

MAIR, MAIR, SPADE & THOMPSON, L.L.C.
Attorneys at Law
238 A.F.C. Flores Street
Suite 801, DNA Building
Hagåtña, Guam 96910
Telephone: (671) 472-2089/90
Facsimile: (671) 477-5206

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

JUL 14 2010

TIME: 4:47 BY: MAI
FILE NO. OPA-PA: 09-012

Attorneys for Z4 Corporation

OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEAL

IN THE APPEAL OF)

Z4 CORPORATION)

Appellant.)
_____)

Docket No. OPA-PA-09-012

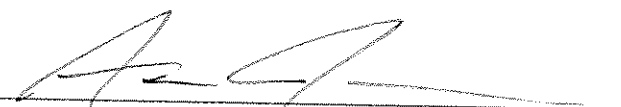
EXHIBIT LIST

Appellant Z4 Corporation by and through its counsel of record, Aaron R. Jackson, Esq., hereby files with the Office of Public Accountability a complete copy of the exhibit list relevant to the above-captioned appeal. Copies of all the exhibits as reflected in the attached Index of Appellant's Exhibit List as identified and tabulated as Exhibit 101 and Exhibit 103.

Submitted this 14th day of July, 2010.

MAIR, MAIR, SPADE & THOMPSON, L.L.C.
Attorneys for Appellant Z4 Corporation

By


AARON R. JACKSON

COPY

INDEX OF APPELLANT'S EXHIBIT LIST
In the Appeal of Z4 Corporation
Office of Public Accountability Procurement Appeal Docket No. OPA-PA-09-012

EXHIBIT NO.	DESCRIPTION
101.	Eons' Basic Bid Explanation
102.	Documentation of Z4's Post-Award Preparations
103.	Payroll Documents of Z4

P103097.ARJ

chedule of Values (Basic Bid)
 Jean View Middle School Gymnasium Repair

ITEM	DESCRIPTION	UNIT	QTY	MATERIALS		LABOR		BID AMOUNT	
				U/P	BASIC	U/P	AMOUNT	BASIC	
	IFB-008-2009 (Re-bid)								
	ARCHITECTURAL WORKS								
1	Replace court floor system (7MM)	SF	4194	30	125820	10	41940	167760	
	REMOVAL AND DISPOSAL								
2	Paint concrete floor at gymnasium	SF	2958	4	11832	2	5916	17748	
3	Provide new VCT at band room, band storage, classrooms and offices	SF	2804	2.25	6309	2	5608	11917	
4	Clean and regrout floor tiles	SF	4900	0.1	490	0.5	2450	2940	
5	Clean floor and repair floor cracks	LF	0	0	0		0	0	
6	Remove existing wood partition walls and doors at locker room	LF	52	0	0	9	468	468	
7	Clean and paint all interior and exterior walls, exposed conduits, concrete gutters and structures	SF	33200	1.1	36520	1.2	39840	76360	
8	Clean and regrout wall tiles	SF	1626	0.1	162.6		0	162.6	
9	Provide rubber wall base	LF	112	0.7	78.4	1	112	190.4	
10	Seal breezeblock	SF	90	4	360	3	270	630	
11	Replace bleachers	SET	4	12000	48000	4000	16000	64000	
12	Provide fire extinguishers at locker rooms and gymnasium office	PC	3	150	450		0	450	
13	Repair basketball goal winch system, clean backboards and repaint rims and structures	SET	6	150	900	500	3000	3900	
14	Provide wall padding	SF	300	14	4200		0	4200	
15	Replace scoreboard	SET	1	16000	16000	1200	1200	17200	
16	Replace casework at band room and concessions room	LS	1	3000	3000	3500	3500	6500	
17	Provide accoustical wall panels, remove wood wall trim & accoustical wall tiles at band room	SF	640	8.5	5440	3	1920	7360	
18	Provide writing boards and trackboards at band room and classrooms	LS	1	1000	1000	450	450	1450	
19	Replace lockers and benches at locker rooms	PC	120	600	72000	40	4800	76800	
20	Replace lockers and benches at locker rooms	EA	1	350	350	80	80	430	
21	Replace scorers table	EA	2	300	600	150	300	900	
22	Provide ADA bench at shower	EA	1	35	35	35	35	70	
23	Replace toilet accessories provide grab bar at ADA toilets	EA	6	87	522	55	330	852	
24	Replace toilet stall doors at restrooms	EA	6	87	522	55	330	852	
25	Replace new toilet partition at office restrooms	LF	10	22	220	25	250	470	
26	Relape and paint ceiling boards	SF			0		0	0	
27	Replace missing ceiling board and paint	SF	64	5	320	5	320	640	
28	Replace roof gutter interior closure trim, continuous	LF	200	3.5	700	5	1000	1700	
29	Replace ACT and suspension grid	SF	3450	2.5	8625	2.5	8625	17250	
30	Provide water resistant gypsum board ceiling	SF	1882	2.5	4705	4	7528	12233	
31	Replace damage roof insulation at classroom, approx 32 sf	SF	32	2	64	4.5	144	208	
32	Provide exterior cement board soffit at east and west gymnasium entrance	SF	418	1.8	752.4	2.5	1045	1797.4	

1	Provide elastomeric roof coating at metal roofs	SF	8200	2	16400		2	16400	32800
2	Provide elastomeric roof coating at concrete roofs and gutters	SF	11487	2	22974		2	22974	45948
3	Replace stainless steel gutter	SF	162	8	1296		12	1944	3240
4	Replace missing or damage stainless steel flashing at north west corner of gymnasium roof, approx 20 sf	SF	20	8	160		12	240	400
5	Reroute embedded upper roof drainpipe to exterior of building at southwest corner of gymnasium	LF	1	160	160		200	200	360
6	Replace metal roof panels over east and west gymnasium entrances	SF	560	4.5	2520		5	2800	5320
7	Paint entire building exterior (DOUBLE ENTRY)	SF	0		0			0	0
8	Secure ABS pipe and replace as needed	LF	172	3	516		2.5	430	946
9	Provide crickets at concrete gutters	LF	144	18	2592		20	2880	5472
10	Provide 4" scupper drains at concrete gutters	EA	11	30	330		35	385	715
11	Replace missing drain guards	EA	12	45	540		25	300	840
12	Provide exterior roof access ladders	SET	4						
F1	Replace all interior and exterior doors & doorframes and paint, replace hardware, except door noted to be removed	SET	5	1020	5100		360	1800	6900
	Double door hollow metal w/ vision complete hardware	SET	2	580	1160		320	640	1800
	Single door hollow metal w/ vision complete hardware	SET	5	720	3600		360	1800	5400
	Double door solid wood w/ vision complete hardware	SET	2	360	720		320	640	1360
	Single door solid wood w/ vision complete hardware	SET	2	680	1360		360	720	2080
	Double door hollow metal w/ complete hardware	SET	1	480	480		360	360	840
	Double door solid wood w/ complete hardware	SET	9	220	1980		320	2880	4860
	Single door solid wood w/ complete hardware	SET	15	405	6075		25	375	6450
	Panic device	SET	2	540	1080		250	500	1580
F2	Provide emergency exit alarm at doors L104 and L113	LS	56	85	4760		20	1120	5880
	Replace upper gymnasium louvers with roll-up doors; increase wall opening height 16'-4"	SET	10	4500	45000		800	8000	53000
F3	Provide roll-up door at existing wall opening 14'X6' (6PC), 10.8'X6' (4 PC)	SF	80	23	1840		8	640	2480
F4	Replace exterior louvers with new aluminum louvers with interior screens unless noted otherwise, Replace interior louveral equipment room	SF	97	23	2231		8	776	3007
F5	Provide new aluminum windows	SF	66	7.5	495		8	528	1023
	Remove louvers, doors, and frames and seal wall opening at band office, storage room and electrical room	LS	1	150	150		450	450	450
F7	Clean all existing interior louvers, replace where noted	LS	1	250	250		750	750	900
F8	Clean and re-caulk all existing windows	LS	1				400	400	650
F9	Remove chain link interior security fence at completion of works.								
F10									
	ITEM				0				
	STRUCTURAL WORKS				0				



ALPHA
INSURERS
A Friendly Atmosphere with a Professional Attitude

Date: August 13, 2009

Mr. Roque A. Alcantara
Administrative Supply Management
Office of Supply Management, Guam Department of Education
2nd Floor Suite B-202, M.L. Guerrero Adm. Building
Hagatna, Guam 96910

Re: Z-4 Corporation
Performance and Payment Bond
Project: Oceanview Middle School Gymnasium Repairs

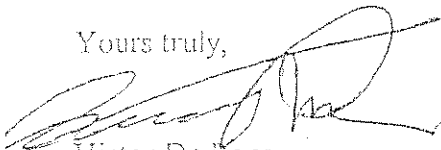
Dear Mr. Alcantara,

Pursuant to the request of Z-4 Corporation, please be advised that their application for issuance of Performance/Payment Bond on above reference project in the amount of \$ 810,000.00 were approved.

Issuance of the bond policy is subject to submission of required underwriting documentations by Z-4 Corporation as stated in our letter of approval forwarded to their company.

Should you have other question regarding this matter, please feel free to call me at this numbers;
472-3880, 472-8804-05.

Yours truly,



Victor De Roca
EVP

11:10 AM
LUB

Z4 CORPORATION
P.O BOX 23543, BARRIGADA
GUAM, 96921
TEL. No.: 646-0874

PROJECT: OCEANVIEW MIDDLE SCHOOL GYMNASIUM REPAIR

SUBJECT: MINUTES OF MEETING (CIP CONFERENCE ROOM)
AUGUST 20, 2009, 9:00 AM

ATTENDEES:

1. Mr. Cedric Cruz	TRMA
2. Mr. Billy Cruz	DOE
3. Mr. Rod Traya	DOE
4. Ms. Lynda Hernandez	OMS
5. Ms. Cheryl Gumabon	OMS
6. Mr. Julisis Nucum	Z4 Corp.
7. Mr. Pete Valencia	Z4 Corp.
8. Mr. Armando Aragon	Z4 Corp.

ITEM NO.	DISCUSSION	ACTION TAKEN
1.	Z4 Corporation will submit project progress schedule and schedule of values while building permit is on process. Project progress schedule is base on August 20, 2009 date and we will revised once the bldg. permit issued.	Noted
2.	Z4 will visit the site and draw a plan for the installation of safety fence and submit to TRMA for approval. This is to ensure the safety of the students and public during construction period.	Noted
3.	Z4 Corporation can't start any activity until the building permit was released which is expected by September.	Noted
4.	Ms. Cheryl Gumabon, OMS Principal, is asking the completion of the project which is 180 calendar days..	Noted
5.	All transaction is through TRMA in regards of the Oceanview Middle School Gymnasium Repair Project and Mr. Cedric Cruz is the main point of contact.	Noted
6.	Z4 will give update for building permit while is on process and forward to TRMA, Mr. Cedric Cruz.	Noted
7.	Existing trash bins around the Gymnasium will be relocated to give Z4 Corporation an access during construction period.	Noted
8.	Next meeting will be at the jobsite and schedule after the issuance of	

building permit.

9. Mr. Cedric Cruz recommends that Contractor's submittals are numbered consecutively starting #1. Noted
10. Meeting Adjourned at 10:00 PM.



**BUILDING PERMITS & INSPECTION SECTION
APPLICATION FOR PERMIT & PLAN REVIEW**

Application Number: B09000699
Permit Number: _____

IMPORTANT: Applicant must complete all items in sections I, II, III, IV

I. LOCATION OF BUILDING

Location 184 (No) ERSKIN DRIVE, AGAT GU 96918 (Street) Zoning District R1
Between _____ (Cross Street) Lot # _____ and _____ (Cross Street)
Subdivision _____ Block _____ Lot Size _____

II. TYPE AND COST OF BUILDING

A. Type of Building

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> New Building | <input type="checkbox"/> Retaining Wall | <input checked="" type="checkbox"/> Repair | <u>152' x 132' x 30'</u>
Dimension of Building |
| <input type="checkbox"/> Foundation Only | <input type="checkbox"/> Other _____ | <input type="checkbox"/> Demolished | |
| <input type="checkbox"/> Shell Only | <input type="checkbox"/> Add | <input type="checkbox"/> Reconstructed | |
| <input type="checkbox"/> Fence Wall | <input type="checkbox"/> Alter | <input type="checkbox"/> Relocated | |
| | | | |

B. Ownership

- Private (individual, corporation, non-profit institution, etc.)
 Public (Federal, State, or Local Government)

C. COST

Cost of Improvements _____
electrical _____
plumbing _____
heating, air conditioning _____
other (elevator, etc.) _____

Nonresidential - Describe in detail proposed use of buildings, e.g., food processing plant, machine shop, laundry building at hospital, elementary school, secondary school, college, parochial school, parking garage for department store, rental office building, office building at industrial plant. If use of existing building is being changed, enter proposed use.

OVERVIEW MIDDLE SCHOOL
GYMNASIUM REPAIR

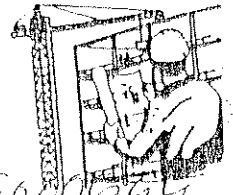
TOTAL COST OF IMPROVEMENT \$ 810,000.00

D. PROPOSED USE - (For "Wrecking" most recent use)

- | | | |
|---|--|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Amusement, Recreational | <input type="checkbox"/> Office, bank, professional |
| <input type="checkbox"/> One family | <input type="checkbox"/> Church, other religious | <input type="checkbox"/> Public utility |
| <input type="checkbox"/> Two or more families | <input type="checkbox"/> Garage | <input checked="" type="checkbox"/> School, library, other educational |



BUILDING SAFETY
IS NO ACCIDENT



Application Number: 1309000094

Permit Number: _____

BUILDING PERMITS & INSPECTION SECTION
APPLICATION FOR PERMIT & PLAN REVIEW

TO BE FILLED OUT BY BUILDING PERMIT STAFF ONLY

V. PLAN REVIEW RECORD

Plans Review Required	Date Plans Started	Date Plans Approved	Comments
Architectural			
Structural			
Mechanical/Plumbing			
Flood Control			
Electrical			
IPCC			
Hydraulics/Civil			
Highway Encroachment			
Rights of Way			
Traffic Engineering			

VI. ZONING PLAN EXAMINATION RECORD TO BE DONE BY DLM

District TR-1 TR-1 TR-1

Use INTERIOR WORK - Gymnasium

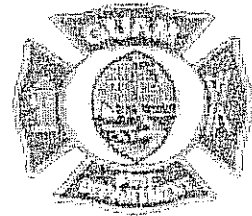
Front Yard _____ Side Yard interior only

Side Yard _____

Rear Yard _____



GUAM FIRE DEPARTMENT
DIPATTAMENTON GUAFI GUAHAN
Plan Review Section



Fire Prevention Bureau
 Plan Review Application
 One Stop Office, Upper Tumon
 Tel; (671) 646-8810
 Fax: (671) 646-3130

Applicant No:	B09000699
GFD Review No	09-102
Date Submitted	8/24/2009
Date Approved	8/26/2009
GFD Reviewer	JA Manibusan, Captain

Owner	Guam Department of Education	Contractor	Z4 Corporation
Dbn		Address	PO Box 23543, GMF Guam 96921
Address:	PO Box DE Hagatna, Guam 96910	Contact No	6460874
Contact No.	3001580	Sub-Contractor	
Location of Project	Ocean View Middle School, Agat Guam RENOVATION AND REPAIR OF GYMNASIUM		

Architect	TRMA Architects
Address	PO Box EA Agana, Guam 96910
Contact No.	4758772

Fire Department Access and Water Supply	Yes/No	Comments
a. Fire Department Access		
b. Fire Hydrants and Water Main Supply		
c. Fire Hydrant Flow Requirements		
d. Hydrostatic Test		
e. Hydrant Location		

Fire Extinguishing Systems	Yes/No	Comments
a. Wet Pipe System		
b. Dry Pipe System		
c. Pre Action System		
d. Deluge System		
e. Combination Dry Pipe and Pre Action System		
f. Special Types		

Standpipe Hose Systems	Yes/No	Comments
a. Class I		
b. Class II		
c. Class III		

Hydraulic Specifications	Yes/No	Comments
a. Sprinkler Systems Hydraulic Calculations		
b. Fire Pump Specifications		
c. Jockey / Booster Pump Specifications		

Commercial Cooking Operations	Yes/No	Comments
a. Fixed Wet Chemical Systems		



GUAM FIRE DEPARTMENT
DIPATTAMENTON GUAFI GUAHAN
Plan Review Section



b. Fixed Dry Chemical Systems		
-------------------------------	--	--

Fire Alarm and Detection Systems	Yes/No	Comments
a. Alarm Initiating Devices	YES	EXISTING
b. Alarm Indication Devices	YES	EXISTING

Acceptance Test Certification Documents	Yes/No	Comments
a. Fire Alarm Installation and Test Certification		PROVIDE FOR FINAL OCCUPANCY INSPECTION
b. Fire Sprinkler Installation and Test Certification		
c. Fire Pump Installation and Test Certification		
d. Commercial Cooking Installation Certification		
e. Liquid Petroleum Gas Installation Certification		

Additional Comments
1. Shall provide the approved jobsite plans during the final occupancy inspection
2. During the construction of the building and until the permanent fire-extinguishing system has been installed and is in service, Fire-protection shall be provided in accordance with Article 87, Section 8704 of the Uniform Fire Code.
3. Portable fire extinguishers shall be provided every 3000 sq. ft. with a minimal travel distance of 75 ft. shall be mounted and labeled
4. Means of Egress and all its appurtenances shall apply and be provided in accordance to Article 12
All Acceptance Installation and Test Certification Documentation shall be licensed under the Guam Contractors License Board
6. Schedule final occupancy inspection upon completion with GFD Prevention Bureau at One Stop.
7. Subject to further requirements if determined by GFD Code Enforcement Section.

Note: Any changes, additions or alterations to approved plan without proper consultation with the Fire Prevention Bureau shall cause delay in the issuance of the Occupancy

 Captain J.A. Manibusan	 Armando Leon Aragon, Project Engineer
Guam Fire Department Representative	Acknowledge By
8/26/2009	8/26/2009
Date	Date

AGG- 1301166

OFFICIAL RECEIPT

GOVERNMENT OF GUAM
DEPARTMENT OF ADMINISTRATION
FINANCIAL MANAGEMENT DIVISION
P.O. BOX 884 HAGATNA, GUAM 96932

PAID

DATE: 8/26/09
PAYOR: Z4 CORP
ADDRESS: GFD INV 0946

AUG 26 2009

TREASURER OF GUAM
804

NOT VALID UNLESS OVERPRINTED BY OUR REGISTER/STAMP

PAYMENT INFORMATION

DESCRIPTION	RESERVED FOR ISSUING OFFICE:	
	ACCOUNT NUMBER	AMOUNT
FP 010		561
		/
ISSUING OFFICE:	PLEASE PAY TREASURER OF GUAM	561
AGENT:	TOTAL DUE	

CASH

CHECK: # 011360m

OTHER: _____

FOR-2-2-35



GOVERNMENT OF GUAM
GUAM FIRE DEPARTMENT
P.O. BOX 2950 HAGATNA, GUAM 96910

INVOICE
GFD - 0846

DATE: 8/26/09
PAYOR: Z4 Corporation
ADDRESS: Banyard

PAYMENT INFORMATION

FP 010

561 00

ISSUING OFFICER: Jammy Robinson
ID. NO. FD12208
PLEASE PAY TREASURER OF GUAM TOTAL DUE: 561 00

Remarks: FOR DEBITMENT BY MATHS
Plan Period 09-102

GEPA Ref. No.: TA-7621 By: R. Joya Program/Section: WPC Date Routed: 08-21-09

Project Name/Location: ARSKIN DRIVE, GREAT GUAM (OCEANVIEW M.S. GYM. REPAIR)

TYPE OF DOCUMENT:

GLUC Application Clearing & Grading Grading Clearing Permit Hardfill Permit Building Permit

Plan Review ___% Notice of Violation Stockpiling Stop Work Order Inquiry Lot Parceling/Subdivision

SZC Application Wetland Delineation Advisory Memo(Intra/Inter) Other: _____ (Specify)

ROUTING			APPROVED		DISAPPROVED		HOLD/RESUBMIT	
Program/Section	Date Received	Name of Assignee	Initial	Date	Initial	Date	Initial	Date
<input type="checkbox"/> Water Pollution		Oscar/ Manny						
<input type="checkbox"/> Water Resources								
<input checked="" type="checkbox"/> Safe Drinking Water	8/21/09	Lito	BM	9/3/09				
<input type="checkbox"/> Individual Wastewater								
<input type="checkbox"/> Monitoring								
<input type="checkbox"/> Environmental Review								
<input type="checkbox"/> Air Pollution								
<input type="checkbox"/> Pesticide								
<input checked="" type="checkbox"/> Solid Waste	9/04/09	Bob	BM	08/18/09				
<input type="checkbox"/> Hazardous Waste								
<input type="checkbox"/> Hydro Geologist								
<input type="checkbox"/> Chief Engineer		Ivan						
<input type="checkbox"/> Legal Counsel								
<input type="checkbox"/> Administrative Services								
<input type="checkbox"/> Deputy Administrator								
<input type="checkbox"/> Administrator								

Person/Agencies/Companies Involved:

Name	Address	Tel./Fax No.
ARMANDO ARA GON	24 CORPORATION P.O. BOX 22543, GMAF GU 96921	898-4855 / 649-0322

Comments/Recommendations/Actions:

WPC ① Need to submit SW disposal plan.

② Need to provide as-built ^{drawings of} drainage system.

SON ① MUST SUBMIT ANALYTICAL TEST RESULTS OF BACT & TSS PRIOR TO ISSUANCE OF OCCUPANCY PERMIT

② DISINFECTION OF WATER SYSTEM MUST BE COORDINATED WITH GEPA SDW STAFF

WMM = See Attachment 10