

Felix P. Camacho
Governor



GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Department of Administration
Government of Guam

148 Route 1 Marine Drive, Piti, Guam 96915

Tel: (671)475-1707 thru 1729/Fax Nos: (671)472-4217/475-1716

Michael W. Cruz
Lt. Governor

Joseph C. Manibusan
Deputy Director

Department of Administration

Lourdes M. Perez
Director
Department of Administration

**BEFORE THE OFFICE OF PUBLIC AUDITOR
PROCUREMENT APPEAL**

In the Appeal of:)
)
)
Guam Publication, Inc.)
)
Appellant)
_____)

Docket No.: OPA-PA-08-007

Procurement Record

Buenas Yan Hafa Adai! Pursuant to 2GAR §12104(c)(3) the procurement record is hereby submitted as required.

Should you have any questions, please contact me at 475-1713.

CLAUDIA S. ACFALLE
Chief Procurement Officer

RECEIVED
OFFICE OF THE PUBLIC AUDITOR
PROCUREMENT APPEALS

JUN 26 2008

TIME: 3:58 pm
BY: [Signature] / AC
FILE No. OPA-PA 08-007

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REQUEST FOR
CANCELLATION OF BID

GUAM ELECTION COMMISSION**Kumision Eleksion Guahan**

P.O. Box BG • Hagåtña, Guam 96932

Tel: (671) 477-9791/2 • Fax: (671) 477-1895

E-Mail: gec@ite.net Website: www.guamelection.org**MEMORANDUM**

Date: May 15, 2008

To: Ms. Claudia S. Acfalle, Chief Procurement Officer, GSA
From: Stephanie Chargualaf, Acting Executive DirectorSubj: Cancellation of Bid Invitation No. GSA-012-08

The Guam Election Commission would like to cancel Bid Invitation No. GSA-012-08 in its entirety since time is of the essence right now, the appeal process will delay the continuance of the required services. A request will be resubmitted at a later date.

Your expeditious attention to this matter will be most greatly appreciated.

Please call me at 477-9791/2/3, should you have any questions or comments.


Stephanie N. Chargualaf

Attn:
Anita-GSA
475-1727

Felix P. Camacho
Governor



GENERAL SERVICES AGENCY

(Aghasian Seibision Hinirat)
Department of Administration
Government of Guam

Michael W. Cruz, MEd
Lt. Governor

JOSEPH C. MARQUESS
Deputy Director, BOA

LORENOS H. PEREZ
Director, Dept. of Administration

148 Route 1 Marine Drive, Piti, Guam 96915

Tel: (671) 475-1707 thru 1729 • Fax Nos.: (671) 472-4217/475-1719

FAX RECEIVED

FACSIMILE TRANSMITTAL COVER LETTER

JUN 02 2008

DATE:

6/2/08

TIME:

TIME: 8:02 *See*

PLEASE DELIVER THE FOLLOWING TO:

NAME:

Elyse J. McDonald

FIRM:

Carlsmith Ball LP

FACSIMILE NO.:

477-4375

FROM:

NAME:

Amita Cruz

TITLE/SECTION:

Buy II, GSA

ATTACHMENTS / REFERENCE and / or COMMENTS:

Attached Letter from Guam Election Commission
RE: Cancellation of Bid GSA-012-08

CONFIDENTIALITY NOTICE:

The information on this Facsimile is intended for the named recipients **ONLY**. It may contain instructions requiring the immediate attention of the addressee. If you received this Facsimile in error, or if there is a transmission error, please notify us immediately.
THANK - YOU.

Number of pages (including this cover letter):

(2)

Sent by:

[Signature]

Date:

6/2/08

Time:

COMMITTED TO EXCELLENCE

Transmission Report

Date/Time
Local ID 1
Local ID 2

06-02-2008
07:37:23 a.m.
671 4751727

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

Felix P. Camacho
Governor
Lourence H. Ponce
Director, Dept of Administration



GENERAL SERVICES AGENCY

(Aghensian Setbiaion Hinirast)
Department of Administration
Government of Guam

148 Route 1 Marine Drive, P.O. Box 96915

Tel: (671) 475-1707 thru 1729 • Fax No.: (671) 472-4212/475-1716

Michael W. Cruz, M
Lt Governor
Joseph C. ...
Deputy Director, GSA

FACSIMILE TRANSMITTAL COVER LETTER

DATE: 6/2/08 TIME: _____

PLEASE DELIVER THE FOLLOWING TO:

NAME: ELYSE J. McDonald

FIRM: Carl Smith Ball LLP

FACSIMILE NO.: 477-4375

FROM:

NAME: Amita Cruz

TITLE/SECTION: Buy II, GSA

ATTACHMENTS / REFERENCE and / or COMMENTS:

Attached Letter from Guam Election Commission
RE: Cancellation of Bid GSA-012-08

CONFIDENTIALITY NOTICE:

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Number of pages (including this cover letter): (2)

Sent by: [Signature] Date: 6/2/08 Time: _____

COMMITTED TO EXCELLENCE

Total Pages Scanned : 2

Total Pages Confirmed : 2

Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
121	4774375	07:36:13 a.m. 06-02-2008	00:00:45	2/2	1	EC	HS	CP14400

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

Transmission Report

Date/Time
Local ID 1
Local ID 2

05-27-2008
01:35:39 p.m.
671 4751727

01:35:39 p.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x14"

<p>Felix P. Canacho Governor Joseph M. Pardo Director, Dept. of Administration</p>	 GENERAL SERVICES AGENCY <small>(American Subtitle Rating)</small> Department of Administration Government of Guam 148 Route 1 Marine Drive, P.O. Box 96915 Hagatna, GUAM 96913 Tel: (671) 475-2787 thru 1729 • Fax: (671) 472-4317/475-1726	<p>Michael W. Cruz, III Lt. Governor Joseph C. Rodriguez Deputy Lieutenant Governor</p>
---	--	--

FACSIMILE TRANSMITTAL COVER LETTER

DATE: May 27, 2008 TIME: _____

PLEASE DELIVER THE FOLLOWING TO:

NAME: Theresa Quintana
FIRM: Office of the Public Auditor
FACSIMILE NO.: 472-7951

FROM:

NAME: Anita Y. Cruz
TITLE/SECTION: Buyer II, General Service Agency

ATTACHMENTS / REFERENCE and / or COMMENTS:

Per our telephone conversation, attached are the specification for a 7 (seven)
passenger van, and also copy of requisition w/out. amount.

CONFIDENTIALITY NOTICE:

The information on this Facsimile is intended for the named recipients **ONLY**. It may contain instructions requiring the immediate attention of the addressee. If you received this Facsimile in error, or if there is a transmission error, please notify us immediately. **THANK - YOU.**

Number of pages (including this cover letter): 5 pages

Sent by: Anita Cruz Date: 5/27/08 Time: 1:01 pm

COMMITTED TO EXCELLENCE

Total Pages Scanned : 5

Total Pages Confirmed : 5

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
01	752	472-7951	01:30:54 p.m. 05-27-2008	00:04:13	5/5	1	EC	HS	CP12000

Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	TU: Terminated by user
HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system
WS: Waiting send	MS: Mailbox save	FA: Fail	RP: Report
			G3: Group 3
			EC: Error Correct

PROTEST RESPONSE

Felix P. Camacho
Governor



GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Department of Administration
Government of Guam

148 Route 1 Marine Drive, Piti, Guam 96915

Tel: (671)475-1707 thru 1729/Fax Nos. (671)472-4217/475-1716

Michael W. Cruz,
Lt. Governor

Lourdes M. Perez
Director

Department of Administration

Joseph C. Manibusan
Deputy Director
Department of Administration

ACKNOWLEDGEMENT COPY

RECEIVED BY Jesusa Quenga

DATE 5/2/08 2:11 pm

May 01, 2008

Elyze J. McDonald
A Limited Liability Law Partnership
Carlsmith Ball LLP
Bank of Hawaii Bldg., Suite 401, 134
West Soledad Avenue,
P.O. Box BF
Hagatna, Guam 96932-5027

Re: **Protest of Award – Invitation for Bid No. GSA-012-08**
(Advertisement Notices)

Dear Mr. McDonald:

Buenas Yan Hafa Adai! This is in response to your protest letter dated April 7, 2008, on the above referenced bid number.

Based on my factual evaluation your protest is without merit based on the following:

Issue No. 1

PDN asked GSA (General Services Agency) whether it was mandatory that the advertisement be 5 x 15, or whether a 5 x 14 ad would be acceptable. GSA amended the Invitation for Bid to include in addition to the 5 x 15 ad a 5 x 14. PDN later inquired the justification for the specification sizes, and received the response that "The size of the advertisement is the specification that is required."

Response:

Based on the request from PDN, the GSA contacted the Guam Election Commission (GEC) to inquire if a 15 x 14 would be acceptable. GSA inquired if the 15 x 15 advertisement was based on statute or was it just a size requested by the GEC. The response from the GEC was that it was not based on statute but is what the commission is requiring. However, the GEC decided to include the request made by PDN, to ensure the bid solicitation is of neutral grounds.

Issue No. 2

In order to determine a unit cost for the solicited advertising space, PDN needed to know the breadth of the intended distribution. In order for a unit cost to be determined, what is the distribution/circulation amount requested? "(Number of newspapers your wanting your ad to be in)." What is the distribution requirement for the advertising notices? To price advertising notices fairly the distribution amount is needed."

Response:

Based on previous working relationship with PDN, the GSA issues request for quotation to PDN for bid advertisements and other requirements needed by the various departments and does not raise the concern of what is the distribution requirement for the advertisement, or that they needed the distribution requirement to render a fair pricing to the GSA. Therefore, the response issued by GSA was of general circulation. In other words as long as the company meets the general circulation requirement that the bid will be acceptable.

Issue No. 3

On March 12, 2008, PDN submitted its bid. GSA also received a bid from the Variety. GSA noted that Variety's bid did not submit a Statement of Qualification. However, GSA awarded the bid to the Variety and deemed the non-submittal of the statement of qualification as a minor.

Response:

Please be advised that PDN also failed to submit the cover sheet of the bid document wherein they were required to submit it signed by an authorized person indicating that the "undersigned agrees that the bid remain firm and irrevocable within a number of days from the date of opening". However, GSA indicated on the bid status for Marianas Variety that PDN failed to submit the bid cover sheet but that GSA waived it as a minor informality, due to budget constraints because PDN did submit the lowest bid for item No. 8.1. Therefore, GSA did act fairly to both PDN and Variety during the evaluation and award of Bid No. GSA-012-08.

Issue No. 4

PDN is Guam's only daily newspaper and that the Variety, which runs only on weekdays, is another community newspaper. The 5 x 15 format for the List of Precinct Officials is a format that is specifically and solely used by the Variety, whereas the 5 x 14 format is more regularly used by the PDN. PDN protests the specification of the 5 x 15 format as it appears that it is specifically intended to fit the format of the Variety newspaper.

Response:

On 28 February 2008 GSA received a letter from PDN inquiring if a 5 x 14 ad size be acceptable. On the same day 28 February 2008 GSA issued amendment No. 2 indicating that we included the ad size as requested by PDN. The amendment was to include item number 8.1 ad size 5 x 14. GSA used fair judgment based on the request of PDN.

We amended the bid to include the 5 x 14 after confirming with the GEC that the size required was not based on statutory requirements. Therefore, GSA explained to the GEC that we wanted to ensure that this is a fair bid and that GSA will amend to include the 5 x 14 ad which we did on Bid No. GSA-012-08.

Although PDN claimed that the 5 x 15 ad size was solely used by Variety, PDN **submitted** a bid for item number 7.1 which was for 5 x 15 ad size, but was rejected due to high price and Variety did not bid on item 8.1, 5 x 14 ad size which was the size requested by PDN. Therefore, if GSA had deleted item number 7.1 which is the 5 x 15 ad size who would be singled out on the 5 x 14 ad size? It would have been Variety. But instead of singling out any prospective bidder GSA did due diligence in ensuring whether the ad size requirement were based on statutory requirements and included the request of PDN.

Issue No. 5

It is curious why GSA or GEC would award a bidder without even knowing if they are qualified.

Response:

Please be advised that Variety has been doing business with the government of Guam just as PDN. Therefore, based on previous publication it is known that both PDN and Variety are qualified in doing this type of business for the government. GSA did evaluate this bid with all fairness to both PDN and Variety. The rejection was based on "high price" or "no bid" for both companies on each particular item.

I would like to highlight that based on other request for quotations issued to PDN I have inquired from the GSA buyers if PDN ever raise concerns regarding the number of circulation or distribution, and the response was: No. The response issued by GSA to the question of PDN regarding the number of circulation or distribution was answered in general, "General Circulation".

Therefore, upon receipt of this letter it is our determination that your protest is without merit. You are therefore, notified of our determination and that you have a right to seek administrative.

Sincerely,


CLAUDIA S. ACFALLE
Chief Procurement Officer

cc: Attorney General, Office of the Attorney General

Transmission Report

Date/Time
Local ID 1
Local ID 2

05-02-2008
671 4751727

02:18:43 p.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

Felix P Canascho
Governor

Lourdes M. Perez
Director
Department of Administration



GENERAL SERVICES AGENCY
(Abaianan Sabision Hinira)
Department of Administration
Government of Guam
148 Route 1 Marine Drive, P.O. Box 96915
Tel: (671)475-1707 thru 1729/Fax No.: (671)472-4217/473-1716

Michael W. Cruz
Lt. Governor

Joseph C. Manibusan
Deputy Director
Department of Administration

ACKNOWLEDGEMENT COPY

RECEIVED BY _____

DATE _____

May 01, 2008

Elyze J. McDonald
A Limited Liability Law Partnership
Carlsmith Ball LLP
Bank of Hawaii Bldg., Suite 401, 134
West Soledad Avenue,
P.O. Box BF
Hagatna, Guam 96932-5027

Re: Protest of Award – Invitation for Bid No. GSA-012-08
(Advertisement Notices)

Dear Mr. McDonald:

Buenas Yau Hafa Adai! This is in response to your protest letter dated April 7, 2008, on the above referenced bid number.

Based on my factual evaluation your protest is without merit based on the following:

Issue No. 1

PDN asked GSA (General Services Agency) whether it was mandatory that the advertisement be 5 x 15, or whether a 5 x 14 ad would be acceptable. GSA amended the Invitation for Bid to include in addition to the 5 x 15 ad a 5 x 14. PDN later inquired the justification for the specification sizes, and received the response that "The size of the advertisement is the specification that is required."

Response:

Based on the request from PDN, the GSA contacted the Guam Election Commission (GEC) to inquire if a 15 x 14 would be acceptable. GSA inquired if the 15 x 15 advertisement was based on statute or was it just a size requested by the GEC. The response from the GEC was that it was not based on statute but is what the commission is requiring. However, the GEC decided to include the request made by PDN, to ensure the bid solicitation is of neutral grounds.

COMMITTED TO EXCELLENCE

Total Pages Scanned : 4

Total Pages Confirmed : 4

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	816	4774375	02:15:52 p.m. 05-02-2008	00:02:23	4/4	1	EC	HS	CP14400

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

Felix P. Camacho
Governor

LORENZO M. PEREZ
Director, Dept of Administration



GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Department of Administration
Government of Guam

148 Route 1 Marine Drive, Piti, Guam 96915

Tel: (671) 475-1707 thru 1729 • Fax Nos.: (671) 472-4217/475-1716

Michael W. Cruz, Lt. Governor

JOSEPH C. HAMILBUSAN
Deputy Director, DOA

FACSIMILE TRANSMITTAL COVER LETTER

DATE: 5/9/08

TIME: _____

PLEASE DELIVER THE FOLLOWING TO:

NAME: Alicia Limtiaco, AG

FIRM: ATTORNEY GENERAL

FACSIMILE NO.: 472-2439

FROM:

NAME: Claudia Acfalle

TITLE/SECTION: Chief Procurement Officer, GSA

ATTACHMENTS / REFERENCE and / or COMMENTS:

Response TO protest FROM: CARL Smith BALL LLP

CONFIDENTIALITY NOTICE:

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THANK - YOU.

Number of pages (including this cover letter): 5

Sent by: Antia Cruz

Date: 5/9/08

Time: _____

PROTEST FILED

CARLSMITH BALL LLP

A LIMITED LIABILITY LAW PARTNERSHIP

BANK OF HAWAII BLDG., SUITE 401
 134 WEST SOLEDAD AVENUE, P.O. BOX BF
 HAGATÑA, GUAM 96932-5027
 TELEPHONE 671.472.6813 FAX 671.477.4375
 WWW.CARLSMITH.COM

EMCDONALD@CARLSMITH.COM



March 7, 2008

VIA HAND DELIVERY & VIA CERTIFIED MAIL

Claudia S. Acfalle
 Chief Procurement Officer
 General Services Agency
 Government of Guam
 P.O. Box FG
 Agana, Guam 96910

Re: Protest of Invitation for Bid GSA-012-08

Dear Ms. Acfalle:

This letter serves as a protest of Invitation for Bid GSA-012-08. I submit this bid on behalf of the Pacific Daily News, a newspaper of general circulation in the Territory of Guam and a prospective bidder. The address of the Pacific Daily News is P.O. Box DN, Hagatña, Guam 96932, however, for the purposes of this Protest, please direct correspondence to my attention at Bank of Hawaii Bldg., Suite 401, 134 West Soledad Avenue, P.O. Box BF, Hagatña, Guam 96932-5027. As the revised deadline for bids is March 7, 2008, at 2:00 p.m., an award has not yet been made.

1. **Background**

That Invitation for Bid pertains to advertisement notices for "Election Notices Pursuant to Title 3 GCA & Publication of Board Meeting Pursuant to the Open Government Law." The Invitation for Bids specifies the following notices and advertisements: 2 x 4 Notices of Board Meetings and Other Election Information; 2 x 5 Election Notices regarding Early Voting/Absentee & other election information; 3 x 6 Election Notices regarding polling sites; 4 x 5 Election Notices regarding Candidates; 4 x 13 Sample Ballots; 5 x 7 Precinct Official Seminar Schedules; and 5 x 15 List of Precinct Officials. With regard to the 5 x 15 List of Precinct Officials, PDN asked GSA whether it was mandatory that the advertisement be 5 x 15, or whether a 5 x 14 ad would be acceptable. GSA amended the Invitation for Bids to include, in addition to the 5 x 15 ad, a 5 x 14 List of Precinct Officials. PDN later inquired as to the

Claudia S. Acfalle

March 7, 2008

Page 2

justification for the specification sizes, and received the response that "The size of the advertisement is the specification that is required."

In addition, in order to determine a unit cost for the solicited advertising space, PDN needed to know the breadth of the intended distribution. PDN therefore submitted the following question: "In order for a unit cost to be determined, what is the distribution/circulation amount requested? (Number of newspapers your wanting your ad to be in)." GSA responded "General Circulation." As this response did not address the question posed, PDN again posed the following question: "What is the distribution requirement for the advertising notices? To price the advertising notices fairly the distribution amount is needed." GSA again responded "General Circulation."

Enclosed with this Protest is the Invitation for Bids and all relevant correspondence.

2. Discussion.

There are two grounds sustaining this protest: first, GSA has not properly disclosed the specifications for distribution of the procured notices; and, second, the formats of the notices have appeared to be geared towards formats utilized by the Marianas Variety, inferring that the Invitation for Bids is unfairly skewed in favor of the Marianas Variety. This protest is timely as it is being submitted within fourteen days after PDN discovered that GSA was unwilling to define "General Circulation" and within fourteen days after PDN received an unsatisfactory response pertaining to how GSA arrived at its specification sizes.

On the first point, GSA fails to disclose what it defines as "General Circulation." The point of PDN's inquiry is rather fundamental for the preparation of the bids. PDN is able to circulate advertisements to its entire readership, or a fraction thereof, and it offers differing price structures for, for example, distribution to 1,000 subscribers versus a distribution to 10,000 subscribers. This has been the point of the twice-posed question of how many newspapers it wants its advertisements to run. Does the Guam Election Commission wish to distribute to PDN's full readership of 26,000, and should PDN submit a bid based on that figure? Or does it want the notices to be distributed to a more limited number of readers, a service PDN also offers and can submit a bid for?

Because PDN's bid, and indeed any offeror's bid, will be based on the breadth of the intended readership, without an answer from GSA as to how many newspapers in which it wants its notices to run, PDN is at risk of not being able to provide a bid that conforms to GSA's or GEC's intended breath of readership. Because GSA refuses to clarify this point, the Invitation for Bids is defective.

On the second point, it is well-known that PDN is Guam's only daily newspaper and that the Marianas Variety, which runs only on weekdays, is another community newspaper. The 5 x 15 format for the List of Precinct Officials is a format that is specifically and solely used by Marianas Variety, whereas the 5 x 14 format is more regularly used by the PDN. PDN protests the specification of the 5 x 15 format as it appears that it is specifically intended to fit the format

Claudia S. Acfalle
March 7, 2008
Page 3

of the Marianas Variety newspaper. It is unlawful for the Invitation for Bids and the bid selection process to favor one bidder over another. Rather, in all fairness, the Invitation for Bids should be rectified to specify a full page ad, whether in a 5 x 14 format or a 5 x 15 format.

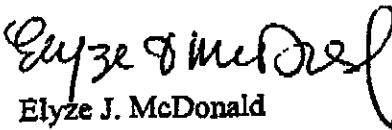
3. Request for Relief

PDN asks that the bid not be awarded until this protest is resolved. 5 G.C.A. § 5425(g). PDN asks that the Invitation for Bids be modified to include a disclosure of the extent of the intended circulation of the advertisements. PDN also asks that the Invitation for Bids be modified in order to permit a fair bid to be placed for a full-page ad, rather than to use specifications that favor and fit one prospective bidder's formats.

Finally, PDN asks for reimbursement of costs incurred in preparing this Protest. 5 G.C.A. § 5425(h).

I look forward to your response.

Sincerely,


Elyze J. McDonald

cc: Rindraty Limtiaco, Pacific Daily News
John Terlaje, Guam Election Commission

Accountability * Impartiality * Competence * Openness * Value

BID STATUS

Date: March 26, 2008

Guam Publications Inc.
P.O. Box DN
Hagatna, Guam 96932
Tel: 479-0219 / Fax: 479-0200

BID INVITATION NO.: GSA-012-08

OPENED: March 12, 2008

DESCRIPTION: "Advertisement Notices"

The following is the result of the above-mentioned bid. Refer to the items checked below.

Cancelled (in its entirety), or partially cancelled due to:

- Insufficient funds;
- Change of specifications; or
- Insufficient number of bidders.

Rejected due to:

- Late submission of bid;
- No bid security or insufficient bid security amount submitted; as required by section 11 of the General Terms and Conditions;
- Not meeting the delivery requirement as stated in the IFB;
- Non-conformance with the specifications;
- Inability to provide future maintenance and services to the equipment;
- High price; or
- Others:

Item nos: 1.1 thru 7.1

Bid is recommended for award to:

Marianas Variety in the total amount of \$22,939.20
The non submittal of the Statement of Qualifications by Marianas Variety was deemed a minor informality and was in the best interest of the government due to budget constraints.

REMARKS:

Thank you for participating in this bid. Please send your authorized representative to pickup your original bid status and bid bond/cashier check.

ACFALLE 3/26/08
CLAUDIA S. ACFALLE
Chief Procurement Officer

COPY OF
PURCHASE ORDERS

MARIANAS VARIETY



PURCHASE ORDER

GENERAL SERVICES AGENCY
DEPARTMENT OF ADMINISTRATION
GOVERNMENT OF GUAM

148 Route 1
Marine Drive
Piti, Guam 96925

TRAN CODE **4396**
THIS PURCHASE ORDER NUMBER
No. P086A04396
MUST APPEAR ON ALL INVOICES,
PACKING SLIPS, PACKAGES, B/L,
CORRESPONDENCE ETC.

F.O.B.	* AIR FREIGHT TEL. CONTACT	SHIP VIA:	DATE: 5/09/2008	JOB ORDER NO: 070008006230	OBJ. CL.:
PREPAID-SHOW SHIPPING CHARGES AS SEPARATE ITEM ON INVOICE.			230		

TO:	VENDOR	CONSIGNEE, DESTINATION & MARKING			
	MARIANAS VARIETY 215 ROJAS STREET SUITE 204 TAMUNING, GU 96913-0215 Telephone: 671-649-1924 Fax: 671-648-2007	M0097073	GUAM ELECTION COMMISSION GCIC BUILDING SUITE 200 P.O. BOX 88 MAGATNA, GU 96932-0000 GEO ELECTION 2008 A		
AUTHORITY 3109	** INVITATION NO.: GSA-012-08	** CONTRACT NO.:	TIME FOR DELIVERY: SEE BELOW	EXPIRING: 9/30/08	DISCOUNT TERMS:

ISSUED TO COVER THE COST					
OF ELECTION NOTICES PURSUANT TO TITLE 3 GCA AND PUBLICATION OF BOARD MEETINGS PURSUANT TO THE OPEN GOVT. TO BE DRAWN ON AN AS NEEDED BASIS COMMENCING UPON RECEIPT OF PURCHASE ORDER AND EXPIRING ON 9/30/08 OR UPON EXHAUSTION OF FUNDS WHICHEVER OCCURS FIRST.					
AUTHORIZED PERSONNEL: STEPHANIE CHARGUALAR / 470-9793					
REF: GSA-012-08 ADVERTISEMENT NOTICES (SEE ATTACHED LISTING)					
NOTE: THE GOVERNMENT OF GUAM WILL NOT BE RESPONSIBLE FOR UNAUTHORIZED PUBLICATION OF SERVICES. LAYOUT MUST BE APPROVED BY DEPARTMENT BEFORE FINAL PRINTING. Note: Amount due this purchase order may be offset for monies due the Government of Guam inclusive of but not limited to taxes, fees, and returned checks and other damages, penalties, and attorney's fees, after failure to pay according to law. *TO BE COORDINATED BETWEEN REQUESTING AGENCY AND VENDOR.					

SPECIAL INSTRUCTIONS TO VENDOR:	17568.00	A. DO NOT FILL THIS ORDER IF YOUR TOTAL COST EXCEEDS THIS TOTAL.
B. SEND CERTIFIED ORIGINAL AND THREE (3) COPIES OF INVOICE TO DIVISION OF ACCOUNTS, DEPARTMENT OF ADMINISTRATION, GOVERNMENT OF GUAM, P.O. BOX 884, AGANA, GUAM 96910.	↑ TOTAL ↑	← INSERT CHANGES AND RETURN THIS ORDER FOR AMENDMENT.
C. PAYMENT UPON RECEIPT OF MERCHANDISE IN GUAM IN GOOD CONDITION. THIS ORDER SUBJECT TO CONDITIONS ON REVERSE SIDE.		
** THIS ORDER IS SUBJECT TO THE SPECIAL PROVISIONS, AND BID GENERAL TERMS AND CONDITIONS SPECIFIED ON THIS BID.	SIGNATURE:	
ON ALL AIR SHIPMENTS HAVE AIR FREIGHT COMPANY CALL THIS NUMBER UPON ARRIVAL OF GOODS TO GUAM.	<i>C. Acfalle</i> 5/9/08	
AWAR	ADVANCE PAYMENT AUTHORIZATION	NAME
	<input type="checkbox"/>	Claudia S. Acfalle
	PAYMENT ENCLOSED	TITLE
	<input type="checkbox"/>	Chief Procurement Officer

MASTER RECEIPT COPY



FAX: 475-1727

215 Rojas Street Suite 204, Harmon, Guam 96913 Tel: (671) 649-1924 Fax (671) 648-2007 Email: admin@mvguam.com

March 12, 2008

Claudia Acfalle
Chief Procurement Officer
General Services Agency
Government of Guam

Dear Mrs. Acfalle,

First and foremost, thank you for allowing Marianas Variety to participate in the GEC bid for advertisements. Your agency's wise decision to keep the quantity requested as "general circulation" provides a level playing field in which we can now submit bids and allow GSA to make informative decisions.

Allowing us to compete is a win-win for the Government of Guam—once the PDN knows that we are competing for such bids it will be in their best interest to provide competitive prices.

In regards to the GEC bid for advertisements, please allow me to point out a few inconsistencies with PDN's bid submission. Item 7.1, 5x15" are our image dimensions for a full page advertisement. PDN's image dimensions for a full page advertisement are 5x14". This is the reason why they requested to add on Item 8.1 5x14".

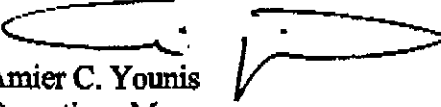
Because I assumed that the intent of this item was for a full page advertisement, I did not submit a quote for Item 8.1; even though a 5x14" can easily fit in our newspaper.

What astonishes me is that PDN submitted a bid for Item 7.1, the 5x15" ad size.

A simple measurement with a ruler to the PDN newspaper will show that the paper size is exactly 15" in height. The image dimensions for the PDN are maxed at 14" and cannot accommodate 15" in height.

I simply want to point this issue out, as it may not affect your decision overall. But if it came down to GEC publishing an ad of that size in the PDN, then and there GEC will have a problem.

Warmest Regards,


Amier C. Younis
Operations Manager
Marianas Variety-Guam

I CERTIFY THAT THE FOREGOING STATEMENT OF INFORMAL QUOTATION IS TRUE AND CORRECT AND PRICES CHARGED ARE JUST, FAIR AND REASONABLE, AND THE BEST OBTAINABLE FOR THE DESCRIBED BELOW.

REMARKS:
3109 (GSA-012-08) INVITATION FOR BID "ADVERTISEMENT NOTICES" TO BE COORDINATED WITH REQUESTING AGENCY & VENDOR

Fama, Maria - GSA BUYER

DATE

5/09/2008

DOCUMENT NO.: 0080700006

APPROPRIATION NO.: 5100A080700GA006230

Vendor No: 40097673
Vendor Name: VIKIRRY
215 ROJAS STREET
SUITE 204
TAMUNING, GU 96913-0215

Point of Contact:
AMLER
Date: 5/09/2008
Phone: 671 649-1924
Fax #: 671 648-2007
Delivery:

Vendor No: P0066601
Vendor Name: PACIFIC DAILY NEWS
P.O. BOX DN
AGANA, GU 96932

Point of Contact:
MARCY AGUIGUI
Date: 5/09/2008
Phone: 671 477-9711
Fax #: 671 472-4641
Delivery:

Vendor No:
Vendor Name:

Point of Contact:
Date:
Phone:
Fax #:
Delivery:

DESCRIPTION	QTY	UNIT	PRICE	EXTENSION	QTY	UNIT	PRICE	EXTENSION	QTY	UNIT	PRICE	EXTENSION
ISSUED TO COVER THE COST OF ELECTION NOTICES PURSUANT TO TITLE 3 GCA AND PUBLICATION OF BOARD MEETINGS PURSUANT TO THE OPEN GOVT. TO BE DRAWN ON AN AS NEEDED BASIS COMMENCING UPON RECEIPT OF PURCHASE ORDER AND EXPIRING ON 9/30/08 OR UPON EXHAUSTION OF FUNDS WHICHEVER OCCURS FIRST.	1	LOT	17568.00	17568.00	1	LOT	12432.00	12432.00				
				Selected				Selected				
AUTHORIZED PERSONNEL: STEPHANIE CHARGUALAF/477-9791												
REF: GSA-012-08 ADVERTISEMENT NOTICES (SEE ATTACHED LISTING)												
Mat. Costs				17568.00				12432.00				
Amt. Disc.												
Loc.Pref.10												
Loc.Pref.15												
Net Total				17568.00				12432.00				

GUAM PUBLICATION, INC.

Pacific Daily News

GUAM'S *complete* SOURCE
www.guampdn.com

Hafa Addi,

My name is Marcy Balajadia-Aguigui, Government Media Consultant. I would like to thank you for choosing the Pacific Daily News as your partner in delivering your advertising message.

GSA - Larreta, please be advise this letter serves as an authorization for Roger Mandapat - Advertising Messenger for the Pacific Daily News - to pick up and receive all documents address to my attention or the Pacific Daily News. Questions or concerns please call me at 479 0219 or the Advertising Director - Jae Medina.

Pacific Daily News reaches the vast majority of adults in every major demographic target group, with a circulation of #27000 copies daily and Sunday at #30000.

Our professional sales and production staff possess the necessary skills to analyze, design and implement your advertising campaign. I urge you to take advantage of the tools at your disposal.

The Pacific Daily News provides an array of rate packaging opportunities from regular PDN advertisements to full glossy inserts. I will dedicate my time to you in preparing a successful campaign strategy that will get your message across to the island of Guam.

I can be reached at 671 479 0219 or email at maquigui@guampdn.com

Sincerely,

Marcy Balajadia-Aguigui
Classified Manager
Pacific Daily News
Guam's Complete Source
Tel. 671 479 0219
Fax 671 472 4641 / 671 479 0359
Email maquigui@guampdn.com

Pacific Daily News

GUAM'S *complete* SOURCE
www.guampdn.com

Hafa Adai,

My name is Marcy Balajadia-Aguigui, Government Media Consultant. I would like to thank you for choosing the Pacific Daily News as your partner in delivering your advertising message.

GSA - Lorreta, please be advise this letter serves as an authorization for Roger Mandapat - Advertising Messenger for the Pacific Daily News - to pick up and receive all documents address to my attention or the Pacific Daily News. Questions or concerns please call me at 479 0219 or the Advertising Director - Jae Medina.

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Our professional sales and production staff possess the necessary skills to analyze, design and implement your advertising campaign. I urge you to take advantage of the tools at your disposal.

The Pacific Daily News provides an array of rate packaging opportunities from regular PDN advertisements to full glossy inserts. I will dedicate my time to you in preparing a successful campaign strategy that will get your message across to the island of Guam.

I can be reached at 671 479 0219 or email at maquigui@guampdn.com

Sincerely,

MAA 5.13.08
Marcy Balajadia-Aguigui
Classified Manager
Pacific Daily News
Guam's Complete Source
Tel. 671 479 0219
Fax 671 472 4641 / 671 479 0359
Email maquigui@guampdn.com

Buyer/Typist:
Date Package:

Date Completed: 03/12/08

BID PACKAGING CHECK LIST

Document No (s): Q080700006

Description/Services: ADVERTISEMENT NOTICES PURSUANT TO TITLE 3 GCA AND PUBLICATION BOARD MEETINGS PURSUANT TO THE OPEN GOVT LAW.

Department/Agency: GUAM ELECTION COMMISSION

Bid No.: GSA- GSA 012 08

1. Requisition (Ad) Date received: 1/25/08 By: _____ (Initial)
2. Requisition Date received: 1/21/08 By: _____ (Initial)
3. Specification with Signature
4. Special Reminder to Prospective Bidder(s) (Form: DOA 132)
5. Invitation For Bid (Form: DOA 110)
6. Formulated Bid Specification(s)
7. Form of Non-Collusion Affidavit
8. Form Compliance with U.S. DOL Wage Determination Affidavit
9. Special Provision – Restriction Against Sex Offenders
10. Special Provision
11. Major Shareholders Disclosure Affidavit (Form: DOA 133)
12. Bid Bond (Form: DOA 113)
13. Local Procurement Preference Application (Form: DOA 296)
14. General Terms & Conditions (Form: GSA 112)
15. Sealed Bid Solicitation Instructions (Form: DOA 295)
16. Bidders Register/Sign-in
17. Advertisement (Xeroxed copy of) (Form: DOA 118)
18. Purchase Order No. P086A04396 MARIANAS, for Advertisement PDNPO86A04398
19. Date Bid Issued: 02/05/08
20. Amendment(s) #1 #2 #3 #4
 Remarks: (1) change date 2/19/08 to 2/29/08 (2) 2/28/08 to 3/4/08 line item 8.1 (3) 3/4/08 to 3/7/08 (4) 3/7/08 to 3/12/08
21. Bid Opening Date: 03/12/08 Time: 2:00pm
22. Bid Abstract
23. Number of Vendors Participating: 2
24. Correction, Withdrawal, etc. after bid openings and before award: () Yes (X) No
25. Analysis & Recommendation(s), 1 part (Memorandum): [] Award [] Re-bid [] Canceled
Others: _____
26. Memo to Dept/Agency: "Analysis and Recommendation"
Date Faxed: _____ Date Picked up by Dept/Agency _____
27. Date Response Due: _____ Date Submitted: _____
28. Requisition Returned, inclusive of Standard Form: _____
29. Bid Status (Form: DOA 120)
30. Deposit Return (Bid Bond) (Form: DOA 114)
31. Letter of Notice of Intent of Possible Award (Form: DOA 297)
32. Performance Bond (Form: DOA 123) Due Date: _____
34. Awarding of Purchase Order:

Vendor(s)	P.O. No(s).	Amount
1. <u>MARIANAS VARIETY</u>	<u>P086A04396</u>	\$ <u>\$17,568.00</u>
2. <u>PACIFIC DAILY NEWS</u>	<u>P086A04398</u>	\$ <u>\$12,432.00</u>
35. Receiving Report Due Date: 1. _____ 2. _____
36. Deposit Return (performance Bond) (Form: DOA 115)
37. Sealed Bid Checklist (Form: DOA 292 "A")
38. Sealed Bid Checklist (Protest) (Form: DOA 292 "B")

REMARKS: I certify that all records under this Bid GSA-032-08. Are true and complete to the best of my knowledge. I further certify that there is no request for confidentiality submitted with the bid and that all records are available for public inspection upon written request.

CLAUDIA S. ACFALLE
Chief Procurement Officer

BID STATUS

GUAM PUBLICATION, INC.

Accountability * Impartiality * Competence * Openness * Value

BID STATUS

Date: March 26, 2008

Guam Publications Inc.
P.O. Box DN
Hagatna, Guam 96932
Tel: 479-0219 / Fax: 479-0200

BID INVITATION NO.: GSA-012-08

OPENED: March 12, 2008

DESCRIPTION: "Advertisement Notices"

The following is the result of the above-mentioned bid. Refer to the items checked below.

Cancelled (in its entirety), or partially cancelled due to:

- Insufficient funds;
- Change of specifications; or
- Insufficient number of bidders.

Rejected due to:

- Late submission of bid;
- No bid security or insufficient bid security amount submitted; as required by section 11 of the General Terms and Conditions;
- Not meeting the delivery requirement as stated in the IFB;
- Non-conformance with the specifications
- Inability to provide future maintenance and services to the equipment;
- High price; or
- Others:

Item nos: 1.1 thru 7.1

Bid is recommended for award to:

Marianas Variety in the total amount of \$22,939.20

The non submittal of the Statement of Qualifications by Marianas Variety was deemed a minor informality and was in the best interest of the government due to budget constraints.

REMARKS:

Thank you for participating in this bid. Please send your authorized representative to pickup your original bid status and bid bond/cashier check.

AS KNOWLEDGEMENT COPY

RECEIVE BY [Signature]

[Signature] 3/26/08
CLAUDIA S. ACFALLE
Chief Procurement Officer

Rev: 1/95

DATE 5-13-08

Transmission Report

Date/Time
Local ID 1
Local ID 2

03-26-2008
07:14:20 p.m.
671 4751727

07:14:20 p.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x14"

GENERAL SERVICE AGENCY
(Aghesian Sehbision Hinina)
Government of Guam
P.O. Box FG, Agaña, Guam 96910
Tel: 477-1710-13 Fax: 472-4217 / 475-171627

Accountability * Impartiality * Competence * Openness * Value

BID STATUS

Date: March 26, 2008

Guam Publications Inc.
P.O. Box DN
Hagåtña, Guam 96932
Tel: 479-0219 / Fax: 479-0200

BID INVITATION NO.: GRA-012-08 OPENED: March 12, 2008

DESCRIPTION: "Advertisement Notice"

The following is the result of the above-mentioned bid. Refer to the items checked below.

Canceled (in its entirety), or partially cancelled due to:

- Insufficient funds;
- Change of specifications; or
- Insufficient number of bidders.

Rejected due to:

- Late submission of bid;
- No bid security or insufficient bid security amount submitted; as required by section 11 of the General Terms and Conditions;
- Not meeting the delivery requirement as stated in the IFB;
- Non-conformance with the specifications
- Inability to provide future maintenance and services to the equipment;
- High price; or
- Others:

Item nos: 1.1 thru 7.1

Bid is recommended for award to:

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The non-submittal of the Statement of Qualifications by Marianas Variety was deemed a minor informality and was in the best interest of the government due to budget constraints.

REMARKS:

Thank you for participating in this bid. Please send your authorized representative to pickup your original bid status and bid bond/cashier check.

Handwritten Signature
CLAUDIA S. ACFALLE
Chief Procurement Officer

Rev: 1/95

Total Pages Scanned : 1

Total Pages Confirmed : 1

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	591	6714770359	07:13:18 p.m. 03-26-2008	00:00:37	1/1	1	EC	HS	CP9600

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

MARIANAS VARIETY

GENERAL SERVICE AGENCY
(Ahensian Setbision Hinirat)
Government of Guam

P.O. Box FG, Agana, Guam 96910
Tel: 477-1710-13 Fax: 472-4217 / 475-1716/27

Accountability * Impartiality * Competence * Openness * Value

BID STATUS

Date: March 26, 2008

Marianas Variety
215 Rojas Street Suite 101
Harmon, Guam 96913
Tel: 649-1924 / Fax: 648-2007

BID INVITATION NO.: GSA-012-08

OPENED: March 12, 2008

DESCRIPTION: "Advertisement Notices"

The following is the result of the above-mentioned bid. Refer to the items checked below.

Cancelled (in its entirety), or partially cancelled due to:

- Insufficient funds;
- Change of specifications; or
- Insufficient number of bidders.

Rejected due to:

- Late submission of bid;
- No bid security or insufficient bid security amount submitted; as required by section 11 of the General Terms and Conditions;
- Not meeting the delivery requirement as stated in the IFB;
- Non-conformance with the specifications
- Inability to provide future maintenance and services to the equipment;
- High price; or
- Others:

No Bid on item number 8.1

Bid is recommended for award to:

Pacific Daily News in the total amount of \$12,432.00

REMARKS:

Thank you for participating in this bid. Please send your authorized representative to pickup your original bid status and bid bond/cashier check.

ACKNOWLEDGEMENT COPY

RECEIVE BY _____

ACFalle 3/26/08
CLAUDIA S. ACFALLE
Chief Procurement Officer

Rev: 1/05
DATE _____

Confirmation Report - Memory Send

Date & Time: Mar-27-2008 10:13am
Tel line : +6714751716
Machine ID : GSA

Job number : 114
Date & Time : Mar-27 10:07am
To : 96482007
Number of pages : 001
Start time : Mar-27 10:08am
End time : Mar-27 10:09am
Pages sent : 001
Status : OK

Job number : 114 *** SEND SUCCESSFUL ***

GENERAL SERVICE AGENCY
(Ahensian Serbision Hinirat)
Government of Guam
P.O. Box FG, Agana, Guam 96910
Tel: 477-1710-13 Fax: 472-4217 / 475-1716/27

Accountability * Impartiality * Competence * Openness * Value

BID STATUS

Date: March 26, 2008

Marianas Variety
215 Rojas Street Suite 101
Harmon, Guam 96913
Tel: 649-1924 / Fax: 648-2007

BID INVITATION NO.: GSA-012-08

OPENED: March 12, 2008

DESCRIPTION: "Advertisement Notices"

The following is the result of the above-mentioned bid. Refer to the items checked below.

[] Cancelled (in its entirety), or partially cancelled due to:

- () Insufficient funds;
- () Change of specifications; or
- () Insufficient number of bidders.

[X] Rejected due to:

- () Late submission of bid;
- () No bid security or insufficient bid security amount submitted; as required by section 11 of the General Terms and Conditions;
- () Not meeting the delivery requirement as stated in the IFB;
- () Non-conformance with the specifications
- () Inability to provide future maintenance and services to the equipment;
- () High price; or
- (X) Others:

No Bid on item number 8.1

[X] Bid is recommended for award to:

Pacific Daily News in the total amount of \$12,432.00

REMARKS:

Thank you for participating in this bid. Please send your authorized representative to pickup your original bid status and bid bond/cashier check.

C. Acfalle 3/26/08
CLAUDIA S. ACFALLE/
Chief Procurement Officer

**BID ANALYSIS &
RECOMMENDATION**

Felix P. Camacho
Governor



GENERAL SERVICES AGENCY
Gobierno de Guam (Government of Guam)

Government of Guam
P.O. Box FG, Agana, Guam 96910

Michael W. Cruz,
Lt. Governor

Lourdes M. Perez
Director, Dept. of Administration

Joseph C. Manibusan
Deputy Director

March 26, 2008

Inter-Office Memorandum

To: Chief Procurement Officer

From: Anita T. Cruz, Buyer II

Subject: Analysis and Recommendation for Bid No. GSA-012-08
Advertisement – Election Notice Pursuant to Title 3 GCA & Publication
Board Meeting Pursuant to the open Gov't. Law.

Subject bid was published in the Marianas Variety on February 05, 2008 and opened March 12, 2008 at 2:00 p.m.

Two (2) prospective bidders acquired bid invitation packages and both submitted namely:

1. Marianas Variety
2. Pacific Daily News

An analysis was made as follows:

Marianas Variety	1.1	2 x 4	28 ea.	\$ 86.40	\$ 2,419.20
PDN	1.1	2 x 4	28 ea.	\$236.80	\$ 6,630.40
Marianas Variety	2.1	2 x 5	25 ea.	\$108.00	\$ 2,700.00
PDN	2.1	2 x 5	25 ea.	\$296.00	\$ 7,400.00
Marianas Variety	3.1	3 x 6	10 ea.	\$194.40	\$ 1,944.00
PDN	3.1	3 x 6	10 ea.	\$530.80	\$ 5,328.00
Marianas Variety	4.1	4 x 5	11 ea.	\$216.00	\$ 2,376.00
PDN	4.1	4 x 5	11 ea.	\$592.00	\$ 6,512.00
Marianas Variety	5.1	4 x 13	10 ea.	\$561.60	\$ 5,616.00
PDN	5.1	4 x 13	10 ea.	\$1,539.20	\$15,392.00
Marianas Variety	6.1	5 x 7	08 ea.	\$378.00	\$ 3,024.00
PDN	6.1	5 x 7	08 ea.	\$1,036.00	\$ 8,288.00
Marianas Variety	7.1	5 x 15	06 ea.	\$810.00	\$ 4,860.00
PDN	7.1	5 x 15	06 ea.	\$2,220.00	\$13,320.00
Marianas Variety	8.1	5 x 14	06 ea.	No Bid	No Bid
PDN	8.1	5 x 14	06 ea.	\$2,072.00	\$12,432.00

Based on the above analysis item numbers 1.1 thru 7.1 will be awarded to Marianas Variety in the total amount of \$22,939.20 and item number 8.1 to Pacific Daily News in the total amount of \$12,432.00 as being lowest responsive and responsible bidder.

Please note although the Statement of Qualifications was not submitted by Marianas Variety, it was in the best interest of the government to award to the lowest bidder, due to budgetary constraints of the government of Guam.

Your approval is hereby requested.



Anita T. Cruz

Concurred By:



Claudia S. Acfalle

BID ABSTRACT

NAAMES OF PERSONS PRESENT AT THE END OPERING AND WHOM THEY REPRESENT
(It is not necessary to fill in this portion if data is recorded elsewhere)

VAE F. MEDINA

Kathia C. Williams

AUER YOUNG

Julio H. Hays

ANSTR-T. Cruz

[Signature]

[Signature]

CSA-CPO (Crested Day)

APPO

ADMINISTRATIVE (OPTIONAL) (SEE INSTRUCTIONS)

Continuation of Advertisement Notices pursuant to Article 3 of the Constitution of the Philippines

DEPARTMENT OF ADMINISTRATION
GENERAL SERVICES AGENCY
GOVERNMENT OF SUSA
ABSTRACT OF BIDS (Continued)

ITEM NO.	UNIT	EXT	UNIT	EXT	UNIT	EXT	UNIT	EXT
3.1		EXT	4.1	EXT	5.1	EXT		
194.40		\$1,944.00	216.00	\$2,376.00	561.60	\$5,616.00		
205.20		\$2,052.00	228.00	\$2,508.00	592.80	\$5,928.00		
530.80		\$5,328.00	592.80	\$6,512.00	1,538.20	\$15,382.00		

6.1
8.22 378.00
EXT.
3,024.00

399.00
1036.00
3,192.00
8,285.00

THIS LINE FOR OPTIONAL USE: INDICATE SHIPPING POINT, LAST PRICE ARRIVED, LOT, ETC.

①	7.1	EXT.	S.1	
	Gen	4,860.00	N.B.	
②	855.00	5,130.00	Gen	798.00
Ext.	2,220.00	13,320.00	2,172.00	EXT.
				4,788.00
				12,432.00

~~479-0213~~
 Murray Palay and
 GSD. sig. of
 Advertisement of
 Pursuant to Title

479-0219
 FAX
 479-0219

BID SUBMITTALS

GUAM PUBLICATION, INC.

TO:
General Services Agency

Bidder:
Guam Publications Inc.
P.O Box DN
Hagatna, Guam 96932

Bid No.: GSA-012-08

Bid Opening:
March 12, 2008 at 2pm
General Services Agency

BID NO.: GSA-012-08C
SUBMITTED BY: JAE F. MEDINA
DATE: MAR 12 2008 **TIME:** 1:50
OPENING DATE: MAR 12 2
REMOVED BY: MC

GSA GENERAL SERVICES AGENCY

(Ahe' on Setbision Hinirat)
Government of Guam
P.O. Box FG, Agana, Guam 96910
Tel: 477-8836 * Telefax: 475-1716

Accountability * Impartiality * Competence * Openness * Value

INVITATION FOR BID (IFB) NO. : GSA-012-08

DESCRIPTION: ADVERTISEMENT NOTICES PURSUANT TO TITLE 3 GCA AND PUBLICATION OF BOARD MEETINGS PURSUANT TO THE OPEN GOV'T LAW

SPECIFICATION REMINDER TO PROSPECTIVE BIDDERS

Bidders are reminded to read the Sealed Bid Solicitation and Instructions, and General Terms and conditions attached to the IFB to ascertain that all of the following requirements checked below are submitted in the bid enveloped, in duplicate, at the date and time for bid opening.

(X) BID GUARANTEE (15% of Bid Amount) May be in the form of;
Reference #11 on the General Terms and Conditions


a. Cashier's Check or Certified Check

b. Letter of Credit

c. Surety Bond - Valid only if accompanied by:

1. Current Certificate of Authority issued by the Insurance Commissioner;
2. Power of Attorney issued by the Surety to the Resident General Agent;
3. Power of Attorney issued by two (2) major officers of the Surety to whoever is signing on their behalf.

SIGNATURE OF CONTRACTING OFFICER



CLAUDIA S. ACFALLE,
Chief Procurement Officer

(✓) STATEMENT OF QUALIFICATIONS;

() SAMPLES;

() BROCHURES/DESCRIPTIVE LITERATURE;

(✓) AFFIDAVIT OF DISCLOSURE OF MAJOR SHAREHOLDERS - Must comply with the following requirements:

- a. The affidavit must be notarized and dated on the same month as the bid opening;
- b. Date of signature of the person authorized to sign the bid and the notary date must be the same.

() LOCAL PROCUREMENT PREFERENCE APPLICATION (See attached)
(Non Completion of this application form is not a basis for rejection)

(✓) OTHER REQUIREMENTS:
Non-Collusion Affidate,

Award Contract No.: GSA-012-08 Amount: \$12,432.00
Date: 4/03/08 Awarded: Item# 8.1



SIGNATURE AND TITLE OF PERSON
AUTHORIZED TO SIGN THIS CONTRACT

This reminder must be signed and returned in the bid envelope together with the bid. Failure to comply with the above requirements will mean a disqualification and rejection of the bid.

On this 7th day of March, 2008, I, Rindraty Limtiaco,
authorized representative of Guam Publications Inc. acknowledge receipt of this special
reminder to prospective bidders with the above referenced IFB.



Bidder Representative's Signature

GSA GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Government of Guam
P.O. Box FG, Agana, Guam 96910
Tel: 477-8836 * Telefax: 475-1716

Accountability * Impartiality * Competence * Openness * Value

INVITATION FOR BID (IFB) NO. : GSA-012-08

DESCRIPTION: ADVERTISEMENT NOTICES PURSUANT TO TITLE 3 GCA AND PUBLICATION OF BOARD MEETINGS PURSUANT TO THE OPEN GOV'T LAW

SPECIFICATION REMINDER TO PROSPECTIVE BIDDERS

Bidders are reminded to read the Sealed Bid Solicitation and Instructions, and General Terms and conditions attached to the IFB to ascertain that all of the following requirements checked below are submitted in the bid enveloped, in duplicate, at the date and time for bid opening.

- (X) BID GUARANTEE (15% of Bid Amount) May be in the form of; ✓
Reference #11 on the General Terms and Conditions
- a. Cashier's Check or Certified Check
 - b. Letter of Credit
 - c. Surety Bond – Valid only if accompanied by:
 - 1. Current Certificate of Authority issued by the Insurance Commissioner;
 - 2. Power of Attorney issued by the Surety to the Resident General Agent;
 - 3. Power of Attorney issued by two (2) major officers of the Surety to whoever is signing on their behalf.
- ✓ STATEMENT OF QUALIFICATIONS;
- () SAMPLES;
- () BROCHURES/DESCRIPTIVE LITERATURE;
- ✓ AFFIDAVIT OF DISCLOSURE OF MAJOR SHAREHOLDERS - Must comply with the following requirements:
- a. The affidavit must be notarized and dated on the same month as the bid opening;
 - b. Date of signature of the person authorized to sign the bid and the notary date must be the same.
- () LOCAL PROCUREMENT PREFERENCE APPLICATION (See attached)
(Non Completion of this application form is not a basis for rejection)
- ✓ OTHER REQUIREMENTS:
Non-Collusion Affidate,

This reminder must be signed and returned in the bid envelope together with the bid. Failure to comply with the above requirements will mean a disqualification and rejection of the bid.

On this 7th day of March, 2008, I, Rindraty Limtiaco,
authorized representative of Guam Publications Inc. acknowledge receipt of this special
reminder to prospective bidders with the above referenced IFB.



Bidder Representative's Signature

GUAM ELECTION

**GUAM ELECTION NOTICE PURSUANT TO TITLE 3 GCA &
PUBLICATION OF BOARD MEETING PURSUANT TO
THE OPEN GOVT LAW**



SPECIFICATION

ITEM

	10,000 PIECES			26,000 PIECES		
	UOM	Unit Cost	Total Cost	UOM	Unit Cost	Total Cost
1.1 2X4 Notice of Board Meefings & Other Election Information	28 EA	<u>\$91.20</u>	<u>\$2,553.60</u>	28 EA	<u>\$236.80</u>	<u>\$6,630.40</u>
2.1 2x5 Election Notices regading Early Voting/ Absentee & other election information	25 EA	<u>\$114.00</u>	<u>\$2,850.00</u>	25 EA	<u>\$296.00</u>	<u>\$7,400.00</u>
3.1 3x6 Election Notices regarding polling sites	10 EA	<u>\$205.20</u>	<u>\$2,052.00</u>	10 EA	<u>\$532.80</u>	<u>\$5,328.00</u>
4.1 4x5 Election Notices regarding candidates	11 EA	<u>\$228.00</u>	<u>\$2,508.00</u>	11 EA	<u>\$592.00</u>	<u>\$6,512.00</u>
5.1 4x13 Sample Ballots	10 EA	<u>\$592.80</u>	<u>\$5,928.00</u>	10 EA	<u>\$1,539.20</u>	<u>\$15,392.00</u>
6.1 5x7 Precinct Official Seminar Schedules	8 EA	<u>\$399.00</u>	<u>\$3,192.00</u>	8 EA	<u>\$1,036.00</u>	<u>\$8,288.00</u>
7.1 5x15 List of Precient Officials	6 EA	<u>\$855.00</u>	<u>\$5,130.00</u>	6 EA	<u>\$2,220.00</u>	<u>\$13,320.00</u>
8.1 5x14 List of Precient Officials	6 EA	<u>\$798.00</u>	<u>\$4,788.00</u>	6 EA	<u>\$2,072.00</u>	<u>\$12,432.00</u>

A handwritten signature or mark in the bottom center of the page.

Pacific Daily News

GUAM'S complete SOURCE

February 29, 2008

Dear Ms. Acafalle,

Below you will find our "Statement of Qualifications".

Guam Publications Inc. has the capability to design, layout and distribute your advertising announcement in a newspaper of general circulation, the Pacific Daily News. We meet all requirements, providing the Guam Election Commission with the services needed and outline in bid packet **BID INVITATION NO: GSA-012-08.**

Our experience can be compared to no other, as we produce and distribute our daily newspaper 365 days a year plus 595 specialty publications ranging from weekly newspapers, special editions, commemorative booklets, directories, niche magazines, anniversary and grand opening sections all publishing with advertisements.

The PDN has a team of graphic artists to provide advertising production assistance for government and businesses interested in placing advertisements. We also have a 7-day print and distribution operation.

The Pacific Daily News is published daily, Monday through Sunday and provides the best reach on Guam. We circulate 26,000 daily newspapers with a readership of 100,000+ (1 newspaper to every 4 people). Our readership expands in to the web world on www.guampdn.com where we see an average of 175,000 unique visitors* to our site on a monthly basis (*Unique Visitor is defined as the number of addresses logged into our website counted only once per month). From Andersen to Merizo, everyone on Guam including our Micronesia islands abroad will view advertisements published in the Pacific Daily News.

We look forward to working with you in 2008 and are ready to accept this job.

Sincerely,



Roderay Limtiaco
President & Publisher
Guam Publications Inc.
Tel: 671-479-0100
Email: rlimtiaco@guam.gannett.com

Felix P. Camacho
Governor



GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Department of Administration
Government of Guam

148 Route 1 Marine Drive, Piti, Guam 96915

Tel: (671) 475-1707 thru 1729 • Fax Nos: (671) 472-4217/475-1727/475-1716

Kaleo S. Moylan
Lt. Governor

Joseph C. Manibusan
Deputy Director
Department of Administration

Lourdes M. Perez
Director
Department of Administration

NON-COLLUSION AFFIDAVIT

AFFIDAVIT

(Bidder)

TERRITORY OF GUAM)

SS.

HAGATNA, GUAM)

Rindraty Limtiaco, being first duly sworn, deposes and says: That he/she is
(a partner or Officer of firm of, etc.) the party making the foregoing offer
(identify by Invitation for Bid Title and brief description)

BID INVITATION NO.: GSA-012-08
ADVERTISEMENT NOTICES PURSUANT TO TITLE 3 GCA AND PUBLICATION

That such offer is genuine and not collusive or sham, that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to put in a sham offer or to refrain from submitting an offer, and has not in any manner, directly or indirectly, mouth be agreement or collusion, or communication or conference, with any person to fine profit, overhead or cost element or that of any other bidder, or to secure any advantage against the Government of Guam or any person interested in the bid contract, and that all statements in said offer are true.

OF BOARD MEETINGS PURSUANT TO THE OPEN GOVT LAW

Signature of individual if bidder is a sole Proprietorship:
Partner, if the bidder is a Partnership; Officer, if the Bidder is a Corporation.

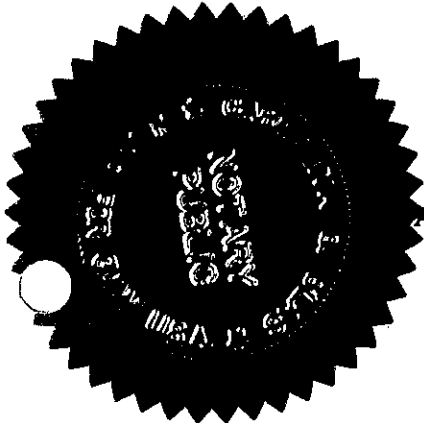
SUBSCRIBED AND SWORN to before me this 7th day of March, 2008

Notary Public

In and for the Territory of Guam

My Commission Expires: May 05, 2011

AFFIDAVIT MUST BE COMPLETED AND RETURNED IN THE ENVELOPE CONTAINING THE BID.



OFFICIAL BANK CHECK
First Hawaiian Bank
P.O. Box 3200 Honolulu, HI 96847-8916
MAITE

1074427 2 90-78
1211

DATE: **03/07/2008**

PAY **ELEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00 CENTS**
TO THE
ORDER OF **TREASURER OF GUAM**

AMOUNT
\$11,500.00

NOTICE TO CUSTOMER

In the event this Official Bank Check is lost, misplaced, or stolen, please call the branch where it was purchased for instructions on submitting a claim.

guam election commission 2008

CUSTOMER RECEIPT
NOT NEGOTIABLE

OFFICIAL BANK CHECK

MAITE

DATE: **03/07/2008**

\$11,500.00

PAY ****ELEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00 CENTS**
TO THE
ORDER OF **TREASURER OF GUAM**

Two Signatures Required for \$100,000 and Over

Authorized Signature

Authorized Signature

10744272 12110078 184007912 9450

MARIANAS VARIETY



Younis Art Studio, Inc.

dba *Marianas Variety* & News Views
Guam's Local & Regional Newspaper

215 Rojas Street Suite 101 Harmon, Guam 96913
Tel. No.:(671) 649-1924 / 4678 • Fax No.:(671) 648-2007

NO. NOY GSA-012-08
FORWARDED BY AMIER YOUNIS 1:45 P.M.
DATE: 3/17/08 ~~TIME~~ 9:00 P.M.
OPENING DATE: 3/12/08
RECEIVED BY: [Signature]

INVITATION FOR BID

ISSUING OFFICE:

GENERAL SERVICE AGENCY
GOVERNMENT OF GUAM
148 ROUTE 1 MARINE DRIVE
PITI, GUAM 96925


CLAUDIA S. ACFALLE, ^{ASPD}
Chief Procurement Officer

DATE ISSUED: 02/05/08

BID INVITATION NO.: GSA-012-08

BID FOR: ADVERTISEMENT NOTICES PURSUANT TO TITLE 3 GCA AND PUBLICATION OF BOARD MEETINGS PURSUANT TO THE OPEN GOV'T LAW.

SPECIFICATION: SEE ATTACHED

DESTINATION: GUAM ELECTION COMMISSION

REQUIRED DELIVERY DATE: 30 Days upon receipt of purchase order for a period of one (1) year (This is an indifinate quantity bid)

INSTRUCTION TO BIDDERS:

INDICATE WHETHER: INDIVIDUAL PARTNERSHIP CORPORATION

INCORPORATED IN: SAIPAN, CNMI w/ CORPORATE LICENSE FOR GUAM

This Bid shall be submitted in duplicate and sealed to the issuing office above no later than (Time) 2:00 P.M. (Date) 02/19/2008, and shall be publicly opened. Bid submitted after the time and date specified above shall be rejected. See attached General Terms and Conditions, and Sealed Bid Solicitation for details.

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 to 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 60 calendar days from the date opening to supply any or all of the items which prices are quoted.

NAME AND ADDRESS OF BIDDER:

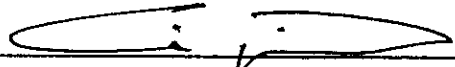
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS BID:

AMIER MARIANAS VARIETY - GUAM

215 ROJAS ST. STE 204

HARMON INDUSTRIAL PARK

TAMUNING, GUAM 96913


OPERATIONS MANAGER

AWARD: CONTRACT NO.: GSA-012-08

AMOUNT: \$22,939.20

DATE: 4/03/08

ITEM NO(S). AWARDED: 1.1 thru 1.7

CONTRACTING OFFICER:


CLAUDIA S. ACFALLE
CHIEF PROCUREMENT OFFICER

NAME AND ADDRESS OF CONTRACTOR:

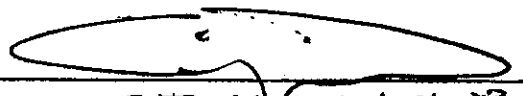
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS CONTRACT:

AMIER YOUNG

MARIANAS VARIETY - GUAM

215 ROJAS ST. STE 204

TAMUNING, GUAM 96913


OPERATIONS MANAGER
4/8/08

GSA GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Government of Guam
P.O. Box FG, Agana, Guam 96910
Tel: 477-8836 * Telefax: 475-1716

Accountability * Impartiality * Competence * Openness * Value

INVITATION FOR BID (IFB) NO. : GSA-012-08

DESCRIPTION: ADVERTISEMENT NOTICES PURSUANT TO TITLE 3 GCA AND PUBLICATION OF BOARD MEETINGS PURSUANT TO THE OPEN GOV'T LAW

SPECIFICATION REMINDER TO PROSPECTIVE BIDDERS

Bidders are reminded to read the Sealed Bid Solicitation and Instructions, and General Terms and conditions attached to the IFB to ascertain that all of the following requirements checked below are submitted in the bid enveloped, in duplicate, at the date and time for bid opening.

- (X) BID GUARANTEE (15% of Bid Amount) May be in the form of;
Reference #11 on the General Terms and Conditions
 - a. Cashier's Check or Certified Check
 - b. Letter of Credit
 - c. Surety Bond – Valid only if accompanied by:
 - 1. Current Certificate of Authority issued by the Insurance Commissioner;
 - 2. Power of Attorney issued by the Surety to the Resident General Agent;
 - 3. Power of Attorney issued by two (2) major officers of the Surety to whoever is signing on their behalf.

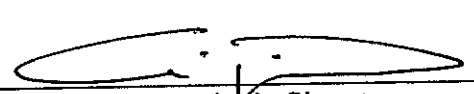
- (✓) STATEMENT OF QUALIFICATIONS;
- () SAMPLES;
- () BROCHURES/DESCRIPTIVE LITERATURE;
- (✓) AFFIDAVIT OF DISCLOSURE OF MAJOR SHAREHOLDERS - Must comply with the following requirements:
 - a. The affidavit must be notarized and dated on the same month as the bid opening;
 - b. Date of signature of the person authorized to sign the bid and the notary date must be the same.

- () LOCAL PROCUREMENT PREFERENCE APPLICATION (See attached)
(Non Completion of this application form is not a basis for rejection)

- (✓) OTHER REQUIREMENTS:
Non-Collusion Affidate,

This reminder must be signed and returned in the bid envelope together with the bid. Failure to comply with the above requirements will mean a disqualification and rejection of the bid.

On this 14 day of FEBRUARY, 2008, I, AMIER C. YOUNIS, authorized representative of MARIANAS VARIETY - GUAM acknowledge receipt of this special reminder to prospective bidders with the above referenced IFB.


Bidder Representative's Signature

MAJOR SHAREHOLDERS DISCLOSURE AFFIDAVIT

TERRITORY OF GUAM)

AGANA, GUAM)
)ss:
)

I, the undersigned, AMIER C. YOUNIS, being first
 (a partner or officer of the company of, etc.)
 duly sworn, deposes and says:

1. That the persons who have held more than ten percent (10%) of the company's shares during the past twelve months are as follows:

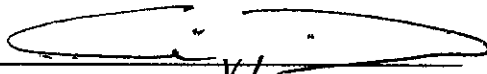
Name	Address	Percentage of Shares Held
<u>ABED E. YOUNIS</u>	<u>P.O. Box 231 SAIPAN 96950</u>	<u>480</u>
<u>PAZ C. YOUNIS</u>	<u>" "</u>	<u>500</u>
<u>LAILA C. YOUNIS-BOYER</u>	<u>" "</u>	<u>10</u>
<u>AMIER C. YOUNIS</u>	<u>P.O. Box 6338, TAMM 96931</u>	<u>10</u>
Total Number of Shares		<u>1,000</u>

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

Name	Address	Amount of Gratuity or Other Compensation
<u>n/a</u>		

Further, affiant sayeth naught.

Date: 2/14/08


 Signature or individual if bidder is a sole proprietorship; Partner, if the bidder is a partnership; Officer, if the bidder is a corporation.

Subscribed and sworn to before me this 12th day of March,
2008

By: Amer C. Younis

Notary Public Grace Marie C. Martinez
 In and for the Territory of Guam
 My commission expires 7/5/08

GRACE MARIE C. MARTINEZ
 NOTARY PUBLIC
 In and for Guam, U.S.A.
 My Commission Expires: July 05, 2008
 P.O. Box 21112 GME, Guam 96921



**ELECTION NOTICE PURSUANT TO TITLE 3 GCA & PUBLICATION
OF BOARD MEETING PURSUANT TO THE OPEN GOVT LAW**

ITEM	SPECIFICATION	BIDDING ON / REMARKS		
		UOM	Unit Cost	Total Cost
1.1	2X4 Notice of Board Meetings & Other Election Information	28 EA	\$ 86.40	\$ 2,419.20
2.1	2x5 Election Notices regarding Early Voting/Absentee & other elction information	25 EA	\$ 108.00	\$ 2,700.00
3.1	3x6 Election Notices regarding polling sites	10 EA	\$ 194.40	\$ 1,944.00
4.1	4x5 Election Notices regarding Candidates	11 EA	\$ 216.00	\$ 2,376.00
5.1	4x13 Sample Ballots	10 EA	\$ 561.60	\$ 5,616.00
6.1	5x7 Precinct Official Seminar Schedules	8 EA	\$ 378.00	\$ 3,024.00
7.1	5x15 List of Precinct Officials	6 EA	\$ 810.00	\$ 4,860.00
TOTAL:			\$	22,939.20

GUAM ELECTION COMMISSION

ELECTION NOTICE PURSUANT TO TITLE 3 GCA & PUBLICATION OF BOARD MEETING PURSUANT TO THE OPEN GOVT LAW

SPECIFICATION

ITEM	SPECIFICATION	BIDDING ON / REMARKS		
		UOM	Unit Cost	Total Cost
1.1	2 x 4 Notice of Board Meetings & Other Election Information	28 EA	\$ 96.00	\$ 2,688.00
2.1	2 x 5 Election Notices regarding Early Voting/ Absentee & other election information	25 EA	120.00	3,000.00
3.1	3 x 6 Election Notices regarding polling sites	10 EA	216.00	2,160.00
4.1	4 x 5 Election Notices regarding Candidates	11 EA	240.00	2,640.00
5.1	4 x 13 Sample Ballots	10 EA	624.00	6,240.00
6.1	5 x 7 Precinct Official Seminar Schedules	8 EA	420.00	3,360.00
7.1	5 x 15 List of Precinct Officials	6 EA	810.00	4,860
				<u>24,948.00</u>

*10% DISCOUNT
FOR FULL
PAGE ADS

Void
per Ameri 3/12/08

AMENDMENTS

AMENDMENT NO. 4

ORIGINAL

Felix P. Camacho

Governor



Lourdes M. Perez
Director, Dept. of Administration

GENERAL SERVICES AGENCY

**(Ahensian Setbision Hinirat)
Government of Guam
P.O. Box FG, Agana, Guam 96910**

Michael W. Cruz

Lt. Governor

Joseph C. Manibusan
Deputy Director

March 07, 2008

**Invitation to Bid GSA-012-08
"Advertisement Notices"**

Amendment# 4

1. Amend to change bid opening date from: March 07, 2008 at 2:00 pm to now read:
March 12, 2008 at 2:00 pm.

All others remain unchanged.


Claudia S. Acfalle
Chief Procurement Officer

Felix P. Camacho

Governor

Lourdes M. Perez
Director, Dept. of Administration



GENERAL SERVICES AGENCY

(Añensian Setbision Hinirat)

Government of Guam

P.O. Box FG, Agana, Guam 96910

Michael W. Cruz

Lt. Governor

Joseph C. Manibusan
Deputy Director

FAX RECEIVED

March 07, 2008

MAR 07 2008

TIME: 11:17 A.M.

Paulan

**Invitation to Bid GSA-012-08
"Advertisement Notices"**

Amendment# 4

1. Amend to change bid opening date from: March 07, 2008 at 2:00 pm to now read:
March 12, 2008 at 2:00 pm.

All others remain unchanged.

Claudia S. Acfalle
Chief Procurement Officer

Confirmation from Carlsmith

Felix P. Camacho

Governor



Lourdes M. Perez
Director, Dept. of Administration

GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Government of Guam

P.O. Box FG, Agaña, Guam 96910

Michael W. Cruz

Lt. Governor

Joseph C. Manibusan
Deputy Director

March 07, 2008

**Invitation to Bid GSA-012-08
"Advertisement Notices"**

Amendment# 4

1. Amend to change bid opening date from: March 07, 2008 at 2:00 pm to now read:
March 12, 2008 at 2:00 pm.

All others remain unchanged.

Claudia S. Acfalle
Chief Procurement Officer

Received
12noon 3/7/08
JFM
JAE F. MEDINA

Invitation for Bid No.: GSA-012-08

For: Advertisement

SPECIAL PROVISIONS

This is an "Indefinite Quantity Bid" pursuant to Section 3119(i)(2) of the 2GAR Procurement Regulations. The quantities reflected are annual estimated requirements projected within a twelve (12) month period. These amounts may increase during the term of this bid. However, regardless of the fluctuation of quantities, this bid shall be subject to the availability of funds. Multiple awards will be made from the lowest to the highest responsive and responsible bidder, depending on the availability of goods/services.

Delivery:

Initial delivery of 30 days upon receipt of purchase order. Delivery schedule time and quantity will be coordinated between the successful bidder and the requesting department on an as needed basis.

Contract Period:

The term of this contract is one (1) year upon acknowledgement of purchase order. Prices shall remain the same for a period of one (1) year.

GOVERNMENT OF GUAM
GENERAL TERMS AND CONDITIONS

SEALED BID SOLICITATION AND AWARD

Only those Boxes checked below are applicable to this bid.

- 1. **AUTHORITY:** This solicitation is issued subject to all the provision of the Guam Procurement Act (5GCA, Chapter 5) and the Guam Procurement Regulations (copies of both are available at the Office of the Compiler of Laws, Department of Law, copies available for inspection at General Services Agency). It requires all parties involved in the Preparation, negotiation, performance, or administration of contracts to act in good faith.
- 2. **GENERAL INTENTION:** Unless otherwise specified, it is the declared and acknowledged intention and meaning of these General Terms and Conditions for the bidder to provide the Government of Guam (Government) with specified services or with materials, supplies or equipment completely assembled and ready for use.
- 3. **TAXES:** Bidders are cautioned that they are subject to Guam Income Taxes as well as all other taxes on Guam Transactions. Specific information on taxes may be obtained from the Director of Revenue and Taxation.
- 4. **LICENSING:** Bidders are cautioned that the Government will not consider for award any offer submitted by a bidder who has not complied with the Guam Licensing Law. Specific information on licenses may be obtained from the Director of Revenue and Taxation.
- 5. **LOCAL PROCUREMENT PREFERENCE:** All procurement of supplies and services where possible, will be made from among businesses licensed to do business on Guam in accordance with Section 5008 of the Guam Procurement Act (5GCA, Chapter 5) and Section 1-104 of the Guam Procurement Regulations.
- 6. **COMPLIANCE WITH SPECIFICATIONS AND OTHER SOLICITATION REQUIREMENTS:** Bidders shall comply with all specifications and other requirements of the Solicitation.
- 7. **"ALL OR NONE" BIDS:** Unless otherwise allowed under this Solicitation, "all or none" bids may be deemed to be non-responsive. If the bid is so limited, the Government may reject part of such proposal and award on the remainder.

NOTE: By checking this item, the Government is requesting all of the bid items to be bid or none at all. The Government will not award on an itemized basis. Reference: Section 3-301.06 of the Guam Procurement Regulations.
- 8. **INDEPENDENT PRICE DETERMINATION:** The bidder, upon signing the Invitation for Bid, certifies that the prices in his bid were derived at without collusion, and acknowledge that collusion and anti-competitive practices are prohibited by law. Violations will be subject to the provision of Section 5651 of that of the Guam Procurement Act. Other existing civil, criminal or administrative remedies are not impaired and may be in addition to the remedies in Section 5651 of the Government Code.
- 9. **BIDDER'S PRICES:** The Government will consider not more than two (2) (Basic and Alternate) item prices and the bidder shall explain fully each price if supplies, materials, equipment, and/or specified services offered comply with specifications and the products origin. Where basic or alternate bid meets the minimum required specification, cost and other factors will be considered. Failure to explain this requirement will result in rejection of the bid.
- 10. **BID ENVELOPE:** Envelope shall be sealed and marked with the bidder's name, Bid number, time, date and place of Bid Opening.
- 11. **BID GUARANTEE REQUIREMENT:** Bidder is required to submit a Bid Guarantee Bond or standby irrevocable Letter of Credit or Certified Check or Cashier's Check in the same bid envelope to be held by the Government pending award. The Bid Guarantee Bond, Letter of Credit, Certified Check or Cashier's Check must be issued by any local surety or banking institution licensed to do business on Guam and made payable to the Treasurer of Guam in the amount of ~~payment (100%)~~ 15% of his highest total bid offer. The Bid Bond must be submitted on Government Standard Form BB-1 (copy enclosed). Personal Checks will not be accepted as Bid Guarantees. If a successful Bidder (contractor) withdraws from the bid or fails to enter into contract within the prescribed time, such Bid guarantee will be forfeited to the Government of Guam. Bids will be disqualified if not accompanied by Bid Bond, Letter of Credit, Certified Check or Cashier's Check. Bidder must include in his/her bid, valid copies of a Power of Attorney from the Surety and a Certificate of Authority from the Government of Guam to show proof that the surety company named on the bond instrument is authorized by the Government of Guam and qualified to do business on Guam. For detailed information on bonding matters, contact the Department of Revenue and Taxation. Failure to submit a valid Power of Attorney and Certificate of Authority on the surety is cause for rejection of bid (GPR Section 3-202.03.3) PURSUANT OF PUBLIC LAW 27-127 ALL COMPETITIVE SEALED BIDDING FOR PROCUREMENT OF SUPPLIES OR SERVICES, EXCEEDING \$25,000.00, A 15% BID SECURITY OF THE TOTAL BID MUST ACCOMPANY BID PACKAGE.
- 12. **PERFORMANCE BOND REQUIREMENT:** The Bidder may be required to furnish a Performance Bond on Government Standard Form BB-1 or standby irrevocable Letter of Credit or Certified Check or Cashier's Check payable to the Treasurer of Guam issued by any of the local Banks or Bonding Institution in the amount equal to _____

percent (_____ %) of the contract price as security for the faithful performance and proper fulfillment of the contract. In the event that any of the provisions of this contract are violated by the contractor, the Chief Procurement Officer shall serve written notice upon both the contractor and the Surety of its intention to terminate the contract. Unless satisfactory arrangement or correction is made within ten (10) days of such notice the contract shall cease and terminate upon the expiration of the ten (10) days. In the event of any such termination, the Chief Procurement Officer shall immediately serve notice thereof upon the Surety. The Surety shall have the right to take over and perform the contract, provided, however, that if the Surety does not commence performance thereof within 10 days from the date of the mailing

for the account and at the expense of the contractor, and the contractor and his Surety shall be liable to the Government for any excess cost occasioned the Government thereby (GPR Section 3-202.03.4).

13. **PERFORMANCE GUARANTEE:** Bidders who are awarded a contract under this solicitation, guarantee that goods to be delivered or required services performed within the time specified. Failure to perform the contract in a satisfactory manner may be cause for suspension or debarment from doing business with the Government and to enforce Section 12 of these General Terms and Conditions. In addition, the Government will hold the Vendor liable and will enforce the requirements as set forth in Section 41 of these General Terms and Conditions.
14. **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 an Insurance Company, authorized by the Government of Guam 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 Government of Guam to conduct business in Guam.
15. **COMPETENCY OF BIDDERS:** Bids will be considered only from the such bidders who, in the opinion of the Government, can show evidence of their ability, experience, equipment, and facilities to render satisfactory service.
16. **DETERMINATION OF RESPONSIBILITY OF BIDDERS:** The Chief Procurement Officer 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 15 of these General Terms and Conditions (GPR Section 3-401).
17. **STANDARD FOR DETERMINATION OF LOWEST RESPONSIBLE BIDDER:** In determining the lowest responsible offer, the Chief Procurement Officer shall be guided by the following:
- Price of items offered.
 - The ability, capacity, and skill of the Bidder to perform.
 - Whether the Bidder can perform promptly or within the specified time.
 - The quality of performance of the Bidder with regards to awards previously made to him.
 - The previous and existing compliance by the Bidder with laws and regulations relative to procurement.
 - The sufficiency of the financial resources and ability of the Bidder to perform.
 - The ability of the bidder to provide future maintenance and services for the subject of the award.
 - The compliance with all of the conditions to the Solicitation.
18. **TIE BIDS:** If the bids are for the same unit price or total amount in the whole or in part, the Chief Procurement Officer will determine award based on Section 3.202.15.2, or to reject all such bids (GPR Section 3-202.15.2).
19. **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 preference is intended to be descriptive, but not restrictive and for the sole purpose of indicating 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.
20. **DESCRIPTIVE LITERATURE:** Descriptive literature(s) as specified in this solicitation must be furnished as a part of the bid and must be received at the date and time set for opening Bids. 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.
21. **SAMPLES:** Sample(s) of item(s) as specified in this solicitation must be furnished as a part of the bid and must be received at the date and time set for opening Bids. The sample(s) should represent exactly what the Bidder proposes to furnish and will be used to determine if the item(s) offered comply with the specifications. Rejection of the Bid will be required if the sample(s) do not show that the product(s) offered conform(s) to the specifications and other requirements of this solicitation. Failure to furnish the sample(s) by the time specified in the Solicitation will require rejection of the Bid.
22. **LABORATORY TEST:** Successful bidder is required to accompany delivery of his goods with a Laboratory Test Report indicating that the product he is furnishing the Government meets with the specifications. This report is on the bidder's account and must be from a certified Testing Association.
23. **AWARD, CANCELLATION & REJECTION:** Award shall be made to the lowest responsible and responsive bidder, whose bid is determined to be the most advantageous to the Government, taking into consideration the evaluation factors set forth in this solicitation. No other factors or criteria shall be used in the evaluation. The right is reserved as the interest of the Government may require to waive any minor irregularity in bids received. The Chief Procurement Officer shall have the authority to award, cancel, or reject bids, in whole or in part for any one or more items if he determines it is in the public interest. Award issued to the lowest responsible bidder within the specified time for acceptance as indicated in the solicitation, results in a bidding contract without further action by either party. In case of an error in the extension of prices, unit price will govern. It is the policy of the Government to award contracts to qualified local bidders. The Government reserves the right to increase or decrease the quantity of the items for award and make additional awards for the same type items and the vendor agrees to such modifications and additional awards based on the bid prices for a period of thirty (30) days after original award. No award shall be made under this solicitation which shall require advance payment or irrevocable letter of credit from the government (GPR Section 3-202.14.1).
24. **MARKING:** Each outside container shall be marked with the Purchase Order number, item number, brief item description and quantity. Letter marking shall not be less than 3/4" in height.

25. **SCHEDULE FOR DELIVERY:** Successful bidder shall notify the General Services Agency, Telephone Nos. 477-1726 or 1727, at least twenty-four (24) hours before delivery of any item under this solicitation.
26. **BILL OF SALE:** Successful Supplier shall render Bills of Sale for each item delivered under this contract. Failure to comply with this requirement will result in rejection of delivery. The Bill of Sale must accompany the items delivered but will not be considered as an invoice for payment. Supplier shall bill the Government in accordance with billing instructions as indicated on the Purchase Order.
27. **MANUFACTURER'S CERTIFICATE:** Successful bidder is required, upon delivery of any item under this contract, to furnish a certificate from the manufacturer indicating that the goods meet the specifications. Failure to comply with this request will result in rejection of delivery.
28. **INSPECTION:** All supplies, materials, equipment, or services delivered under this contract shall be subject to the inspection and/or test conducted by the Government at destination. If in any case the supplies, materials, equipment, or services are found to be defective in material, workmanship, performance, or otherwise do not conform with the specifications, the Government shall have the right to reject the items or require that they be corrected. The number of days required for correction will be determined by the Government.
29. **MOTOR VEHICLE SAFETY REQUIREMENTS:** The Government will only consider Bids on motor vehicles which comply with requirements of the National Traffic and Motor Vehicle Safety Act of 1966 (Public Law 89-563) and Clean Air Act as amended (Public Law 88-206), that are applicable to Guam. Bidders shall state if the equipment offered comply with these aforementioned Federal Laws.
30. **SAFETY INSPECTION:** All motor vehicles delivered under this contract must pass the Government of Guam Vehicle Inspection before delivery at destination.
31. **GUARANTEE:**
- a) **Guarantee of Vehicle Type of Equipment:**
The successful bidder shall guarantee vehicular type of equipment offered against defective parts, workmanship, and performance, for a period of not less than one (1) year after date of receipt of equipment. Bidder shall also provide service to the equipment for at least one (1) year. Service to be provided shall include, but will not be limited to tune-ups (change of spark plugs, contact points and condensers) and lubrication (change of engine and transmission oil). All parts and labor shall be at the expense of the bidder. All parts found defective and not caused by misuse, negligence or accident within the guarantee period shall be repaired, replaced, or adjusted within six (6) working days after notice from the Government and without cost to the Government. Vehicular type of equipment as used in this context shall include equipment used for transportation as differentiated from tractors, backholes, etc.
- b) **Guarantee of Other Type of Equipment:**
The successful bidder shall guarantee all other types of equipment offered, except those mentioned in 31a, above, against defective parts, workmanship, and performance for a period of not less than three (3) months after date of receipt of equipment. Bidder shall also provide service to the equipment for at least three (3) months. All parts found defective within that period shall be repaired or replaced by the Contractor without cost to the Government. Repairs, adjustments or replacements of defective parts shall be completed by the Contractor within six (6) working days after notice from the Government.
- c) **Compliance with this Section is a condition of this Bid.**
32. **REPRESENTATION REGARDING ETHICS IN PUBLIC PROCUREMENT:** The bidder or contractor represents that it has not knowingly influenced and promises that it will not knowingly influence a Government employee to breach any of the ethical standards and represents that it has not violated, is not violating, and promises that it will not violate the prohibition against gratuities and kickbacks set forth on Chapter 11 (Ethics in Public Contracting) of the Guam Procurement Act and in Chapter 11 of the Guam Procurement Regulations.
33. **REPRESENTATION REGARDING CONTINGENT FEES:** The contractor represents that it has not retained a person to solicit or secure a Government contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business (GPR Section 11-207).
34. **EQUAL EMPLOYMENT OPPORTUNITY:** Contractors shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that employees are treated equally during employment without regards to their race, color, religion, sex, or national origin.
35. **COMPLIANCE WITH LAWS:** Bidders awarded a contract under this Solicitation shall comply with the applicable standard, provisions, and stipulations of all pertinent Federal and/or local laws, rules, and regulations relative to the performance of this contract and the furnishing of goods.
36. **CHANGE ORDER:** Any change order issued relative to awards made under this solicitation will be subject to and in accordance with the provisions of Section 6-101.03.1 of the Guam Procurement Regulations.
37. **STOP WORK ORDER:** Any stop work order issued relative to awards made under this solicitation will be subject to and in accordance with the provisions of Section 6-101.04.3 of the Guam Procurement Regulations.
38. **TERMINATION FOR CONVENIENCE:** Any termination order for the convenience of the Government issued relative to awards made under this solicitation will be subject to and in accordance with the provisions of Section 6-101.10 of the Guam Procurement Regulations.
39. **TIME FOR COMPLETION:** It is hereby understood and mutually agreed by and between the contractor and the Government that the time for delivery to final destination or the timely performance of certain services is an essential condition of this contract. If the contractor refuses or fails to perform any of the provisions of this contract within the time specified in the Purchase Order (from the date Purchase Order is acknowledged by vendor), then the contractor is in default. Defaults will be treated subject to and in accordance with the provisions of Section 6-101-08 of the Guam Procurement Regulations.

40. **JUSTIFICATION OF DELAY:** Bidders who are awarded contracts under this Solicitation, guarantee that the goods will be delivered to their destination or required services rendered within the time specified. If the bidder is not able to meet the specified delivery date, he is required to notify the Chief Procurement Officer of such delay. Notification shall be in writing and shall be received by the Chief Procurement Officer at least twenty-four (24) hours before the specified delivery date. Notification of delay shall include an explanation of the causes and reasons for the delay including statement(s) from supplier or shipping company causing the delay. The Government reserves the right to reject delay justification if, in the opinion of the Chief Procurement Officer, such justification is not adequate.
41. **LIQUIDATED DAMAGES:** When the Contractor is given notice of delay or nonperformance as specified in Paragraph 1 (Default) of the Termination for Default Clause of this contract and fails to cure in the time specified, the contractor shall be liable for damages for delay in the amount of one-fourth of one percent (1%) of outstanding order per calendar day from date set for cure until either the territory reasonably obtains similar supplies or services if the contractor is terminated for default, or until the contractor provides the supplies or services if the contractor is not terminated for default. To the extent that the contractor's delay or nonperformance is excused under Paragraph 40 (Excuse for Nonperformance or Delayed Performance) of the Termination for Default Clause of this contract, liquidated damages shall not be due the territory. The contractor remains liable for damages caused other than by delay (GPR Section 6-101.09.1).
42. **PHYSICAL LIABILITY:** If it becomes necessary for the Vendor, either as principal, agent or employee, to enter upon the premises or property of the Government of Guam in order to construct, erect, inspect, make delivery or remove property hereunder, the Vendor hereby covenants and agrees to take, use, provide and make all proper, necessary and sufficient precautions, safeguards and protections against the occurrence of any accidents, injuries or damages to any person or property during the progress of the work herein covered, and to be responsible for, and to indemnify and save harmless the government of Guam from the payment of all sums of money by reason of all or any such accidents, injuries or damages that may occur upon or about such work, and fines, penalties and loss incurred for or by reason of the violations of any territorial ordinance, regulations, or the laws of Guam or the United States, while the work is in progress. Contractor will carry insurance to indemnify the government of Guam against any claim for loss, damage or injury to property or persons arising out of the performance of the Contractor or his employees and agents of the services covered by the Contract and the use, misuse or failure of any equipment used by the contractor or his employees or agents, and shall provide certificates of such insurance to the Government of Guam when required.
43. **CONTACT FOR CONTRACT ADMINISTRATION:** If your firm receives a contract as a result of this Solicitation, please designate a person whom we may contact for prompt administration.

Name: _____

Title: _____

Address: _____

Telephone: _____

GOVERNMENT OF GUAM

SEALED BID SOLICITATION INSTRUCTIONS

1. **BID FORMS:** Each bidder shall be provided with two (2) sets of Solicitation forms. Additional copies may be provided upon request. Bidders requesting additional copies of said forms will be charged per page in accordance with Section 6114 of the Government Code of Guam. All payments for this purpose shall be by cash, certified check or money order and shall be made payable to the General Services Agency (EO 86-24).
2. **PREPARATIONS OF BIDS:**
 - a) Bidders are required to examine the drawings, specifications, schedule, and all instructions. Failure to do so will be at bidder's risk.
 - b) Each bidder shall furnish the information required by the Solicitation. The bidder shall sign the Solicitation and print or type his name on the Schedule. Erasures or other changes must be initialed by the person signing the bid. Bids signed by an agent are to be accompanied by evidence of his authority unless such evidence has been previously furnished to the issuing office.
 - c) Unit price for each unit offered shall be shown and such price shall include packing unless otherwise specified. A total shall be entered in the amount column of the Schedule for each item offered. In case of discrepancies between a unit price and extended price, the unit price will be presumed to be correct.
 - d) Bids for supplies or services other than those specified will not be considered.
 - e) Time, if stated as a number of days, means calendar days and will include Saturdays, Sundays, and holidays beginning the day after the issuance of a Notice to Proceed. Time stated ending on a Saturday, Sunday or Government of Guam legal holiday will end at the close of the next business day.
3. **EXPLANATION TO BIDDERS:** Any explanation desired by a bidder regarding the meaning or interpretation of the Solicitation, drawings, specifications, etc., must be submitted in writing and with sufficient time allowed for a written reply to reach all bidders before the submission of their bids. Oral explanations or instructions given before the award of the contract will not be binding. Any information given to a prospective bidder concerning a Solicitation will be furnished to all prospective bidders in writing as an amendment to the Solicitation if such information is necessary for bidders in submitting bids on the Solicitation or if the lack of such information would be prejudicial to uninformed bidders.
4. **ACKNOWLEDGEMENT OF AMENDMENTS TO SOLICITATIONS:** Receipt of an amendment to a Solicitation by a bidder must be acknowledged by signing an acknowledgement of receipt of the amendment. Such acknowledgement must be received prior to the hour and date specified for receipt of bids.
5. **SUBMISSION OF BIDS:**
 - a) Bids and modifications thereof shall be enclosed in sealed envelopes and addressed to the office specified in the Solicitation. The bidder shall show the hour and date specified in the Solicitation for receipt, the Solicitation number, and the name and address of the bidder on the face of the envelope.
 - b) Telegraphic bids will not be considered unless authorized by the Solicitation. However, bids may be modified or withdrawn by written or telegraphic notice, provided such notice is received prior to the hour and date specified for receipt (see paragraph 6 of these instructions).
 - c) Samples of items, when required, must be submitted within the time specified, unless otherwise specified by the Government, at no expense to the Government. If not destroyed by testing, samples will be returned at bidder's request and expense, unless otherwise specified by the Solicitation.
 - d) Samples or descriptive literature should not be submitted unless it is required on this Solicitation. Regardless of any attempt by a bidder to condition the bid, unsolicited samples or descriptive literature will not be examined or tested at the bidder's risk, and will not be deemed to vary any of the provisions of this Solicitation.
6. **FAILURE TO SUBMIT BID:** If no bid is to be submitted, do not return the Solicitation unless otherwise specified. A letter or postcard shall be sent to the issuing office advising whether future Solicitations for the type of supplies or services covered by this Solicitation are desired.
7. **LATE BID, LATE WITHDRAWALS, AND LATE MODIFICATIONS:**
 - a) **Definition:** Any bid received after the time and date set for receipt of bids is late. Any withdrawal or modification of a bid received after the time and date set for opening of bids at the place designated for opening is late (*Guam Procurement Regulations Section 3-202.11.1*).
 - b) **Treatment:** No late bid, late modification, or late withdrawal will be considered unless received before contract award, and the bid, modification, or withdrawal would have been timely but for the action or inaction of territorial personnel directly serving the procurement activity (*Guam Procurement Regulations Section 3-202.11.2*).
8. **DISCOUNTS:**
 - a) Notwithstanding the fact that prompt payment discounts may be offered, such offer will not be considered in evaluating bids for award unless otherwise specified in the Solicitation. However, offered discounts will be taken if payment is made within the discount period, even though not considered in the evaluation of bids.
 - b) In connection with any discount offered, time will be computed from date of delivery and acceptance of the supplies to the destination as indicated in the purchase order or contract. Payment is deemed to be made for the purpose of earning the discount on the date of mailing of the Government check.
9. **GOVERNMENT FURNISHED PROPERTY:** No material, labor or facilities will be furnished by the Government unless otherwise provided for in the Solicitation.

10. **SELLERS' INVOICES:** Invoices shall be prepared and submitted in quadruplicate (*one copy shall be marked "original"*) unless otherwise specified. Invoices shall be "certified true and correct" and shall contain the following information: Contract and order number (if any), item numbers, description of supplies or services, sizes, quantities, unit prices, and extended total. Bill of lading number and weight of shipment will be shown for shipments made on Government bills of lading.
11. **RECEIPT, OPENING AND RECORDING OF BIDS:** Bids and modifications shall be publicly opened in the presence of one or more witnesses, at the time, date, and place designated in the Invitation for Bids. The name of each bidder, the bid price, and such other information as is deemed appropriate by the Procurement Officer, shall be read aloud and recorded, or otherwise made available. The names and addresses of required witnesses shall be recorded at the opening. The opened bids shall be available for public inspection except to the extent the bidder designates trade secrets or other proprietary data to be confidential as set forth in accordance with Section 12, below. Material so designated shall accompany the bid and shall be readily separable from the bid in order to facilitate public inspection of the non-confidential portion of the bid. Prices, makes and models or catalogue numbers of the items offered, deliveries, and terms of payment shall be publicly available at the time of bid opening regardless of any designation to the contrary (*Guam Procurement Regulations Section 3-202.12.2*).
12. **CONFIDENTIAL DATA:** The Procurement Officer shall examine the bids to determine the validity of any requests for nondisclosure of trade secrets and other proprietary data identified in writing. If the parties do not agree as to the disclosure of data, the Procurement Officer shall inform the bidders in writing what portions of the bid will be disclosed and that, unless the bidders protest under Chapter 9 of the Guam Procurement Act (*P.L. 16-124*), the bids will be so disclosed. The bids shall be opened to public inspection subject to any continuing prohibition on the disclosure of confidential data (*Guam Procurement Regulations Section 3-202.12.3*).
13. **MULTI-STEP SEALED BIDDING:**
- a) It is defined as a two-phase process consisting of a technical first-phase composed of one or more steps in which bidders submit unpriced technical offers to be evaluated by the territory, and a second-phase in which those bidders whose technical offers are determined to be acceptable during the first-phase have their priced bids considered. It is designed to obtain the benefits of competitive sealed bidding by award of a contract to the lowest responsive, responsible bidder, and at the same time obtained the benefits of the competitive sealed proposals procedure through the solicitation of technical offers and the conduct of discussions to evaluate and determine the acceptability of technical offers.
- b) In addition to the requirements set forth in the General Terms and Conditions and the Special provisions, the following applies:
- 1) only unpriced technical offers are requested in the first phase;
 - 2) priced bids will be considered only in the second phase and only from bidders whose unpriced technical offers are found acceptable in the first phase;
 - 3) the criteria to be used in the evaluation are those specified in the Special Provisions and the General Terms and Conditions;
 - 4) the territory, to the extent the Procurement Officer finds necessary, may conduct oral or written discussion of the unpriced technical offers;
 - 5) the bidders, may designate those portions of the unpriced technical offers which contain trade secrets or other proprietary data which are to remain confidential; and,
 - 6) the service being procured shall be furnished generally in accordance with the bidder's technical offer as found to be finally acceptable and shall meet the requirements of the Invitation for Bids.
- c) **RECEIPT AND HANDLING OF UNPRICED TECHNICAL OFFERS.**
Unpriced technical offers shall not be opened publicly, but shall be opened in front of two or more procurement officials. Such offers shall not be disclosed to unauthorized persons. Bidders may request nondisclosure of trade secrets and other proprietary data identified in writing.
- d) **EVALUATION OF UNPRICED TECHNICAL OFFERS.**
The unpriced technical offers submitted by bidders shall be evaluated solely in accordance with the criteria set forth in the Invitation for Bids. The unpriced technical offers shall be categorized as:
- 1) acceptable;
 - 2) potentially acceptable, that is, reasonably susceptible of being made acceptable; or
 - 3) unacceptable. The Procurement Officer shall record in writing the basis for finding an offer unacceptable and make it part of the procurement file.
- The Procurement Officer may initiate Phase Two of the procedure if, in the Procurement Officer's opinion, there are sufficient acceptable unpriced technical offers to assure effective price competition in the second phase without technical discussions. If the Procurement Officer finds such is not the case, the Procurement Officer shall issue an amendment to the Invitation for Bids or engage in technical discussions as set forth in Subsection 3-202.20.5 of this Section.
- e) Upon the completion of Phase One, the Procurement Officer shall invite each acceptable bidder to submit a price bid. Upon submission of prices, the Procurement Officer shall prepare the final evaluation and reconsideration for the Chief Procurement Officer's approval.

GUAM ELECTION COMMISSION

**ELECTION NOTICE PURSUANT TO TITLE 3 GCA &
PUBLICATION OF BOARD MEETING PURSUANT TO
THE OPEN GOVT LAW**

ITEM	SPECIFICATION	BIDDING ON / REMARKS		
		UOM	Unit Cost	Total Cost
1.1	2 x 4 Notice of Board Meetings & Other Election Information	28 EA	\$	\$
2.1	2 x 5 Election Notices regarding Early Voting/ Absentee & other election information	25 EA		
3.1	3 x 6 Election Notices regarding polling sites	10 EA		
4.1	4 x 5 Election Notices regarding Candidates	11 EA		
5.1	4 x 13 Sample Ballots	10 EA		
6.1	5 x 7 Precinct Official Seminar Schedules	8 EA		
7.1	5 x 15 List of Precient Officials	6 EA		
8.1	5 x 14 List of Precient Officials	6 EA		

Transmission Report


Date/Time
Local ID 1
Local ID 2

03-07-2008
671 4751727

11:37:49 a.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

Felix P. Camacho
Governor 
Lourdes M. Perez
Director, Dept. of Administration

GENERAL SERVICES AGENCY
(Abesian Setbislon Hinirat)
Government of Guam
P.O. Box FG, Agaña, Guam 96910

Michael W. Cruz
Lt. Governor
Joseph C. Manibusan
Deputy Director

March 07, 2008

Invitation to Bid GSA-012-08
"Advertisement Notices"

Amendment# 4

1. Amend to change bid opening date from: March 07, 2008 at 2:00 pm to now read:
March 12, 2008 at 2:00 pm.

All others remain unchanged.


Claudia S. Acfalle
Chief Procurement Officer

Total Pages Scanned : 1

Total Pages Confirmed : 1

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
01	640	6714770359	11:36:14 a.m. 03-07-2008	00:00:21	1/1	1	EC	HS	CP9600

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

Felix P. Camacho

Governor



Lourdes M. Perez
Director, Dept. of Administration

GENERAL SERVICES AGENCY

(Añesian Setbision Hinlrat)

Government of Guam

P.O. Box FG, Agaña, Guam 96910

Michael W. Cruz

Lt. Governor

Joseph C. Maribosan

Deputy Director

March 07, 2008

**Invitation to Bid GSA-012-08
"Advertisement Notices"**

Amendment# 4

1. Amend to change bid opening date from: March 07, 2008 at 2:00 pm to now read: March 12, 2008 at 2:00 pm.

All others remain unchanged.

Claudia S. Acfalle
Chief Procurement Officer

RECEIVED :
7 March 2008
MIDWEST
RISA

Transmission Report

Date/Time
Local ID 1
Local ID 2

03-07-2008
671 4751727

11:36:05 a.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

Felix P. Camacho

Governor



Lourdes M. Perez
Director, Dept. of Administration

GENERAL SERVICES AGENCY

(Abensian Setbision Hinirat)
Government of Guam
P.O. Box FG, Agaña, Guam 96910

Michael W. Cruz

Lt. Governor

Joseph C. Manibusan
Deputy Director

March 07, 2008

Relsa

Invitation to Bid GSA-012-08
"Advertisement Notices"

Amendment# 4

- 1. Amend to change bid opening date from: March 07, 2008 at 2:00 pm to now read:
March 12, 2008 at 2:00 pm.

All others remain unchanged.

Clayton

Clayton S. Acfalle
Chief Procurement Officer

Total Pages Scanned : 1

Total Pages Confirmed : 1

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Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

AMENDMENT NO. 3

Felix P. Camacho

Governor



Lourdes M. Perez
Director, Dept. of Administration

GENERAL SERVICES AGENCY

**(Ahensian Setbision Hinirat)
Government of Guam
P.O. Box FG, Agana, Guam 96910**

Michael W. Cruz

Lt. Governor

Joseph C. Manibusan
Deputy Director

March 04, 2008

**Invitation to Bid GSA-012-08
"Advertisement Notices"**

Amendment# 3

1. Amend to change bid opening date from: March 04, 2008 at 2:00 pm to now read:
March 07, 2008 at 2:00 pm.

All others remain unchanged.


Claudia S. Acfalle
Chief Procurement Officer

Transmission Report

Date/Time
Local ID 1
Local ID 2

03-04-2008
09:20:39 a.m.
671 4751727

09:20:39 a.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

PDN

Felix P. Camacho	GENERAL SERVICES AGENCY	Michael W. Cruz
Governor	GSA	Lt. Governor
	(Aheusan Setbison Hiairat) Government of Guam	
Lourdes M. Perez	P.O. Box FG, Agaña, Guam 96910	Joseph C. Manibusan
Director, Dept. of Administration		Deputy Director

March 04, 2008

**Invitation to Bid GSA-012-08
"Advertisement Notices"**

Amendment# 3

1. Amend to change bid opening date from: March 04, 2008 at 2:00 pm to now read:
March 07, 2008 at 2:00 pm.

All others remain unchanged.

C. Acfalle
Claudia S. Acfalle
Chief Procurement Officer

Total Pages Scanned : 1

Total Pages Confirmed : 1

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
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Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	TU: Terminated by user
HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system
WS: Waiting send	MS: Mailbox save	FA: Fail	RP: Report
			G3: Group 3
			EC: Error Correct

AMENDMENT NO. 2

Felix P. Camacho

Governor



Lourdes M. Perez
Director, Dept. of Administration

GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)

Government of Guam

P.O. Box FG, Agana, Guam 96910

Michael W. Cruz

Lt. Governor

Joseph C. Manibusan
Deputy Director

February 28, 2008

Invitation to Bid GSA-012-08
"Advertisement Notices"

Amendment# 2

1. Amend to change bid opening date from: February 28, 2008 at 2:00 pm to now read:
March 04, 2008 at 2:00 pm.
2. And to amend to include line item 8.1 5 x 14 List of Precient Officials
See attachment.

All others remain unchanged.


Claudia S. Acfalle
Chief Procurement Officer

Hearing for impounded Taiwanese fishing vessel to begin next month

By Gina Tabonares
Variety News Staff

THE hearing for Marshalls 201, the \$15 million fishing vessel impounded for illegal fishing inside the U.S. Exclusive Economic Zone in 2006 will start in March after the U.S. Attorney's Office informed its availability for the court proceeding.

The attorney of the vessel asked for a court hearing last month but the U.S. government attorney will only be available beginning March 4.

The fishing vessel was brought to the Port of Guam but released after posting almost \$3 million.

It was taken into possession through admiralty warrant after it was spotted fishing illegally in the U.S. Exclusive Economic Zone surrounding Howland and Baker Islands on September 9, 2006.

John Barylsky, a special

of Commerce, National and Atmospheric Administration, and National Marine Fisheries Service said the Taiwanese principal owner of the Marshalls 201, KOO's Fishing Corporation (KFC), had been civilly fined by NOAA for previous violations.

The fine was meted when one of their purse seine fishing vessels, the KOO's 103, also known as the Niugini 103, illegally fished in the U.S. EEZ surrounding Howland and Baker Islands in August 2000.

He added that the same owner is also currently under investigation and prosecution is pending, for a similar alleged violation involving the KOO's fishing vessel in January of 2004.

The agent also stated that Marshalls 201 does not possess a permit to legally fish in the restricted waters when

Guam port assets grow Revenue hike due to rise

By Mar-Vic Cagurangan
Variety News Staff

THE Port Authority of Guam closed fiscal year 2007 with a \$1.6 million increase in net assets, which the Office of the Public Auditor attributed to a surge in operating revenues and a dip in expenditures.

According to the OPA audit released yesterday, the port authority's net asset growth is 5 percent over \$1.5 million in 2006.

"This is the result of increases in operating revenues of \$3.6 million and a \$198,000 decrease in operating expenses," OPA reported.

The revenue hike, according to OPA, was the result of an increase in cargo oper-



Cargo tonnage at the port in during fiscal year 2007.

port reported an increase in cargo tonnage, which is the second government

2008 at the Holiday Resort Guam.

Black Construction Corporation and Dick Pacific Construction Co. shared the top honors by virtue of a tie in this construction excellence competition. The overall winners were also declared the "Contractor of the Year" or in this particular case "Contractors of the Year."

Black Construction Corporation's winning project entry was for the construction of the Home Depot.

The overall structure was designed for Guam's unique locale requirements which require the need for structures to sustain typhoon strength winds in excess of 175 mph and the seismic 4 requirements for potentially severe earthquake vents.

According to Black Construction Corporation "BCC dynamically delivered this project be-

and with an unwavering commitment to safety and

Dick Pacific Construction Company's winning entry for the construction of the Water Treatment Plant Upgrade.

According to Dick Construction Co., "The complexity of this project allowed

subcontract all the special construction to numerous local contractors. The scope in

the lead abatement requiring the removal of paint on

ing structures; epoxy paint various new and existing

ities; application of elastic roof coating and building exterior finish systems; underwater installation for the new stop logs

existing Fena Reservoir; sand and installation of equipment devices for the new SCADA system; asphalt pavement and restoration and landscap

Felix P. Camacho
Governor



GENERAL SERVICES AGENCY
(Ahensian Setbision Hinirat)
Department of Administration
Government of Guam

148 Route 1 Marine Corps Drive, Piti, Guam 96915
Tel: 475-1707-13 Fax: 472-4217 / 475-1716 / 475-1727

THIS ADVERTISEMENT WAS PAID WITH GOVERNMENT FUNDS BY:

GUAM ELECTION COMMISSION

A non-refundable fee of \$10.00 per bid package will be assessed. Certified Check, Cashier's Check, Cash will be accepted. No personal or company checks. Payment for bid package picked up after 3:00 pm will not be accepted.

BID INVITATION

Bid No.: GSA-012-08
For: ADVERTISEMENT NOTICES PURSUANT TO TITLE 3
GCA AND PUBLICATION OF BOARD MEETING
PURSUANT TO THE OPEN GOVT LAW
Opening Date: FEBRUARY 19, 2008 **Time:** 2:00 p.m.
Place: GENERAL SERVICES AGENCY, PITI GUAM

**INTERESTED PARTIES MAY PICK UP FORMS
SPECIFICATIONS AT SAID PLACE**

/s/ CLAUDIA S. ACALLE
Chief Procurement Officer

GUAM ELECTION COMMISSION**Kumision Eleksion Guåhan**

P.O. Box BG • Hagåtña, Guam 96932

Tel: (671) 477-9791/2 • Fax: (671) 477-1895

E-Mail: gec@ire.net Website: www.guamelection.org

*Attn: Anita
GSA*

February 28, 2008

Ms. Claudia Acfalle
Chief Procurement Officer
General Services Agency
Piti, Guam 96915

Dear Ms. Acfalle:

This is in response to Pacific Daily News' letter regarding Bid Invitation No. GSA-012-08.

Item 7.1 – 5 x 15 List of Precinct Officials, the advertisement size is not a requirement set by law, however it is a large ad, and we would like the ad to be at the best fit possible. In the past we have used about a full page ad, and may be requiring the same size for both the upcoming Primary and General Elections.

Please call me at 477-9791/2/3, should you have any questions or comments.

Respectfully,

Handwritten signature of Stephanie N. Chargualaf.
Stephanie N. Chargualaf
Acting Executive Director

Transmission Report

Date/Time
Local ID 1
Local ID 2

02-28-2008
671 4751727

05:58:42 p.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

*Marcos
Varela*

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x14"

Ref: P. Canacho Director, Dept. of Administration	GENERAL SERVICES AGENCY (Alejandro Esteban Holtra) Government of Guam P.O. Box 90, Agaña, Guam 96918	Michael W. Cruz Lt. Governor Joseph C. Manboan Deputy Director
--	--	---



February 28, 2008

Invitation to Bid GSA-812-88
"Advertisement Notices"

Amendment# 2

1. Amend to change bid opening date from: February 28, 2008 at 2:00 pm to now read: March 04, 2008 at 2:00 pm.
2. And to amend to include line item 3.1 5 x 14 List of Precinct Officials See attachment.

All others remain unchanged.

Charles S. Achille
Chief Procurement Officer

Total Pages Scanned : 2

Total Pages Confirmed : 2

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
01	110	6716482007	05:58:05 p.m. 02-28-2008	00:00:20	2/2	1	EC	HS	CP31200

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

Transmission Report

Date/Time
Local ID 1
Local ID 2

02-28-2008
671 4751727

06:04:43 p.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x14"

PDN

Feltz P. Camacho Governor GSA Lourdes M. Perez Director, Dept. of Administration	GENERAL SERVICES AGENCY (Abraham Robleslow Nielsen) Government of Guam P.O. Box PG, Agaña, Guam 96918	Michael W. Cruz Lt. Governor Joseph C. Maribasan Deputy Director
---	---	---

February 28, 2008

Invitation to Bid GSA-012-08
"Advertisement Notices"

Amendment# 2

1. Amend to change bid opening date from: February 28, 2008 at 2:00 pm to now read: March 04, 2008 at 2:00 pm.
2. And to amend to include line item 8.1 5 x 14 List of Precinct Officials See attachment.

All others remain unchanged.


 Claud S. Acialle
 Chief Procurement Officer

Total Pages Scanned : 2

Total Pages Confirmed : 2

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
01	123	6714770359	05:58:44 p.m. 02-28-2008	00:01:35	2/2	1	EC	HS	CP9600

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

AMENDMENT NO. 1

Felix P Camacho
Governor



GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Department of Administration
Government of Guam

148 Route 1 Marine Drive, Piti, Guam 96915

Tel: (671)475-1707 thru 1729/Fax Nos: (671)472-4217/475-1716

Michael W. Cruz,
Lt. Governor

Joseph C. Manibusan
Deputy Director

Lourdes M. Perez
Director

Department of Administration

Department of Administration

February 19, 2008

Invitation to Bid GSA-012-08
"ADVERTISEMENT NOTICES"

Amendment# 1

1. Amend to change bid opening date from: February 19, 2008 at 2:00 pm to now read: February 29, 2008 at 2:00 pm

All others remain unchanged.

A handwritten signature in black ink, appearing to read 'Claudia S. Actalle', written over the printed name.

Claudia S. Actalle
Chief Procurement Officer

Transmission Report

Date/Time
Local ID 1
Local ID 2

02-21-2008
671 4751727

10:36:11 a.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)

Document size : 8.5"x11"

Felix P Camacho
Governor

Lourdes M. Perez
Director
Department of Administration



GENERAL SERVICES AGENCY

(Aboensan Setbiaon Hinira)
Department of Administration
Government of Guam

Michael W. Cruz
Lt. Governor

Joseph C. Manibusan
Deputy Director
Department of Administration

Tel: (671)475-1787 thru 1729/Fax Nos: (671)472-4217/475-1716

148 Route 1 Marine Drive, Piti, Guam 96915

February 19, 2008

Invitation to Bid GSA-012-08
"ADVERTISEMENT NOTICES"

Amendment# 1

1. Amend to change bid opening date from: February 19, 2008 at 2:00 pm to now read: February 29, 2008 at 2:00 pm

All others remain unchanged.

Claudia S. Acaille
Chief Procurement Officer

COMMITTED TO EXCELLENCE

Total Pages Scanned : 1

Total Pages Confirmed : 1

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	399	6716482007	10:35:12 a.m. 02-21-2008	00:00:20	1/1	1	EC	HS	CP14400

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

QUESTION & ANSWER

GUAM PUBLICATION, INC. dated March 3, 2008

RECEIVED

Pacific Daily News
GUAM'S complete SOURCE

March 3, 2008

Claudia Acfalle
Chief Procurement Officer
General Services Agency
Piti, Guam

Dear Ms. Acfalle,

The Pacific Daily News will be submitting our bid packet for BID INVITATION NO: GSA-012-08.

Please be advised, based on the answers received on Friday, February 29, two additional questions need answers in order for a price quotation to be provided.

Questions 1: What is the distribution requirement for the advertising notices? To price the advertising notices fairly the distribution amount is needed.

Question 2: What are the justifications for the advertising notice spec sizes?

Please advise when the question will be answered in order to meet the bid deadline of March 4, 2008.

Sincerely,



Jae F. Medina
Advertising Director
Tel: 671-479-0200
Cell: 671-483-2000
Email: jfmedina@guam.gannett.com

cc: Sinfroso Tolentino, Legal Council, Carlsmith Ball LLP
Rindratty Limtiaco, President & Publisher, Pacific Daily News

GENERAL SERVICES AGENCY
148 Route 1
Marine Drive
Piti, Guam 96915

MAR 03 2008

3/03/08

Spoke To Joe Medina
regarding second clarification
notice on the number
of distribution required.

Did inform her that
when GSA issued a request
for quotation prior to
this bid the number
of distribution was
never raised as an
issue as it relates to
pricing.

At Long

Felix P. Camacho

Governor



Lourdes M. Perez
Director, Dept. of Administration

GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)

Government of Guam

P.O. Box FG, Agana, Guam 96910

Michael W. Cruz

Lt. Governor

Joseph C. Manibusan
Deputy Director

March 5, 2008

**Invitation for Bid GSA-012-08
"Advertisement Notices"**

Questions submitted by Pacific Daily News

Question 1:

What is the distribution requirement for the advertising notices? To price the advertising notices fairly the distribution amount is needed.

Answer:

Distribution: General Circulation

Question 2:

What are the justifications for the advertising notice spec size?

Answer:

The size of the advertisement is the specification that is required.

A handwritten signature in black ink, appearing to read 'C. Acfalle'.

Claudia S. Acfalle
Chief Procurement Officer

Transmission Report

Date/Time 03-05-2008 09:46:41 a.m.
Local ID 1 671 4751727
Local ID 2

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

Felix P. Canacho

Governor



Lourdes M. Perez
Director, Dept. of Administration

GENERAL SERVICES AGENCY

(Ahaensan Setbielon Hlairat)

Government of Guam

P.O. Box FG, Agaña, Guam 96910

Michael W. Cruz

Lt. Governor

Joseph C. Manibuan
Deputy Director

March 5, 2008

Invitation for Bid GSA-012-08 "Advertisement Notices"

Questions submitted by Pacific Daily News

Question 1:

What is the distribution requirement for the advertising notices? To price the advertising notices fairly the distribution amount is needed.

Answer:

Distribution: General Circulation

Question 2:

What are the justifications for the advertising notice spec size?

Answer:

The size of the advertisement is the specification that is required.

Claudia S. Acfalle
Chief Procurement Officer

Total Pages Scanned : 1

Total Pages Confirmed : 1

Page	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
1	473	6714770359	09:45:51 a.m. 03-05-2008	00:00:25	1/1	1	EC	HS	CP9600

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

Transmission Report

Date/Time
Local ID 1
Local ID 2

03-05-2008
671 4751727

09:47:22 a.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

Felix P. Camacho

Governor



Lourdes M. Perez
Director, Dept. of Administration

GENERAL SERVICES AGENCY

(Abensian Sothision Himrat)
Government of Guam

P.O. Box FG, Agaña, Guam 96910

Michael W. Cruz

Lt. Governor

Joseph C. Manibusan
Deputy Director

March 5, 2008

Invitation for Bid GSA-012-08 "Advertisement Notices"

Questions submitted by Pacific Daily News

Question 1:

What is the distribution requirement for the advertising notices? To price the advertising notices fairly the distribution amount is needed.

Answer:

Distribution: General Circulation

Question 2:

What are the justifications for the advertising notice spec size?

Answer:

The size of the advertisement is the specification that is required.

Claudia S. Acfalle
Chief Procurement Officer

Total Pages Scanned : 1

Total Pages Confirmed : 1

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	474	6716482007	09:46:06 a.m. 03-05-2008	00:00:08	1/1	1	EC	HS	CP31200

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

GUAM PUBLICATION, INC. dated February 28, 2008

Attn: Stephanie

Pacific Daily News
GUAM'S complete SOURCE

Claudia Acfalle
Chief Procurement Officer
General Services Agency
Piti, Guam

Dear Ms. Acfalle,

The Pacific Daily News will be submitting our bid packet for **BID INVITATION NO: GSA-012-08.**

After reviewing the packet, there are two questions needing answers in order for the Pacific Daily News to provide unit cost and total cost for the suggested ad sizes.

On Page 3 of the bid packet under:

“GUAM ELECTION COMMISSION”

“ELECTION NOTICE PURSUANT TO TITLE 3 GCA & PUBLICATION OF BOARD MEETING PURSUANT TO THE OPEN GOVT LAW”

ITEM

- 1.1 2X4 Notice of Board Meeting & Other
- 2.1 2x5 Election Notices regarding Early Voting/Absentee & Other election information.
- 3.1 3x6 Election Notices regarding polling sites
- 4.1 4x5 Election Notices regarding Candidates
- 5.1 4x13 Sample Ballots
- 6.1 5x7 Precinct Official Seminar Schedules
- 7.1 5x15 List of Precient Officials

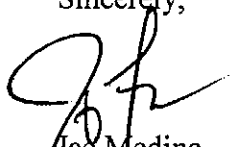
GENERAL SERVICES AGENCY
148 Route 1
Marine Drive
Piti, Guam 96925 FEB 2 8 2008

Question 1: In order for a unit cost to be determined, what is the distribution/circulation amount requested? (Number of newspapers your wanting your ad to be in).

Question 2: Under 7.1, is 5x15 the ad size for a full page advertisement? Is it a mandatory requirement the ad size be 5x15? Will a 5x14 ad size be acceptable?

I look forward to the answers to the questions above.

Sincerely,



Jae Medina

Advertising Director

Tel: 479-0200

Cell: 483-2000

Email: jfmedina@guam.gannett.com

Felix P. Camacho

Governor



Lourdes M. Perez
Director, Dept. of Administration

GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Government of Guam
P.O. Box FG, Agana, Guam 96910

Michael W. Cruz

Lt. Governor

Joseph C. Manibusan
Deputy Director

February 28, 2008

**Invitation for Bid GSA-012-08
"Advertisement Notices"**

Question submitted by Pacific Daily News"

Question 1:

In order for a unit cost to be determined, what is the distribution/circulation amount requested? (Number of newspaper your wanting your ad to be in.)

Answer:

General Circulation

Question 2:

Under 7.1, is 5x15 the ad size for a full page advertisement? Is it a mandatory requirement the ad size be 5x15? Will a 5x14 ad size be acceptable.

Answer:

Item 7.1 – 5x15 List of Precinct Officials, the advertisement size is not a requirement set by law. An additional line item no. 8 will be included 5 x 14.


Claudia S. Acfalle
Chief Procurement Officer

Transmission Report

Date/Time
Local ID 1
Local ID 2

02-28-2008
671 4751727

05:59:31 p.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

PDD

Felix P. Canacho Governor Lourdes M. Perez Director, Dept. of Administration	GENERAL SERVICES AGENCY (Achesian Bethision Hinirat) Government of Guam P.O. Box FG, Agaña, Guam 96910	Michael W. Cruz Lt. Governor Joseph C. Manibusan Deputy Director
---	--	---

February 28, 2008

Invitation for Bid GSA-012-08
"Advertisement Notices"

Question submitted by Pacific Daily News

Question 1:

In order for a unit cost to be determined, what is the distribution/circulation amount requested? (Number of newspaper your wanting your ad to be in.)

Answer:

General Circulation

Question 2:

Under 7.1, is 5x15 the ad size for a full page advertisement? Is it a mandatory requirement the ad size be 5x15? Will a 5x14 ad size be acceptable.

Answer:

Item 7.1 - 5x15 List of Precinct Officials, the advertisement size is not a requirement set by law. An additional line item no. 8 will be included 5 x 14.

Claudia S. Acfalle
 Chief Procurement Officer

Total Pages Scanned : 1

Total Pages Confirmed : 1

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
01	121	6714770359	05:58:24 p.m. 02-28-2008	00:00:25	1/1	1	EC	HS	CP9600

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

MESSAGE CONFIRMATION

FEB-29-2008 09:46 AM FRI

FAX NUMBER : 6714724217
 NAME : GSA

NAME/NUMBER : 4770359
 PAGE : 2
 START TIME : FEB-29-2008 09:46AM FRI
 ELAPSED TIME : 00' 38"
 MODE : STD ECM
 RESULTS : [O.K]

Transmission Report

Date/Time 02-28-2008 05:59:31 p.m. Transmit Header Text
 Local ID 1 671 4751727 Local Name 1 GSA SUPPLY
 Local ID 2 Local Name 2

PDN

This document : Confirmed
 (reduced sample and details below)
 Document size : 8.5"x11"

Felix F. Caputo **GENERAL SERVICES AGENCY** Michael W. Cruz
 Governor **GSA** (Abraham Robinson Hinkley) Lt. Governor
 Government of Guam
 P.O. Box PG, Agaña, Guam 96910
 Lourdes M. Pena Joseph C. Manibann
 Director, Dept. of Administration Deputy Director
 February 28, 2008

Invitation for Bid GSA-013-08
 "Advertisement Notices"

Question submitted by Pacific Daily News

Question 1:

In order for a unit cost to be determined, what is the distribution/circulation amount requested? (Number of newspaper your wanting your ad to be in.)

Answer:

General Circulation

Question 2:

Under 7.1, is 5x15 the ad size for a full page advertisement? Is it a mandatory requirement the ad size be 5x15? Will a 5x14 ad size be acceptable.

Answer:

Item 7.1 - 5x15 List of Precinct Officials, the advertisement size is not a requirement set by law. An additional line item no. 8 will be included 5 x 14.

Claudia S. Acfelle
 Claudia S. Acfelle
 Chief Procurement Officer

Total Pages Scanned : 1

Total Pages Confirmed 1

No	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	121	6714770359	05:58:24 p.m. 02-28-2008	00:00:25	1/1	1	EC	HS	CP9800

Abbreviations:

HS Host send PL Polled local MP Mailbox print TU Terminated by user
 HR Host receive PR Polled remote CP Completed TS Terminated by system G3 Group 3
 WS Waiting send MS Mailbox save FA Fail RP Report EC Error Correct

MESSAGE CONFIRMATION

FEB-29-2008 09:45 AM FRI

FAX NUMBER : 6714724217
NAME : GSA

NAME/NUMBER : 4770359
PAGE : 2
START TIME : FEB-29-2008 09:45AM FRI
ELAPSED TIME : 00' 34"
MODE : STD ECM
RESULTS : [O.K]

Felix P. Camacho

Governor



Lourdes M. Perez
Director, Dept. of Administration

GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Government of Guam
P.O. Box FG, Agaña, Guam 96910

Michael W. Cruz

Lt. Governor

Joseph C. Manibusan
Deputy Director

February 28, 2008

Invitation for Bid GSA-012-08
"Advertisement Notices"

Question submitted by Pacific Daily News

Question 1:

In order for a unit cost to be determined, what is the distribution/circulation amount requested? (Number of newspaper your wanting your ad to be in.)

Answer:

General Circulation

Question 2:

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Answer:

Item 7.1 - 5x15 List of Precinct Officials, the advertisement size is not a requirement set by law. An additional line item no. 8 will be included 5 x 14.

Handwritten signature of Claudia S. Acfalle.
Claudia S. Acfalle
Chief Procurement Officer

Transmission Report

Date/Time
Local ID 1
Local ID 2

02-28-2008
671 4751727

05:58:21 p.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

*Marianas
Variety*

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

Felix P. Canacho	GENERAL SERVICES AGENCY	Michael W. Cruz
Governor	GSA	Lt. Governor
	(Ahenslan Setbslon Hiasrat) Government of Guam	
Lourdes M. Perez	P.O. Box FG, Agaña, Guam 96918	Joseph C. Maibusan
Director, Dept. of Administration		Deputy Director

February 28, 2008

Invitation for Bid GSA-012-08
"Advertisement Notices"

Question submitted by Pacific Daily News

Question 1:

In order for a unit cost to be determined, what is the distribution/circulation amount requested? (Number of newspaper your wanting your ad to be in.)

Answer:

General Circulation

Question 2:

Under 7.1, is 5x15 the ad size for a full page advertisement? Is it a mandatory requirement the ad size be 5x15? Will a 5x14 ad size be acceptable.

Answer:

Item 7.1 - 5x15 List of Precinct Officials, the advertisement size is not a requirement set by law. An additional line item no. 8 will be included 5 x 14.

C. Acfalle
Claudia S. Acfalle
Chief Procurement Officer

Total Pages Scanned : 1

Total Pages Confirmed : 1

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
01	118	6716482007	05:57:43 p.m. 02-28-2008	00:00:08	1/1	1	EC	HS	CP31200

Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	TU: Terminated by user
HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system
WS: Waiting send	MS: Mailbox save	FA: Fail	RP: Report
			G3: Group 3
			EC: Error Correct

Transmission Report

Date/Time
Local ID 1
Local ID 2

02-28-2008
671 4751727

03:03:08 p.m.

Transmit Header Text
Local Name 1 GSA SUPPLY
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

Att: Stephanie



Claudia Acfalle
Chief Procurement Officer
General Services Agency
Piti, Guam

Dear Ms. Acfalle,

The Pacific Daily News will be submitting our bid packet for **BID INVITATION NO: GSA-012-08.**

After reviewing the packet, there are two questions needing answers in order for the Pacific Daily News to provide unit cost and total cost for the suggested ad sizes.

On Page 3 of the bid packet under:

"GUAM ELECTION COMMISSION"

"ELECTION NOTICE PURSUANT TO TITLE 3 GCA & PUBLICATION OF BOARD MEETING PURSUANT TO THE OPEN GOVT LAW"

ITEM

- 1.1 2X4 Notice of Board Meeting & Other
- 2.1 2x5 Election Notices regarding Early Voting/Absentee & Other election information.
- 3.1 3x6 Election Notices regarding polling sites
- 4.1 4x5 Election Notices regarding Candidates
- 5.1 4x13 Sample Ballots
- 6.1 5x7 Precinct Official Seminar Schedules
- 7.1 5x15 List of Precinct Officials

GENERAL SERVICES AGENCY
148 Route 1
Marine Drive
Piti, Guam 96926 FEB 28 2008

Total Pages Scanned : 2

Total Pages Confirmed : 2

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	102	+6714771895	03:02:09 p.m. 02-28-2008	00:00:34	2/2	1	EC	HS	CP14400

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct

BID REGISTER

[] BID NUMBER: GSA-012-08
 [] AMENDMENT: _____

GOVERNMENT OF GUAM
 PITI, GUAM
 BIDDERS REGISTER

OPENING DATE: Feb-19, 2008
 TIME: 2:00 P.M.

VENDOR (PLEASE PRINT)	FULL NAME (PRINT)	SIGNATURE	DATE	TIME	PHONE NUMBER FAX NUMBER	DATE	BID SUBMISSION RECEIVER
1. PDN	ROGER M. MANDAPAT	<i>[Signature]</i>	2/21/08	PDN FAX - 477-0350	6494678 (6491929) 479-0219 479-0200	3/12/08	1:45 MC
2.							
3.							
4.							
5.							
6.							
7.							

A07-00170

OFFICIAL RECEIPT

GOVERNMENT OF GUAM
DEPARTMENT OF ADMINISTRATION
FINANCIAL MANAGEMENT DIVISION
P.O. BOX 894 HAGAHTNA, GUAM 96932

DATE: 2.20.08

PAYOR: PADN

ADDRESS: Roger Mandapet

NOT VALID UNLESS OVER PRINTED BY OUR REGISTER/STAMP

PAYMENT INFORMATION

ACCOUNT NUMBER	AMOUNT
<u>65ARBPPE</u>	
<u>65A-D12-08</u>	<u>10.00</u>
<u>advertisement</u>	
<u>NOTICES.</u>	
PLEASE PAY TREASURER OF GUAM TOTAL DUE	
	<u>10.00</u>

ISSUING OFFICE: 65A

AGENT: P. Pappas

CASH

CHECK: #

OTHER: _____

FON-2-2-95

107-00162

OFFICIAL RECEIPT

DEPARTMENT OF REVENUE
FINANCIAL SERVICES DIVISION
200 SOUTH MAIN STREET, SUITE 2000

FIELD

DATE: 2-6-08

PAYOR: Mariano Alvarez

ADDRESS: Bay Lasso

PAYMENT INFORMATION

NOT VALID UNLESS OVER PRINTED BY OUR INSTRUMENT

ACCOUNT NUMBER	AMOUNT
334206701	
3342-018-08	10.00
admittance	
ISSUING OFFICE: [Signature]	
AGENT: [Signature]	

CASH CHECK

OTHER: [Signature]

**ORIGINAL BID
PACKAGE**

INVITATION FOR BID

ORIGINAL

ISSUING OFFICE:

**GENERAL SERVICE AGENCY
GOVERNMENT OF GUAM
148 ROUTE 1 MARINE DRIVE
PITI, GUAM 96925**


CLAUDIA S. ACFALLE
Chief Procurement Officer

DATE ISSUED: 02/05/08

BID INVITATION NO.: GSA-012-08

BID FOR: ADVERTISEMENT NOTICES PURSUANT TO TITLE 3 GCA AND PUBLICATION OF BOARD MEETINGS PURSUANT TO THE OPEN GOV'T LAW.

SPECIFICATION: SEE ATTACHED

DESTINATION: GUAM ELECTION COMMISSION

REQUIRED DELIVERY DATE: 30 Days upon receipt of purchase order for a period of one (1) year (This is an indifinate quantity bid)

INSTRUCTION TO BIDDERS:

INDICATE WHETHER: **INDIVIDUAL** **PARTNERSHIP** **CORPORATION**

INCORPORATED IN: _____

This Bid shall be submitted in duplicate and sealed to the issuing office above no later than (Time) 2:00 P.M. (Date) 02/19/2008, and shall be publicly opened. Bid submitted after the time and date specified above shall be rejected. See attached General Terms and Conditions, and Sealed Bid Solicitation for details.

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 to 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 60 calendar days from the date opening to supply any or all of the items which prices are quoted.

NAME AND ADDRESS OF BIDDER:

**SIGNATURE AND TITLE OF PERSON
AUTHORIZED TO SIGN THIS BID:**

AWARD: CONTRACT NO.:

AMOUNT:

DATE:

ITEM NO(S). AWARDED:

CONTRACTING OFFICER:

CLAUDIA S. ACFALLE
CHIEF PROCUREMENT OFFICER

NAME AND ADDRESS OF CONTRACTOR:

**SIGNATURE AND TITLE OF PERSON
AUTHORIZED TO SIGN THIS CONTRACT:**

Accountability * Impartiality * Competence * Openness * Value

INVITATION FOR BID (IFB) NO. : GSA-012-08

DESCRIPTION: ADVERTISEMENT NOTICES PURSUANT TO TITLE 3 GCA AND PUBLICATION OF BOARD MEETINGS PURSUANT TO THE OPEN GOV'T LAW

SPECIFICATION REMINDER TO PROSPECTIVE BIDDERS

Bidders are reminded to read the Sealed Bid Solicitation and Instructions, and General Terms and conditions attached to the IFB to ascertain that all of the following requirements checked below are submitted in the bid enveloped, in duplicate, at the date and time for bid opening.

- BID GUARANTEE (15% of Bid Amount) May be in the form of;**
Reference #11 on the General Terms and Conditions
- a. Cashier's Check or Certified Check
 - b. Letter of Credit
 - c. Surety Bond – Valid only if accompanied by:
 - 1. Current Certificate of Authority issued by the Insurance Commissioner;
 - 2. Power of Attorney issued by the Surety to the Resident General Agent;
 - 3. Power of Attorney issued by two (2) major officers of the Surety to whoever is signing on their behalf.
- STATEMENT OF QUALIFICATIONS;**
- SAMPLES;**
- BROCHURES/DESCRIPTIVE LITERATURE;**
- AFFIDAVIT OF DISCLOSURE OF MAJOR SHAREHOLDERS - Must comply with the following requirements:**
- a. The affidavit must be notarized and dated on the same month as the bid opening;
 - b. Date of signature of the person authorized to sign the bid and the notary date must be the same.
- LOCAL PROCUREMENT PREFERENCE APPLICATION (See attached)**
(Non Completion of this application form is not a basis for rejection)
- OTHER REQUIREMENTS:**
Non-Collusion Affidate,

This reminder must be signed and returned in the bid envelope together with the bid. Failure to comply with the above requirements will mean a disqualification and rejection of the bid.

On this _____ day of _____, 2008, I, _____, authorized representative of _____ acknowledge receipt of this special reminder to prospective bidders with the above referenced IFB.

Bidder Representative's Signature

GUAM ELECTION COMMISSION

**ELECTION NOTICE PURSUANT TO TITLE 3 GCA &
PUBLICATION OF BOARD MEETING PURSUANT TO
THE OPEN GOVT LAW**

ITEM	SPECIFICATION	BIDDING ON / REMARKS		
		UOM	Unit Cost	Total Cost
1.1	2 x 4 Notice of Board Meetings & Other Election Information	28 EA	\$ _____	\$ _____
2.1	2 x 5 Election Notices regarding Early Voting/ Absentee & other election information	25 EA	_____	_____
3.1	3 x 6 Election Notices regarding polling sites	10 EA	_____	_____
4.1	4 x 5 Election Notices regarding Candidates	11 EA	_____	_____
5.1	4 x 13 Sample Ballots	10 EA	_____	_____
6.1	5 x 7 Precinct Official Seminar Schedules	8 EA	_____	_____
7.1	5 x 15 List of Precient Officials	6 EA	_____	_____

Invitation for Bid No.: GSA-012-08

For: Advertisement

SPECIAL PROVISIONS

This is an "Indefinite Quantity Bid" pursuant to Section 3119(i)(2) of the 2GAR Procurement Regulations. The quantities reflected are annual estimated requirements projected within a twelve (12) month period. These amounts may increase during the term of this bid. However, regardless of the fluctuation of quantities, this bid shall be subject to the availability of funds. Multiple awards will be made from the lowest to the highest responsive and responsible bidder, depending on the availability of goods/services.

Delivery:

Initial delivery of 30 days upon receipt of purchase order. Delivery schedule time and quantity will be coordinated between the successful bidder and the requesting department on an as needed basis.

Contract Period:

The term of this contract is one (1) year upon acknowledgement of purchase order. Prices shall remain the same for a period of one (1) year.

MAJOR SHAREHOLDERS DISCLOSURE AFFIDAVIT

TERRITORY OF GUAM)
)ss:
 AGANA, GUAM)

I, the undersigned, _____, being first
 (a partner or officer of the company of, etc.)
 duly sworn, deposes and says:

1. That the persons who have held more than ten percent (10%) of the company's shares during the past twelve months are as follows:

<u>Name</u>	<u>Address</u>	<u>Percentage of Shares Held</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
Total Number of Shares		_____

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

<u>Name</u>	<u>Address</u>	<u>Amount of Gratuity or Other Compensation</u>
_____	_____	_____

Further, affiant sayeth naught.

Date: _____

 Signature or individual if bidder is a sole proprietorship; Partner, if the bidder is a partnership; Officer, if the bidder is a corporation.

Subscribed and sworn to before me this _____ day of _____,
 19 _____

By: _____

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



GOVERNMENT OF GUAM

GENERAL SERVICES AGENCY

148 Route 1

Marine Drive

Piti, Guam 96925

BID BOND

NO. _____

KNOW ALL MEN BY THESE PRESENTS that _____, as Principal hereinafter called the Principal, and (Bonding Company), _____ a duly admitted insurer under the laws of the Territory of Guam, as Surety, hereinafter called the Surety are held firmly bound unto the Territory of Guam for the sum of _____ Dollars (\$ _____), for payment of which sum will and truly to be made, the said Principal and the said Surety bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for (identify project by number and brief description)

NOW, THEREFORE, if the Territory of Guam shall accept the bid of the Principal and the Principal shall enter into a Contract with the Territory of Guam in accordance with the terms of such bid, and give such bond or bonds as may be specified in bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Territory of Guam the difference not to exceed the penalty hereof between the amounts specified in said bid and such larger amount for which the Territory of Guam may in good faith contract with another party to perform work covered by said bid or an appropriate liquidated amount as specified in the Invitation for Bids then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this _____ day of _____ 19_____.

(PRINCIPAL) (SEAL)

(WITNESS)

(TITLE)

(MAJOR OFFICER OF SURETY)

(TITLE)

(MAJOR OFFICER OF SURETY)

(TITLE)

(RESIDENT GENERAL AGENT)

SEE INSTRUCTIONS IN BACK PAGE FOR SUPPORTING DOCUMENTS REQUIRED.

GOVERNMENT OF GUAM

GENERAL TERMS AND CONDITIONS

SEALED BID SOLICITATION AND AWARD

Only those Boxes checked below are applicable to this bid.

- 1. **AUTHORITY:** This solicitation is issued subject to all the provision of the Guam Procurement Act (5GCA, Chapter 5) and the Guam Procurement Regulations (copies of both are available at the Office of the Compiler of Laws, Department of Law, copies available for inspection at General Services Agency). It requires all parties involved in the Preparation, negotiation, performance, or administration of contracts to act in good faith.
- 2. **GENERAL INTENTION:** Unless otherwise specified, it is the declared and acknowledged intention and meaning of these General Terms and Conditions for the bidder to provide the Government of Guam (Government) with specified services or with materials, supplies or equipment completely assembled and ready for use.
- 3. **TAXES:** Bidders are cautioned that they are subject to Guam Income Taxes as well as all other taxes on Guam Transactions. Specific information on taxes may be obtained from the Director of Revenue and Taxation.
- 4. **LICENSING:** Bidders are cautioned that the Government will not consider for award any offer submitted by a bidder who has not complied with the Guam Licensing Law. Specific information on licenses may be obtained from the Director of Revenue and Taxation.
- 5. **LOCAL PROCUREMENT PREFERENCE:** All procurement of supplies and services where possible, will be made from among businesses licensed to do business on Guam in accordance with Section 5008 of the Guam Procurement Act (5GCA, Chapter 5) and Section 1-104 of the Guam Procurement Regulations.
- 6. **COMPLIANCE WITH SPECIFICATIONS AND OTHER SOLICITATION REQUIREMENTS:** Bidders shall comply with all specifications and other requirements of the Solicitation.
- 7. **"ALL OR NONE" BIDS:** Unless otherwise allowed under this Solicitation, "all or none" bids may be deemed to be non-responsive. If the bid is so limited, the Government may reject part of such proposal and award on the remainder.

NOTE: By checking this item, the Government is requesting all of the bid items to be bid or none at all. The Government will not award on an itemized basis. Reference: Section 3-301.06 of the Guam Procurement Regulations.

- 8. **INDEPENDENT PRICE DETERMINATION:** The bidder, upon signing the Invitation for Bid, certifies that the prices in his bid were derived at without collusion, and acknowledge that collusion and anti-competitive practices are prohibited by law. Violations will be subject to the provision of Section 5651 of that of the Guam Procurement Act. Other existing civil, criminal or administrative remedies are not impaired and may be in addition to the remedies in Section 5651 of the Government Code.
- 9. **BIDDER'S PRICES:** The Government will consider not more than two (2) (Basic and Alternate) item prices and the bidder shall explain fully each price if supplies, materials, equipment, and/or specified services offered comply with specifications and the products origin. Where basic or alternate bid meets the minimum required specification, cost and other factors will be considered. Failure to explain this requirement will result in rejection of the bid.
- 10. **BID ENVELOPE:** Envelope shall be sealed and marked with the bidder's name, Bid number, time, date and place of Bid Opening.
- 11. **BID GUARANTEE REQUIREMENT:** Bidder is required to submit a Bid Guarantee Bond or standby irrevocable Letter of Credit or Certified Check or Cashier's Check in the same bid envelope to be held by the Government pending award. The Bid Guarantee Bond, Letter of Credit, Certified Check or Cashier's Check must be issued by any local surety or banking institution licensed to do business on Guam and made payable to the Treasurer of Guam in the amount of ~~ten percent (10%)~~ 15% of his highest total bid offer. The Bid Bond must be submitted on Government Standard Form BB-1 (copy enclosed). Personal Checks will not be accepted as Bid Guarantee. If a successful Bidder (contractor) withdraws from the bid or fails to enter into contract within the prescribed time, such Bid guarantee will be forfeited to the Government of Guam. Bids will be disqualified if not accompanied by Bid Bond, Letter of Credit, Certified Check or Cashier's Check. Bidder must include in his/her bid, valid copies of a Power of Attorney from the Surety and a Certificate of Authority from the Government of Guam to show proof that the surety company named on the bond instrument is authorized by the Government of Guam and qualified to do business on Guam. For detailed information on bonding matters, contact the Department of Revenue and Taxation. Failure to submit a valid Power of Attorney and Certificate of Authority on the surety is cause for rejection of bid (GPR Section 3-202.03.3). PURSUANT OF PUBLIC LAW 27-127, ALL COMPETITIVE SEALED BIDDING FOR PROCUREMENT OF SUPPLIES OR SERVICES, EXCEEDING \$25,000.00, A 15% BID SECURITY OF THE TOTAL BID MUST ACCOMPANY BID PACKAGE.
- 12. **PERFORMANCE BOND REQUIREMENT:** The Bidder may be required to furnish a Performance Bond on Government Standard Form BB-1 or standby irrevocable Letter of Credit or Certified Check or Cashier's Check payable to the Treasurer of Guam issued by any of the local Banks or Bonding Institution in the amount equal to _____

percent (_____ %) of the contract prices as security for the faithful performance and proper fulfillment of the contract. In the event that any of the provisions of this contract are violated by the contractor, the Chief Procurement Officer shall serve written notice upon both the contractor and the Surety of its intention to terminate the contract. Unless satisfactory arrangement or correction is made within ten (10) days of such notice the contract shall cease and terminate upon the expiration of the ten (10) days. In the event of any such termination, the Chief Procurement Officer shall immediately serve notice thereof upon the Surety. The Surety shall have the right to take over and perform the contract, provided, however, that if the Surety does not commence performance thereof within 10 days from the date of the mailing

in the event of termination, the Government may take over and prosecute the contract to complete the contract or force account for the account and at the expense of the contractor, and the contractor and his Surety shall be liable to the Government for any excess cost occasioned the Government thereby (GPR Section 3-202.03.4).

13. **PERFORMANCE GUARANTEE:** Bidders who are awarded a contract under this solicitation, guarantee that goods will be delivered or required services performed within the time specified. Failure to perform the contract in a satisfactory manner may be cause for suspension or debarment from doing business with the Government and to enforce Section 12 of these General Terms and Conditions. In addition, the Government will hold the Vendor liable and will enforce the requirements as set forth in Section 41 of these General Terms and Conditions.
14. **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 an Insurance Company, authorized by the Government of Guam 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 Government of Guam to conduct business in Guam.
15. **COMPETENCY OF BIDDERS:** Bids will be considered only from the such bidders who, in the opinion of the Government, can show evidence of their ability, experience, equipment, and facilities to render satisfactory service.
16. **DETERMINATION OF RESPONSIBILITY OF BIDDERS:** The Chief Procurement Officer 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 15 of these General Terms and Conditions (GPR Section 3-401).
17. **STANDARD FOR DETERMINATION OF LOWEST RESPONSIBLE BIDDER:** In determining the lowest responsible offer, the Chief Procurement Officer shall be guided by the following:
- Price of items offered.
 - The ability, capacity, and skill of the Bidder to perform.
 - Whether the Bidder can perform promptly or within the specified time.
 - The quality of performance of the Bidder with regards to awards previously made to him.
 - The previous and existing compliance by the Bidder with laws and regulations relative to procurement.
 - The sufficiency of the financial resources and ability of the Bidder to perform.
 - The ability of the bidder to provide future maintenance and services for the subject of the award.
 - The compliance with all of the conditions to the Solicitation.
18. **TIE BIDS:** If the bids are for the same unit price or total amount in the whole or in part, the Chief Procurement Officer will determine award based on Section 3.202.15.2, or to reject all such bids (GPR Section 3-202.15.2).
19. **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 preference is intended to be descriptive, but not restrictive and for the sole purpose of indicating 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.
20. **DESCRIPTIVE LITERATURE:** Descriptive literature(s) as specified in this solicitation must be furnished as a part of the bid and must be received at the date and time set for opening Bids. 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.
21. **SAMPLES:** Sample(s) of item(s) as specified in this solicitation must be furnished as a part of the bid and must be received at the date and time set for opening Bids. The sample(s) should represent exactly what the Bidder proposes to furnish and will be used to determine if the item(s) offered complies with the specifications. Rejection of the Bid will be required if the sample(s) do not show that the product(s) offered conform(s) to the specifications and other requirements of this solicitation. Failure to furnish the sample(s) by the time specified in the Solicitation will require rejection of the Bid.
22. **LABORATORY TEST:** Successful bidder is required to accompany delivery of his goods with a Laboratory Test Report indicating that the product he is furnishing the Government meets with the specifications. This report is on the bidder's account and must be from a certified Testing Association.
23. **AWARD, CANCELLATION & REJECTION:** Award shall be made to the lowest responsible and responsive bidder, whose bid is determined to be the most advantageous to the Government, taking into consideration the evaluation factors set forth in this solicitation. No other factors or criteria shall be used in the evaluation. The right is reserved as the interest of the Government may require to waive any minor irregularity in bids received. The Chief Procurement Officer shall have the authority to award, cancel, or reject bids, in whole or in part for any one or more items if he determines it is in the public interest. Award issued to the lowest responsible bidder within the specified time for acceptance as indicated in the solicitation, results in a bidding contract without further action by either party. In case of an error in the extension of prices, unit price will govern. It is the policy of the Government to award contracts to qualified local bidders. The Government reserves the right to increase or decrease the quantity of the items for award and make additional awards for the same type items and the vendor agrees to such modifications and additional awards based on the bid prices for a period of thirty (30) days after original award. No award shall be made under this solicitation which shall require advance payment or irrevocable letter of credit from the government (GPR Section 3-202.14.1).
24. **MARKING:** Each outside container shall be marked with the Purchase Order number, item number, brief item description and quantity. Letter marking shall not be less than 3/4" in height.

25. **SCHEDULE FOR DELIVERY:** Successful bidder shall notify the General Services Agency, Telephone Nos. 477-1726 or 1727, at least twenty-four (24) hours before delivery of any item under this solicitation.
26. **BILL OF SALE:** Successful Supplier shall render Bills of Sale for each item delivered under this contract. Failure to comply with this requirement will result in rejection of delivery. The Bill of Sale must accompany the items delivered but will not be considered as an invoice for payment. Supplier shall bill the Government in accordance with billing instructions as indicated on the Purchase Order.
27. **MANUFACTURER'S CERTIFICATE:** Successful bidder is required, upon delivery of any item under this contract, to furnish a certificate from the manufacturer indicating that the goods meet the specifications. Failure to comply with this request will result in rejection of delivery.
28. **INSPECTION:** All supplies, materials, equipment, or services delivered under this contract shall be subject to the inspection and/or test conducted by the Government at destination. If in any case the supplies, materials, equipment, or services are found to be defective in material, workmanship, performance, or otherwise do not conform with the specifications, the Government shall have the right to reject the items or require that they be corrected. The number of days required for correction will be determined by the Government.
29. **MOTOR VEHICLE SAFETY REQUIREMENTS:** The Government will only consider Bids on motor vehicles which comply with requirements of the National Traffic and Motor Vehicle Safety Act of 1966 (Public Law 89-563) and Clean Air Act as amended (Public Law 88-206), that are applicable to Guam. Bidders shall state if the equipment offered comply with these aforementioned Federal Laws.
30. **SAFETY INSPECTION:** All motor vehicles delivered under this contract must pass the Government of Guam Vehicle Inspection before delivery at destination.
31. **GUARANTEE:**
- a) **Guarantee of Vehicle Type of Equipment:**
The successful bidder shall guarantee vehicular type of equipment offered against defective parts, workmanship, and performance, for a period of not less than one (1) year after date of receipt of equipment. Bidder shall also provide service to the equipment for at least one (1) year. Service to be provided shall include, but will not be limited to tune-ups (change of spark plugs, contact points and condensers) and lubrication (change of engine and transmission oil). All parts and labor shall be at the expense of the bidder. All parts found defective and not caused by misuse, negligence or accident within the guarantee period shall be repaired, replaced, or adjusted within six (6) working days after notice from the Government and without cost to the Government. Vehicular type of equipment as used in this context shall include equipment used for transportation as differentiated from tractors, backhoes, etc.
- b) **Guarantee of Other Type of Equipment:**
The successful bidder shall guarantee all other types of equipment offered, except those mentioned in 31a, above, against defective parts, workmanship, and performance for a period of not less than three (3) months after date of receipt of equipment. Bidder shall also provide service to the equipment for at least three (3) months. All parts found defective within that period shall be repaired or replaced by the Contractor without cost to the Government. Repairs, adjustments or replacements of defective parts shall be completed by the Contractor within six (6) working days after notice from the Government.
- c) **Compliance with this Section is a condition of this Bid.**
32. **REPRESENTATION REGARDING ETHICS IN PUBLIC PROCUREMENT:** The bidder or contractor represents that it has not knowingly influenced and promises that it will not knowingly influence a Government employee to breach any of the ethical standards and represents that it has not violated, is not violating, and promises that it will not violate the prohibition against gratuities and kickbacks set forth on Chapter 11 (Ethics in Public Contracting) of the Guam Procurement Act and in Chapter 11 of the Guam Procurement Regulations.
33. **REPRESENTATION REGARDING CONTINGENT FEES:** The contractor represents that it has not retained a person to solicit or secure a Government contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business (GPR Section 11-207).
34. **EQUAL EMPLOYMENT OPPORTUNITY:** Contractors shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that employees are treated equally during employment without regards to their race, color, religion, sex, or national origin.
35. **COMPLIANCE WITH LAWS:** Bidders awarded a contract under this Solicitation shall comply with the applicable standard, provisions, and stipulations of all pertinent Federal and/or local laws, rules, and regulations relative to the performance of this contract and the furnishing of goods.
36. **CHANGE ORDER:** Any change order issued relative to awards made under this solicitation will be subject to and in accordance with the provisions of Section 6-101.03.1 of the Guam Procurement Regulations.
37. **STOP WORK ORDER:** Any stop work order issued relative to awards made under this solicitation will be subject to and in accordance with the provisions of Section 6-101.04.3 of the Guam Procurement Regulations.
38. **TERMINATION FOR CONVENIENCE:** Any termination order for the convenience of the Government issued relative to awards made under this solicitation will be subject to and in accordance with the provisions of Section 6-101.10 of the Guam Procurement Regulations.
39. **TIME FOR COMPLETION:** It is hereby understood and mutually agreed by and between the contractor and the Government that the time for delivery to final destination or the timely performance of certain services is an essential condition of this contract. If the contractor refuses or fails to perform any of the provisions of this contract within the time specified in the Purchase Order (from the date Purchase Order is acknowledged by vendor), then the contractor is in default. Defaults will be treated subject to and in accordance with the provisions of Section 6-101-08 of the Guam Procurement Regulations.

- 40. **JUSTIFICATION OF DELAY:** Bidders who are awarded contracts under this Solicitation, guarantee that the goods will be delivered to their destination or required services rendered within the time specified. If the bidder is not able to meet the specified delivery date, he is required to notify the Chief Procurement Officer of such delay. Notification shall be in writing and shall be received by the Chief Procurement Officer at least twenty-four (24) hours before the specified delivery date. Notification of delay shall include an explanation of the causes and reasons for the delay including statement(s) from supplier or shipping company causing the delay. The Government reserves the right to reject delay justification if, in the opinion of the Chief Procurement Officer, such justification is not adequate.
- 41. **LIQUIDATED DAMAGES:** When the Contractor is given notice of delay or nonperformance as specified in Paragraph 1 (Default) of the Termination for Default Clause of this contract and fails to cure in the time specified, the contractor shall be liable for damages for delay in the amount of one-fourth of one percent (1%) of outstanding order per calendar day from date set for cure until either the territory reasonably obtains similar supplies or services if the contractor is terminated for default, or until the contractor provides the supplies or services if the contractor is not terminated for default. To the extent that the contractor's delay or nonperformance is excused under Paragraph 40 (Excuse for Nonperformance or Delayed Performance) of the Termination for Default Clause of this contract, liquidated damages shall not be due the territory. The contractor remains liable for damages caused other than by delay (GPR Section 6-101.09.1).
- 42. **PHYSICAL LIABILITY:** If it becomes necessary for the Vendor, either as principal, agent or employee, to enter upon the premises or property of the Government of Guam in order to construct, erect, inspect, make delivery or remove property hereunder, the Vendor hereby covenants and agrees to take, use, provide and make all proper, necessary and sufficient precautions, safeguards and protections against the occurrence of any accidents, injuries or damages to any person or property during the progress of the work herein covered, and to be responsible for, and to indemnify and save harmless the government of Guam from the payment of all sums of money by reason of all or any such accidents, injuries or damages that may occur upon or about such work, and fines, penalties and loss incurred for or by reason of the violations of any territorial ordinance, regulations, or the laws of Guam or the United States, while the work is in progress. Contractor will carry insurance to indemnify the government of Guam against any claim for loss, damage or injury to property or persons arising out of the performance of the Contractor or his employees and agents of the services covered by the Contract and the use, misuse or failure of any equipment used by the contractor or his employees or agents, and shall provide certificates of such insurance to the Government of Guam when required.
- 43. **CONTACT FOR CONTRACT ADMINISTRATION:** If your firm receives a contract as a result of this Solicitation, please designate a person whom we may contact for prompt administration.

Name: _____

Title: _____

Address: _____

Telephone: _____

GOVERNMENT OF GUAM

SEALED BID SOLICITATION INSTRUCTIONS

1. **BID FORMS:** Each bidder shall be provided with two (2) sets of Solicitation forms. Additional copies may be provided upon request. Bidders requesting additional copies of said forms will be charged per page in accordance with Section 6114 of the Government Code of Guam. All payments for this purpose shall be by cash, certified check or money order and shall be made payable to the General Services Agency (EO 86-24).
2. **PREPARATIONS OF BIDS:**
 - a) Bidders are required to examine the drawings, specifications, schedule, and all instructions. Failure to do so will be at bidder's risk.
 - b) Each bidder shall furnish the information required by the Solicitation. The bidder shall sign the Solicitation and print or type his name on the Schedule. Erasures or other changes must be initialed by the person signing the bid. Bids signed by an agent are to be accompanied by evidence of his authority unless such evidence has been previously furnished to the issuing office.
 - c) Unit price for each unit offered shall be shown and such price shall include packing unless otherwise specified. A total shall be entered in the amount column of the Schedule for each item offered. In case of discrepancies between a unit price and extended price, the unit price will be presumed to be correct.
 - d) Bids for supplies or services other than those specified will not be considered.
 - e) Time, if stated as a number of days, means calendar days and will include Saturdays, Sundays, and holidays beginning the day after the issuance of a Notice to Proceed. Time stated ending on a Saturday, Sunday or Government of Guam legal holiday will end at the close of the next business day.
3. **EXPLANATION TO BIDDERS:** Any explanation desired by a bidder regarding the meaning or interpretation of the Solicitation, drawings, specifications, etc., must be submitted in writing and with sufficient time allowed for a written reply to reach all bidders before the submission of their bids. Oral explanations or instructions given before the award of the contract will not be binding. Any information given to a prospective bidder concerning a Solicitation will be furnished to all prospective bidders in writing as an amendment to the Solicitation if such information is necessary for bidders in submitting bids on the Solicitation or if the lack of such information would be prejudicial to uninformed bidders.
4. **ACKNOWLEDGEMENT OF AMENDMENTS TO SOLICITATIONS:** Receipt of an amendment to a Solicitation by a bidder must be acknowledged by signing an acknowledgement of receipt of the amendment. Such acknowledgement must be received prior to the hour and date specified for receipt of bids.
5. **SUBMISSION OF BIDS:**
 - a) Bids and modifications thereof shall be enclosed in sealed envelopes and addressed to the office specified in the Solicitation. The bidder shall show the hour and date specified in the Solicitation for receipt, the Solicitation number, and the name and address of the bidder on the face of the envelope.
 - b) Telegraphic bids will not be considered unless authorized by the Solicitation. However, bids may be modified or withdrawn by written or telegraphic notice, provided such notice is received prior to the hour and date specified for receipt (see paragraph 6 of these instructions).
 - c) Samples of items, when required, must be submitted within the time specified, unless otherwise specified by the Government, at no expense to the Government. If not destroyed by testing, samples will be returned at bidder's request and expense, unless otherwise specified by the Solicitation.
 - d) Samples or descriptive literature should not be submitted unless it is required on this Solicitation. Regardless of any attempt by a bidder to condition the bid, unsolicited samples or descriptive literature will not be examined or tested at the bidder's risk, and will not be deemed to vary any of the provisions of this Solicitation.
6. **FAILURE TO SUBMIT BID:** If no bid is to be submitted, do not return the Solicitation unless otherwise specified. A letter or postcard shall be sent to the issuing office advising whether future Solicitations for the type of supplies or services covered by this Solicitation are desired.
7. **LATE BID, LATE WITHDRAWALS, AND LATE MODIFICATIONS:**
 - a) **Definition:** Any bid received after the time and date set for receipt of bids is late. Any withdrawal or modification of a bid received after the time and date set for opening of bids at the place designated for opening is late (*Guam Procurement Regulations Section 3-202.11.1*).
 - b) **Treatment:** No late bid, late modification, or late withdrawal will be considered unless received before contract award, and the bid, modification, or withdrawal would have been timely but for the action or inaction of territorial personnel directly serving the procurement activity (*Guam Procurement Regulations Section 3-202.11.2*).
8. **DISCOUNTS:**
 - a) Notwithstanding the fact that prompt payment discounts may be offered, such offer will not be considered in evaluating bids for award unless otherwise specified in the Solicitation. However, offered discounts will be taken if payment is made within the discount period, even though not considered in the evaluation of bids.
 - b) In connection with any discount offered, time will be computed from date of delivery and acceptance of the supplies to the destination as indicated in the purchase order or contract. Payment is deemed to be made for the purpose of earning the discount on the date of mailing of the Government check.
9. **GOVERNMENT FURNISHED PROPERTY:** No material, labor or facilities will be furnished by the Government unless otherwise provided for in the Solicitation.

10. **SELLERS' INVOICES:** Invoices shall be prepared and submitted in quadruplicate (one copy shall be marked "original") unless otherwise specified. Invoices shall be "certified true and correct" and shall contain the following information: Contract and order number (if any), item numbers, description of supplies or services, sizes, quantities, unit prices, and extended total. Bill of lading number and weight of shipment will be shown for shipments made on Government bills of lading.
11. **RECEIPT, OPENING AND RECORDING OF BIDS:** Bids and modifications shall be publicly opened in the presence of one or more witnesses, at the time, date, and place designated in the Invitation for Bids. The name of each bidder, the bid price, and such other information as is deemed appropriate by the Procurement Officer, shall be read aloud and recorded, or otherwise made available. The names and addresses of required witnesses shall be recorded at the opening. The opened bids shall be available for public inspection except to the extent the bidder designates trade secrets or other proprietary data to be confidential as set forth in accordance with Section 12, below. Material so designated shall accompany the bid and shall be readily separable from the bid in order to facilitate public inspection of the non-confidential portion of the bid. Prices, makes and models or catalogue numbers of the items offered, deliveries, and terms of payment shall be publicly available at the time of bid opening regardless of any designation to the contrary (*Guam Procurement Regulations Section 3-202.12.2*).
12. **CONFIDENTIAL DATA:** The Procurement Officer shall examine the bids to determine the validity of any requests for nondisclosure of trade secrets and other proprietary data identified in writing. If the parties do not agree as to the disclosure of data, the Procurement Officer shall inform the bidders in writing what portions of the bid will be disclosed and that, unless the bidders protest under Chapter 9 of the Guam Procurement Act (*P.L. 16-124*), the bids will be so disclosed. The bids shall be opened to public inspection subject to any continuing prohibition on the disclosure of confidential data (*Guam Procurement Regulations Section 3-202.12.3*).
13. **MULTI-STEP SEALED BIDDING:**
- a) It is defined as a two-phase process consisting of a technical first-phase composed of one or more steps in which bidders submit unpriced technical offers to be evaluated by the territory, and a second-phase in which those bidders whose technical offers are determined to be acceptable during the first-phase have their priced bids considered. It is designed to obtain the benefits of competitive sealed bidding by award of a contract to the lowest responsive, responsible bidder, and at the same time obtained the benefits of the competitive sealed proposals procedure through the solicitation of technical offers and the conduct of discussions to evaluate and determine the acceptability of technical offers.
- b) In addition to the requirements set forth in the General Terms and Conditions and the Special provisions, the following applies:
- 1) only unpriced technical offers are requested in the first phase;
 - 2) priced bids will be considered only in the second phase and only from bidders whose unpriced technical offers are found acceptable in the first phase;
 - 3) the criteria to be used in the evaluation are those specified in the Special Provisions and the General Terms and Conditions;
 - 4) the territory, to the extent the Procurement Officer finds necessary, may conduct oral or written discussion of the unpriced technical offers;
 - 5) the bidders, may designate those portions of the unpriced technical offers which contain trade secrets or other proprietary data which are to remain confidential; and,
 - 6) the service being procured shall be furnished generally in accordance with the bidder's technical offer as found to be finally acceptable and shall meet the requirements of the Invitation for Bids.
- c) **RECEIPT AND HANDLING OF UNPRICED TECHNICAL OFFERS.**
Unpriced technical offers shall not be opened publicly, but shall be opened in front of two or more procurement officials. Such offers shall not be disclosed to unauthorized persons. Bidders may request nondisclosure of trade secrets and other proprietary data identified in writing.
- d) **EVALUATION OF UNPRICED TECHNICAL OFFERS.**
The unpriced technical offers submitted by bidders shall be evaluated solely in accordance with the criteria set forth in the Invitation for Bids. The unpriced technical offers shall be categorized as:
- 1) acceptable;
 - 2) potentially acceptable, that is, reasonably susceptible of being made acceptable; or
 - 3) unacceptable. The Procurement Officer shall record in writing the basis for finding an offer unacceptable and make it part of the procurement file.
- The Procurement Officer may initiate Phase Two of the procedure if, in the Procurement Officer's opinion, there are sufficient acceptable unpriced technical offers to assure effective price competition in the second phase without technical discussions. If the Procurement Officer finds such is not the case, the Procurement Officer shall issue an amendment to the Invitation for Bids or engage in technical discussions as set forth in Subsection 3-202.20.5 of this Section.
- e) Upon the completion of Phase One, the Procurement Officer shall invite each acceptable bidder to submit a price bid. Upon submission of prices, the Procurement Officer shall prepare the final evaluation and reconsideration for the Chief Procurement Officer's approval.

BID ANNOUNCEMENT

Hearing for impounded Taiwanese fishing vessel to begin next month

By Gina Tabonares
Variety News Staff

THE hearing for Marshalls 201, the \$15 million fishing vessel impounded for illegal fishing inside the U.S. Exclusive Economic Zone in 2006 will start in March after the U.S. Attorneys Office informed its availability for the court proceeding.

The attorney of the vessel asked for a court hearing last month but the U.S. government attorney will only be available beginning March 4.

The fishing vessel was brought to the Port of Guam but released after posting almost \$3 million.

It was taken into possession through admiralty warrant after it was spotted fishing illegally in the U.S. Exclusive Economic Zone surrounding Howland and Baker Islands on September 9, 2006.

John Barylsky, a special

of Commerce, National and Atmospheric Administration, and National Marine Fisheries Service said the Taiwanese principal owner of the Marshalls 201, KOO's Fishing Corporation (KFC), had been civilly fined by NOAA for previous violations.

The fine was meted when one of their purse seine fishing vessels, the KOO's 103, also known as the Niugini 103, illegally fished in the U.S. EEZ surrounding Howland and Baker Islands in August 2000.

He added that the same owner is also currently under investigation and prosecution is pending, for a similar alleged violation involving the KOO's fishing vessel in January of 2004.

The agent also stated that Marshalls 201 does not possess a permit to legally fish in the restricted waters when

Guam port p assets gro

Revenue hike due to rise i

By Mar-Vic Cagurangan
Variety News Staff

THE Port Authority of Guam closed fiscal year 2007 with a \$1.6 million increase in net assets, which the Office of the Public Auditor attributed to a surge in operating revenues and a dip in expenditures.

According to the OPA audit released yesterday, the port authority's net asset growth is 5 percent over \$1.5 million in 2006.

"This is the result of increases in operating revenues of \$3.6 million and a \$198,000 decrease in operating expenses," OPA reported.

The revenue hike, according to OPA, was the result of an increase in cargo oper-



Cargo tonnage at the port increased during fiscal year 2007.

port reported an increase is the second governmen

2008 at the Holiday Resort Guam.

Black Construction Corporation and Dick Pacific Construction Co. shared the top honors by virtue of a tie in this construction excellence competition. The overall winners were also declared the "Contractor of the Year" or in this particular case "Contractors of the Year."

Black Construction Corporation's winning project entry was for the construction of the Home Depot.

The overall structure was designed for Guam's unique locale requirements which require the need for structures to sustain typhoon strength winds in excess of 175 mph and the seismic 4 requirements for potentially severe earthquake vents.

According to Black Construction Corporation "BCC dynamically delivered this project be-

and with an unwavering mitment to safety and q

Dick Pacific Construction Company's winning entry for the construction of the Water Treatment Plant Upg

According to Dick Pacific Construction Co., "The complexity of this project allowed D subcontract all the specialty

struction to numerous local contractors. The scope included the lead abatement require

for the removal of paint on existing structures; epoxy painting various new and existing

ities; application of elastomeric roof coating and building exterior finish systems; underwater installation for the new stop logs at existing Fena Reservoir; su

and installation of equipment devices for the new SCADA system; asphalt pavement and restoration and landscapi

/s/ DOMINIC CRUZ, DMHSA
Acting Director, DMHSA

<p>Felix P. Camacho Governor</p>	<p>GSA GENERAL SERVICES AGENCY (Ahensian Setbision Hinirat) Department of Administration Government of Guam 148 Route 1 Marine Corps Drive, Piti, Guam 96915 Tel: 475-1707-13 Fax: 472-4217 / 475-1716 / 475-1727</p>	<p>Michael W. Cruz, M.D. Lt. Governor</p>
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THIS ADVERTISEMENT WAS PAID WITH GOVERNMENT FUNDS BY:

GUAM ELECTION COMMISSION

A non-refundable fee of \$10.00 per bid package will be assessed.
Certified Check, Cashier's Check, Cash will be accepted. No personal or company checks. Payment for bid package picked up after 3:00 pm will not be accepted.

BID INVITATION

Bid No.: GSA-012-08

For: ADVERTISEMENT NOTICES PURSUANT TO TITLE 3
GCA AND PUBLICATION OF BOARD MEETING
PURSUANT TO THE OPEN GOV'T LAW

Opening Date: FEBRUARY 19, 2008 **Time:** 2:00 p.m.

Place: GENERAL SERVICES AGENCY, PITI GUAM

**INTERESTED PARTIES MAY PICK UP FORMS
SPECIFICATIONS AT SAID PLACE**

/s/ CLAUDIA S. ACALLE
Chief Procurement Officer

**REQUISITION &
SPECIFICATIONS**

Return to Dept. Writing Unit - BPA - need to identify price required 4/7/08

REQUISITION

REQUISITION #: Q080700006
 APPROPRIATION: 5100A080700GA006230

TO: PROCUREMENT FACILITIES MGMT. DIVISION ADMINISTRATOR ENCUMBERED DATE
 1/25/2008

SUBMITTED BY:
 Chargualaf, Stephanie N - Guam Election AUTHORIZED DEPARTMENT REPRESENTATIVE SIGNATURE DATE
 DEPARTMENT/DIVISION: GUAM ELECTION COMMISSION REQUEST DATE: 1/25/2008

ITEM NO.	DESCRIPTION OF ITEM	UOM	QTY	UNIT PRICE	AMOUNT
1	TO COVER COST OF ELECTION NOTICES PURSUANT TO TITLE 3 GCA AND PUBLICATION OF BOARD MEETINGS PURSUANT TO THE OPEN GOVT LAW. TO BE DRAWN ON A AS NEEDED BASIS COMMENCING FEBRUARY 2008 THRU SEPTEMBER 2008. <i>all dates co-ordinated by Election Commis</i>	LOT	1	30000.00	30000.00

*ADVERTISE
 ENT*

GSA-012-08

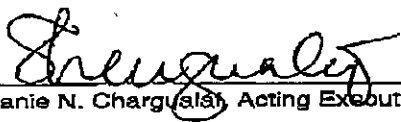
TOTAL =====> 30000.00

JUSTIFICATION:
 TO COVER COST OF ELECTION NOTICES PURSUANT TO TITLE 3 GCA, AND THE PUBLICA TION OF BOARD MEETINGS PURSUANT TO THE OPEN GOVT LAW.

* PRINT NAME & SIGN () APPROVAL () DISAPPROVAL
 RECEIVED BY DATE APPROVING AUTHORITY (DIRECTOR)
 (CERTIFYING OFFICER)

GUAM ELECTION COMMISSION
Specifications for Print Media Advertisements

Size	Requirements	UOM	Cost	Total Cost
2 x 4	Notice of Board Meetings and Other Election Information	28 ea	_____	_____
2 x 5	Election Notices regarding Early Voting/Absentee and Other Election Information	25 ea	_____	_____
3 x 6	Election Notices regarding Polling Sites	10 ea	_____	_____
4 x 5	Election Notices regarding Candidates	11 ea	_____	_____
4 x 13	Sample Ballots	10 ea	_____	_____
5 x 7	Precinct Official Seminar Schedules	8 ea	_____	_____
5 x 15	List of Precinct Officials	6 ea	_____	_____

Approved by: 
Stephanie N. Chargualar, Acting Executive Director