document of another Professional Engineer for following reason?

1) The above referenced project is an IFB with all the plans and specifications provided by an Architectural and Engineering Firm thru EMC2. Signed and stamped by Professional Engineer in the name of Engr. Conrado Vales.

2) We are not sure that hiring another Professional Engineer for this particular project might create a conflict of professional ethics.

3) The above project is not a Multi Phase or Design-Build Project.

However, we can hire a Professional Engineer for this IFB, if not violating any regulation and professional ethics of the board.

Furthermore, may we request for time extension for us to hire a Professional Engineer with Current Certificate of Authority from the Guam PEALS Board, if so needed?

Sincerely,

Maximo J. Manabat Jr.

General Manager

Maryann Castro

From: Zaldy Tugade <zaldy.tugade@gmha.org>
Sent: Tuesday, January 28, 2020 9:21 AM
To: Maryann Castro
Cc: dfp@gmha.org
Subject: Re: FW: 1st Request for Additional Documentation-GMHA IFB 002-2020

Maryann,

After careful review and interpretation of the plans and documents on hand I really don't see the need for this requirement. The plan as it is designed by our A/E, EMC2 Mechanical which has the COA for the design needs for the plan. I have to agree with Ammanabat response that there is no need. We should strike it off from the bid document requirements.

DSYM
Z

On 1/28/2020 8:23 AM, Maryann Castro wrote:

Hi Zaldy,

Ammanabat Corp. has some questions in regards to GMHA IFB 002-2020.

I will verify with Lola but if you could send me your response and I will forward to the vendor.

V/R,

MaryAnn B. Castro
Buyer I
Guam Memorial Hospital Authority
Materials Management Department
850 Gov. Carlos G. Camacho Road
Tamuning, Guam 96913
Website: gmha.org
Email: maryann.castro@gmha.org
Phone: (671) 647-2362
Fax: (671) 649-3640

From: maximo, jr manabat [<mailto:maxmanabat@yahoo.com>]
Sent: Monday, January 27, 2020 4:26 PM
To: Maryann Castro
Cc: Dolores Pangellinan; Emer Ocampo; Zaldy Tugade
Subject: Re: 1st Request for Additional Documentation-GMHA IFB 002-2020

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Maryann Castro,

EXHIBIT 14

Guam Memorial Hospital Authority

Administrative Building

1000 WACHO ROAD
TAMUNING, GUAM 96913
TEL: (671) 647-2444 or (671) 647-2330
FAX: (671) 649-0145

January 24, 2020

Mr. Generoso M. Bangayan
President
J&B Modern Tech
153 Unit B East Harmon Ind'l Park
Tamuning, Guam 96913

Re: First Request for Additional Documentation

Dear Mr. Bangayan,

The GMHA requires additional evidence to properly evaluate your submission for IFB 002-2020, a bid for the Removal and Replacement of One (1) Boiler Unit and Piping System.

GMHA found that your submission failed to provide the following:

- a) Line Item #1 – Statement of Qualification and Performance Data (specific to boiler installation); and
- b) Line Item #13- Copy of Current Certificate of Authorization to contract for Engineering Services issued by the Guam Board of Registration for Professional Engineers, Architects and Land Surveyors.

Please respond and submit documentation by Wednesday, January 29, 2020, by close of business.

Sincerely,


Dolores F. Pangelinan
Hospital Materials Management Administrator

ACKNOWLEDGEMENT OF RECEIPT:



Signature
ROMEO C. EVANGELISTA
Print Name/Title
1/24/2020
Date

EXHIBIT 15



Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan



850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96913
TEL: (671) 647-2444 or 647-2330
FAX: (671) 649-0145

April 06, 2020

TO: Hospital Administrator/CEO
FROM: Hospital Supply Management Administrator
SUBJECT: **Bid Evaluation Analysis to GMHA IFB: 002-2020
Removal & Replacement of One (1) Boiler Unit and Piping System**

Subject referenced bid was opened on November 19, 2019 at 9:30 a.m. in the GMHA Facilities Maintenance Conference Room, 1st Floor, Administration Wing. The bid was published on the local newsprint media, adequately in advance as required by the GMHA Procurement Rules and Regulations to meet the scheduled bid opening date.

Seven (7) prospective bidders acquired an IFB and Three (3) submitted an offer namely:

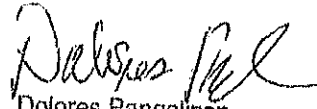
1. JRN Air Conditioning & Ref. Inc.
2. Ammanabat Corporation
3. J & B Modern Tech

JRN Air Conditioning & Ref., Inc., submitted an original and a copy of their Invitation for Bid and Award package containing, all required Affidavit documents and had been notarized and signed including Special Reminder Prospective Bidder form. Bid Bond from Chung Kuo Insurance Co., Ltd., in the amount of \$71,500.00, 15% of their total bid offer. It is recommended that JRN Air Conditioning & Ref., Inc., not be awarded as they are the lowest responsible bidder but are considered non-responsive as they did not provide sufficient information to demonstrate their statement of qualification and performance data specific to boiler installation, as required by Line #1 Special Reminders to Bidders of the subject referenced Invitation for Bid.

Ammanabat Corporation, submitted an original and a copy of their Invitation for Bid and Award package containing, all required Affidavit documents and had been notarized and signed, including the Special Reminder Prospective Bidder form. A Cashier's Check from Bank of Guam, in the amount of \$72,750.00, 15% of their total bid offer. It is recommended that Ammanabat Corporation, being the next lowest responsive and responsible bidder should be awarded in the total amount of \$485,000.00. Bid meets specifications requirements.

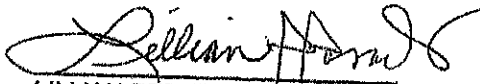
J & B Modern Tech, submitted an original and a copy of their Invitation for Bid and Award package containing, all required Affidavit documents and had been notarized and signed, including the Special Reminder Prospective Bidder form. Bid Bond from DB Insurance Company, Ltd., in the amount of 15% of their total bid offer. It is recommended that J & B Modern Tech not be awarded as they are not the lowest responsive and responsible bidder.

Your approval is respectfully requested.



Dolores Pangelinan
Hospital Supply Management Administrator

Approved [] Disapproved



LILLIAN PEREZ-POSADAS, MN, RN
Hospital Administrator/CEO WC

EXHIBIT 16

Guam Memorial Hospital Authority
Aurinkat Espatát Mimuriát Guáhan

351 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96913
TEL: (671) 647-2444 or 647-2330
FAX: (671) 649-0145

April 06, 2020

BID STATUS

Mr. Géneroso M. Bangayan
President
J& B Modern Tech.
153 Unit B East Harmon Ind'l. Park
Tamuning, Guam 96913

BID NO: GMHA IFB 002-2020 OPENED: November 12, 2019, @ 9:30am
FOR: Removal and Replacement of One (1) Boiler Unit and Piping System

in the best interest of Guam Memorial Hospital Authority the subject bid status as indicated by an "X", is as follows:

// canceled (in whole and in part) for the reason indicated by an "X":

- Insufficient funds
- No longer require the supplies, services or construction;
- Major change or amendment of specifications;
- Insufficient number of bidders;

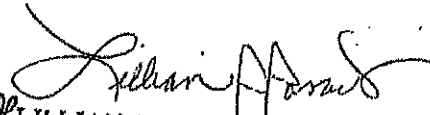
/X/ rejected in the best interest of Guam Memorial Hospital Authority for the reason indicated by an "X":

- Late submission of bid.
- No bid deposit submitted, as required by Section 11 of the General Terms and Conditions.
- Bid received after the time established by the invitation for bid.
- Not meeting the delivery requirement as stated in the invitation for bid.
- Nonconformance with specifications.
- Inability to provide future maintenance and services
- Exceeds budgeted amount.
- High Price.**
- Others:

X/ The lowest responsive and responsible bidder(s) [has] [have] been evaluated to be:
1. Ammanabat Corporation


Pursuant to SGCA Chap 5 § 5211(e)(g) and Guam Memorial Hospital Authority
Procurement Rules & Regulations 3-202.14, Bid Evaluation & Award;

Sincerely,



LILLIAN PEREZ-ROSADAS, MN, RN
Hospital Administrator/CEO

ACKNOWLEDGMENT OF RECEIPT:


(Signature) 4/13/2020
Date
ROMEO EVANGELISTA / Proj. Engr.
Print Name and Title