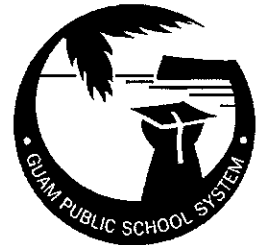




GUAM PUBLIC SCHOOL SYSTEM
OFFICE OF THE SUPERINTENDENT

P.O. Box DE
Hagåtña, Guam 96932
Telephone: (671) 475-0457 / 300-1535
Fax: (671) 472-5003
Email: nbshafer@gdoe.net
www.gdoe.net



Nerissa Bretania-Shafer, Ph.D.
Superintendent of Education

December 3, 2008

Ms. Doris Flores Brooks, CPA, CGFM
Public Auditor
Office of the Public Auditor
Suite 401, DNA Building
238 Archbishop Flores Street
Hagatna, Guam 96910

RECEIVED
OFFICE OF THE PUBLIC AUDITOR
PROCUREMENT APPEALS
DEC 3 2008
TIME: 4:50 PM
BY: *RJM*
FILE No. OPA-PA - 08-011

Re: Reconsideration of Decision, Appeal No. OPA-PA-08-011

Dear Ms. Brooks:

Hafa Adai! I am in receipt of your Decision dated November 28, 2008; this matter will be brought before the Guam Education Policy Board on December 10, 2008 to discuss the budgetary ramification of your Decision. In the meantime, I am requesting to reconsider your Decision, Conclusion #7, terminating the contract effective November 28, 2008. If Guam Public School System were to terminate on Friday, November 28, 2008 and Xerox pulls all copiers, printers, fax, and scanners this will cripple our department thus compromise the education of 30,000 students.

GPSS is in the process of preparing a Request For Proposal in the same fashion that Guam Community College used. This will result in vendor assessing Guam Public School System needs in offering the best value for copying services to our schools. Attached herewith is a copy of a RFP issued by GCC on February 29, 2008, for your review and consideration as you consider GPSS' request.

Your cooperation in this matter is appreciated. I look forward hearing from you.

Put Respetu',

NERISSA BRETANIA-SHAFER, PH. D.
Superintendent of Education

Attachment

cc: Guam Education Policy Board
Deputy Superintendent, F&AS
Legal Counsel

Guam Community College
GCC-RFP-M8-002

Request for Proposal
General Terms and Conditions

1. **AUTHORITY:** This Request for Proposal (RFP) solicitation is issued subject to all provisions of the Guam Procurement Act (Public Law 16-124) and the Guam Procurement Regulations (copies are available for inspection at the General Services Agency). The RFP requires all parties involved in the preparation, negotiation, performance, or administration of contracts to act in good faith.
2. **EXPLANATION TO PROSPECTIVE VENDOR:** No oral explanation in regard to the meaning of the specification will be made and no oral instructions will be given before the award of the proposal. Discrepancies, omissions, or doubts as to the meaning of the specifications should be communicated in writing to the named contact individual of the requesting agency/department for interpretation. Vendors should act promptly in the preparation and submission of their proposals. Interpretation, if required, shall be made in the form of an amendment to the specifications that will be forwarded to the prospective Offers. Receipt by the Vendors should be acknowledged on the proposal forms.
3. **METHOD OF AWARD:** GCC reserves the right to waive any minor information or irregularity in proposals received. GCC shall have the prerogative to award, amend, or reject proposals whole or in part. It is the policy of the GCC to conduct business in Guam utilizing Guam law.
4. **REJECTION:** The GCC shall have the prerogative to reject proposals in whole or in part, if such a determination is made in the public interest.
5. **TAXES:** Vendors are cautioned that they are subject to Guam Income Taxes and other taxes on Guam transactions. Specific information on taxes may be obtained from the Director of Revenue and Taxation.
6. **LICENSING:** Vendors are cautioned that the GCC will not consider for award any offer submitted by a Vendor who has not complied with the Guam Licensing Law. Specific information on licenses may be obtained from the Director of Revenue and Taxation.
7. **COVENANT AGAINST CONTINGENT FEES:** The Vendor warrants that he or she has not employed any person to solicit or secure any resultant contract upon agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the GCC the right to terminate the contract, or at its discretion to deduct from the contract price or consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commission payable by contractors upon contracts or sales secured or made through bonafide established commercial or selling agencies maintained by the contractor for securing business.

15. RECEIPTS AND OPENING OF PROPOSALS: Envelopes containing proposals shall be sealed and marked on the face with the name and address of the Vendor, the Proposal Number, and the time and date of submission. Proposals submitted by fax will not be considered. Fax modifications of any proposal already submitted will not be considered. Proposal shall be hand-carried or delivered by mail or by express delivery and they must be and received at the place of opening on or before the opening date and time. Proposal will not be opened publicly. Vendors are responsible for ensuring that proposals are received at the appropriate date and time.

8. **JUSTIFICATION OF DELAY:** The Vendor who is awarded the proposal guarantees that the service will be completed within the agreed upon completion date. If, however, the vendor cannot comply with the completion requirement, it is the vendor's responsibility to advise the GCC in writing explaining the cause and reasons for the delay.
9. **EQUAL EMPLOYMENT OPPORTUNITY:** Section 3.01 of Executive order 10935 dated March 7, 1965 requires the Vendors not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The Vendors will take affirmative action to ensure that applicants and employees are treated equally without regard to their race, creed, color, or national origin.
10. **ASSIGNMENT:** Assignment of any contract will not be accepted without prior approval from the GCC. Request for approval of assignment must be made with the submission of the proposal. No assignment will be accepted if request is not made with the proposal.
11. **DETERMINATION OF RESPONSIBILITY:** The GCC reserves the right to secure from Vendors the information necessary to determine whether or not they are responsible and to determine that responsibility in accordance with item Number 12 of the General Terms and Conditions.
12. **STANDARD FOR DETERMINATION OF MOST QUALIFIED VENDOR:** In determining the most qualified vendor, the agency/department shall be guided by the following:
 - a. The ability, capacity, and skill of the Vendor to perform.
 - b. Whether the Vendor can perform promptly and within the specified time.
 - c. The quality of performance of the Vendor with regards to awards made previously.
 - d. The previous and existing compliance by the Vendor with laws and regulations relative to procurement.
 - e. The sufficiency of the Vendor's financial resources and ability of the Vendor to perform.
 - f. The ability of the Vendor to meet the specifications of the request for proposal (RFP).

If requested, the Vendor must meet all ADA regulations and requirements.

13. **CONTACT FOR CONTRACT ADMINISTRATION:** If your firm receives a contract as a result of this solicitation, please designate a person whom the College may contact for prompt administration.

NAME:

TITLE:

ADDRESS:

TELEPHONE:

14. **MODIFICATION/ALTERATION:** After the receipt and opening of proposals, at its option, the College may conduct discussions with the Vendor who has submitted the proposal reasonably susceptible of being selected for award. The purpose of such discussions will be to assure full understanding of and responsiveness to the Proposal requirements. The Vendor shall be accorded fair and equal treatment with respect to any opportunity for discussion. Revisions to proposals shall be permitted after submission and prior to award, for the purpose of obtaining best and final offers. In conducting such discussions there shall be no disclosure of any information derived from proposals submitted by competing Vendors.

**GUAM COMMUNITY COLLEGE
REQUEST FOR PROPOSAL
GCC-RFP-M8-002**

Lease of Equipment, Network printing, photocopying, scanning and FAX services

I. GENERAL INFORMATION

The purpose of this Request for Proposal (RFP) is to solicit proposals from qualified firms to lease equipment and provide network printing, photocopying, scanning and FAX services for all divisions of GCC.

Request for Proposal or RFP No. GCC-RFP-M8-002

Issued by: MAILING ADDRESS:
Guam Community College
Kulehon Kuminidat Guahan
Post Office Box 23069
GMF, Guam 96921

EXPRESS DELIVERY ADDRESS:
Guam Community College
Kulehon Kuminidat Guahan
1 Sesame Street
Mangilao, Guam 96923

Date Issued: Friday, February 29, 2008

Mandatory Pre-Proposal conference: 10:00 a.m. Wednesday, March 5, 2008
(GCC ASD Conference Room 2nd Floor)

Deadline: 5:00 p.m. Tuesday, March 25, 2008

To be considered, all proposals must be submitted with one original and four (4) copies of the proposal by the DEADLINE to the Materials Management Office (Room 2105), Guam Community College, Mangilao, Guam 96923.

The envelope containing the respondent's proposal shall be sealed and marked with the Respondent's name, RFP number, date and time of proposal submission.

Written Questions concerning this RFP are to be directed to:

Ms. Joleen Evangelista
Supply Management Administrator
Phone no: (671) 735-5541
joleen.evangelista@guamcc.edu

Written Questions may also be referred to:

Mr. John C. Camacho

Vice President, Administrative Services Division

Phone no.: (671) 735-5509

john.camacho@guamcc.edu

Proposals shall be prepared simply and economically, providing a straightforward, concise description of the respondent's ability to fulfill the requirements of the proposal as well as a description of the specific services that will be provided to accomplish the adult and career and technical education program audit. By submitting a proposal in response to this RFP, each respondent agrees to be bound to all terms and conditions specified therein. The College may negotiate with the successful respondent other terms and conditions for a final written contract.

III. PROPOSAL SUBMITTAL

The proposal submittal shall consist of the following documents in the sequence shown below. A set of tabs to identify each part of the proposal should be inserted to facilitate quick reference. One (1) original and four (4) copies of the proposal will be submitted.

1. Cover letter

A cover letter, to identify the Vendor and to state other general information (which the vendor desires to include regarding your business organization) must be signed an authorized representative and submitted with the proposal.

2. Executive Summary

An executive summary of important features of the proposal, which should include a statement of the vendor's qualifications, must also be submitted with the proposal.

3. Experience

This section gives the vendor's an opportunity to discuss their business experience and what qualifies them in their business. The vendor shall include as much information in this section as is needed to differentiate your company and proposal from the other vendor's. Please include the following information listed below:

- Clearly communicate how you meet or exceed the minimum qualifications.
- Describe your business experience in the management and operation of your company.
- Clearly state the total number of clients where you have managed, operated or provide this type of service.
- Give names and addresses of at least three (3) references as to your technical capability to perform these services.

4. Financial Background Information

Vendor's shall include the following financial information in their submittal:

- Describe the form of business organization and ownership structure of the Vendor. Each vendor should provide the principal address and phone number of its business and the contact person responsible for the proposal.
- At least one (1) bank reference
- Provide a copy of current business license

I. BACKGROUND

The Guam Community College, hereinafter referred to as "GCC", is seeking proposals from vendors to lease copiers and provide network printing, photocopying, scanning and faxing services for all divisions of the College. Decreasing budget allocations for staff and operating expenses have made management of these resources more and more difficult as time progresses. GCC currently leases 19 photocopying machines and has purchased 505 networked or stand alone printers, 89 flatbed scanners and numerous FAX machines located throughout its primary campus as well as our satellite locations (JFK High School, Southern High School, and Simon Sanchez High School). GCC also creates numerous black ink and color booklets, pamphlets, programs, brochures, and other documents that require a great deal of post-printing processing to produce (collating, folding, stapling, hole punching, saddle stitching, etc.). Ultimately, GCC seeks proposals to provide the latest technological solutions to manage all facets of the process of document handling.

II. SCOPE OF WORK

1. Conduct an analysis of existing GCC photocopying, printing, scanning, and FAX equipment summarizing functions of equipment, cost of equipment, cost of supplies and the impact the equipment has on space utilization.
2. Describe the services proposed to manage the networked printing, photocopying, scanning and FAX processes. Include past experience in providing managed services of clients of similar size, the experience and training of employees involved in providing services, and references of current and past clients.
3. Describe in detail the hardware required to efficiently and effectively provide networked printing, photocopying, scanning and FAX solutions. Include lease terms, specifications of machines, replacement policies, disaster recovery plans and other information required for GCC to understand the equipment being proposed.
4. Describe the software required to accomplish the networking of the printing, photocopying, scanning and FAX processes and the management services being proposed.
5. Describe your plan to provide on-call maintenance on the machines within a 24 hour period. Maintenance to include supplies and materials needed to maintain machines.
6. Include a timeline of set-up, installation and networking of the proposed machines.
7. Options: to include supplies, toner cartridges, staples

5. Insurance Requirement

Once awarded the vendor must provide a Certificate of Insurance showing proof that a Commercial General Liability Insurance is maintained.

IV. Evaluation of Proposals

GCC shall evaluate each proposal submitted by the deadline. Criteria that will be used to evaluate each proposal will include the following:

1. Ability to perform the services as reflected by general experience in providing the required services. (20 points)
2. Qualifications and abilities of key members of the services team to be assigned to perform the services within a 24 hour period. (20 points)
3. The ability to provide the required equipment and software as part of the services plan to include the timeline of set-up, installation and networking of the proposed machines. (40 points)
4. Record of Past Performance of similar work. (20 points)

GUAM COMMUNITY COLLEGE

REQUEST FOR PROPOSAL

GCC-RFP-M8-002

**LEASE OF EQUIPMENT, NETWORK PRINTING, PHOTOCOPYING,
SCANNING AND FAX SERVICES**

**MANDATORY PRE-PROPOSAL CONFERENCE: 10:00 A.M. WEDNESDAY, MARCH 5,
2008**

DEADLINE FOR SUBMISSION: 5:00 P.M. TUESDAY, MARCH 25, 2008