

1 **GUAM DEPARTMENT OF EDUCATION**  
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**RECEIVED**  
OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEALS

DATE: 4/22/14

TIME: 3:50  AM  PM BY: AA

FILE NO OPA-PA: 14-002

**BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**

7 IN THE APPEAL OF  
8  
9 FUKUDA ENTERPRISES, LLC,  
10 Appellant.

APPEAL NO.: OPA-PA-14-002

**SUBMISSION OF PROCUREMENT  
RECORD**

11  
12 The Guam Department of Education ("GDOE"), the purchasing agency in the matter  
13 referenced above, hereby submits the following exhibits as the procurement record to date  
14 regarding GDOE Invitation for Bid No. 004-2014 ("GDOE IFB 004-2014"):

- |    |   |           |
|----|---|-----------|
| 15 | 1. GDOE IFB 004-2014 and Amendments.<br>Bates Stamp Nos. GDOE 0001-0066   | Exhibit 1 |
| 16 |   |           |
| 17 | 2. Protest Letter of December 19, 2013 from Triple J Motors<br>Bates Stamp Nos. GDOE 0097-0098  | Exhibit 2 |
| 18 |   |           |
| 19 | 3. Letter of February 14, 2014 from Fukuda Enterprises to GDOE.<br>Bates Stamp Nos. GDOE 0067-0068  | Exhibit 3 |
| 20 |   |           |
| 21 | 4. Letter of Protest dated March 5, 2014 from Attorney Jeffrey<br>Cook.<br>Bates Stamp Nos. GDOE 0069-0070                                      | Exhibit 4 |
| 22 |   |           |
| 23 | 5. Letter of Protest dated March 21, 2014 from Attorney Jeffrey<br>Cook.<br>Bates Stamp Nos. GDOE 0071-0072                                     | Exhibit 5 |
| 24 |   |           |
| 25 | 6. Notice of Stay of Procurement dated March 25, 2014.<br>Bates Stamp Nos. GDOE 0073  | Exhibit 6 |
| 26 |   |           |
| 27 | 7. GDOE Letter of March 27, 2014 to Attorney Jeffrey Cook<br>regarding Response to Protest of March 5, 2014.<br>Bates Stamp Nos. GDOE 0074-0075 | Exhibit 7 |

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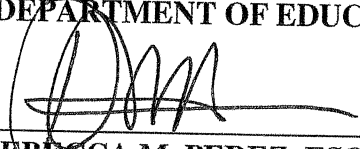
- 8. Abstract of Bidders and Register of Bids.  
**Bates Stamp Nos. GDOE 0076-0078** **Exhibit 8**
- 9. Bid Opening Sign-in Sheet dated February 19, 2014.  
**Bates Stamp Nos. GDOE 0079** **Exhibit 9**
- 10. Written Determination of Need dated January 24, 2013.  
**Bates Stamp Nos. GDOE 0080** **Exhibit 10**
- 11. Notice of IFB by publication in Pacific Daily News and Marianas Variety on November 20, 2013 and posting on GDOE's website.  
**Bates Stamp Nos. GDOE 0081-0083** **Exhibit 11**
- 12. Correspondence between GDOE and Paul Cepeda of Department of Public Works regarding IFB 004-2014.  
**Bates Stamp Nos. GDOE 0084-0088** **Exhibit 12**
- 13. Correspondence between GDOE and Triple J Enterprises regarding IFB 004-2014.  
**Bates Stamp Nos. GDOE 0089-0096** **Exhibit 13**

GDOE reserves the right to supplement this record.

Dated this 22<sup>nd</sup> day of April, 2014.

Respectfully submitted,

**GUAM DEPARTMENT OF EDUCATION**

By:   
**REBECCA M. PEREZ, ESQ.**  
*Legal Counsel*

# **Exhibit 1**



**Indefinite Quantity Bid for the  
Purchase of Special Education  
Mini Buses (22 Passenger)**

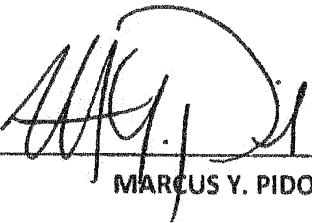
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**Invitation for Bid**

**No. 004-2014**

**Guam Department of Education**

**Supply Management Office  
Manuel F.L. Guerrero Administration Building, 2<sup>nd</sup> Floor  
312 Aspinall Avenue  
Hagåtña, Guam 96910  
T: +1 (671) 475-0438  
F: +1 (671) 472-5001  
[www.gdoe.net](http://www.gdoe.net)**



**MARCUS Y. PIDO**

**Supply Management Administrator**

**Section 1 – Invitation for Bid (IFB) Timeline**

**1.1 – TABLE TIMELINE**

<u>Date</u>	<u>Activity</u>	<u>Time</u>
<b>November 20, 2013 (Wednesday)</b>	<b>IFB Issuance</b>	<b>8:00 AM, Chamorro Standard Time (ChST)</b>
<b>November 27, 2013 (Wednesday)</b>	<b>Deadline for Submission of Pre-Bid Written Questions</b>	<b>2:00 PM, Chamorro Standard Time (ChST)</b>
<b>December 3, 2013 (Tuesday)</b>	<b>Deadline for GDOE Response to Pre-Bid Written Questions</b>	<b>5:00 PM, Chamorro Standard Time (ChST)</b>
<b>December 11, 2013 (Wednesday)</b>	<b>Deadline for Submission</b>	<b>10:00 AM, Chamorro Standard Time (ChST)</b>

## Section 2 – General Information & General Instructions

### 2.1 – PROJECT TITLE AND OVERALL SCOPE

#### **INDEFINITE QUANTITY BID FOR THE PURCHASE OF SPECIAL EDUCATION MINI BUSES (22 PASSENGER)**

The Guam Department of Education (GDOE) is seeking to purchase Mini Buses (22 Passenger) for the Special Education Division to be used in compliance of the Individuals with Disabilities Education Act (IDEA) to provide adequate transportation for students with disabilities to and from home and school.

#### 2.1.2 – PERSON(S) RESPONSIBLE FOR DRAFTING OF SPECIFICATIONS IS/ARE:

Paul Cepeda – Department of Public Works  
Vincent Bukikosa – Department of Education

#### 2.1.3 – PURCHASE DESCRIPTION

GDOE is looking to purchase a minimum quantity of five (5) Special Education Mini Buses (22 Passenger). The mini buses must meet the specifications described in this IFB.

The specifications have been written to describe minimum equipment and performance requirements which are to be supplied by the Bidder. Reasonable tests may be conducted upon delivery and before acceptance.

The successful bidder shall furnish all requested and necessary information and instructions for proper operation of the equipment.

The government reserves the right to accept and/or reject any and all bids, to waive any defects, irregularities, or specification discrepancies and to award the bid as determined to be in the best interest of the government.

Should any bidder have deviations from these specifications in his/her bid and cannot meet every requirement of the specifications, he/she shall submit a letter and attach it to the bid, explaining the deviation. Should bidder fail to explain the deviations, bidders submittal will be deem non-responsive and disqualified from this solicitation.

The Technical Specifications, General Specifications and Bid Form for this purchase are attached as Attachment 1.

#### Requirements:

- **Motor Vehicle Safety Requirements:** The Government will only consider Bids on motor vehicles which comply with the requirements of the National Traffic and Motor Vehicle Safety Act of 1969 (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.

#### **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 cause by misuse, negligence or accident within the

guarantee period shall be repaired, replaced, or adjusted within six (6) working days after notice from 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.

**Documentation:**

As a requirement of this IFB, the successful Bidder is required to provide all pertinent documentation upon full delivery of equipment. As part of the final delivery, the required documentation must include, but not limited to, the documents listed below:

- **Equipment Manuals.** Vendor will provide equipment manuals that are relative to the equipment: 1 copy for each product. This documentation is a requirement for full delivery to GDOE.
- **Bill of Sale.** Successful supplier shall render Bill 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.
- **Descriptive Literature:** Product offered in response to this IFB shall be brand name or equal. Descriptive literature(s) as specified in this solicitation must be furnished as a part of the bid. The literature furnished must clearly identify the item in the bid. The descriptive literature is required to establish for the purpose of evaluation and award, details of the product 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 do not show the product offered conforms to the specification and other requirements of this solicitation. Failure to furnish the descriptive literature by the time specified will require rejection of the bid.

**2.2 – GENERAL INSTRUCTIONS**

Bid submissions that do not comply with the instructions contained in this section and throughout this IFB may, at the discretion of GDOE, be deemed non-responsive and disqualified from this solicitation.

**2.2.1 – INDEFINITE QUANTITY BID**

This procurement is for an indefinite quantity for special education mini buses (22 passenger) described above in Section 2.1.3 – Purchase Description, these buses should be furnished as ordered. Due to fluctuation in needs, these quantities may increase during the course of the award period. Regardless of future needs and fluctuations therein, this award shall be subject to the availability of funds.

**2.2.2 – ALL OR NONE**

This solicitation is an ALL OR NONE BID and bids will be evaluated based on the lump sum price required in the bid form for this IFB. GDOE will not make itemized awards under this IFB. Requests for itemized pricing may be made by GDOE for the purpose of establishing unit prices for change orders that may be made to the Project. Alternate or multiple bids will not be accepted. Any bidder submitting alternate, multiple, or otherwise altered bid forms may be deemed non-responsive and disqualified from this solicitation.

**2.2.3 – COMMUNICATION REGARDING THE IFB**

**ANY CORRESPONDENCE OR COMMUNICATION BY A POTENTIAL BIDDER WITH GDOE MUST BE MADE IN WRITING TO THE ATTENTION OF CARMEN T. TAITANO VIA EMAIL AT [CTTAITANO@GDOE.NET](mailto:CTTAITANO@GDOE.NET) OR BY FACSIMILE AT (671) 472-5001 OR BY HAND DELIVERY AT THE GDOE SUPPLY MANAGEMENT OFFICE. ALL WRITTEN COMMUNICATIONS MUST REFERENCE IFB 004-2014 IN THE SUBJECT OR REFERENCE LINE.**

**2.2.4 – ACCEPTABLE FORMAT OF BIDS**

*Bids submitted in response to this IFB must be made in writing. GDOE will accept only written bids.* For each bid, bidders should submit one (1) original copy and three (3) duplicate copies for a total of four (4) documents. Bidders should also submit one (1) compact disc (CD) or USB flash drive containing an electronic copy of the bid submittal. The bid should be submitted in a sealed envelope and delivered to the address listed in Section 2.2.4.

The bid envelope should be plainly marked as follows:

<p>The Guam Department of Education Invitation for Bid No. <u>004-2014</u></p> <p>Bidder's Name: _____ Submittal Date: ___/___/___ Submittal Time: ___:___ a.m./p.m.</p> <p>Attention: CARMEN T. TAITANO Buyer Supervisor II</p>
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**2.2.5 – TIME AND DATE FOR RECEIPT OF BIDS**

Bids in response to this IFB must be received by GDOE by:

TIME: 10:00 AM Chamorro Standard Time (ChST)

DATE: Wednesday, December 11, 2013

The GDOE Supply Management Office Maintains the Official time in this regard. Bids may be submitted any time before the deadline for receipt of bids.

Bids received past the time indicted above, AS THAT TIME IS INDICATED IN THE GDOE SUPPLY MANAGEMENT OFFICE, will not be considered for award.

If delivered via hand delivery, Federal Express, DHL, or other courier service, bids must be delivered to the following physical address:

PHYSICAL ADDRESS: Guam Department of Education, Supply Management Office  
Re: IFB No. 004-2014  
Manuel F.L. Guerrero Administration Building, 2<sup>nd</sup> Fl., Rm. 220  
312 Aspinall Avenue  
Hagatna, Guam 96910

If delivered via the United States Postal Service, bids must be delivered to the following mailing address:

MAILING ADDRESS: Guam Department of Education, Supply Management Office  
Re: IFB No. 004-2014  
Government of Guam  
P.O. Box DE  
Hagatna, Guam 96932



#### **2.2.6 – BID SUBMISSION FORM**

Bids should be submitted in accordance with the attached Bid Form. Bidders may type or handwrite in ink their responses in the blank spaces provided on the bid form. Bidders may not alter the Bid Form. Questions or concerns about the bid form must be brought up during the time for questions.

**Forms.** Each bid submission must also include all forms listed in **Section 4, Forms Required for All Bids.**

#### **2.2.7 – ALTERNATE BIDS NOT ACCEPTED**

An alternate bid will not be accepted. A submission of an alternate bid will be considered nonresponsive and disqualified from participating in this solicitation.

#### **2.2.8 – LATE BIDS NOT ACCEPTED**

Bids received after the time and date in **Section 2.2.5 – Time and Date for Receipt of Bids** will be considered nonresponsive and disqualified from participating in this solicitation.

#### **2.2.9 – TRADE SECRETS AND OTHER PROPRIETARY DATA**

The bidder must complete and submit GDOE Procurement Form 004 with the bid, whether or not the Bidder wishes to designate information within a bid as a Trade Secret or other Proprietary Information.

Blanket designations of confidentiality placed on the front cover of the bid will not be accepted as a valid designation of proprietary information. Every item, page, section or subsection, that the bidder wishes to designate as a trade secret or proprietary data should be clearly marked and separable from the remainder of the bid.

*Prices and 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.*

#### **2.2.10 – ACKNOWLEDGEMENT OF AMENDMENTS TO IFB**

This IFB may not be modified unless done by an Amendment made in writing by the GDOE Supply Management Administrator. Bidders must acknowledge in writing the receipt of any amendments to this IFB. Each amendment will contain an Amendment Acknowledgment Form. For each amendment, bidders must sign the Acknowledgment Form and return the signed copy via e-mail or fax to GDOE. Signed Acknowledgment Forms for every amendment must also be included with the bid submission. **Bidders who fail to properly submit Amendment Acknowledgment Forms may be deemed nonresponsive and disqualified from participating in this solicitation.**

#### **2.2.11 – BID SAMPLES OR DESCRIPTIVE LITERATURE**

Pursuant to 2 GAR Div 4 § 3109(e)(3), bid samples or descriptive literature should not be submitted to GDOE unless expressly requested within this IFB. Regardless of any condition set by a bidder, unsolicited bid samples or descriptive literature will not be examined, tested, or deemed to vary any of the requirements of this IFB.

### **2.3 – EVENTS, CONFERENCES and/or MEETINGS PERTINENT TO THIS IFB**

#### **2.3.1 – PRE-BID CONFERENCE**

A Pre-Bid Conference, as appropriate, may be conducted in accordance with 2 GAR § 3 109(g)(4) (Pre-Proposal Conferences) and may be held at any time prior to the established date for submission of proposals.

A pre-bid conference may be held at GDOE's discretion. Any potential bidder may submit a request for a pre-bid conference in writing to the attention of CARMEN T. TAITANO, BUYER SUPERVISOR II. In the event GDOE determines to hold a pre-bid conference, all potential bidders, that is all bidders who have

requested and received an IFB packet from GDOE, will be informed of the date, time, location and requirements of the pre-bid conference. A summary or minutes of a pre-bid conference will be made available to all potential bidders.

At any pre-bid conference or site visit, GDOE may provide verbal answers to verbal questions from potential bidder. **AT NO TIME SHALL A VERBAL ANSWER BE CONSIDERED AN OFFICIAL GDOE RESPONSE.** All questions must be submitted in accordance with Section 2.3.2 Pre-Bid Written Questions. Only written answers may be relied upon.

### 2.3.2 – PRE-BID WRITTEN QUESTIONS

Potential bidders may submit written questions concerning this IFB before the time and date listed below. Questions must be submitted in writing according to the instructions contained in Section 2.2.3 herein. All questions and responses will be made available in writing to every potential bidder. Questions submitted after the time and date below will not be considered or answered.

Questions regarding this IFB must be received in writing by GDOE by:

TIME: **2:00 PM** Chamorro Standard Time (ChST)  
DATE: **Wednesday, November 27, 2013**

## 2.4 – AWARD

### 2.4.1 – EVALUATION FACTORS FOR AWARD

Determination of an award pursuant to this IFB will be made based on the *lowest responsive and responsible bidder*. GDOE reserves the right to disqualify bids that are deemed to be nonresponsive, regardless of whether the bid is determined to contain the lowest price.

In determining the lowest responsive bidder, GDOE will be guided by the following evaluation factors:

- Price per unit, overall performance and delivery of the supplies proposed in response to this IFB.
- Responsiveness to the requirements of this IFB.

**Tie Bids:** In the event GDOE receives lowest responsive bids from responsible bidders that are identical in price, determination of award will be made pursuant to 2 GAR Div 4 §3109.

### 2.4.2 - DETERMINATION OF RESPONSIBILITY

Responsibility of a bidder will be determined in accordance with 2 GAR Div. 4 §3116. Bidders should be prepared to promptly provide to GDOE information relating to the bidder's responsibility. Such information may include but is not limited to documentation of financial, personnel, and other resources, expertise, or records of performance. Failure of a bidder to comply with a request by GDOE for information relating to responsibility may result in a determination that a bidder is not responsible and therefore disqualified from an award.

Pursuant to 5 GCA § 5201(g), responsiveness of bidder will be determined by compliance with the requirements of this IFB.

### 2.4.3 – NOTICE OF AWARD

The lowest responsive and responsible bidder will be given written notice of determination of award. For solicitations over \$25,000 all bidders will be notified in writing of GDOE's determination of award. Notice of award will also be made a part of the GDOE procurement file and made available to the public.

## 2.5 – GENERAL INFORMATION

### 2.5.1 – DELIVERY OF GOODS

The goods or services being procured through this IFB must be delivered according to the following guidelines:

GDOE defines **FULL DELIVERY** of the product when it is classified for operational use and the submission of proper documentation as requested in the documentation **Section 2.1.3 Purchase Description** of this IFB.

#### **2.5.2 –METHOD OF PAYMENT**

The successful Bidder shall submit invoices to GDOE for payment upon full delivery as defined in **Section 2.5.1 - Delivery of Goods**.

- Invoices shall be delivered to GDOE according to the instructions on the purchase order, unless otherwise directed.

#### **2.5.3 – INSPECTION AND ACCEPTANCE OF GOODS**

Bidders submitting bids in response to this IFB should be aware that GDOE will inspect and test all goods, supplies, materials or equipment delivered in response to this IFB. GDOE reserves the right to reject and, at its discretion, require replacement of those items that are determined to be defective in material, construction, workmanship, manufacturing, or performance and/or that do not conform to the specifications described in this IFB.

#### **2.5.4 – BID BOND REQUIREMENTS**

The price for this Project is expected to exceed Twenty-Five Thousand Dollars (\$25,000.00). Pursuant to 5 GCA § 5212, each bid must be accompanied by a security in the amount of not less than fifteen (15%) of the total bid amount. Such security may be in the form of a bid bond, cashier's check or certified check made payable to the Treasurer of Guam. Checks or bid bonds will be returned to all except the three lowest Bidders within ten (10) working days after the opening of the bids, and the remaining checks or bid bonds will be returned promptly after GDOE and the accepted Bidder have executed a contract or Purchase Order for the Project, or if no award has been made within ninety (90) calendar days after the date of the opening of bids, upon demand of the bidder at any time thereafter, so long as the Bidder has not been notified of the acceptance of his bid.

#### **2.5.5 –TAXES**

All bidders are responsible for any taxes or fees that may be assessed or due for performance of work or delivery of services pursuant to this IFB. Specific information regarding Guam taxes may be obtained from the Guam Department of Revenue and Taxation.

#### **2.5.6 – COSTS OF BID PREPARATION**

All costs associated with the preparation of a bid in response to this IFB shall be solely the Bidder's responsibility. GDOE shall not be liable for any costs incurred by a potential Bidder for the preparation of a bid.

## Section 3 – TERMS AND CONDITIONS

### 3.1 – REQUIREMENTS FOR ALL SOLICITATIONS

Bids must fulfill the requirements identified in this IFB. Each of the forms identified herein must be completed and returned according to the instructions provided. The term "GCA" refers to the Guam Code Annotated. The term "GAR" refers to the Guam Administrative Regulations, Division 4, Procurement Regulations. Administration of this IFB shall be subject to the Guam Procurement Law at 5 GCA Chapter 5 and the procurement regulations at 2 GAR Division 4.

### 3.2 – LICENSE TO CONDUCT BUSINESS ON GUAM; POLICY IN FAVOR OF LOCAL PROCUREMENT

Bidders providing supplies or services pursuant to this IFB are subject to licensure requirements in accordance with 5 GCA § 5008. Inquiries about obtaining a Guam business license should be directed to the Guam Department of Revenue and Taxation.

Preferential selection of a bidder licensed to do business on Guam and that maintains an office or other facility on Guam for an award pursuant to this IFB may be made in accordance with 5 GCA §5008.

### 3.3 – LIST OF FORMS REQUIRED FOR ALL SOLICITATIONS

Bidders must complete and submit originals of the forms identified throughout this IFB and collectively listed in Section 4.

### 3.4 – DISCLOSURE OF OWNERSHIP AND COMMISSIONS

Bidders must expressly identify all major shareholders in accordance with 5 GCA § 5233.

**\*\*\* AG Procurement Form 002 (Rev. Nov. 17, 2005) must be completed and included with a Bid \*\*\***

### 3.5 – BIDDERS CERTIFY THAT PRICE OR OFFER WAS INDEPENDENTLY ARRIVED AT WITHOUT COLLUSION

Bidders must certify that the submitted price or offer was independently arrived at without collusion in accordance with 2 GAR Div. 4 § 3126(b).

**\*\*\* AG Procurement Form 003 (Jul. 12, 2010) must be completed and included with a Bid \*\*\***

### 3.6 – PROHIBITION AGAINST GRATUITIES AND KICKBACKS

Bidders must certify to the best of their knowledge that neither they, nor any of their officers, representatives, agents, subcontractors, or employees, have violated or are violating the prohibition against gratuities and kickbacks set forth in 5 GCA § 5630.

Bidders must certify to the best of their knowledge that neither they, nor any of their officers, representatives, agents, subcontractors, or employees have offered, given or agreed to give, any government of Guam employee or former government employee, any payment, gift, kickback, gratuity or offer of employment in connection with the bidders response to this IFB. 5 GCA § 5630(c); 2 GAR Div. 4 § 11107(3) and 11107(4)(e).

**\*\*\* AG Procurement Form 004 (Jul. 12, 2010) must be completed and included with a Bid \*\*\***

### 3.7 – REPRESENTATION REGARDING ETHICAL STANDARDS

Bidders must affirm that it has not knowingly influenced and promises that it will not knowingly influence a government employee to breach any of the ethical standards set forth in 5 GCA Chapter 5 Article 11 (Ethics in Public Contracting) of the Guam Procurement Act and in Chapter 11 of the Guam Procurement Regulations.

**\*\*\* AG Procurement Form 005 (Jul. 12, 2010) must be completed and included with a Bid \*\*\***

### **3.8 – REPRESENTATION REGARDING CONTINGENT FEES**

Bidders must affirm that it has not retained a person to solicit or secure a territorial 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, in accordance with 5 GCA § 5631.

**\*\*\* AG Procurement Form 007 (Jul. 12, 2010) must be completed and included with a Bid \*\*\***

### **3.9 – RIGHT OF GDOE TO CANCEL INVITATION FOR BID**

The Guam Department of Education (GDOE) reserves the right to cancel this IFB at any time when it is in the best interests of the Department, in accordance with 5 GCA § 5225 and 2 GAR Div. 4 § 3115(c).

The Guam Department of Education (GDOE) reserves the right to reject any bid in whole or in part then it is in the best interests of the Department, in accordance with 2 GAR Div. 4 § 3115(e)(2).

### **3.10 – PROHIBITION AGAINST EMPLOYMENT OF SEX OFFENDERS**

Any entity providing services pursuant to this IFB is prohibited from employing sex offenders to provide the goods or services procured through this IFB. Such prohibition is made pursuant to 5 GCA § 5253, which states,

#### **§5253. Restriction Against Contractors Employing Convicted Sex Offenders from Working at Government of Guam Venues.**

- (a) No person convicted of a sex offense under the provisions of Chapter 25 of Title 9 Guam Code Annotated, or an offense as defined in Article 2 of Chapter 28, Title 9 GCA in Guam, or an offense in any jurisdiction which includes, at a minimum, all of the elements of said offenses, or who is listed on the Sex Offender Registry, and who is employed by a business contracted to perform services for an agency or instrumentality of the government of Guam, shall work for his employer on the property of the government of Guam other than a public highway.
- (b) All contracts for services to agencies listed herein shall include the following provisions: (1) warranties that no person providing services on behalf of the contractor has been convicted of a sex offense under the provisions of Chapter 25 of Title 9 GCA or an offense as defined in Article 2 of Chapter 28, Title 9 GCA, or an offense in another jurisdiction with, at a minimum, the same elements as such offenses, or who is listed on the Sex Offender Registry; and (2) that if any person providing services on behalf of the contractor is convicted of a sex offense under the provisions of Chapter 25 of Title 9 GCA or an offense as defined in Article 2 of Chapter 28, Title 9 GCA or an offense in another jurisdiction with, at a minimum, the same elements as such offenses, or who is listed on the Sex Offender Registry, that such person will be immediately removed from working at said agency and that the administrator of said agency be informed of such within twenty-four (24) hours of such conviction.
- ...
- (d) any contractor found in violation of §5253(b), after notice from the contracting authority of such violation, shall, within twenty-four (24) hours, take corrective action and shall report such action to the contracting authority. Failure to take corrective action within the stipulated period may result in the temporary suspension of the contract at the discretion of the contracting authority.

**SOURCE:** Added by P.L. 28-24:2. Amended by P.L. 28-98:2 (Feb. 7, 2006).

### **3.11 – WAGE AND BENEFITS DETERMINATION FOR SERVICES**

Bidders must pay employees providing services procured through this IFB in accordance with the Wage Determination for Guam and the Northern Mariana Islands issued and promulgated by U.S. Department of Labor for such labor as is employed in the direct delivery of contract deliverables to the government of Guam. 5 GCA § 5801 and § 5802, as applicable. A copy of the most recent wage determination is included herein. The Wage

Determination for Guam and the Northern Mariana Islands also can be found on the U.S. Department of Labor's website: <http://www.wdol.gov>.

Bidders submitting bids in response to this IFB must provide health and similar benefits for employees, such benefits having a minimum value as detailed in the Wage Determination issued and promulgated by U.S. Department of Labor and shall contain provisions guaranteeing a minimum of ten (10) paid holidays per annum per employee. 5 GCA § 5802.

**\*\*\* AG Procurement Form 006 (Feb. 16, 2010) must be completed and included with a Bid \*\*\***

**3.12 – MANDATORY DISPUTES CLAUSE (2 GAR DIV. 4 § 9103(g))**

A. In accordance with Guam procurement law, all controversies between the territory and the Contractor which arise under, or by virtue of, this contract which are not resolved by mutual agreement, shall be decided by the GDOE procurement officer in writing, within 60 days after written request by the Contractor for a final decision concerning the controversy; provided however that if the procurement officer does not issue a written decision within 60 days after written request for a final decision, or within such longer period as may be agreed upon by the parties, then the Contractor may proceed as if an adverse decision had been received. The procurement officer shall immediately furnish a copy of the decision to the Contractor, by certified mail, return receipt requested, or by any other method that provides evidence of receipt. Any such decision shall be final and conclusive, unless fraudulent, or the Contractor brings an action seeking review of the decision before the Guam Office of Public Accountability. The Contractor shall comply with any decision of the procurement officer and proceed diligently with performance of this contract pending final resolution by the Office of Public Accountability or the Superior Court of Guam of any controversy arising under or by virtue of this Contract except where there has been a material breach of the contract by GDOE; provided, however, that in any event the Contractor shall proceed diligently with the performance of the contract where GDOE has made a written determination that continuation of work under the contract is essential to public health and safety.

B. Any disputes for expenses incurred in reliance upon this Agreement shall be subject to the Government Claims Act found at Title 5, Guam Code Annotated, Chapter 6.

**3.13 – DISABLED VETERAN OWNED BUSINESS**

Pursuant to 5 GCA §5012, a bidder may qualify as a service-disabled veteran owned business if the following conditions apply: (a) the business is licensed to do business on Guam; maintains its headquarters on Guam; and is at least fifty-one percent owned by a service-disabled veteran who served in active U.S. military service, was discharged or released under honorable conditions, and whose disability is certified as service connected by a DD214 form and disability award letter from the U.S. Department of Veterans Affairs; and (b) the service-disabled owner of the business has filed individual tax returns on Guam for a period of at least three consecutive years prior to bidding on this IFB.

Notice of Service-Disabled Veteran Owned Business must be submitted with the bid by checking the appropriate box on the bid form and including a DD214 form and disability award letter with the bid form. The GDOE Supply Management Administrator will issue written notice to all bidders if any bidder is determined to be a qualified service-disabled veteran owned business pursuant to 5 GCA §5012. If a bidder is determined to be qualified under §5012, the requirements of 5 GCA §5011 shall apply to an award pursuant to this IFB.

**Section 4 –FORMS REQUIRED IN RESPONSE TO IFB**

Bids must contain signed and, where required, notarized originals of the forms listed below.

	<u>Form Name</u>	<u>Form Title</u>
1.	GDOE Procurement Form 001	BID BOND FORM <u>"MINIMUM QUANTITY ONLY"</u>
2.	GDOE Procurement Form 002	SPECIAL PROVISIONS – RESTRICTION AGAINST SEX OFFENDERS
3.	GDOE Procurement Form 003	INVITATION FOR BID – DESIGNATION OF PROPRIETARY INFORMATION
4.	AG Procurement Form 002 (Rev. Nov. 17, 2005)	AFFIDAVIT DISCLOSING OWNERSHIP and COMMISSIONS
5.	AG Procurement Form 003 (Jul. 12, 2010)	AFFIDAVIT re NON-COLLUSION
6.	AG Procurement Form 004 (Jul. 12, 2010)	AFFIDAVIT re NO GRATUITIES or KICKBACKS
7.	AG Procurement Form 005 (Jul. 12, 2010)	AFFIDAVIT re ETHICAL STANDARDS
8.	AG Procurement Form 006 (Feb. 16, 2010)	DECLARATION re COMPLIANCE WITH U.S. DOL WAGE DETERMINATION (Including a supplemental copy of the U.S. DOL WAGE DETERMINATION RATES)
9.	AG Procurement Form 007 (Jul. 15, 2010)	AFFIDAVIT re CONTINGENT FEES

**SPECIAL INSTRUCTIONS FOR BID BOND FORM**

**INSTRUCTION TO BIDDERS:**

**NOTICE to all Insurance and Bonding Institutions:**

The Bond requires the signatures of the Vendor, two (2) major Officers of the Surety and Resident General Agent, if the Surety is a foreign or alien surety.

When the form is submitted to GUAM DEPARTMENT OF EDUCATION, it should be accompanied with copies of

The following:

- 1) Current Certificate of Authority to do business on Guam issued by the Department of Revenue and Taxation.**
- 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.**

Bonds submitted as Bid Guarantee without signatures and supporting documents will be deemed invalid.



**GUAM DEPARTMENT OF EDUCATION**  
**MANUEL F.L. GUERRERO/ADMINISTRATION BUILDING**  
**GOVERNMENT OF GUAM**  
**P.O. BOX DE**  
**HAGĀTÑA, GUAM 96932**  
**TEL: 671-475-0438 | FAX: 671-475-5001**



**BID BOND FORM**

**INVITATION FOR BID (IFB) NUMBER:**

**004-2014**

KNOW ALL MEN BY THESE PRESENTS that \_\_\_\_\_, as Principal (hereinafter referred to as "Principal"), and Bonding Company, \_\_\_\_\_, a duly admitted insurer under the laws of the Territory of Guam, as Surety (hereinafter referred to as "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 (please identify requisition number and provide a description):

**Requisition Number:**

**004-2014**

**Brief Description of Project:**

**Minimum Quantity Purchase of five (5) Special Education Mini Buses (22 Passenger)**

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 full force and effect.

SIGNED and SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Principal / Today's Date

\_\_\_\_\_  
Principal's Seal

\_\_\_\_\_  
Witness / Today's Date

\_\_\_\_\_  
Witness's Title

\_\_\_\_\_  
Major Officer of Surety / Date

\_\_\_\_\_  
Major Officer of Surety's Title

\_\_\_\_\_  
Major Officer of Surety / Date

\_\_\_\_\_  
Major Officer of Surety's Title

\_\_\_\_\_  
Resident General Agent / Date

**\*\*\*THIS DOCUMENT MUST BE COMPLETED AND RETURNED WITH THE FORMAL BID DOCUMENTS IF THE BIDDER IS PROVIDING A SURETY BOND FOR SECURITY\*\*\***

GOEL Procurement Form 301



**Special Provisions**

**RE: GDOE IFB 004-2014 Indefinite Quantity Bid for the Purchase of**

**Special Education Mini Buses (22 Passenger)**

**Restriction against Sex Offenders Employed by service providers to  
Government of Guam from working on Government Property**

\_\_\_\_\_ (COMPANY NAME, hereafter the "Bidder") hereby warrants that if awarded a contract or purchase order pursuant to the IFB referenced above, it shall comply with the provisions of 5 GCA §5253, specifically that no person in its employment who has been convicted of a sex offense under the provisions of chapter 25 of Title 9 of Guam code Annotated or of an offense defined in Article 2 of chapter 28 of Title 9 of the Guam Code annotated, or who has been convicted in any other jurisdiction of an offense with the same elements as heretofore defined, or who is listed on the Sex Offender Registry, shall provide services pursuant to the IFB while on government of Guam property, with the exception of public highways. If any employee is providing services on government property and is convicted subsequent to an award of a contract, then the bidder warrants that it will notify the Guam Department of Education ("GDOE") of the conviction within twenty-four (24) hours of the conviction, and will immediately remove such convicted person from providing services on government property. If the bidder is found to be in violation of any of the provisions of this paragraph, then GDOE will give notice to the bidder to take corrective action. The bidder shall take corrective action within twenty-four (24) hours of notice from the Government, and shall notify the Government when action has been taken. If the bidder fails to take corrective steps within twenty-four (24) hours of notice from GDOE, then GDOE in its sole discretion may temporarily suspend the contract or purchase order.

\_\_\_\_\_  
COMPANY NAME

\_\_\_\_\_  
NAME OF AUTHORIZED REPRESENTATIVE

\_\_\_\_\_  
SIGNATURE/DATE

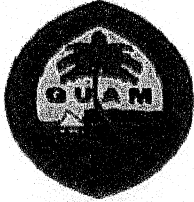
[GDOE Procurement Form 001](#)

**Indefinite Quantity Bid for the Purchase of Special Education Mini Buses (22 Passenger)**

**IFB No. 004-2014 – Publication Date: Wednesday, November 20, 2013**

**Page 15**

**GDOE 0015**



Jon J.P. Fernandez  
Superintendent of Education

**DEPARTMENT OF EDUCATION  
OFFICE OF SUPPLY MANAGEMENT**

[www.gdoe.net](http://www.gdoe.net)  
Manuel F.L. Guerrero Administration Building  
2<sup>nd</sup> Floor, Suite B-220  
Hagatna, Guam 96910  
Telephone: (671) 475-0438/Fax: (671) 472-5001



Marcus Y. Pido  
Supply Management Administrator

**INVITATION FOR BID - PROPRIETARY DATA DESIGNATION FORM**

**INDEFINITE QUANTITY BID FOR THE PURCHASE OF SPECIAL EDUCATION MINI BUSES (22 PASSENGER)**

**INVITATION FOR BID (IFB): 004-2014**

Pursuant to 2 GAR §3109(l)(2),

Bids and modifications shall be opened publicly in the presence of one or more witnesses, at the time, date, and place designated in the Invitation for Bids.

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 2 GAR §3109(l)(3).

*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 and 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.*

Disagreements as to whether information will be considered proprietary will be resolved pursuant to 2 GAR §3109(l)(3).

Bidders wishing to designate information as proprietary must clearly mark such sections within the bid and identify the corresponding sections and page numbers below and return this form with the bid.

I, \_\_\_\_\_, an authorized representative of \_\_\_\_\_, hereby request that the sections and page numbers listed below of the bid submitted in response to GDOE IFB No. **004-2014** be considered a trade secret or proprietary data and therefore exempt from public disclosure:

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

Name: \_\_\_\_\_

\_\_\_\_\_  
Signature

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

Company: \_\_\_\_\_

GDOE Procurement Form 003

**SECTION 5 – BID FORMS**

Please see the following pages for forms or other attachments referenced in this IFB.

***(THE REMAINDER OF PAGE IS INTENTIONALLY LEFT BLANK)***











**DECLARATION RE COMPLIANCE WITH U.S. DOL WAGE DETERMINATION**

Procurement No.: \_\_\_\_\_

Name of Offeror Company: \_\_\_\_\_

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

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

(2) That I have read and understand the provisions of 5 GCA § 5801 and § 5802 which read:

**§ 5801. Wage Determination Established.**

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

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

**§ 5802. Benefits.**

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

(3) That the offeror is in full compliance with 5 GCA § 5801 and § 5802, as may be applicable to the procurement referenced herein;

(4) That I have attached the most recent wage determination applicable to Guam issued by the U.S. Department of Labor. [INSTRUCTIONS - Please attach!]

\_\_\_\_\_  
Signature

WD 05-2147 (Rev.-15) was first posted on www.wdol.gov on 06/25/2013

\*\*\*\*\*

REGISTER OF WAGE DETERMINATIONS UNDER THE SERVICE CONTRACT ACT By direction of the Secretary of Labor	U.S. DEPARTMENT OF LABOR EMPLOYMENT STANDARDS ADMINISTRATION WAGE AND HOUR DIVISION WASHINGTON D.C. 20210
---	--

Diane C. Koplewski Director	Division of Wage Determinations	Wage Determination No.: 2005-2147 Revision No.: 15 Date Of Revision: 06/19/2013
--------------------------------	------------------------------------	---

States: Guam, Northern Marianas, Wake Island

Area: Guam Statewide  
 Northern Marianas Statewide  
 Wake Island Statewide

\*\*Fringe Benefits Required Follow the Occupational Listing\*\*

OCCUPATION CODE - TITLE	FOOTNOTE	RATE
01000 - Administrative Support And Clerical Occupations		
01011 - Accounting Clerk I		12.50
01012 - Accounting Clerk II		13.53
01013 - Accounting Clerk III		15.59
01020 - Administrative Assistant		17.67
01040 - Court Reporter		15.38
01051 - Data Entry Operator I		10.48
01052 - Data Entry Operator II		11.99
01060 - Dispatcher, Motor Vehicle		13.06
01070 - Document Preparation Clerk		12.25
01090 - Duplicating Machine Operator		12.25
01111 - General Clerk I		10.29
01112 - General Clerk II		11.28
01113 - General Clerk III		12.32
01120 - Housing Referral Assistant		17.15
01141 - Messenger Courier		10.12
01191 - Order Clerk I		11.23
01192 - Order Clerk II		12.25
01261 - Personnel Assistant (Employment) I		14.33
01262 - Personnel Assistant (Employment) II		14.90
01263 - Personnel Assistant (Employment) III		16.48
01270 - Production Control Clerk		18.34
01280 - Receptionist		9.67
01290 - Rental Clerk		11.10
01300 - Scheduler, Maintenance		13.75
01311 - Secretary I		13.75
01312 - Secretary II		15.38
01313 - Secretary III		17.15
01320 - Service Order Dispatcher		11.57
01410 - Supply Technician		17.67
01420 - Survey Worker		15.26
01531 - Travel Clerk I		11.61
01532 - Travel Clerk II		12.57
01533 - Travel Clerk III		13.44
01611 - Word Processor I		12.25
01612 - Word Processor II		13.75
01613 - Word Processor III		15.38
05000 - Automotive Service Occupations		
05005 - Automobile Body Repairer, Fiberglass		13.34
05010 - Automotive Electrician		13.06

05040 - Automotive Glass Installer	12.10
05070 - Automotive Worker	12.10
05110 - Mobile Equipment Servicer	8.59
05130 - Motor Equipment Metal Mechanic	13.06
05160 - Motor Equipment Metal Worker	12.10
05190 - Motor Vehicle Mechanic	13.06
05220 - Motor Vehicle Mechanic Helper	10.12
05250 - Motor Vehicle Upholstery Worker	12.10
05280 - Motor Vehicle Wrecker	12.10
05310 - Painter, Automotive	12.37
05340 - Radiator Repair Specialist	12.10
05370 - Tire Repairer	7.81
05400 - Transmission Repair Specialist	12.10
07000 - Food Preparation And Service Occupations	
07010 - Baker	10.47
07041 - Cook I	9.54
07042 - Cook II	11.78
07070 - Dishwasher	7.25
07130 - Food Service Worker	7.78
07210 - Meat Cutter	11.86
07260 - Waiter/Waitress	7.59
09000 - Furniture Maintenance And Repair Occupations	
09010 - Electrostatic Spray Painter	14.38
09040 - Furniture Handler	8.85
09080 - Furniture Refinisher	14.38
09090 - Furniture Refinisher Helper	10.66
09110 - Furniture Repairer, Minor	12.51
09130 - Upholsterer	14.38
11000 - General Services And Support Occupations	
11030 - Cleaner, Vehicles	8.23
11060 - Elevator Operator	8.23
11090 - Gardener	10.99
11122 - Housekeeping Aide	8.33
11150 - Janitor	8.23
11210 - Laborer, Grounds Maintenance	9.14
11240 - Maid or Houseman	7.25
11260 - Pruner	8.23
11270 - Tractor Operator	10.33
11330 - Trail Maintenance Worker	9.14
11360 - Window Cleaner	9.14
12000 - Health Occupations	
12010 - Ambulance Driver	15.81
12011 - Breath Alcohol Technician	15.81
12012 - Certified Occupational Therapist Assistant	21.70
12015 - Certified Physical Therapist Assistant	21.70
12020 - Dental Assistant	13.20
12025 - Dental Hygienist	29.85
12030 - EKG Technician	23.96
12035 - Electroneurodiagnostic Technologist	23.96
12040 - Emergency Medical Technician	15.81
12071 - Licensed Practical Nurse I	14.14
12072 - Licensed Practical Nurse II	15.81
12073 - Licensed Practical Nurse III	17.63
12100 - Medical Assistant	11.54
12130 - Medical Laboratory Technician	14.14
12160 - Medical Record Clerk	11.82
12190 - Medical Record Technician	13.59
12195 - Medical Transcriptionist	14.14
12210 - Nuclear Medicine Technologist	34.75
12221 - Nursing Assistant I	10.03
12222 - Nursing Assistant II	11.30
12223 - Nursing Assistant III	12.31

12224 - Nursing Assistant IV	13.84
12235 - Optical Dispenser	15.81
12236 - Optical Technician	14.14
12250 - Pharmacy Technician	13.41
12280 - Phlebotomist	13.84
12305 - Radiologic Technologist	22.64
12311 - Registered Nurse I	20.70
12312 - Registered Nurse II	25.32
12313 - Registered Nurse III, Specialist	25.32
12314 - Registered Nurse III	30.64
12315 - Registered Nurse III, Anesthetist	30.64
12316 - Registered Nurse IV	36.72
12317 - Scheduler (Drug and Alcohol Testing)	19.59
13000 - Information And Arts Occupations	
13011 - Exhibits Specialist I	15.06
13012 - Exhibits Specialist II	18.66
13013 - Exhibits Specialist III	22.83
13041 - Illustrator I	15.06
13042 - Illustrator II	18.66
13043 - Illustrator III	22.83
13047 - Librarian	20.66
13050 - Library Aide/Clerk	12.00
13054 - Library Information Technology Systems Administrator	18.66
13058 - Library Technician	15.06
13061 - Media Specialist I	13.46
13062 - Media Specialist II	15.06
13063 - Media Specialist III	16.80
13071 - Photographer I	12.82
13072 - Photographer II	14.32
13073 - Photographer III	17.75
13074 - Photographer IV	21.73
13075 - Photographer V	26.30
13110 - Video Teleconference Technician	12.91
14000 - Information Technology Occupations	
14041 - Computer Operator I	13.65
14042 - Computer Operator II	15.76
14043 - Computer Operator III	17.56
14044 - Computer Operator IV	19.50
14045 - Computer Operator V	21.81
14071 - Computer Programmer I	(see 1) 15.73
14072 - Computer Programmer II	(see 1) 19.50
14073 - Computer Programmer III	(see 1) 23.84
14074 - Computer Programmer IV	(see 1)
14101 - Computer Systems Analyst I	(see 1) 24.23
14102 - Computer Systems Analyst II	(see 1)
14103 - Computer Systems Analyst III	(see 1)
14150 - Peripheral Equipment Operator	13.65
14160 - Personal Computer Support Technician	19.50
15000 - Instructional Occupations	
15010 - Aircrew Training Devices Instructor (Non-Rated)	24.23
15020 - Aircrew Training Devices Instructor (Rated)	29.32
15030 - Air Crew Training Devices Instructor (Pilot)	33.30
15050 - Computer Based Training Specialist / Instructor	24.23
15060 - Educational Technologist	22.82
15070 - Flight Instructor (Pilot)	33.30
15080 - Graphic Artist	20.47
15090 - Technical Instructor	17.65
15095 - Technical Instructor/Course Developer	21.58
15110 - Test Proctor	13.87
15120 - Tutor	13.87
16000 - Laundry, Dry-Cleaning, Pressing And Related Occupations	

16010 - Assembler	8.08
16030 - Counter Attendant	8.08
16040 - Dry Cleaner	9.34
16070 - Finisher, Flatwork, Machine	8.08
16090 - Presser, Hand	8.08
16110 - Presser, Machine, Drycleaning	8.08
16130 - Presser, Machine, Shirts	8.08
16160 - Presser, Machine, Wearing Apparel, Laundry	8.08
16190 - Sewing Machine Operator	9.86
16220 - Tailor	10.33
16250 - Washer, Machine	8.46
19000 - Machine Tool Operation And Repair Occupations	
19010 - Machine-Tool Operator (Tool Room)	14.49
19040 - Tool And Die Maker	18.20
21000 - Materials Handling And Packing Occupations	
21020 - Forklift Operator	12.49
21030 - Material Coordinator	18.34
21040 - Material Expediter	18.34
21050 - Material Handling Laborer	10.65
21071 - Order Filler	9.66
21080 - Production Line Worker (Food Processing)	12.49
21110 - Shipping Packer	13.33
21130 - Shipping/Receiving Clerk	13.33
21140 - Store Worker I	13.23
21150 - Stock Clerk	18.58
21210 - Tools And Parts Attendant	12.49
21410 - Warehouse Specialist	12.49
23000 - Mechanics And Maintenance And Repair Occupations	
23010 - Aerospace Structural Welder	20.69
23021 - Aircraft Mechanic I	19.70
23022 - Aircraft Mechanic II	20.69
23023 - Aircraft Mechanic III	21.74
23040 - Aircraft Mechanic Helper	13.70
23050 - Aircraft, Painter	18.50
23060 - Aircraft Servicer	16.09
23080 - Aircraft Worker	17.38
23110 - Appliance Mechanic	14.49
23120 - Bicycle Repairer	9.74
23125 - Cable Splicer	15.43
23130 - Carpenter, Maintenance	13.00
23140 - Carpet Layer	13.55
23160 - Electrician, Maintenance	14.99
23181 - Electronics Technician Maintenance I	14.72
23182 - Electronics Technician Maintenance II	15.05
23183 - Electronics Technician Maintenance III	18.31
23260 - Fabric Worker	12.60
23290 - Fire Alarm System Mechanic	15.43
23310 - Fire Extinguisher Repairer	11.67
23311 - Fuel Distribution System Mechanic	15.43
23312 - Fuel Distribution System Operator	13.01
23370 - General Maintenance Worker	11.95
23380 - Ground Support Equipment Mechanic	19.70
23381 - Ground Support Equipment Servicer	16.09
23382 - Ground Support Equipment Worker	17.38
23391 - Gunsmith I	11.67
23392 - Gunsmith II	13.55
23393 - Gunsmith III	15.43
23410 - Heating, Ventilation And Air-Conditioning Mechanic	15.76
23411 - Heating, Ventilation And Air Contditioning Mechanic (Research Facility)	16.55
23430 - Heavy Equipment Mechanic	15.15

23440 - Heavy Equipment Operator	13.73
23460 - Instrument Mechanic	15.43
23465 - Laboratory/Shelter Mechanic	14.49
23470 - Laborer	10.65
23510 - Locksmith	14.49
23530 - Machinery Maintenance Mechanic	17.38
23550 - Machinist, Maintenance	15.43
23580 - Maintenance Trades Helper	9.92
23591 - Metrology Technician I	15.43
23592 - Metrology Technician II	16.41
23593 - Metrology Technician III	17.37
23640 - Millwright	15.43
23710 - Office Appliance Repairer	14.38
23760 - Painter, Maintenance	13.55
23790 - Pipefitter, Maintenance	15.32
23810 - Plumber, Maintenance	14.38
23820 - Pneudraulic Systems Mechanic	15.43
23850 - Rigger	15.43
23870 - Scale Mechanic	13.55
23890 - Sheet-Metal Worker, Maintenance	15.21
23910 - Small Engine Mechanic	13.55
23931 - Telecommunications Mechanic I	19.01
23932 - Telecommunications Mechanic II	19.76
23950 - Telephone Lineman	18.24
23960 - Welder, Combination, Maintenance	14.66
23965 - Well Driller	15.43
23970 - Woodcraft Worker	15.43
23980 - Woodworker	11.67
24000 - Personal Needs Occupations	
24570 - Child Care Attendant	10.09
24580 - Child Care Center Clerk	12.58
24610 - Chore Aide	12.43
24620 - Family Readiness And Support Services Coordinator	12.44
24630 - Homemaker	16.12
25000 - Plant And System Operations Occupations	
25010 - Boiler Tender	15.43
25040 - Sewage Plant Operator	14.49
25070 - Stationary Engineer	15.43
25190 - Ventilation Equipment Tender	10.73
25210 - Water Treatment Plant Operator	14.49
27000 - Protective Service Occupations	
27004 - Alarm Monitor	10.90
27007 - Baggage Inspector	7.35
27008 - Corrections Officer	12.05
27010 - Court Security Officer	12.05
27030 - Detection Dog Handler	10.90
27040 - Detention Officer	12.05
27070 - Firefighter	12.05
27101 - Guard I	7.37
27102 - Guard II	10.90
27131 - Police Officer I	12.05
27132 - Police Officer II	13.40
28000 - Recreation Occupations	
28041 - Carnival Equipment Operator	9.53
28042 - Carnival Equipment Repairer	10.08
28043 - Carnival Equipment Worker	7.78
28210 - Gate Attendant/Gate Tender	13.18
28310 - Lifeguard	11.01
28350 - Park Attendant (Aide)	14.74
28510 - Recreation Aide/Health Facility Attendant	10.76
28515 - Recreation Specialist	18.26

28630 - Sports Official	11.74
28690 - Swimming Pool Operator	17.71
29000 - Stevedoring/Longshoremen Occupational Services	
29010 - Blocker And Bracer	15.20
29020 - Hatch Tender	15.20
29030 - Line Handler	15.20
29041 - Stevedore I	14.22
29042 - Stevedore II	16.25
30000 - Technical Occupations	
30010 - Air Traffic Control Specialist, Center (HFO) (see 2)	35.77
30011 - Air Traffic Control Specialist, Station (HFO) (see 2)	24.66
30012 - Air Traffic Control Specialist, Terminal (HFO) (see 2)	27.16
30021 - Archeological Technician I	17.49
30022 - Archeological Technician II	19.56
30023 - Archeological Technician III	24.21
30030 - Cartographic Technician	23.18
30040 - Civil Engineering Technician	21.93
30061 - Drafter/CAD Operator I	17.49
30062 - Drafter/CAD Operator II	19.56
30063 - Drafter/CAD Operator III	20.74
30064 - Drafter/CAD Operator IV	24.21
30081 - Engineering Technician I	14.62
30082 - Engineering Technician II	16.41
30083 - Engineering Technician III	18.36
30084 - Engineering Technician IV	22.34
30085 - Engineering Technician V	27.83
30086 - Engineering Technician VI	33.66
30090 - Environmental Technician	21.10
30210 - Laboratory Technician	20.74
30240 - Mathematical Technician	23.34
30361 - Paralegal/Legal Assistant I	19.06
30362 - Paralegal/Legal Assistant II	21.53
30363 - Paralegal/Legal Assistant III	26.35
30364 - Paralegal/Legal Assistant IV	30.80
30390 - Photo-Optics Technician	21.93
30461 - Technical Writer I	22.17
30462 - Technical Writer II	27.10
30463 - Technical Writer III	32.79
30491 - Unexploded Ordnance (UXO) Technician I	22.74
30492 - Unexploded Ordnance (UXO) Technician II	27.51
30493 - Unexploded Ordnance (UXO) Technician III	32.97
30494 - Unexploded (UXO) Safety Escort	22.74
30495 - Unexploded (UXO) Sweep Personnel	22.74
30620 - Weather Observer, Combined Upper Air Or (see 2)	20.74
Surface Programs	
30621 - Weather Observer, Senior (see 2)	23.00
31000 - Transportation/Mobile Equipment Operation Occupations	
31020 - Bus Aide	8.15
31030 - Bus Driver	9.69
31043 - Driver Courier	8.97
31260 - Parking and Lot Attendant	7.25
31290 - Shuttle Bus Driver	9.99
31310 - Taxi Driver	8.21
31361 - Truckdriver, Light	8.97
31362 - Truckdriver, Medium	11.61
31363 - Truckdriver, Heavy	12.48
31364 - Truckdriver, Tractor-Trailer	12.48
99000 - Miscellaneous Occupations	
99030 - Cashier	7.46
99050 - Desk Clerk	9.70
99095 - Embalmer	22.74
99251 - Laboratory Animal Caretaker I	16.24

99252 - Laboratory Animal Caretaker II	17.04
99310 - Mortician	22.74
99410 - Pest Controller	13.28
99510 - Photofinishing Worker	11.95
99710 - Recycling Laborer	10.76
99711 - Recycling Specialist	16.27
99730 - Refuse Collector	10.24
99810 - Sales Clerk	8.95
99820 - School Crossing Guard	15.03
99830 - Survey Party Chief	20.30
99831 - Surveying Aide	11.54
99832 - Surveying Technician	15.00
99840 - Vending Machine Attendant	20.19
99841 - Vending Machine Repairer	23.57
99842 - Vending Machine Repairer Helper	20.19

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ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

HEALTH & WELFARE: \$3.81 per hour or \$152.40 per week or \$660.40 per month

VACATION: 2 weeks paid vacation after 1 year of service with a contractor or successor; and 4 weeks after 3 years. Length of service includes the whole span of continuous service with the present contractor or successor, wherever employed, and with the predecessor contractors in the performance of similar work at the same Federal facility. (Reg. 29 CFR 4.173)

HOLIDAYS: A minimum of ten paid holidays per year, New Year's Day, Martin Luther King Jr's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. (A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4174)

THE OCCUPATIONS WHICH HAVE NUMBERED FOOTNOTES IN PARENTHESES RECEIVE THE FOLLOWING:

1) COMPUTER EMPLOYEES: Under the SCA at section 8(b), this wage determination does not apply to any employee who individually qualifies as a bona fide executive, administrative, or professional employee as defined in 29 C.F.R. Part 541. Because most Computer System Analysts and Computer Programmers who are compensated at a rate not less than \$27.63 (or on a salary or fee basis at a rate not less than \$455 per week) an hour would likely qualify as exempt computer professionals, (29 C.F.R. 541.400) wage rates may not be listed on this wage determination for all occupations within those job families. In addition, because this wage determination may not list a wage rate for some or all occupations within those job families if the survey data indicates that the prevailing wage rate for the occupation equals or exceeds \$27.63 per hour conformances may be necessary for certain nonexempt employees. For example, if an individual employee is nonexempt but nevertheless performs duties within the scope of one of the Computer Systems Analyst or Computer Programmer occupations for which this wage determination does not specify an SCA wage rate, then the wage rate for that employee must be conformed in accordance with the conformance procedures described in the conformance note included on this wage determination.

Additionally, because job titles vary widely and change quickly in the computer industry, job titles are not determinative of the application of the computer professional exemption. Therefore, the exemption applies only to computer employees



who satisfy the compensation requirements and whose primary duty consists of:

(1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;

(2) The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;

(3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or

(4) A combination of the aforementioned duties, the performance of which requires the same level of skills. (29 C.F.R. 541.400).

2) AIR TRAFFIC CONTROLLERS AND WEATHER OBSERVERS - NIGHT PAY & SUNDAY PAY: If you work at night as part of a regular tour of duty, you will earn a night differential and receive an additional 10% of basic pay for any hours worked between 6pm and 6am.

If you are a full-time employed (40 hours a week) and Sunday is part of your regularly scheduled workweek, you are paid at your rate of basic pay plus a Sunday premium of 25% of your basic rate for each hour of Sunday work which is not overtime (i.e. occasional work on Sunday outside the normal tour of duty is considered overtime work).

**HAZARDOUS PAY DIFFERENTIAL:** An 8 percent differential is applicable to employees employed in a position that represents a high degree of hazard when working with or in close proximity to ordinance, explosives, and incendiary materials. This includes work such as screening, blending, dying, mixing, and pressing of sensitive ordnance, explosives, and pyrotechnic compositions such as lead azide, black powder and photoflash powder. All dry-house activities involving propellants or explosives.

Demilitarization, modification, renovation, demolition, and maintenance operations on sensitive ordnance, explosives and incendiary materials. All operations involving regrading and cleaning of artillery ranges.

A 4 percent differential is applicable to employees employed in a position that represents a low degree of hazard when working with, or in close proximity to ordnance, (or employees possibly adjacent to) explosives and incendiary materials which involves potential injury such as laceration of hands, face, or arms of the employee engaged in the operation, irritation of the skin, minor burns and the like; minimal damage to immediate or adjacent work area or equipment being used. All operations involving, unloading, storage, and hauling of ordnance, explosive, and incendiary ordnance material other than small arms ammunition. These differentials are only applicable to work that has been specifically designated by the agency for ordnance, explosives, and incendiary material differential pay.

**\*\* UNIFORM ALLOWANCE \*\***

If employees are required to wear uniforms in the performance of this contract (either by the terms of the Government contract, by the employer, by the state or local law, etc.), the cost of furnishing such uniforms and maintaining (by laundering or dry cleaning) such uniforms is an expense that may not be borne by an employee where such cost reduces the hourly rate below that required by the wage determination. The Department of Labor will accept payment in accordance with the following standards as compliance:

The contractor or subcontractor is required to furnish all employees with an adequate number of uniforms without cost or to reimburse employees for the actual cost of the uniforms. In addition, where uniform cleaning and maintenance is made the responsibility of the employee, all contractors and subcontractors subject to this wage determination shall (in the absence of a bona fide collective bargaining agreement providing for a different amount, or the furnishing of contrary affirmative proof as to the actual cost), reimburse all employees for such cleaning and maintenance at a rate of \$3.35 per week (or \$.67 cents per day). However, in those instances where the uniforms furnished are made of "wash and wear"

materials, may be routinely washed and dried with other personal garments, and do not require any special treatment such as dry cleaning, daily washing, or commercial laundering in order to meet the cleanliness or appearance standards set by the terms of the Government contract, by the contractor, by law, or by the nature of the work, there is no requirement that employees be reimbursed for uniform maintenance costs.

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations", Fifth Edition, April 2006, unless otherwise indicated. Copies of the Directory are available on the Internet. A link to the Directory may be found on the WHD home page at <http://www.dol.gov/esa/whd/> or through the Wage Determinations On-Line (WDOL) Web site at <http://wdol.gov/>.

REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE (Standard Form 1444 (SF 1444))

Conformance Process:

The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination. Such conformed classes of employees shall be paid the monetary wages and furnished the fringe benefits as are determined. Such conforming process shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees. The conformed classification, wage rate, and/or fringe benefits shall be retroactive to the commencement date of the contract. (See Section 4.6 (C) (vi)) When multiple wage determinations are included in a contract, a separate SF 1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

- 1) When preparing the bid, the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).
- 2) After contract award, the contractor prepares a written report listing in order proposed classification title(s), a Federal grade equivalency (FGE) for each proposed classification(s), job description(s), and rationale for proposed wage rate(s), including information regarding the agreement or disagreement of the authorized representative of the employees involved, or where there is no authorized representative, the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.
- 3) The contracting officer reviews the proposed action and promptly submits a report of the action, together with the agency's recommendations and pertinent information including the position of the contractor and the employees, to the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, for review. (See section 4.6(b)(2) of Regulations 29 CFR Part 4).
- 4) Within 30 days of receipt, the Wage and Hour Division approves, modifies, or disapproves the action via transmittal to the agency contracting officer, or notifies the contracting officer that additional time will be required to process the request.
- 5) The contracting officer transmits the Wage and Hour decision to the contractor.
- 6) The contractor informs the affected employees.

Information required by the Regulations must be submitted on SF 1444 or bond paper.

When preparing a conformance request, the "Service Contract Act Directory of Occupations" (the Directory) should be used to compare job definitions to insure that duties requested are not performed by a classification already listed in the wage determination. Remember, it is not the job title, but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split, combine, or subdivide classifications listed in the wage determination.



**GUAM DEPARTMENT OF EDUCATION**

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
1.	VEHICLE-MINI BUS, 22 Passenger Capacity, Dual Rear Wheel With wheelchair lift	5	Ea.	_____	_____

**GENERAL:** These specifications have been written to describe minimum equipment and performance Requirements are to be supplied by the Bidder. Reasonable test may be conducted upon delivery and before acceptance.

The successful bidder shall furnish all requested and necessary information and instructions for proper operation of the equipment.

The government reserves the right to accept and/or reject any and all bids, to waive any defects, irregularities, or specification discrepancies and to award the bid as determined to be in the best interest of the government.

**DISCREPANCIES LISTED:**

Should any bidder have deviations from these specifications in his bid and cannot meet Every requirement of the specifications, he shall submit a letter and attach it to the bid. Explaining the deviations, failure to do so will cause the bid to be rejected as being Non-Responsive.

**SPECIFICATION:**

**BIDDING ON OR REMARKS:**

<b>Delivery time:</b>	Delivery time is 210 days from receipt of Purchase Order	_____
<b>Engine:</b>	8 cylinders Gas or diesel certified School Bus Chassis, with fast Idle.	_____
<b>Air Cleaner:</b>	A dry element/ air cleaner shall be provided. All diesel engine air filters shall include a latch-type restriction indicator that retains the maximum restriction developed during the operation of the engine. The indicator should include a reset control so the indicator can be returned to zero when dealred.	_____ _____ _____
<b>Electrical:</b>	12 volt battery and 200 Amp. Alternator 700 cca. Must be able to handle required load.	_____
<b>Alternator:</b>	The Alternator shall be of 200 AMP Low Idle; High Output or approved equal. Must Accomodate the A.C.	_____ _____
<b>Transmission:</b>	Automatic four (4) speed with supplementary Heavy transmission cooling system.  A transmission interlock, controlled by application of the service brake, shall be installed to prohibit accidental engagement of the automatic transmission.	_____ _____ _____
<b>Wheelbase:</b>	139" minimum	_____
<b>Back up Alarm:</b>	An automatic audible alarm shall be installed behind the rear axle and shall comply with the published Backup Alarm Standards (SAE J994b), providing a minimum of 112 dBA, or shall have a variable volume that allows the alarm to vary from 87 dBA to 112dBA sound level, staying at least 5dBA above the ambient noise level. Backing safety horn when bus is put in reverse	_____ _____ _____
<b>Brakes:</b>	The chassis brake system shall conform to the provisions of FMVSS Nos. 105 Hydraulic and Electric Brake Systems, Brake Hoses, and 121, Air brake Systems, as applicable.	_____ _____

The anti-lock brake system (ABS), provided in accordance with FMVSS No 105 Hydraulic and Electric Brake Systems or No. 121, Air Brake Systems, shall provide wheel speed sensors for each front wheel and for each wheel on at least one rear axle. The system shall provide anti-lock braking performance for each wheel equipped with sensors.

The brake systems lines, booster-assist lines, and control cables shall be protected from excessive heat, vibration and corrosion and installed in a manner that prevents chafing.

Power assisted disc front and rear drum, ABS all wheels.

**Steering:** Power steering with tilt steering wheel.

**Tires:** Tires and films of proper size (10 ply) with Load rating commensurate with the chassis manufacture's gross vehicle weight rating (GVWR) shall be provided. All tires, including spare tire and rim assembly, shall be of same size, rating and painted White Tire carrier is required. It shall be suitable, mounted on accessible location outside passenger location.  
Two each Schrader valve on rear wheel.

**Air Conditioning:** Dual Heavy duty air conditioner system capable of cooling entire mini school bus interior in hot temperature climates. Air conditioner control mounted on panel with easy access to driver. Bidder must identify adequate cooling capability for the bus.

**Radio:** AM/FM radio.

**Fuel Tank:** Fuel tank (s) having a minimum 30-gallon capacity shall be provided by the chassis manufacturer. Each tank shall be filled from and vented to the outside of the passenger compartment, and each fuel fill should be placed in a location where accidental fuel spillage will not drip or drain on any part of the exhaust system.

The fuel system shall comply with FMVSS No. 301

Massive fuel tank in the event of side collision. fuel tank installation shall be in accordance with SBMI School Bus Design Objective, January, 1985.

**Frame:** Frame or equivalent shall be of such design and strength characteristic has to correspond at least to standard practice for trucks of same general load load characteristic which are used for highway service.

Any secondary manufacture that modifies the original chassis frame shall guarantee the performance of workmanship and materials resulting from such modification. Any frame modification shall not be for purpose of extending to wheel base holes in top or bottom flanges of frame side shall not be permitted except by chassis or body manufacture.

All opening in floorboard or fire wall between chassis and passenger carrying compartment such as for gear shift lever and parking brake lever, shall be sealed.

**Shock Absorbers:** Bus shall be equipped with front and rear double acting shock absorbers compatible with manufacture's rated axle capacity at each wheel location. Shock should withstand the weight bearing of the lift.

**Springs:** Capacity of springs or suspension assemblies shall commensurate with manufacture's gross vehicle with rating. Spring should withstand the weight bearing of the lift. Additional Springs should be installed on Right Rear Axle.

**Rear Bumper:** Bumper shall be of pressed steel channel or equivalent material at least 3/16 inch thick and 8 or 10 inches wide (high), and sufficient strength to permit pushing by another vehicle without permanent distortion.

It shall be wrapped around back corners of bus. It shall extend forward at least 12 inches measured from rear most point of body at floor line. Bumper shall be so braced as to develop full strength of bumper section from rear or side impact, and shall be so attached as to prevent hitching or rides

**Color:** Nation School Bus Glossy Yellow, in accordance with the Colorimetry Specification of Federal Standard No. 595a, Color 13423. The body exterior paint trim, bumpers, emergency door arrow and lettering shall be black, matching Federal Standard No. 595a, Color 17038.

**Construction:** Construction shall be of Galvanized steel or other metal or material with strength at least equivalent to all steel as certified by bus body manufacture. Construction shall provide reasonable dust proof and water tight Fiberglass insulation for roof and side panels and inside body bows. Fifth rub rails for extra protection of the lower skirt. Smooth 16 gauge side panel for clean look.

**Doors:** The entrance door shall be under the driver's control, designed to afford easy release and to provide a positive latching on manual operating doors to prevent accidental opening. When a hand lever is used, no part shall come together that will shear or crush fingers. Manual door controls shall not require more than 25 pounds of force to operate at any point throughout the range of operation. The entrance door shall be located on the right side of the bus, opposite and within direct view of the driver.

The entrance door shall have a minimum horizontal opening of 24 inches and a minimum vertical opening of 68 inches.

The entrance door shall be a split-type door and shall open outward.

All entrance door glass shall be approved Safety Glass. The bottom of each lower glass panel shall be not more than 10 inches from the top surface of the bottom step.

Vertical closing edges on entrance doors shall be equipped with flexible material.

All door openings shall be equipped with padding at the top edge of the opening. Padding shall be at least 3 inches wide and 1 inch thick and extend the full width of the door opening.

Service door center shall be marked with "EMERGENCY EXIT DOOR" inside Red Electric Lamp and shall be placed at the top or directly above the Emergency Door.

Rear center emergency door exit shall be marked with "EMERGENCY EXIT DOOR" inside with Red Electric Lamp and outside in letters at least 2 inches High shall be placed at top of or directly above the emergency door or on the metal panel above the top glass. Emergency door shall be at least 33" x 53".

Words "STOP WHEN TOP RED LIGHTS ARE FLASHING" on metal panel of door with minimum 2 inches letters in black. Rear side door for wheelchair entrance will meet A.D.A. Requirements for wheelchair Entrance/Exit.

Buzzer switch must be installed on emergency Doors and must be (DOT Approved).

**\*\* Exterior:**

The words "GUAM DEPARTMENT OF EDUCATION" Should be mark with 6 inch black, stick on letters on each side of the vehicle.

The body shall bear the words "SCHOOL BUS" in black letters at least eight (8) inches high on both front and rear of the body. Lettering shall be place as high as possible without impairment of its visibility. Letters shall conform to "Series B" of Standard Alphabets for Highway Signs. "SCHOOL BUS" lettering shall have a reflective background.

The location of the battery(ies) identified by the word "BATTERY" or "BATTERIES" on the battery compartment door in two (2) inch lettering.

**Reflective Marking:**

3M Diamond Grade reflective side marker

3M Diamond Grade reflective rear marker

**Fire Extinguisher:**

The bus shall be equipped with at least one 10 lbs. Multi-purpose fire extinguisher Mounted in a bracket and located in the Driver's compartment and readily accessible to the driver. A pressure gauge shall be mounted on the fire extinguisher. The Fire Extinguisher shall be approved by the Underwriters Laboratories Inc. The Mechanism shall be sealed with a type of seal which will not interfere with the use of the Fire Extinguisher.

**Day Time Running Light or Daylight Low Beams:**

Headlights energized when the ignition switch is turned on and De-energized when the ignition is turned off.

**Exterior Light Monitor:**

Electronic monitor indicates operation of warning Lights, back-up, tail, stop and directional lamps.

**Lamps:**

Lamps on exterior of vehicle are covered by Federal Motor Vehicle Safety No. 302. Interior lamps shall be provided with adequately illuminated aisle and step well. School Bus alternately Flashing Signal Definition.

School bus RED SIGNAL LAMPS and YELLOW SIGNAL LAMPS are alternately flashing lamps mounted horizontally both front and rear, intended to identify a vehicle as a school bus and to inform other users of the highway that such vehicle is



stopped on highway to take on or discharge school Children, Bus shall be equipped with two (2) RED LAMPS At rear of vehicle and two (2) RED LAMPS at Front of vehicle.

**ALL LED LIGHTS.**

In addition to four (4) RED LAMPS describe above four (4) AMBER LAMPS shall be located near each RED SIGNAL LAMP, at same level, but close to vertical centerline of bus, system of red and amber signal lamps shall be wired so that amber lamps are energized manually and red lamps being de-energized when bus service door is opened. **ALL LED LIGHTS.**

Area around lens of each alternately flashing signal lamp and extending outward approximately 3 inches shall be painted black. In installation where there is no flat vertical portion of body immediately surrounding entire lens of lamp, a circular or square band of black approximately 3 inches wide, immediately below and both sides of lens, shall be painted on body or roof area against which signal lamp is seen (from a Distance of 500 feet along axis of vehicle).

Turn signal and stop /tail lamps:

Bus body shall be equipped with amber rear turn signal lamp that are at least 7 inches in diameter. These signals must be connected to the chassis hazard warning switch to cause simultaneous flashing of turn signal lamps when needed as vehicular traffic hazard warning. Turn signal lamps are to be placed as wide apart as practical and their centerline shall be a maximum of 12 inches below the rear windows. **ALL LED LIGHTS.**

First Aid Kit:

Bus shall have removable moisture-proof and dust-proof First Aid kit in an accessible place in the driver's drivers compartment. It shall be mounted and identified as First Aid kit. The location for the first aid kit shall be marked. Contents of the first aid kit shall be in compliance with state standards.

Number of unit and contents shall be design by Proper state authorities from, but not limited to The following Items.

- 2 - Single units 1 inch x 2-1/2 yards adhesive tape.
- 24 - Sterile gauze pads 3x3 inches
- 2 - Single units sterile gauze pads 3 inches x 3 inches (12 per unit)
- 100 - Single unit ¾ x3 inches adhesive bandage (100 per unit)
- 1 - Single unit 2 Inch bandage compress (12 per unit)
- 1 - Single unit 3 Inch bandage compress (12 per unit)
- 2 - Single unit Non-sterile triangle bandage Approximately 40 inches x 36 inches (USP 2428 count)
- 3 - Single unit sterile gauze 36 inches x 36 inches (USP 2428 count)



Emergency exits and wheelchair lift entrance.

**Mirrors:** Interior glass mirror shall be either clear view laminated or tempered and shall have rounded corners and protected edges. Mirror shall be minimum of 10 inches x 30 inches with padded area.

Cross view mirror mounted on fender one (1) left and right side, Exterior mirrors shall be one (1) on the left side and one (1) on the right side, rear view mirror with a minimum of 50 square inches each of flat mirror glass.

Bus shall have a minimum of one (1) exterior right side convex mirror with a minimum of 35 square inches to provide localized vision on the right side of the side

Cross view mirror left side and right side for front area visibility.

Stick on mirror, located. On emergency door for driver to view students from rear.

All mirror brackets should be of Stainless Steel with Stainless Steel hardware

**Sun Shield:** An interior adjustable transparent sun shield, with a finished edge and dimensions not less than 6x30 inches, shall be installed in a position convenient for use by the driver.

**Seat Belt For Driver:** Seat belt for driver shall be provided. Belt shall be equipped with a retractor on each side with sufficient quality and strength to keep it retracted and off floor when not in use.

**Seat and Crash Barriers:** All seats shall have a minimum cushion depth of 15 inches, a seat back height of 29 inches above the seating reference point, and must comply with all other requirements of FMVSS No. 222. In addition to the fastener that forms the pivot for each seat retaining clip, a secondary fastener may be used in each clip to prevent the clip from rotating and releasing the seat cushion unintentionally.

A Department of Transportation (D.O.T) approved Restraint system shall be provided for all passengers And driver seat position.

Number of seats will be based on space availability of 22 passenger seat diagram with 1, 2, wheelchair placements, bidder shall include that number of seats coinciding with the number of wheelchair placement.

**Seats:** Passenger seats shall be contoured track-mounted Seat belt seats equipped with 3 sets of integrated 3-point lap and shoulder harness seat belt, having a securement range from 16" - 60". Seats shall be all vinyl. Seats shall be color coordinated with the interior & exterior colors of the vehicle.

**C.E. White Seats:** Passenger seats shall be contoured track-mounted seat belts equipped with three (3) sets of seat belts having a securement range from 16" - 60". Seats shall be all vinyl with padded guard rails on aisle on seats. Grab rails shall be constructed as an parts of the seat frame. Seats shall be color integral coordinated with the exterior and interior colors of the vehicle. Each bus will have four (4) of the

C.E. White Co. Integrated Child Restraint School Bus seat. Model Number: CR39 (39" double seat).

Each bus will be equipped with three (3) Student Transportation Add-on Restraint with one (1) Connector Strap (star plus for 25 - 90 pounds).

**Step Treads:** All steps; including floor line platform area, shall be covered with 3/16 inches rubber floor covering or other material equal in wear resistance and abrasion resistance to top grade rubber.

**Stop Signal Arm:** Electric Type, and should be powered by a 12 volt Motor, octagon stop signal shall be in red and White letters with White border. Flashing lamps in stop arm shall be connected to the alternate red flashing signal lamp circuits. With LED LIGHTS.

**\*\* Windows:** Window size shall be at least 23" x 25" with a opening of at least 10", and all windows be TINTED with dark tint.

Two (2) push put emergency windows. One (1) on each side of the bus with buzzer switch installed and must be DOT approved (Emergency Alarm).

**Wheelchair Lift:** Wheelchair lift must have restraint system. Wheelchair lift shall be mounted inside the right side rear of the bus "MUST BE ADA AND FEDERAL D.O.T. APPROVED" For commercial transport of individual with disability. Must have master switch easily accessible to driver so cannot be accidentally turned on. Bidder must specify make/model and other specification related to wheelchair lift. Appropriate brochures describing the wheelchair lift must be provided to operator, repair and service manual. Wheelchair lift door shall be at least 42" x 64".

Wheelchair lift must be tied into the parking brake.

Successful bidder must also be certified by Wheelchair Lift Manufacturer to entertain, address and negotiate all Warranties and Liabilities for or said Wheelchair Lift here including an on island authorized to service center located on Guam.

The lift platform shall be 32 inches. "MUST BE ADA AND FEDERAL D.O.T. APPROVED"

**Wheelchair Position:** (WCP) and wheelchair restraint system shall be floor mounted (at rear of bus) four (4) point tie down system with adjustable straps that separately Anchor both wheelchair and occupant in a forward facing position. Bidder must specify make/model and other specification related to the WCP. Appropriate Brochures describing the wheelchair restraint System and the WCP must be "ADA AND FEDERAL D.O.T. APPROVED WCP must be able to accommodate wheelchairs of all sizes.

**Wheelchair Securement/ Occupant Restraint Systems:** The wheelchair positions shall be forward facing utilizing Ortho Safe Protector System (OSPS) or QTR Retractable Securement System (Q-8100-A1Delux System). Each vehicle shall be equipped with six (6) sets of wheelchair/ occupant restraints. Manufacturer's part numbers and Quantities per Position.

Are listed:

**Ortho Safe Protector System (OSPS):**  
Two (2) Rear Tie Downs – Part Number: #50-01  
Two (2) Front Tie Downs – Part Number: #60-02A  
One (1) Lap Belt – Part Number: #50-03  
One (1) Shoulder Harness – Part Number: #50-06-FF  
**OTR Retractable Securement System:**  
Datuxe System: Part Number: (Q -8100-A1).

**Dimensional:** Overall Length: 285" \_\_\_\_\_  
Overall width exterior: 95" \_\_\_\_\_  
Overall height exterior 114" \_\_\_\_\_  
Overall height interior: 74" \_\_\_\_\_

**Gross Vehicle Weight:** Buses shall be of 14,500 min. chassis Gross Vehicle Weight (GVW) . \_\_\_\_\_

**Standard Feature:** One (1) spare tire and rim mounted and ready to used and shall be mounted on the carriage. One set wheel chock consisting of two (2) wheel chocks, none skid hard rubber design with nylon rope. 8"W x 8" overall length mud flaps front and rear, grab rails stainless steel at entrance door, clearance, cluster, and side marker lights, 3" Reflectors on rear and side of bus. \_\_\_\_\_  
One (1) 12 ton jack and lug wrench (on each bus), (Closed Height @ 7½") \_\_\_\_\_  
Complete illustrated parts book in English, for Engine, transmission, Body, electrical and chassis etc. \_\_\_\_\_  
Each vehicle will be delivered with shop repair manual and operator manual in English for engine, Transmission Body, electrical, chassis, and lift etc. One (1) line setting ticket and certificate or origin per bus. \_\_\_\_\_

**Rust Proofing:** Complete rust proofing with a (5) year guarantee, or Electronic Rust Evader with a ten (10) year guarantee. \_\_\_\_\_

**Special Requirements:** All factory recalls, modification, news bulletins and illustrations, ect "MUST BE ROUTED BY FACTORY TO SAID OWNER". Successful bidder shall/must be fully responsible to entertain, address and negotiate "all" warranty repair requests as suggested by manufacture Warranty period. Transmission extended warranty period, if any "MUST BE IDENTIFIED AND AT WHAT COST TO SAID OWNER". \_\_\_\_\_

**Web Cutter:** Each vehicle will be equipped with (1) Web Cutter with replaceable blade. \_\_\_\_\_

**Special Provision:** Vehicle shall be inspected upon completion by the purchaser prior to shipment from manufacturer's \_\_\_\_\_

Factory or assembly plant and will consist of the following inspection:

1. Workmanship

2. Quality Conformance
3. First Production Vehicle

The Manufacturer/Supplier will provide for round Trip Airfare and Accommodations for one (1) Representative from the Guam Department of Education for a post construction inspection at the Place of construction prior to Freight On Board (F.O.B.) Guam.

1. Transportation: Guam to Factory and Return
2. Lodging: Seven (7) Days
3. Quantity: One (1) Employees

**Final Inspection:** Will be performed at the Department of Public Works, Government of Guam for Final Inspection and Acceptance.

**WARRANTY:**

Three (3) years/36,000 miles bumper to bumper limited warranty and a five (5) year/ 60,000 miles limited power train warranty or manufactures warranty period but no less then specified above. Service for One (1) year/12,000 Miles, all parts and labor shall be included at "No Cost to the Government".

- Yes, offer as requested.  
 No, offer the following:

---

When some mileage is put on the vehicle during shipping and while at the dealer – the dealer must record this mileage on the Warranty Booklet at delivery. This mileage is added to the mileage limit as specified in the New Vehicle Limited Warranty.

- Yes, offer as requested.  
 No, offer the following:

---

When the vehicle is down for Warranty repair and remains in the shop for more then (3) consecutive months awaiting spare parts and any other delays, the down time is added to the months limit as specified in the New Vehicle Limited Warranty.

- Yes, offer as requested.  
 No, offer the following:

---

The successful bidder shall provide service, such as to determine deficiency, repair or adjustment of the vehicle on government premises or transfer the vehicle to the shop where the repair be done, at anytime within the warranty period.

- Yes, offer as requested.  
 No, offer the following:

**Note:**

Bidder shall identify on their bids, any deviations from requirement on remarks column and state item being offered for evaluation processing. Failure to comply may result in rejection of bid.

Manufacturer's brochure (original) shall be submitted and attached on bid proposal.

Certificate of origin is required on the sale of vehicle.

Vehicle must be inspected and pass inspected by authorized safety inspection station.

Vehicle must be delivered to Department of Public Works.

**Special Note to Awarded Vendor:**

It will not be the responsibility of the Department of Public Works (DPW) to notify awarded vendor should and Natural Disaster arise. The Department of Public Works must insure that the awarded vendor has the access to enter the compound storage area where the buses are kept to remove said vehicles.

Please be advised, that any Natural Disaster occurrence (i.e. Typhoon (Condition III), etc.), it will be the responsibility of the awarded vendor to remove the vehicle and secure them to prevent any further discrepancies or damages.

If vehicles are not removed and stored in a secured place, it will be the responsibility of the awarded vendor to file such necessary claims should any discrepancies arise, furthermore, Liquidated Damages will be applied if the vehicle are not received and accepted in the specified time of delivery.

**Bidder Offers:**

Manufacturer: \_\_\_\_\_

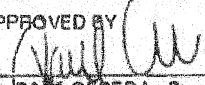
Make: \_\_\_\_\_

Model: \_\_\_\_\_

Years: \_\_\_\_\_

Place of Origin: \_\_\_\_\_

Date of Delivery: \_\_\_\_\_

APPROVED BY   
Mr. PAUL CEREDA, Superintendent T.M.D.  
DEPARTMENT OF PUBLIC WORKS

DATE: 9/16/13

PLEASE CHECK HERE ( ) IF YOU ARE CLAIMING STATUS AS A SERVICE - DISABLED VETERAN OWNED BUSINESS UNDER 5 GCA § 5012. THE FOLLOWING ARE REQUIRED:

1. DD214 FORM & DISABILITY AWARD LETTER FROM U.S. DEPARTMENT OF VETERANS AFFAIRS MUST BE SUBMITTED AT THE TIME OF BID SUBMISSION, AND
2. THE SERVICE-DISABLED OWNER OF THE BUSINESS HAS FILED INDIVIDUAL TAX RETURNS ON GUAM FOR A PERIOD OF AT LEAST THREE CONSECUTIVE YEARS PRIOR TO BIDDING ON THIS IFB.

	UNIT PRICE	EXTENSION
1. VEHICLE - MINI BUS, 22 Passenger Capacity, Dual Rear Wheel With Wheelchair Lift	5 ea. \$ _____	\$ _____

**BIDDERS REPRESENTATIONS**

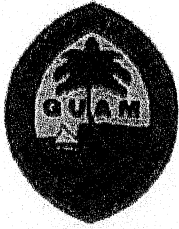
By signing below, I represent that I am an authorized representative of

\_\_\_\_\_  
PRINT COMPANY NAME

And by submission of this bid the company is making an offer to provide the goods described on GDOE IFB \_\_\_\_\_ for the price stated above. I also confirm that the bid price shall remain firm and irrevocable for ninety (90) days from the opening of this bid

Print Name of \_\_\_\_\_ Date: \_\_\_\_\_  
Authorized Representative

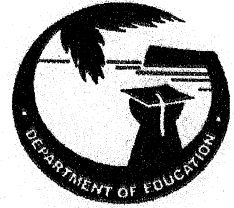
Signature of \_\_\_\_\_ Date: \_\_\_\_\_  
Authorized Representative



Jon J. P. Fernandez  
Superintendent of Education

**DEPARTMENT OF EDUCATION  
OFFICE OF SUPPLY MANAGEMENT**

[www.gdoe.net](http://www.gdoe.net)  
Manuel F.L. Guerrero Administration Building  
2<sup>nd</sup> Floor, Suite B-220  
Hagatna, Guam 96910  
Telephone: (671) 475-0438/Fax: (671) 472-5001



Marcus Y. Pido  
Supply Management Administrator

**AMENDMENT ACKNOWLEDGEMENT FORM**

IFB 004-2014  
INDEFINITE QUANTITY BID FOR THE PURCHASE OF  
SPECIAL EDUCATION MINI BUSES (22 PASSENGER)

**AMENDMENT 1**

December 4, 2013

Please review the attached document. (All Notice/Amendments can be reviewed on our website)  
Please sign this acknowledgement page and only return this page, attention to **CARMEN T. TAITANO** via fax (671) 472-5001 or e-mail to: [cttaitano@gdoe.net](mailto:cttaitano@gdoe.net).

I, \_\_\_\_\_, an authorized representative of the company named below, acknowledge receipt of **AMENDMENT 1**, for **IFB 004-2014, INDEFINITE QUANTITY BID FOR THE PURCHASE OF SPECIAL EDUCATION MINI BUSES (22 PASSENGER)**. Number of pages 2 (including this coversheet).

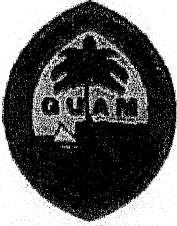
\_\_\_\_\_  
Company Name (Print)

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Time and Date





JON J.P. FERNANDEZ  
Superintendent of Education

**DEPARTMENT OF EDUCATION  
OFFICE OF SUPPLY MANAGEMENT**

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Hagatna, Guam 96910  
Telephone: (671) 475-0438/Fax: (671) 472-5001



MARCUS Y. PIDO  
Supply Management Administrator

December 4, 2013

**AMENDMENT 1**

**Prospective Bidders:**

Please refer to our **INVITATION FOR BID NO. IFB 004-2014, INDEFINITE QUANTITY BID FOR THE PURCHASE OF SPECIAL EDUCATION MINI BUSES (22 PASSENGER)**, a copy of which was obtained by your company for consideration.

In the Spirit of clarity and achieving the best possible solution to satisfy the requirements of IFB 004-2014, *GDOE is hereby extending the deadline of submission regarding this IFB.*

**PAGE 5, SUBSECTION 2.2.5 – TIME AND DATE FOR RECEIPT OF BIDS**  
Extension

**FROM:**

TIME: **10:00 AM** Chamorro Standard Time (ChST)  
DATE: **Wednesday, December 4, 2013**

**TO:**

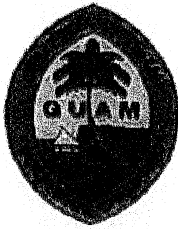
TIME: **10:00 AM** Chamorro Standard Time (ChST)  
DATE: **Tuesday, December 10, 2013**

All else remains the same.

Sincerely,

MARCUS Y. PIDO  
Supply Management Administrator

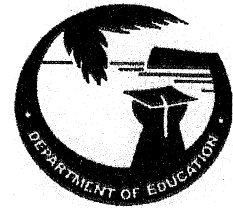
cc: Procurement File: IFB 004-2014



Jon J. P. Fernandez  
Superintendent of Education

**DEPARTMENT OF EDUCATION  
OFFICE OF SUPPLY MANAGEMENT**

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Telephone: (671) 475-0438/Fax: (671) 472-5001



Marcus Y. Pido  
Supply Management Administrator

**AMENDMENT ACKNOWLEDGEMENT FORM**

**IFB 004-2014  
INDEFINITE QUANTITY BID FOR THE PURCHASE OF  
SPECIAL EDUCATION MINI BUSES (22 PASSENGER)**

**AMENDMENT 2**

December 6, 2013

Please review the attached document. (All Notice/Amendments can be reviewed on our website)  
Please sign this acknowledgement page and only return this page, attention to **CARMEN T. TAITANO** via fax (671) 472-5001 or e-mail to: [cttaitano@gdoe.net](mailto:cttaitano@gdoe.net).

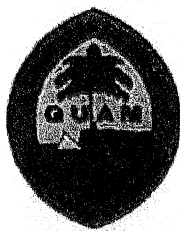
I, \_\_\_\_\_, an authorized representative of the company named below, acknowledge receipt of **AMENDMENT 1**, for **IFB 004-2014, Indefinite Quantity Bid for the Purchase of Special Education Mini Buses (22 Passenger)**. Number of pages 4 (including this coversheet).

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Time and Date



JON J.P. FERNANDEZ  
Superintendent of Education

**DEPARTMENT OF EDUCATION  
OFFICE OF SUPPLY MANAGEMENT**

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Hagatna, Guam 96910  
Telephone: (671) 475-0438/Fax: (671) 472-5001



MARCUS Y. PIDO  
Supply Management Administrator

December 6, 2013

**AMENDMENT 2**

**Prospective Bidders:**

Please refer to our **Invitation for Bid No. IFB 004-2014, Indefinite Quantity Bid for the Purchase of Special Education Mini Buses (22 Passenger)**, a copy of which was obtained by your company for consideration.

In the Spirit of clarity and achieving the best possible solution to satisfy the requirements of IFB 004-2014, **GDOE is hereby responding to questions submitted in response to this IFB.**

**Questions Submitted by the following Bidder:**

- **Fukuda Enterprises, LLC.**

**1. Question:**

**AIR CLEANER:**

Can DOE clarify the meaning of dry element air cleaner? This type of air cleaner is commonly found on larger commercial type chassis.

**GDOE Response: Amend Air Filter from a dry element air cleaner to a regular air filter.**

**2. Question:**

**AIR CONDITIONING:**

Suggest DOE that 2 separate air conditioning compressors be added as a requirement, so that the bus is adequately cooled in Guam. A single Air Condition compressor does not have adequate BTU to cool entire bus.

**GDOE Response: Amend Air Conditioning to require dual air conditioning.**

**3. Question:**

**CONSTRUCTION:**

A) Request an approve equal for Aluminum skins instead of Galvanized steel. B) Fifth rub rail has no space to be installed on this type mini school bus body; lower skirt is supported by inner body support. Change to no fifth Rub rail.

**GDOE Response: Approved, as long as it is certified by the bus company.**

**4. Question:**

**SEATS:**

Grab rails – are not allowed in school buses. Change to no grab handles.

**GDOE Response: Amend to remove requirement for padded grab rails**

**5. Question:**

*TIRES:*

Are the rims and spare tire to be painted white? Or Tire carrier painted white? IF the rims are to be painted WHITE it does not include the inner rims or the spare tire, the rims will stay black along with the tire carrier. Please Clarify.

**GDOE Response: As factory manufactured (black)**

**6. Question:**

*CE WHITESEATS:*

Requesting an approve Equal to use the IMMI School Bus Seat.

**GDOE Response: Approved, seats to be certified by bus manufacturer and it meets the CFR requirements.**

**7. Question:**

*DOOR:*

Red Electric Lamp – How is this lamp wired into the vehicle? Turn on and off with Ignition switch or Turn on and off with operation of the main entrance door.

**GDOE Response: Red Electric Lamp is needed as per CFR § 393.92. Turn on and off with operation of the main entrance door.**

**8. Question:**

*SPECIAL PROVISION:*

Round trip airfare and accommodations – Can this be clarified? Who from GDOE will be attending this post construction inspection?

**GDOE Response: Round trip airfare and accommodations for one (1) representative. Representative will be determined at a later date.**

***\*End of Questions & Responses\****

\*\*\*\*\*

**PAGE 5, SUBSECTION 2.2.5 – TIME AND DATE FOR RECEIPT OF BIDS**

Extended

**From:**

Time: 10:00 AM Chamorro Standard Time (ChST)

Date: Tuesday, December 10, 2013

**To:**

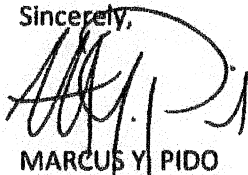
Time: **10:00 AM** Chamorro Standard Time (ChST)

Date: **Monday, December 16, 2013**

*The extension of time was necessary to amend Amendment 1 for time and date of bid submittal.*

All else remains the same.

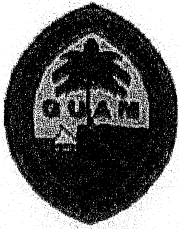
Sincerely,



MARCUS Y. PIDO

Supply Management Administrator

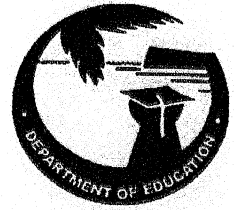
cc: Procurement File: IFB 004-2014



Jon J. P. Fernandez  
Superintendent of Education

**DEPARTMENT OF EDUCATION  
OFFICE OF SUPPLY MANAGEMENT**

[www.gdoe.net](http://www.gdoe.net)  
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Marcus Y. Pido  
Supply Management Administrator

**AMENDMENT ACKNOWLEDGEMENT FORM**

**IFB 004-2014  
INDEFINITE QUANTITY BID FOR THE PURCHASE OF  
SPECIAL EDUCATION MINI BUSES (22 PASSENGER)**

**AMENDMENT 3**

December 13, 2013

Please review the attached document. (All Notice/Amendments can be reviewed on our website)  
Please sign **this acknowledgement page and only return this page**, attention to **CARMEN T. TAITANO** via fax (671) 472-5001 or e-mail to: [cttaitano@gdoe.net](mailto:cttaitano@gdoe.net).

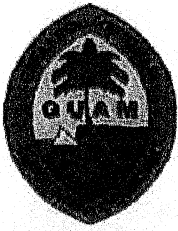
I, \_\_\_\_\_, an authorized representative of the company named below, acknowledge receipt of **AMENDMENT 3**, for **IFB 004-2014, Indefinite Quantity Bid for the Purchase of Special Education Mini Buses (22 Passenger)**. Number of pages **2** (including this coversheet).

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

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

\_\_\_\_\_  
Signature

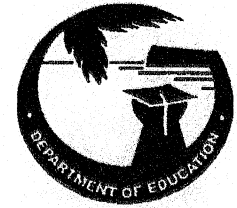
\_\_\_\_\_  
Time and Date



JON J.P. FERNANDEZ  
Superintendent of Education

**DEPARTMENT OF EDUCATION  
OFFICE OF SUPPLY MANAGEMENT**

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Telephone: (671) 475-0438/Fax: (671) 472-5001



MARCUS Y. PIDO  
Supply Management Administrator

December 13, 2013

**AMENDMENT 3**

**Prospective Bidders:**

Please refer to our Invitation for Bid No. IFB 004-2014, Indefinite Quantity Bid for the Purchase of Special Education Mini Buses (22 Passenger), a copy of which was obtained by your company for consideration.

In the Spirit of clarity and achieving the best possible solution to satisfy the requirements of IFB 004-2014, GDOE is hereby extending time & Date of Bid Submittal in response to this IFB.

**PAGE 5, SUBSECTION 2.2.5 – TIME AND DATE FOR RECEIPT OF BIDS**

Extended

**From:**

Time: 10:00 AM Chamorro Standard Time (ChST)  
Date: Monday, December 16, 2013

**To:**

Time: 10:00 AM Chamorro Standard Time (ChST)  
Date: Friday, December 20, 2013

All else remains the same.

Sincerely,

MARCUS Y. PIDO

Supply Management Administrator

cc: Procurement File: IFB 004-2014



Jon J. P. Fernandez  
Superintendent of Education

**DEPARTMENT OF EDUCATION  
OFFICE OF SUPPLY MANAGEMENT**

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Telephone: (671) 475-0438/Fax: (671) 472-5001



Marcus Y. Pido  
Supply Management Administrator

**AMENDMENT ACKNOWLEDGEMENT FORM**

IFB 004-2014  
INDEFINITE QUANTITY BID FOR THE PURCHASE OF  
SPECIAL EDUCATION MINI BUSES (22 PASSENGER)

**AMENDMENT 4**

February 11, 2014

Please review the attached document. (All Notice/Amendments can be reviewed on our website)  
Please sign **this acknowledgement page and only return this page**, attention to **CARMEN T. TAITANO** via fax (671) 472-5001 or e-mail to: [cttaitano@gdoe.net](mailto:cttaitano@gdoe.net).

I, \_\_\_\_\_, an authorized representative of the company named below, acknowledge receipt of **AMENDMENT 4**, for **IFB 004-2014, Indefinite Quantity Bid for the Purchase of Special Education Mini Buses (22 Passenger)**. Number of pages **14** (including this coversheet).

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

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

\_\_\_\_\_  
Signature

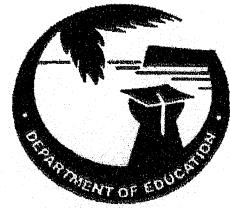
\_\_\_\_\_  
Time and Date





**DEPARTMENT OF EDUCATION  
OFFICE OF SUPPLY MANAGEMENT**

[www.gdoe.net](http://www.gdoe.net)  
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Telephone: (671) 475-0438/Fax: (671) 472-5001



JON J.P. FERNANDEZ  
Superintendent of Education

MARCUS Y. PIDO  
Supply Management Administrator

February 11, 2014

**AMENDMENT 4**

**Prospective Bidders:**

Please refer to our Invitation for Bid No. IFB 004-2014, Indefinite Quantity Bid for the Purchase of Special Education Mini Buses (22 Passenger), a copy of which was obtained by your company for consideration.

In the Spirit of clarity and achieving the best possible solution to satisfy the requirements of IFB 004-2014, GDOE is hereby revising and amending the Bid Form in response to this IFB.

*The following requirement has been deleted from the wheelchair lift specifications on the 1st Bid Form that was attached to the IFB packet:*

*"Successful bidder must also be certified by Wheelchair Lift Manufacturer to entertain, address and negotiate all Warranties and Liabilities for or said Wheelchair Lift here including an on island authorized to service center located on Guam."*

*Amended requirements have been added to the warranty section on page 11 of the revised and amended Bid Form. Please see attached revised and amended Bid Form.*

**PAGE 5, SUBSECTION 2.2.5 – TIME AND DATE FOR RECEIPT OF BIDS**

Notice of Stay was lifted on January 30, 2014

**From:**

Time: 10:00 AM Chamorro Standard Time (ChST)  
Date: Friday, December 20, 2013

**To:**

Time: 10:00 AM Chamorro Standard Time (ChST)  
Date: Wednesday, February 19, 2014

All else remains the same.

Sincerely,

MARCUS Y. PIDO  
Supply Management Administrator

cc: Procurement File: IFB 004-2014

**Revised & Amended Bid Form  
GUAM DEPARTMENT OF EDUCATION**

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
1.	VEHICLE-MINI BUS, 22 Passenger Capacity, Dual Rear Wheel With wheelchair lift	5	Ea.	_____	_____

**GENERAL:**

**GENERAL:** These specifications have been written to describe minimum equipment and performance Requirements are to be supplied by the Bidder. Reasonable test may be conducted upon delivery and before acceptance.

The successful bidder shall furnish all requested and necessary information and instructions for proper operation of the equipment.

The government reserves the right to accept and/or reject any and all bids, to waive any defects, irregularities, or specification discrepancies and to award the bid as determined to be in the best interest of the government.

**LISTED:**

**DISCREPANCIES**

**LISTED:** Should any bidder have deviations from these specifications in his bid and cannot meet Every requirement of the specifications, he shall submit a letter and attach it to the bid, Explaining the deviations, failure to do so will cause the bid to be rejected as being Non-Responsive.

**SPECIFICATION:**

**BIDDING ON OR REMARKS:**

**Delivery time:** Delivery time is 210 days from receipt of Purchase Order

**Engine:** 8 cylinders Gas or diesel certified School Bus Chassis, with fast idle.

**Air Cleaner:** A dry element/ air cleaner shall be provided. All diesel engine air filters shall include a latch-type restriction indicator that retains the maximum restriction developed during the operation of the engine. The indicator should include a reset control so the indicator can be returned to zero when desired.

**Electrical:** 12 volt battery and 200 Amp. Alternator 700 cca. Must be able to handle required load.

**Alternator:** The Alternator shall be of 200 AMP Low Idle; High Output or approved equal. Must Accommodate the A.C.

**Transmission:** Automatic four (4) speed with supplementary Heavy transmission cooling system.

A transmission interlock, controlled by application of the service brake, shall be installed to prohibit accidental engagement of the automatic transmission.

**Wheelbase:** 139" minimum

**Back up Alarm:** An automatic audible alarm shall be installed behind the rear axle and shall comply with the published Backup Alarm Standards (SAE J994b), providing a minimum of 112 dBA, or shall have a variable volume that allows the alarm to vary from 87 dBA to 112dBA sound level, staying at least 5dBA above the ambient noise level. Backing safety horn when bus is put in reverse

**Brakes:** The chassis brake system shall conform to the

provisions of FMVSS Nos, 105 Hydraulic and Electric Brake Systems, Brake Hoses, and 121, Air brake Systems, as applicable.

The anti-lock brake system (ABS), provided in accordance with FMVSS No 105 Hydraulic and Electric Brake Systems or No. 121, Air Brake Systems, shall provide wheel speed sensors for each front wheel and for each wheel on at least one rear axle. The system shall provide anti-lock braking performance for each wheel equipped with sensors.

The brake systems lines, booster-assist lines, and control cables shall be protected from excessive heat, vibration and corrosion and installed in a manner that prevents chafing.

Power assisted disc front and rear drum, ABS all wheels.

**Steering:** Power steering with tilt steering wheel.

**Tires:** Tires and Rims of proper size (10 ply) with Load rating commensurate with the chassis manufacture's gross vehicle weight rating (GVWR) shall be provided. All tires, including spare tire and rim assembly, shall be of same size, rating and painted White Tire carrier is required. It shall be suitable, mounted on accessible location outside passenger location.  
Two each Schrader valve on rear wheel.

**Air Conditioning:** Dual Heavy duty air conditioner system capable of cooling entire mini school bus interior in hot temperature climates. Air conditioner control mounted on panel with easy access to driver. Bidder must identify adequate cooling capability for the bus.

**Radio:** AM/FM radio.

**Fuel Tank:** Fuel tank (s) having a minimum 30-gallon capacity shall be provided by the chassis manufacturer. Each tank shall be filled from and vented to the outside of the passenger compartment, and each fuel fill should be placed in a location where accidental fuel spillage will not drip or drain on any part of the exhaust system.

The fuel system shall comply with FMVSS No. 301

Massive fuel tank in the event of side collision. fuel tank installation shall be in accordance with SBMI School Bus Design Objective, January, 1985.

**Frame:** Frame or equivalent shall be of such design and strength characteristic has to correspond at least to standard practice for trucks of same general load load characteristic which are used for highway service.

Any secondary manufacture that modifies the originals chassis frame shall guarantee the performance of workmanship and materials resulting from such modification. Any frame modification shall not be for purpose of extending to wheel base holes in top or bottom flanges of frame side shall not be permitted except by chassis or body manufacture.

All opening in floorboard or fire wall between chassis

and passenger carrying compartment such as for gear shift lever and parking brake lever, shall be sealed.

**Shock Absorbers:**  
\*\*\*\*

Bus shall be equipped with front and rear double acting shock absorbers compatible with manufacture's rated axle capacity at each wheel location. Shock should withstand the weight bearing of the lift.

**Springs:**

Capacity of springs or suspension assemblies shall commensurate with manufacture's gross vehicle with rating. Spring should withstand the weight bearing of the lift. Additional Springs should be installed on Right Rear Axle.

**Rear Bumper:**

Bumper shall be of pressed steel channel or equivalent material at least 3/16 inch thick and 8 or 10 inches wide (high), and sufficient strength to permit pushing by another vehicle without permanent distortion.

It shall be wrapped around back corners of bus. It shall extend forward at least 12 inches measured from rear most point of body at floor line. Bumper shall be so braced as to develop full strength of bumper section from rear or side impact, and shall be so attached as to prevent hitching or rides

**Color:**

Nation School Bus Glossy Yellow, in accordance with the Colorimetry Specification of Federal Standard No. 595a, Color 13423. The body exterior paint trim, bumpers, emergency door arrow and lettering shall be black, matching Federal Standard No. 595a, Color 17038.

**Construction:**

Construction shall be of Galvanized steel or other metal or material with strength at least equivalent to all steel as certified By bus body manufacture. Construction shall provide reasonable dust proof and water tight Fiberglass insulation for roof and side panels and inside body bows. Fifth rub rails for extra protection of the lower skirt. Smooth 16 gauge side panel for clean look.

**Doors:**

The entrance door shall be under the driver's control, designed to afford easy release and to provide a positive latching on manual operating doors to prevent accidental opening. When a hand lever is used, no part shall come together that will shear or crush fingers. Manual door controls shall not require more than 25 pounds of force to operate at any point throughout the range of operation. The entrance door shall be located on the right side of the bus, opposite and within direct view of the driver.

The entrance door shall have a minimum horizontal opening of 24 inches and a minimum vertical opening of 68 inches.

The entrance door shall be a split-type door and shall open outward.

All entrance door glass shall be approved Safety Glass. The bottom of each lower glass panel shall be not more than 10 inches from the top surface of the bottom step.

Vertical closing edges on entrance doors shall be equipped with flexible material.

All door openings shall be equipped with padding at the top edge of the opening. Padding shall be at least 3 inches wide and 1 inch thick and extend the full width of the door opening.

Service door center shall be marked with "EMERGENCY EXIT DOOR" inside Red Electric Lamp and shall be placed at the top or directly above the Emergency Door.

Rear center emergency door exit shall be marked with "EMERGENCY EXIT DOOR" inside with Red Electric Lamp and outside in letters at least 2 inches High shall be placed at top of or directly above the emergency door or on the metal panel above the top glass. Emergency door shall be at least 33" x 53".

Words "STOP WHEN TOP RED LIGHTS ARE FLASHING" on metal panel of door with minimum 2 inches letters in black. Rear side door for wheelchair entrance will meet A.D.A. Requirements for wheelchair Entrance/Exit.

Buzzer switch must be installed on emergency Doors and must be (DOT Approved).

**\*\* Exterior:**

The words "GUAM DEPARTMENT OF EDUCATION" Should be mark with 6 inch black, stick on letters on each side of the vehicle.

The body shall bear the words "SCHOOL BUS" in black letters at least eight (8) inches high on both front and rear of the body. Lettering shall be place as high as possible without impairment of its visibility. Letters shall conform to "Series B" of Standard Alphabets for Highway Signs. "SCHOOL BUS" lettering shall have a reflective background.

The location of the battery(ies) identified by the word "BATTERY" or "BATTERIES" on the battery compartment door in two (2) inch lettering.

**Reflective Marking:**

3M Diamond Grade reflective side marker

3M Diamond Grade reflective rear marker

**Fire Extinguisher:**

The bus shall be equipped with at least one 10 lbs. Multi-purpose fire extinguisher Mounted in a bracket and located in the Driver's compartment and readily accessible to the driver. A pressure gauge shall be mounted on the fire extinguisher. The Fire Extinguisher shall be approved by the Underwriters Laboratories inc. The Mechanism shall be sealed with a type of seal which will not interfere with the use of the Fire Extinguisher.

**Day Time Running Light or Daylight Low Beams:**

Headlights energized when the ignition switch is turned on and De-energized when the ignition is turned off.

**Exterior Light Monitor:**

Electronic monitor indicates operation of warning Lights, back-up, tail, stop and directional lamps.

**Lamps:**

Lamps on exterior of vehicle are covered by Federal Motor Vehicle Safety No. 302. Interior lamps shall be provided with adequately illuminated aisle and step wall. School Bus alternately Flashing Signal Definition.

School bus RED SIGNAL LAMPS and YELLOW SIGNAL LAMPS are alternately flashing lamps mounted horizontally both front and rear, intended to identify a vehicle as a school bus and to inform other users of the highway that such vehicle is stopped on highway to take on or discharge school Children, Bus shall be equipped with two (2) RED LAMPS At rear of vehicle and two (2) RED LAMPS at Front of vehicle.

ALL LED LIGHTS.

In addition to four (4) RED LAMPS describe above four (4) AMBER LAMPS shall be located near each RED SIGNAL LAMP, at same level, but close to vertical centerline of bus, system of red and amber signal lamps shall be wired so that amber lamps are energized manually and red lamps being de-energized when bus service door is opened. ALL LED LIGHTS.

Areas around lens of each alternately flashing signal lamp and extending outward approximately 3 inches shall be painted black. In installation where there is no flat vertical portion of body immediately surrounding entire lens of lamp, a circular or square band of black approximately 3 inches wide, immediately below and both sides of lens, shall be painted on body or roof area against which signal lamp is seen (from a Distance of 500 feet along axis of vehicle).

Turn signal and stop /tail lamps:

Bus body shall be equipped with amber rear turn signal lamp that are at least 7 inches in diameter. These signals must be connected to the chassis hazard warning switch to cause simultaneous flashing of turn signal lamps when needed as vehicular traffic hazard warning. Turn signal lamps are to be placed as wide apart as practical and their centerline shall be a maximum of 12 inches below the rear windows. ALL LED LIGHTS.

First Aid Kit:

Bus shall have removable moisture-proof and dust-proof First Aid kit in an accessible place in the driver's drivers compartment. It shall be mounted and identified as First Aid kit. The location for the first aid kit shall be marked. Contents of the first aid kit shall be in compliance with state standards.

Number of unit and contents shall be design by Proper stare authorities from, but not limited to The following items.

- 2 - Single units 1 inch x 2-1/2 yards adhesive tape.
- 24 - Sterile gauze pads 3x3 inches
- 2 - Single units sterile gauze pads 3 inches x 3 inches (12 per unit)
- 100 - Single unit 3/4 x3 inches adhesive bandage (100 per unit)
- 1 - Single unit 2 inch bandage compress (12 per unit)
- 1 - Single unit 3 inch bandage compress (12 per unit)

2 - Single unit Non-sterile triangle bandage  
Approximately 40 inches x 36 inches (USP 2428 count)

3 - Single unit sterile gauze 36 inches x 36 inches  
(USP 2428 count)

3 - Single unit sterile eye pad  
(1 per unit)

1 - Pair scissors. Rounded-end scissors

1 - Pair medical examination gloves

1 - Mouth to mouth airway

**Floor:**

Floor in under-seat area, including tops of wheel housings, driver's compartment and toe board, shall be covered with rubber floor covering, having a minimum overall thickness of 1/8 inch and a calculated equivalent having minimum overall thickness of .125 inches.

The floor covering in the aisles shall be ribbed or other raised pattern elastomeric and have a calculated burn rate of 0.1 or less using the test methods, procedures and formulas listed in FMVSS No. 302. Minimum overall thickness shall be .187 inch measured from top of ribs.

The floor covering must be permanently bonded to the floor and must not crack when subjected to sudden changes in temperature. Bonding or adhesive material shall be waterproof and shall be a type recommended by the manufacturer of floor-covering material. All seams shall be sealed with waterproof sealer.

**Handrails:**

At least one (1) handrail shall be installed. The handrail(s) shall assist passengers during entry or exit, and shall be designed to prevent entanglement, as evidenced by passing of the NHTSA string and nut test.

**Inside Height:**

Inside body height shall be minimum of 73 inches, measured metal to metal at any point on the longitudinal centerline from front vertical bow to rear vertical bow.

**Interior:**

Interior of bus shall be free of all unnecessary projection likely to cause injury. This standard requires inner lining on ceiling and walls. If ceiling is constructed so as to contain lapped joints, forward panel shall be lapped by rear panel and exposed edges shall be beaded, hemmed, flange, or otherwise treated to minimize sharp edge aluminumized inner side panels flammability of interior materials in covered by Federal Motor Vehicle Safety Standard No.302.

**Track (Flanged)**

Vehicle shall be equipped with four (4) section of corrosion Heavy duty aluminum flanged track recessed and sealed in the floor along both sides of the bus. Track shall run the entire length of the bus and accommodate any combination of seats and or Wheelchair positions at the specified angles.  
Track should have open area cover.

**Track (Shoulder)**

The shoulder harness track shall have a multi-attachment track system. The track shall be

Harness)	installed the entire length of the passenger area above the windows on both sides of the vehicle.	_____
Warning Device:	School bus shall contain at least three (3) retroreflective triangle road warning devices that meet the requirements of FMVSS No. 125, warning devices. They shall be mounted in an 3M reflective tape applied at front, rear, sides, Emergency exits and wheelchair lift entrance.	_____ _____ _____
Mirrors:	Interior glass mirror shall be either clear view laminated or tempered and shall have rounded corners and protected edges. Mirror shall be minimum of 10 inches x 30 Inches with padded area.	_____ _____
	Cross view mirror mounted on fender one (1) left and right side, Exterior mirrors shall be one (1) on the left side and one (1) on the right side, rear view mirror with a minimum of 50 square inches each of flat mirror glass.	_____ _____
	Bus shall have a minimum of one (1) exterior right side convex mirror with a minimum of 35 square inches to provide localized vision on the right side of the side	_____ _____
	Cross view mirror left side and right side for front area visibility.	_____
	Stick on mirror, located. On emergency door for driver to view students from rear.	_____
	<u>All mirror brackets should be of Stainless Steel with Stainless Steel hardware</u>	_____
Sun Shield:	An Interior adjustable transparent sun shield, with a finished edge and dimensions not less than 6x30 inches, shall be installed in a position convenient for use by the driver.	_____ _____
Seat Belt For Driver:	Seat belt for driver shall be provided. Belt shall be equipped with a retractor on each side with sufficient quality and strength to keep it retracted and off floor when not in use.	_____ _____
Seat and Crash Barriers:	All seats shall have a minimum cushion depth of 15 inches, a seat back height of 29 inches above the seating reference point, and must comply with all other requirements of FMVSS No. 222. In addition to the fastener that forms the pivot for each seat retaining clip, a secondary fastener may be used in each clip to prevent the clip from rotating and releasing the seat cushion unintentionally.	_____ _____ _____ _____
	A Department of Transportation (D.O.T) approved Restraint system shall be provided for all passengers And driver seat position.	_____
	Number of seats will be based on space availability of 22 passenger seat diagram with 1, 2, wheelchair placements, bidder shall include that number of seats coinciding with the number of wheelchair placement.	_____ _____ _____
Seats:	Passenger seats shall be contoured track-mounted Seat belt seats equipped with 3 sets of integrated 3-point lap and shoulder harness seat belt, having a securement range from 16" -- 60". Seats shall be all vinyl. Seats shall be color coordinated with the interior & exterior colors of the vehicle.	_____ _____ _____ _____



<b>C.E. White Seats:</b>	<p>Passenger seats shall be contoured track-mounted seat belts equipped with three (3) sets of seat belts having a securement range from 16" - 60". Seats shall be all vinyl with padded guard rails on aisle on seats. Grab rails shall be constructed as an parts of the seat frame. Seats shall be color integral coordinated with the exterior and interior colors of the vehicle. Each bus will have four (4) of the C.E. White Co. Integrated Child Restraint School Bus seat. Model Number: CR39 (39" double seat).</p> <p>Each bus will be equipped with three (3) Student Transportation Add-on Restraint with one (1) Connector Strap (star plus for 25 - 90 pounds).</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<b>Step Treads:</b>	<p>All steps; including floor line platform area, shall be covered with 3/16 inches rubber floor covering or other material equal in wear resistance and abrasion resistance to top grade rubber.</p>	<p>_____</p> <p>_____</p> <p>_____</p>
<b>Stop Signal Arm:</b>	<p>Electric Type, and should be powered by a 12 volt Motor, octagon stop signal shall be in red and White letters with White border. Flashing lamps in stop arm shall be connected to the alternate red flashing signal lamp circuits. With LED LIGHTS.</p>	<p>_____</p> <p>_____</p> <p>_____</p>
<b>** Windows:</b>	<p>Window size shall be at least 23" x 25" with a opening of at least 10", and all windows be <u>TINTED</u> with dark tint.</p> <p>Two (2) push put emergency windows. One (1) on each side of the bus with buzzer switch installed and must be DOT approved (Emergency Alarm)</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<b>Wheelchair Lift:</b>	<p>Wheelchair lift must have restraint system. Wheelchair lift shall be mounted inside the right side rear of the bus "MUST BE ADA AND FEDERAL D.O.T. APPROVED" For commercial transport of individual with disability. Must have master switch easily accessible to driver so cannot be accidentally turned on. Bidder must specify make/model and other specification related to wheelchair lift. Appropriate brochures describing the wheelchair lift must be provided to operator, repair and service manual. Wheelchair lift door shall be at least 42" x 64".</p> <p><u>Wheelchair lift must be tied into the parking brake.</u></p> <p>The lift platform shall be 32 inches. "MUST BE ADA AND FEDERAL D.O.T. APPROVED"</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<b>Wheelchair Position:</b>	<p>(WCP) and wheelchair restraint system shall be floor mounted (at rear of bus) four (4) point tie down system with adjustable straps that separately Anchors both wheelchair and occupant in a forward facing position. Bidder must specify make/model and other specification related to the WCP. Appropriate Brochures describing the wheelchair restraint System and the WCP must be "ADA AND FEDERAL D.O.T. APPROVED WCP must be able to accommodate wheelchairs of all sizes.</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<b>Wheelchair Securement/ Occupant Restraint</b>	<p>The wheelchair positions shall be forward facing utilizing Ortho Safe Protector System (OSPS) or QTR Retractable Securement System (Q-8100-A1Delux System). Each vehicle shall be</p>	<p>_____</p> <p>_____</p>

**Systems:** equipped with six (6) sets of wheelchair/ occupant restraints. Manufacturer's part numbers and Quantities per Position. \_\_\_\_\_

Are listed:

- Ortho Safe Protector System (OSPS):**
- Two (2) Rear Tie Downs -- Part Number: #50-01
- Two (2) Front Tie Downs -- Part Number: #60-02A
- One (1) Lap Belt -- Part Number: #50-03
- One (1) Shoulder Harness -- Part Number: #50-06-FF
- QTR Retractable Securement System:
- Deluxe System: Part Number: (Q-8100-A1).

**Dimension:** Overall Length: 285" \_\_\_\_\_

Overall width exterior: 95" \_\_\_\_\_

Overall height exterior 114" \_\_\_\_\_

Overall height interior: 74" \_\_\_\_\_

**Gross Vehicle Weight:** Buses shall be of 14,500 min. chassis Gross Vehicle Weight (GVW) \_\_\_\_\_

**Standard Feature:** One (1) spare tire and rim mounted and ready to used and shall be mounted on the carriage. One set wheel chock consisting of two (2) wheel chocks, none skid hard rubber design with nylon rope. 8"W x 8" overall length mud flaps front and rear, grab rails stainless steel at entrance door, clearance, cluster, and side marker lights, 3" Reflectors on rear and side of bus. \_\_\_\_\_

One (1) 12 ton jack and lug wrench (on each bus), (Closed Height @ 7 1/2") \_\_\_\_\_

Complete Illustrated parts book in English, for Engine, transmission, Body, electrical and chassis etc. \_\_\_\_\_

Each vehicle will be delivered with shop repair manual and operator manual in English for engine, Transmission Body, electrical, chassis, and lift etc. One (1) line setting ticket and certificate or origin per bus. \_\_\_\_\_

**Rust Proofing:** Complete rust proofing with a (5) year guarantee, or Electronic Rust Evader with a ten (10) year guarantee. \_\_\_\_\_

**Special Requirements:** All factory recalls, modification, news bulletins and illustrations, ect "MUST BE ROUTED BY FACTORY TO SAID OWNER". Successful bidder shall/must be fully responsible to entertain, address and negotiate "all" warranty repair requests as suggested by manufacture Warranty period. Transmission extended warranty period, if any "MUST BE IDENTIFIED AND AT WHAT COST TO SAID OWNER". \_\_\_\_\_

**Web Cutter:** Each vehicle will be equipped with (1) Web Cutter with replaceable blade. \_\_\_\_\_

**Special Provision:** Vehicle shall be inspected upon completion by the purchaser prior to shipment from manufacturer's \_\_\_\_\_

Factory or assembly plant and will consist of \_\_\_\_\_

the Following Inspection:

1. Workmanship
2. Quality Conformance
3. First Production Vehicle

The Manufacturer/Supplier will provide for round Trip Airfare and Accommodations for one (1) Representative from the Guam Department of Education for a post construction inspection at the Place of construction prior to Freight On Board (F.O.B.) Guam.

1. Transportation: Guam to Factory and Return
2. Lodging: Seven (7) Days
3. Quantity: One (1) Employee

Final Inspection: Will be performed at the Department of Public Works, Government of Guam for Final Inspection and Acceptance.

**WARRANTY:**

Three (3) years/36,000 miles bumper to bumper limited warranty and a five (5) year/ 60,000 miles limited power train warranty or manufactures warranty period but no less then specified above. Service for One (1) year/12,000 Miles, all parts and labor shall be included at "No Cost to the Government".

- Yes, offer as requested.  
 No, offer the following:
- 
- 

When some mileage is put on the vehicle during shipping and while at the dealer - the dealer must record this mileage on the Warranty Booklet at delivery. This mileage is added to the mileage limit as specified in the New Vehicle Limited Warranty.

- Yes, offer as requested.  
 No, offer the following:
- 
- 

When the vehicle is down for Warranty repair and remains in the shop for more then (3) consecutive months awaiting spare parts and any other delays, the down time is added to the months limit as specified in the New Vehicle Limited Warranty.

- Yes, offer as requested.  
 No, offer the following:
- 
- 

The successful bidder shall provide service, such as to determine deficiency, repair or adjustment of the vehicle on government premises or transfer the vehicle to the shop where the repair be done, at anytime within the warranty period.

- Yes, offer as requested.  
 No, offer the following:
- 
-

The successful bidder shall be fully responsible to entertain, address, negotiate and schedule any and all warranty related issues whether in-house or outside vendors.

- Yes, as requested.
- No, remarks:

---

All warranty and maintenance services shall be performed by manufacturer/factory trained, authorized technicians.

- Yes, as requested.
- No, remarks:

**Note:**

Bidder shall identify on their bids, any deviations from requirement on remarks column and state item being offered for evaluation processing. Failure to comply may result in rejection of bid.

Manufacturer's brochure (original) shall be submitted and attached on bid proposal.

Certificate of origin is required on the sale of vehicle.

Vehicle must be inspected and pass inspected by authorized safety inspection station.

Vehicle must be delivered to Department of Public Works.

Special Note to Awarded Vendor:

It will not be the responsibility of the Department of Public Works (DPW) to notify awarded vendor should and Natural Disaster arise. The Department of Public Works must insure that the awarded vendor has the access to enter the compound storage area where the buses are kept to remove said vehicles.

Please be advised, that any Natural Disaster occurrence (i.e. Typhoon (Condition III), etc.), it will be the responsibility of the awarded vendor to remove the vehicle and secure them to prevent any further discrepancies or damages.

If vehicles are not removed and stored in a secured place, it will be the responsibility of the awarded vendor to file such necessary claims should any discrepancies arise, furthermore, Liquidated Damages will be applied if the vehicle are not received and accepted in the specified time of delivery.

**Bidder Offers:**

Manufacturer: \_\_\_\_\_

Make: \_\_\_\_\_

Model: \_\_\_\_\_

Yeas: \_\_\_\_\_

Place of Origin: \_\_\_\_\_

Date of Delivery: \_\_\_\_\_

APPROVED BY:

  
Mr. PAUL CEPEDA, Superintendent T.M.D.  
DEPARTMENT OF PUBLIC WORKS

DATE: 2/11/14

PLEASE CHECK HERE ( ) IF YOU ARE CLAIMING STATUS AS A SERVICE - DISABLED VETERAN OWNED BUSINESS UNDER 5 GCA § 5012. THE FOLLOWING ARE REQUIRED:

1. DD214 FORM & DISABILITY AWARD LETTER FROM U.S. DEPARTMENT OF VETERANS AFFAIRS MUST BE SUBMITTED AT THE TIME OF BID SUBMISSION, AND
2. THE SERVICE-DISABLED OWNER OF THE BUSINESS HAS FILED INDIVIDUAL TAX RETURNS ON GUAM FOR A PERIOD OF AT LEAST THREE CONSECUTIVE YEARS PRIOR TO BIDDING ON THIS IFB.

	UNIT PRICE	EXTENSION
1. VEHICLE - MINI BUS, 22 Passenger Capacity, Dual Rear Wheel With Wheelchair Lift	\$ _____	\$ _____

**BIDDERS REPRESENTATIONS**

By signing below, I represent that I am an authorized representative of:

\_\_\_\_\_  
PRINT COMPANY NAME

And by submission of this bid the company is making an offer to provide the goods described on GDOE IFB \_\_\_\_\_ for the price stated above. I also confirm that the bid price shall remain firm and irrevocable for ninety (90) days from the opening of this bid.

Print Name of \_\_\_\_\_  
Authorized Representative

Signature of \_\_\_\_\_ Date: \_\_\_\_\_  
Authorized Representative

# **Exhibit 2**



Guam Department of Education

December 19, 2013

Attn: Carmen Taitano

Buyer Supervisor

Ph: 300-1585

[cttaitano@gdoe.net](mailto:cttaitano@gdoe.net)

RE: Bid Protest - Bid no. DOE 004-2014 22 Passenger Mini School Buses  
Triple J Motors is filing the subject bid protest due to the following specification requirements which restrict us from participating in this procurement.

Section: Wheelchair Lift- As Written by DOE:

"Successful bidder must also be certified by Wheelchair Lift Manufacture to entertain, address and negotiate all Warranties and Liabilities for or said Wheelchair Lift here including an on island authorized to service center located on Guam".

We have expressed to DOE in the past that this is unjustified, unfair, and restricts other potential vendors. The primary lift manufacture for this type of vehicle is Ricon. Ricon has only one authorized service and warranty facility on island which is Fukuda Enterprises. Furthermore, Ricon refuses to certify any other vendors to service their products. This requirement essentially assures that the vehicles can only be procured from Fukuda. Clearly this is not in the best interest of the Government.

We find it very unusual that DOE does not have this same requirement for the most important aspects of the vehicle like the chassis, engine, transmission and body. As it stands now, operation of one of the least complicated aspects of the vehicle, the wheelchair lift, is taking priority over the ability of the vehicle to be maintained and operated safely on Guam's roads. This is a very unusual decision on DOE's part and one we feel needs to be reconsidered.

**TRIPLE J MOTORS**

P.O. BOX 6066 • TAMUNING, GUAM 96931 • TEL: (671) 648-6010 • FAX: (671) 648-6051  
Cell: (671) 687-1280



As with other vehicle solicitations, bids should be allowed as long as there is a local authorized representative for the vehicle and equipment being offered. This requirement assures that there is on-island expertise should a problem arise but it also allows for competitive bids and a fair price for taxpayers.

Thank you for your attention to this matter.

Charlie Reynolds

A handwritten signature in black ink, appearing to be "CR" or similar initials, written over a circular scribble.

Fleet & Commercial Sales Manager

CC: Jeff Jones President & COO  
Jay Jones Senior Vice President  
Alma Valdez Business Manager  
Mike Temerowski Sales Manager

Pg. 2/2

**TRIPLE J MOTORS**  
P.O. BOX 6066 • TAMUNING, GUAM 96931 • TEL: (671) 648-6010 • FAX: (671) 648-6051  
Cell: (671) 687-1280

GDOE0098



# **Exhibit 3**



FUKUDA ENTERPRISES, LLC.

BUS SALES AND RENTALS  
PARTS AND SERVICES  
UNIFORMS

February 14, 2014

Mr. Marcus Pido  
Supply Management Administrator  
Office of Supply Management  
Department of Education  
P.O. Box DE  
Hagatna Guam 96932

Re: IFB No. 004-2014

Sent via "EMAIL."

Mr Marcus Pido,

We disagree with your Amendment# 4 that was issued on February 11, 2014.

The following requirement has been deleted from the wheelchair lift specifications on the 1<sup>st</sup> Bid Form that was attached to the IFB packet:

"Successful bidder must be also be certified by Wheelchair Lift Manufacturer to entertain, address and negotiate all Warranties and Liabilities for or said Wheelchair Lift here including an on island authorized to service center located on Guam."

Amended requirements have been added to the warranty section on Page 11 of the revised and amended Bid Form. Please see attached revised and amended Bid Form.

This was your response to the stay issued on December 20, 2013?

Our response and questions are as follows:

- 1) In this IFB, section 1- Invitation for Bid (IFB) timeline  
1.1- Table Timeline  
November 27, 2013  
Deadline of submission of Pre-Bid Written Questions 2:00PM, Chamorro Standard Time (chst)

Why was it possible for a vendor to submit and protest the bid on 12/20/13, which was the day it was scheduled to be opened? When the last day to submit questions was on November 27, 2013?

- 2) Now the entire bid is changed?



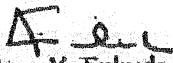
BUS SALES AND RENTALS  
PARTS AND SERVICES  
UNIFORMS

FUKUDA ENTERPRISES, LLC.

Your amendment 4, which changes the entire bid package, should not continue in its current form. The original bid form which was issued on November 20, 2013 must and should be used to continue this bid process. It is unfair to other vendors who was present at your office on December 20, 2013 and was ready to submit bid packages. Now, your office decides to change specifications when the question and answer time line has come and gone to satisfy a certain vendor.

We would like to have a response by the end of business today.

Sincerely,

  
Jason Y. Fukuda  
Member

# **Exhibit 4**

**LAW OFFICE  
CUNLIFFE COOK**

Suite 200  
210 Archbishop F.C. Flores Street  
Hagåtña, GU 96910

Telephone: (671) 472-1824 Telecopier: (671) 472-2422 E-Mail: cclaw@teleguam.net

---

**DATE:** March 5, 2014 **FILE NO:** F-0138  
**TO:** Marcus Y. Pido  
Office of Supply Management  
Department of Education  
**FAX NO.:** (671) 472-5001  
**FR:** Jeffrey A. Cook, Esq.  
**RE:** Protest of IFB 004-2014

---

**COMMENTS:**

Please see attached. The original letter will be mailed to your office.

---

**DESCRIPTION OF DOCUMENTS:**

1. Cover sheet; and,
2. Letter dated March 5, 2014.

**PROCUREMENT SECTION  
RECEIVED**

MAR 05 2014

DEPARTMENT OF EDUCATION

TIME: \_\_\_\_\_ INITIAL: JP

Total Page(s), including Cover Sheet **2**

**CONFIDENTIAL NOTICE:**

The information in this facsimile is intended for the named recipient(s) only. It may contain privileged and confidential matters. If you have received this facsimile in error, or if there is a transmission error, please notify us immediately by collect telephone call and return the original to sender by mail. We will reimburse you for postage. Do not disclose the contents to anyone. Thank you.

E RANDALL CUNLIFFE  
JEFFREY A. COOK

JEFFREY A. MOOTS

LAW OFFICES

*Cunliffe & Cook*

Suite 200  
210 Archbishop Flores Street  
Hagåtña, Guam 96910

TELEPHONE (671) 472-1824  
TELEFAX (671) 472-2422  
E-MAIL cclaw@teleguam.net

March 5, 2014

Mr. Marcus Y. Pido  
Supply Management Administrator  
DEPARTMENT OF EDUCATION  
OFFICE OF SUPPLY MANAGEMENT  
Manuel F.L. Guerrero Administration Building  
2<sup>nd</sup> Floor, Suite B-220  
Hagåtña, Guam 96910

PROCUREMENT SECTION  
RECEIVED

MAR 05 2014  
DEPARTMENT OF EDUCATION  
TIME: \_\_\_\_\_ INITIAL: *JP*

RE: Protest of IFB 004-2014

Dear Mr. Pido:

On February 14, 2014, my client, Fukuda Enterprises, LLC., submitted a letter to you protesting Amendment No. 4 of the IFB issued February 11, 2014. This amendment deleted a specification from the IFB. This amendment was made after the initial date bids were due, December 20, 2013, and long after the deadline for pre-bid questions of November 27, 2013.

Pursuant to 2 GAR, Division 4, §9101(c), you are required to stay the procurement until the protest is resolved. As of this date, my client has not received a response to its protest letter. Please confirm the bid process has been stayed and advise when you will respond to my client's protest.

Also, pursuant to 2 GAR, Division 4, §9101(f), I hereby submit this written request that you make available all information submitted to the department and its response regarding the protest that resulted in you issuing the Notice of Stay of Procurement on December 20, 2013 in the above referenced IFB.

Thank you for your immediate attention to this matter.

Sincerely,

CUNLIFFE & COOK

  
JEFFREY A. COOK

JAC: njg JAC Letters 2014  
March 2014 F0138

GDOE 0070

# **Exhibit 5**

**LAW OFFICE  
CUNLIFFE COOK**

Suite 200  
210 Archbishop F.C. Flores Street  
Hagåtña, GU 96910

Telephone: (671) 472-1824 Telecopier: (671) 472-2422 E-Mail: cclaw@teleguam.net

---


**DATE:** March 21, 2014 **FILE NO:** F-0138

**TO:** Ms. Taling M. Taitano  
Deputy Superintendent Finance &  
Administrative Ser  
Department of Education Office of The Superintendent

**FAX NO.:** (671) 472-5001

**FR:** Jeffrey A. Cook, Esq.

**RE:** Protest of IFB 004-2014

**PROCUREMENT SECTION  
RECEIVED**  
MAR 21 2014  
DEPARTMENT OF EDUCATION  
TIME: 1430 INITIAL: 

---

**COMMENTS:**

Please see attached. The original letter will be mailed to your office.

---

**DESCRIPTION OF DOCUMENTS:**

1. Cover sheet; and,
2. Letter dated March 21, 2014.

Total Page(s), Including Cover Sheet **2**

**CONFIDENTIAL NOTICE:**

The information in this facsimile is intended for the named recipient(s) only. It may contain privileged and confidential matters. If you have received this facsimile in error, or if there is a transmission error, please notify us immediately by collect telephone call and return the original to sender by mail. We will reimburse you for postage. Do not disclose the contents to anyone. Thank you.



F RANDALL CUNLIFFE  
JEFFREY A. COOK

JEFFREY A. MOOTS

LAW OFFICES

*Cunliffe & Cook*

Suite 200  
210 Archbishop Flores Street  
Hagåtña, Guam 96910

TELEPHONE (671) 472-1824  
TELEFAX (671) 472-2422  
E-MAIL cclaw@teleguam.net

March 21, 2014

Ms. Taling M. Taitano  
Deputy Superintendent  
Finance & Administrative Services  
DEPARTMENT OF EDUCATION  
OFFICE OF THE SUPERINTENDENT  
Post Office Box D.E.  
Hagåtña, Guam 96932

**RE: Protest of IFB 004-2014**

Dear Ms. Taitano:

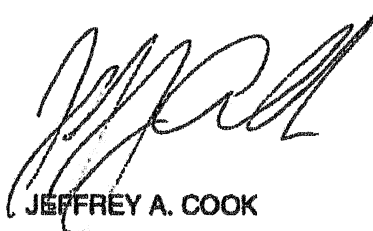
I am in receipt of your March 18, 2014 letter regarding the FOIA request portion of my March 5, 2014 letter addressed to Mr. Pido. I hereby acknowledge that my client, Fukuda Enterprises, LLC, through its member Jason Fukuda, has obtained the requested documents pertaining to the Notice of Stay of Procurement issued December 20, 2013.

Your letter, however, does not address the primary purpose of my March 5, 2014 letter. That was requesting when DOE would respond to Fukuda Enterprises, LLC's protest set forth in my client's letter to your department dated February 14, 2014. Please advise the status of DOE's consideration of Fukuda Enterprises, LLC's protest and confirm that there is a stay of the process pending the determination of Fukuda Enterprises, LLC's protest as required by Guam Procurement Law.

Thank you for your prompt response to the matters herein.

Sincerely,

**CUNLIFFE & COOK**



JEFFREY A. COOK

JAC: njg JAC Letters 2014  
March 2014 F-0138  
cc: Mr. Jason Fukuda

GDOE 0072

# **Exhibit 6**



**DEPARTMENT OF EDUCATION  
OFFICE OF SUPPLY MANAGEMENT**

[www.gdoe.net](http://www.gdoe.net)  
Manuel F.L. Guerrero Administration Building  
2<sup>nd</sup> Floor, Suite B-220  
Hagatna, Guam 96910  
Telephone: (671) 475-0438 / Fax: (671) 472-5001



Jon J. P. Fernandez  
Superintendent of Education

Marcus Y. Pido  
Supply Management Administrator

March 25, 2014

**NOTICE OF STAY OF PROCUREMENT**

**To:** All Participating Bidders  
**FROM:** GDOE Office of Supply Management  
**Reference:** Indefinite Quantity Bid for the Purchase of SPED Mini Buses (22 Passenger)  
Formal Bid: GDOE IFB 004-2014

This notice is to advise you that the Department on March 5, 2014 received a letter of protest regarding the referenced Invitation for Bid. Therefore, pursuant to 5 GCA §5425(g), a " **STAY OF PROCUREMENT**" is hereby issued and shall remain in effect until the protest is resolved.

Once resolution of this matter is achieved, the Department will advise all participating Bidders.

Should you have any questions regarding this matter, please do not hesitate to call our office at (671) 300-1585.

Please acknowledge receipt of this **NOTICE OF STAY OF PROCUREMENT** for **IFB 004-2014** by signing below and returning the signed document via fax at (671) 472-5001 or e-mail to [cttaitano@gdoe.net](mailto:cttaitano@gdoe.net).

  
MARCUS Y. PIDO  
Supply Management Administrator

**Acknowledge Receipt:**

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

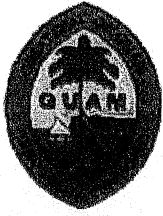
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Business Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time AM/PM

# **Exhibit 7**



**DEPARTMENT OF EDUCATION  
OFFICE OF THE SUPERINTENDENT**

www.gdoe.net

P.O. Box D.E., Hagatña, Guam 96932

Telephone: (671)475-0457 or 300-1547/1536 • Fax: (671)472-5001

Email: jonfernandez@gdoe.net



**JON J.P. FERNANDEZ**  
Superintendent of Education

March 27, 2014

Jeffrey A. Cook, Esq.  
Counsel for Fukuda Enterprises, LLC  
CUNLIFFE & COOK, P.C.  
210 Archbishop Flores Street, Suite 200  
Hagatña, Guam 96910

**RE: Protest Letter dated March 5, 2014 re: GDOE Invitation for Bid No. 004-2014;  
22 Passenger Mini School Buses**

Dear Mr. Cook:

I am writing in response to your letter of March 5, 2014 which references itself as a protest over Guam Department of Education ("GDOE") Invitation for Bid No. 004-2014 (the "IFB"). As you know, the IFB solicited 22-Passenger Mini School Buses.

In your letter, you state that on February 14, 2014 your client, Fukuda Enterprises, LLC "submitted a letter to [GDOE] protesting Amendment 4 of the IFB". To clarify, the February 14<sup>th</sup> letter from Fukuda Enterprises was not labeled a protest, nor does it state anywhere in the letter that Fukuda Enterprises was protesting the actions of GDOE. In fact, your client makes the statement that "[o]ur response and questions are as follows ..." and then indicates that it wanted a response by the end of the business day. As the Fukuda Enterprises letter did not identify itself as, or provide a statement of reasons for, a protest as required by 2 GAR Div 4 §9101, the letter was not a protest. It therefore was not treated as a protest, and no stay was required nor issued by GDOE.

With regard to your letter of March 5, 2014, it is labeled as a protest of the IFB, is being treated as such, and a Stay of Procurement was recently issued in response thereto. Although there was a delay between the date of your protest and the issuance of the stay, GDOE represents that, in accordance with applicable law and regulation, no action was taken in furtherance of award of the IFB between the time the protest was received and the date of this letter.

As you provide no other information about the substance of your protest, by your reference to it, GDOE is assuming the basis of your protest to be the Fukuda Enterprises letter of February 14, 2014 regarding Amendment 4 to the IFB. GDOE hereby responds to the questions raised in that letter, and for the reasons below, denies your protest in its entirety.

**Fukuda Enterprises Question 1:** Why was it possible for a vendor to submit and protest the bid on 12/20/13, which was the day it was scheduled to be opened? When the last day to submit questions was on November 27, 2013?

GDOE 0074

**GDOE Response:** Pursuant to 5 GCA §5425, any actual or prospective bidder may file a written protest within fourteen days after the bidder knows or should know of the facts giving rise to the protest. §5425 does not consider deadlines to submit questions about an IFB when defining the fourteen day limit. A protest over GDOE IFB 004-2014 was received on December 19, 2013 from a prospective bidder, and it was deemed timely by GDOE. The protest involved a specification for a wheelchair lift. In an effort to address and potentially resolve the protest, GDOE consulted with Paul Cepeda of the Department of Public Works, who collaborated on the development of the specifications for the IFB (as noted in Section 2.1.2 of the IFB.). Thereafter GDOE determined it to be in its best interests to issue Amendment 4, which modified the specifications for a wheelchair lift. The issuance of Amendment 4 resulted in the resolution of the protest, and in GDOE's continuing with the solicitation described in the IFB. The deadline for potential vendors to submit questions about the IFB was identified in the IFB at Section 1.1 as November 27, 2013. However, that deadline does not equate to a deadline to file a protest, as that time limit is defined in 5 GCA §5425, as discussed above.

**Fukuda Enterprises Question 2:** Now the entire bid is changed?

**GDOE Response:** The IFB was modified as described in Amendment 4.

**Further Comment by Fukuda Enterprises:** "The original bid form which was issued on November 20, 2013 must and should be used to continue this bid process. It is unfair to other vendors who was present at your office on December 20, 2013 and was ready to submit bid packages. Now your office decides to change specifications when the question and answer time line has come and gone to satisfy a certain vendor".

**GDOE Response:** Amendment 4 was issued on February 11, 2014, after consultation with Mr. Paul Cepeda, a drafter of the IFB specifications. After conferring with Mr. Cepeda, GDOE determined it best to make the changes described in Amendment 4. Such changes were likely to increase competition among bidders, resulting in more competitive rates for GDOE. The Amendment advised all bidders that the deadline to submit bids had been extended to February 19, 2014, eight days after the amendment was issued. This allowed each potential bidder an equal opportunity to reconsider its bid and submit one that took into account the changes described in Amendment 4. In fact, no bids were submitted to GDOE prior to the issuance of Amendment 4, so no bidder was prejudiced by having submitted a bid without opportunity to consider the information in the amendment. All bidders were afforded an equal amount of time to develop and submit a bid after Amendment 4 was issued. Fukuda Enterprises apparently had time to consider the changes made by the amendment, as Fukuda Enterprises confirmed receipt of Amendment 4 on February 14, 2014, and did not submit its bid until the last day to do so, that is, February 19, 2014. Given this, claims that the changes in Amendment 4 were unfair to vendors who were previously ready to submit bids are without merit.

For the reasons above, your protest is denied in its entirety. Pursuant to 5 GCA §5425, you have the right to appeal this decision to the Office of Public Accountability within fifteen days.

Sincerely,

  
Marcus Y. Pido

# **Exhibit 8**







**GUAM DEPARTMENT OF EDUCATION  
INVITATION FOR BID REGISTER**

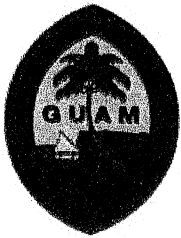
Purchase of Special Education Mini  
Buses (22 Passenger)

IFB 004-2014

SUBMISSION & OPENING DATE: 11-Dec-2013  
TIME: 10:00 AM

8. BIDDER NAME and ADDRESS		PRINT FULL NAME	SIGNATURE	DATE	TIME	Tel# / Fax# / Email	Issued by:	Submission Date & Time	Received by:
						Tel#: Fax#: Email:			
7. BIDDER NAME and ADDRESS		PRINT FULL NAME	SIGNATURE	DATE	TIME	Tel# / Fax# / Email	Issued by:	Submission Date & Time	Received by:
						Tel#: Fax#: Email:			
8. BIDDER NAME and ADDRESS		PRINT FULL NAME	SIGNATURE	DATE	TIME	Tel# / Fax# / Email	Issued by:	Submission Date & Time	Received by:
						Tel#: Fax#: Email:			
9. BIDDER NAME and ADDRESS		PRINT FULL NAME	SIGNATURE	DATE	TIME	Tel# / Fax# / Email	Issued by:	Submission Date & Time	Received by:
						Tel#: Fax#: Email:			
10. BIDDER NAME and ADDRESS		PRINT FULL NAME	SIGNATURE	DATE	TIME	Tel# / Fax# / Email	Issued by:	Submission Date & Time	Received by:
						Tel#: Fax#: Email:			

# **Exhibit 9**



**GUAM DEPARTMENT OF EDUCATION  
OFFICE OF SUPPLY MANAGEMENT**

Manuel F.L. Guerrero Administration Building  
2nd. Floor, Suite B-220  
Hagåtña, Guam 96910  
Telephone: (671) 300-1581  
Fax: (671) 472-5001



Marcus Y. Pido  
Supply Management Administrator

Jon J. P. Fernandez  
Superintendent of Education

**BID OPENING  
IFB 004-2014 IQB FOR THE PURCHASE OF SPECIAL EDUCATION MINI BUSES (22 PASSENGER)  
Wednesday, February 19, 2014 at 10:00 AM**

Attendees Sign-In Sheet			
NAME	COMPANY & TITLE	CONTACT #	SIGNATURE
1. JOSEFINA S. FUKUDA	FUKUDA ENTERPRISES MEMBER	688-4439	
2. LESTER A. SISON	Fukuda ACCOUNTING MANAGER	888-5939	
3. CHARLES REYNOLDS	TRIPLE F SCOUT Fleet Mgr	687-1280	
4. DIANA SUBRAPP	DPE PROCUREMENT	300-1242	
5. LAURA TALSIPIC	SPED	300-1322	
6. VINCENT BUKIKOSA	SPED	300 1322	
7. CARMEN TAITANO	OSM	300-1585	
8.			
9.			
10.			

# **Exhibit 10**

**END-USER MEMORANDUM  
INVITATION FOR BID**

TO: SUPERINTENDENT OF EDUCATION  
DATE: 1/24/13 (MM/DD/YYYY)  
RE: REQUEST TO INITIATE PROCUREMENT FOR (4) MINI BUS (22-PASSENGER)

\*\*\*\*\*

**PROCUREMENT REQUEST**

RPO # 2013021

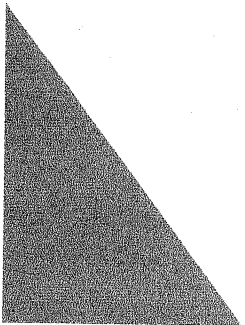
REQUESTING DIVISION: SPECIAL EDUCATION DESIGNATED END-USER: \_\_\_\_\_

ASSIGNED BUYER: \_\_\_\_\_

**INITIAL QUESTIONS**

1. Describe the planning for this procurement, e.g., how the need for this procurement was determined; or is this described in a grant application? (AG Checklist #1)  
Purchase of buses are to be, unconditional to ensure students w/ disabilities are transported from home to school and back @ pm IDEA.

# **Exhibit 11**



30 Wednesday, November 20, 2013 guampdn.com Pacific Daily News

**BLACK CONSTRUCTION CORPORATION**  
**MECHANICAL PROJECT ENGINEER**  
**BLACK CONSTRUCTION CORP**  
*An Equal Opportunity Employer and Drug Free Workplace*  
 For more information call 646-4861 X332/334

**JMC Equipment Rental**  
 A Civil Contractor  
 is accepting applications for:  
**Operator(s) - 6 years exp. operating heavy civil equipment**  
 (i.e. excavator)  
**Dump Truck Driver(s) - B & C License with least 2 years driving experience**  
**Mason - 2 years exp. trimmer and finishes surfaces of poured concrete floors, walls, sidewalks or curbs to specified textures using hand tools or power tools including leveling, chisel and trowels**  
**Carpenter - 2 years exp. construct, erect, trim and repair structures and fixtures of wood, plywood and additional using carpenter's hand tools and power tools and conforming to local building codes**  
 Attention All Applicants: A Police Clearance AND a mandatory Drug Test is required. The 30 hour OSHA Safety Certificate is a plus.  
 We are an Equal Opportunity Employer  
 Physical Address: Alayeta St., Barrigada  
 Telephone: (671) 633-2596 - Facsimile: (671) 637-2449  
 E-mail: jmcceq@teleguam.net

**NOTIFICATION FROM THE SUPREME COURT OF GUAM'S COMMITTEE ON JUDICIAL DISCIPLINE AND SPECIAL COURT REGARDING JUDICIAL DISCIPLINARY ENFORCEMENT**

Pursuant to the Supreme Court of Guam's Rules for Judicial Disciplinary Enforcement and for the protection of the public and the administration of justice, the Committee on Judicial Discipline administers the investigatory function of the judicial discipline and incapacity system and the Special Court administers the adjudicatory function of the system. For information about the Judicial Discipline System you may contact Disciplinary Counsel at 475-3167. Matters before the Committee are strictly confidential, with certain limited exceptions. The addresses and telephone numbers for the Committee and Special Court are as follows.

**COMMITTEE ON JUDICIAL DISCIPLINE**  
 c/o Chairman Richard H. Benson, Esq.  
 Guam Judicial Center 120 W. O'Brien Drive  
 Hagatña, Guam 96910  
 Telephone: (671) 475-3199

**SPECIAL COURT**  
 c/o Disciplinary Counsel, Bruce A. Bradley, Esq.  
 Guam Judicial Center  
 120 W. O'Brien Drive  
 Hagatña, Guam 96910  
 Telephone: (671) 475-3167

**Guam Solid Waste Authority Board of Directors Meeting**  
 8:00 a.m. Wednesday, November 27, 2013  
 Small Conference Rm., Adetup

The Solid Waste Authority Board of Directors will have a board meeting on Wednesday, November 27, 2013 at 8:00 a.m. in the Small Conference Room, Ricardo J. Soriano Governor's Complex, Adetup, Guam. The public is invited to attend this regular meeting.

**AGENDA:** Call to Order, Roll Call, Approval of Minutes, Reports, Unfinished Business, New Business, Open Discussion, Public Forum, Next Meeting Date Adjourning.

Individuals requiring special accommodations auxiliary aids or services should contact Solid Waste Authority by calling 646-3111 or e-mailing [customerservice@swa.gov.gu](mailto:customerservice@swa.gov.gu)

**Supreme Court of Guam**

**Notice of Bar Examination**

The Guam Board of Law Examiners is accepting applications for the FEBRUARY 2014 Bar Examination.

Bar Applications are available at the Supreme Court website at [www.guamsupremecourt.com](http://www.guamsupremecourt.com) or at the Supreme Court of Guam, Suite 300, Judicial Center Building.

Bar Examination Date: FEBRUARY 26 and FEBRUARY 27, 2014

Applications must be received by:  
 Timely Filing Deadline: DECEMBER 6, 2013 at 5:00 p.m.  
 \$750.00 application fee

Late Filing Deadline: JANUARY 3, 2014 at 5:00 p.m.  
 \$750.00 application fee plus a \$250.00 late fee

For more information, you may contact:  
 Hannah Gutierrez Arroyo  
 BOARD OF LAW EXAMINERS  
 Supreme Court of Guam  
 Suite 300, Guam Judicial Center

**GUAM DEPARTMENT OF EDUCATION OFFICE OF SUPPLY MANAGEMENT**  
 Special Education Administration Unit  
 27 Pacific Plaza P-220  
 Hagatña, Guam 96910  
 Tel: (671) 475-5171 FAX: 472-5001  
 E-mail: [osm@doe.gu](mailto:osm@doe.gu)

**INVITATION FOR BID**  
 GDOE/IFB-004-2014

**PURCHASE OF SPECIAL EDUCATION MINI-BUSES (22 PASSENGER)**  
**SUBMISSION DATE: WEDNESDAY, DECEMBER 11, 2013 AT 10AM**

THIS IFB PACKAGE IS AVAILABLE FOR VIEWING AT THE OFFICE OF SUPPLY MANAGEMENT MANUEL F.L. GUERRERO ADMINISTRATION BLDG., 2<sup>ND</sup> FLOOR SUITE R-220 312 ASPHALL AVE. HAKATNA, GUAM 96910 OR FOR IMMEDIATE DOWNLOAD AT:

<http://www.doedoe.gu/procurement>

A NON-REFUNDABLE CASH PAYMENT OF \$10.00 IS REQUIRED UPON BID SUBMISSION FOR EACH DOWNLOAD AND HARD COPY PACKAGE.

THIS AD IS FEDERALLY FUNDED BY SPECIAL EDUCATION - IDEA - PART B STATE GRANTS  
 CFDA: 84.027A/AWARD: H027A120015

/s/ Marcus Y. Pico  
 SUPPLY MANAGEMENT ADMINISTRATOR  
 FOR: Jose J.P. FERNANDEZ  
 DEPARTMENT OF EDUCATION

**REVISIONS TO THE RULES OF THE SUPREME COURT OF GUAM**

The following bills have been introduced for consideration by the Legislature at its regular session on Tuesday, November 22, 2013:

**Bill No. 209-32 (SB)** - Introduced by Senator Justice Rogala. An Act to Amend Section 1 of Public Law 31708, Relative to the Judicial System, to amend the original jurisdiction of the Special Court.

**Bill No. 219-32 (SB)** - Introduced by Senator Joseph Brien. An Act to Amend Section 1 of Article I, Section 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

**REQUESTS FOR PROPOSALS**  
 Architectural/Engineering Services for Terminal Bldg. Structural Upgrade & Concourse Isolation Design

RFP NO: RFP-001-FY14  
 COMMISSION DEADLINE: 4:00 pm - Dec. 20, 2013 GIAA Executive Office

The Antonio B. Won Pat Int'l. Airport Authority, Guam (GIAA) is soliciting proposals from qualified persons to provide the services listed above. RFP packages may be obtained between 8:00 am - 5:00 pm Monday through Friday, excluding holidays from the 3rd floor GIAA Executive Office, Main Terminal. A non-refundable fee of Fifty U.S. Dollars (\$50.00) will be charged for each printed packet or Ten U.S. Dollars (\$10.00) for an electronic file (pdf) on CD. Checks in cash or certified/cashier's check payable to GIAA. Proposals must be submitted to the attention of the Executive Manager by the deadline. Pursuant to GSA Procurement Regulation 3115-602(A), GIAA reserves the right to reject, in whole or in part, any or all proposals, waive informalities or irregularities, or cancel this RFP, if determined to be in the best interest of GIAA and/or for whatever reason allowed by law and/or regulation. For additional information contact the GIAA Procurement Office at (671) 646-0300 - 02 or via fax at (671) 646-8523 during the hours stated above.

CHARLES A. ADRI  
 Executive Manager

KEITH ROY MARTINEZ  
 Deputy Executive Manager

3750 10th Avenue, Suite 200  
 Agaña, Guam 96910  
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GDOE 0081



## Video shows near-vertical crash of Russian plane Argentina's Fernandez returns

**KAZAN (AP)** — The grainy airport video is dark, short and chilling. Within five seconds, a dot of light that Russian authorities say is a Boeing 737 appears in the sky over the tarmac and plunges to the ground in a near-vertical crash. The result is a blinding fireball.

The video shown Monday by Russian television stations of Sunday night's horrifying crash at Kazan airport that killed all 50 people onboard raises a host of questions, including why the plane's second attempt to land at night in good weather went so horribly wrong.

Russian investigators combed through the incriminated wreckage Monday after fire crews spent hours extinguishing the blaze. Experts from the NTSB, Boeing and the FAA were brought to the scene to help.

The Boeing 737 belonging to Tatarstan Airlines was making its second attempt at a landing

in Kazan, 720 kilometers (520 miles) east of Moscow, according to Alexander Polunin, head of the local branch of Russia's Investigative Committee.

The traffic controller at the Kazan airport who contacted the plane before the crash said the crew told him they weren't able to land as it was apparently but didn't specify the problem.

Marat Zairpov, deputy head of the local branch of the Investigative Committee, initially told reporters that his team would look into all theories, including a terrorist attack. But the Investigative Committee said in a statement later Monday that it was now considering three possible causes: a technical fault, a pilot error or adverse weather conditions.

Polunin said it could take weeks to identify the remains.

Investigators have found both of the plane's black boxes — which record the plane's

performance and the crew's conversations — but said they were damaged.

The brief video taken by an airport security camera showed the plane going down at high speed at a nearly vertical angle and then hitting the ground and exploding.

John Cox, an aviation safety consultant who flew 737s for 15 years for US Airways, said one of the first issues investigators will look at based on the nearly vertical angle of descent in the video will be whether the plane experienced an aerodynamic stall, which usually occurs when a plane slows to the point where its wings lose lift.

"Anytime you have an airplane that gets this vertical, the immediate suspicion is that it stalled," Cox said in an interview. "The airplane hit very hard... it's a lot of small pieces."

**BUENOS AIRES (Reuters)**

Argentine President Cristina Fernandez burst back on the scene on Monday after a five-week absence following surgery, naming as economy minister the government's point man in its 2012 seizure of the country's biggest oil company.

The appointment of leftist economist Axel Kicillof, who had been deputy economy minister, was announced by government spokesman Alfredo Scocecmarro in a televised address just minutes after Fernandez appeared for the first time since early October.

Kicillof, a charismatic and polarizing figure, steered the administration's expropriation of a controlling stake in energy company YPF from its former parent company, Spain's Repsol. The YPF takeover enraged Argentina's trading partners from the European Union, but was welcomed by many Argentinians as a defense of national strategic interests.

He replaces Hernan Loretz-



Argentine President Cristina Fernandez poses with her dog at the Olivos Presidential residence in Buenos Aires this Nov. 18, handout supplied by the Argentine Presidency. Reuters

zino, who was named ambassador to the European Union.

Fernandez had an operation on Oct. 8 to remove blood that had pooled on the surface of her brain after she fell and bumped her head. She had not made an official public appearance or speech until earlier on Monday evening, leaving a five-week political vacuum in Latin America's third-biggest economy.

## Indonesian, AU leaders trade jabs over spying allegations

**JAKARTA/SYDNEY**

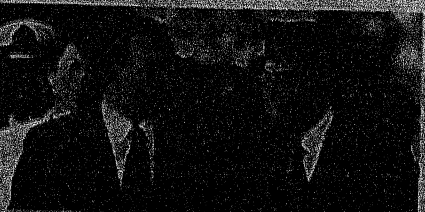
**(Reuters)** — The leaders of Indonesia and Australia traded punches on Tuesday in a row over alleged spying by Canberra, with both sides refusing to back down in a growing rift between the two often uneasy neighbors.

Indonesian President Susilo Bambang Yudhoyono used Twitter following the recall of Indonesia's ambassador to Australia the previous day, to accuse Australian Prime Minister Tony Abbott of dismissing his country's concerns.

Abbott, in office since September, rejected calls for an explanation, describing surveillance by Australian governments as "reasonable intelligence operations."

The latest flare-up followed Australian media reports, quoting documents leaked by former U.S. National Security Agency contractor Edward Snowden, that Australian spy agencies had tried to tap the mobile phones of Yudhoyono, his wife and senior officials.

Reports last month said



Indonesia's Prime Minister, Tony Abbott (left), before Indonesian President Susilo Bambang Yudhoyono at a Presidential Palace in Jakarta, Oct. 30.

Australia's Jakarta embassy had been part of a U.S.-led surveillance network to spy on Indonesia.

"I regret the statement of Australian Prime Minister that belittled this spying matter on Indonesia, without any remorse," he wrote. He did not say to which statement by Abbott he was referring.

"These U.S. & Australian actions have certainly damaged the strategic partnerships with Indonesia, as fellow democracies," Yudhoyono tweeted.

"Indonesia," he wrote, "demands an official response, one that can be understood by the public."

Abbott was unrepentant.

"I don't believe that Australia should be expected to apologize for reasonable intelligence gathering operations, just as I don't expect other countries or other governments to apologize for their reasonable intelligence gathering operations," he told parliament.

Earlier he told reporters that the two countries had a very good relationship, but added: "Obviously today may not be the best day in that relationship."

He pledged never to undertake any action that would damage ties with Indonesia, "which is, all in all, our most important relationship."

## Police hunt gunman after Paris attacks

**PARIS (AFP)** — A huge manhunt was underway in Paris Tuesday for a lone gunman who shot and critically wounded a newspaper photographer before opening fire outside a bank headquarters and hijacking a car.

The attacker, wearing a cap and wielding a 12-gauge shotgun, opened fire at the offices of left-wing newspaper Liberation at about 10:15 am (0915

GMT) Monday. A 27-year-old photographer arriving for his first day of freelance work at the press suffered gunshot wounds to the chest and stomach.

He was taken to hospital in a critical condition. The newspaper later said he underwent surgery and was being kept in intensive care.

After fleeing the daily's offices in the east of Paris,

the same man is believed to have crossed the city to the La Defense business district, where he fired several shots outside the main office of the Societe Generale bank, hitting no one.

He then reportedly hijacked a car and forced the driver at gunpoint to drop him off close to the Champs-Elysees in the centre of the French capital, where gun crime is rare.

### PUBLICATION NOTICE

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter 41, Section 3315, notice is hereby given that:

Park, Byung Hoon  
dba: Hyrule Market

has applied for A Class Five General Off-Sale Alcohol Beverage license and provisions being marked as Lot: 5370-2-2-R1-2 Mariquina

**GUAM DEPARTMENT OF EDUCATION**  
OFFICE OF SUPPLY MANAGEMENT  
Atencio J. Gutierrez, Administration Building  
2nd Floor, Suite 8-220  
P.O. Box 10000, Hagåtña, GUAM 96910  
Telephone: (671) 475-0170, (671) 475-5000  
Website: www.gdoe.gu

### INVITATION FOR BID

GBBE #PB-004-2014

PURCHASE OF ORIGINAL PUBLICATION HIGH BUSES  
(22 PUBLICATIONS)

ESTIMATED DATE:

Wednesday, December 11, 2013 @ 10:00 AM

THIS BIDDING PACKAGE IS AVAILABLE FOR VIEWING AT THE OFFICE OF SUPPLY MANAGEMENT, NUMBER 11, GUAM GOVERNMENT ADMINISTRATION BLDG., 2ND FLOOR, SUITE 8-220, 312 ASPHALL AVE., HAGAÑA, GUAM 96912 OR FOR IMMEDIATE BIDDING, GO AT

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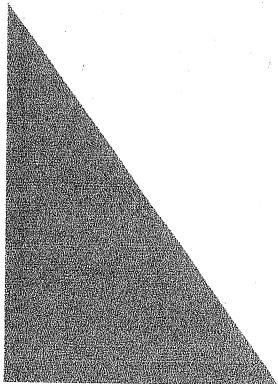
RS Marston Y. Pido  
SUPPLY MANAGEMENT ADMINISTRATOR  
For: JON J. P. FERNANDEZ  
SUPERINTENDENT OF EDUCATION

Manage Site

activities

Activity	Date	Description
Procurement	Nov 25, 2013, 11:42 PM	Trended Bussco edited RFP/RFID Archives
Recent site activity	Nov 25, 2013, 11:41 PM	Trended Bussco edited RFP / Bids
Pages	Nov 25, 2013, 11:40 PM	Trended Bussco added RFP/RFID Archives
Attachments	Nov 25, 2013, 11:29 PM	Trended Bussco added RFP / Bids
Page Templates	Nov 25, 2013, 11:27 PM	Trended Bussco edited RFP / Bids
Apps Scripts	Nov 25, 2013, 11:26 PM	Trended Bussco attached Amendments 9 RFP 007-2013.pdf to RFP 007-2013 Security System District Wide
Deleted items	Nov 22, 2013, 4:57 PM	Trended Bussco edited RFP / Bids
General	Nov 22, 2013, 4:56 PM	Trended Bussco edited RFP / Bids
Sharing and Permissions	Nov 22, 2013, 4:46 PM	Trended Bussco edited IFB 005-2014 Air Conditioning Systems Exterior Duct Replacement Project
Themes Colors and Fonts	Nov 19, 2013, 2:35 PM	Trended Bussco edited RFP / Bids
	Nov 19, 2013, 2:31 PM	Trended Bussco edited IFB 004-2014 Indefinite Quantity Bid for the Purchase of Special Education Min. Buses (2 Passenger)
	Nov 19, 2013, 2:16 PM	Trended Bussco created IFB 004-2014 Indefinite Quantity Bid for the Purchase of Special Education Min Buses (2 Passenger)
	Nov 19, 2013, 2:14 PM	Trended Bussco edited RFP / Bids
	Nov 19, 2013, 8:23 PM	Marcus Y. Pico updated GOODE IFB 002-2014 AMENDMENT NO. 3.pdf
	Nov 18, 2013, 8:23 PM	Marcus Y. Pico attached GOODE IFB 002-2014 AMENDMENT NO. 3.pdf to IFB 002-2014 Preventive Maintenance and Service of Annual Systems and Fire Extinguishers IND CITY Bid
	Nov 18, 2013, 8:23 PM	Marcus Y. Pico updated GOODE IFB 002-2014 AMENDMENT NO. 2.pdf
	Nov 18, 2013, 8:23 PM	Marcus Y. Pico attached GOODE IFB 002-2014 AMENDMENT NO. 2.pdf to IFB 002-2014 Preventive Maintenance and Service of Annual Systems and Fire Extinguishers IND CITY Bid
	Nov 18, 2013, 8:22 PM	Marcus Y. Pico updated GOODE IFB 002-2014 AMENDMENT NO. 1.pdf
	Nov 18, 2013, 8:22 PM	Marcus Y. Pico attached GOODE IFB 002-2014 AMENDMENT NO. 1.pdf to IFB 002-2014 Preventive Maintenance and Service of Annual Systems and Fire Extinguishers IND CITY Bid
	Nov 18, 2013, 8:23 PM	Carmen T. Tansone updated AMENDNO_6_RFP_007-2013.pdf
	Nov 18, 2013, 8:23 PM	Carmen T. Tansone attached AMENDNO_6_RFP_007-2013.pdf to RFP 007-2013 Security System District Wide

# **Exhibit 12**





Carmen T. Taitano <cttaitano@gdoe.net>

---

## GDOE IFB 004-2014 Purchase of 22-Passenger Mini School Buses

---

Marcus Y. Pido <mypido@gdoe.net>

Thu, Jan 2, 2014 at 10:53 AM

To: "Paul N.I. Cepeda" <paul.cepada@dpw.guam.gov>

Cc: "Carmen T. Taitano" <cttaitano@gdoe.net>

Hafa adai, Paul!


Happy New Year to you and your staff! Please see the attached letter of Protest from Triple J Motors. The status of this bid is Pre-award. The protest letter arrived one day before the bids were due to be submitted by all interested bidders.

Before the issuance of this IFB 004-2014, has DPW received from any potential bidder any concerns regarding the wheelchair lift specifications? I'd be interested to receive your official assessment regarding Triple J's protest.

Thanks,

Marc Pido  
Department of Education  
Supply Management Administrator  
Dir Line: 300-1580  
Fax: 472-5001

---

 IFB 004-2014 Protest Letter Triple J dtd 12-19-2013.pdf  
56K

GDOE0084



Guam Department of Education

December 19, 2013

Attn: Carmen Taitano

Buyer Supervisor

Ph: 300-1585

[cttaitano@gdoe.net](mailto:cttaitano@gdoe.net)

RE: Bid Protest - Bid no. DOE 004-2014 22 Passenger Mini School Buses  
Triple J Motors is filing the subject bid protest due to the following specification requirements which restrict us from participating in this procurement.

Section: Wheelchair Lift- As Written by DOE:

"Successful bidder must also be certified by Wheelchair Lift Manufacture to entertain, address and negotiate all Warranties and Liabilities for or said Wheelchair Lift here including an on island authorized to service center located on Guam".

We have expressed to DOE in the past that this is unjustified, unfair, and restricts other potential vendors. The primary lift manufacture for this type of vehicle is Ricon. Ricon has only one authorized service and warranty facility on island which is Fukuda Enterprises. Furthermore, Ricon refuses to certify any other vendors to service their products. This requirement essentially assures that the vehicles can only be procured from Fukuda. Clearly this is not in the best interest of the Government.

We find it very unusual that DOE does not have this same requirement for the most important aspects of the vehicle like the chassis, engine, transmission and body. As it stands now, operation of one of the least complicated aspects of the vehicle, the wheelchair lift, is taking priority over the ability of the vehicle to be maintained and operated safely on Guam's roads. This is a very unusual decision on DOE's part and one we feel needs to be reconsidered.

**TRIPLE J MOTORS**

P.O. BOX 6066 • TAMUNING, GUAM 96931 • TEL: (671) 648-6010 • FAX: (671) 648-6051  
Cell: (671) 687-1280



As with other vehicle solicitations, bids should be allowed as long as there is a local authorized representative for the vehicle and equipment being offered. This requirement assures that there is on-island expertise should a problem arise but it also allows for competitive bids and a fair price for taxpayers.

Thank you for your attention to this matter.

Charlie Reynolds

A handwritten signature in black ink, appearing to be "CR" or similar initials, written over a circular scribble.

Fleet & Commercial Sales Manager

CC: Jeff Jones President & COO  
Jay Jones Senior Vice President  
Alma Valdez Business Manager  
Mike Temerowski Sales Manager

Pg. 2/2

**TRIPLE J MOTORS**  
P.O. BOX 6066 • TAMUNING, GUAM 96931 • TEL: (671) 648-6010 • FAX: (671) 648-6051  
Cell: (671) 687-1280

GDOE0086



Carmen T. Taitano <cttaitano@gdoe.net>

---

## GDOE IFB 004-2014 Purchase of 22-Passenger Mini School Buses

---

Todd A. Gillan <todd.gillan@dpw.guam.gov>

Fri, Jan 3, 2014 at 11:10 AM

To: mypido@gdoe.net

Cc: "Paul N.I. Cepeda" <paul.cepeda@dpw.guam.gov>, "Carmen T. Taitano" <cttaitano@gdoe.net>

Mr. Pido,

After reviewing the letter of protest submitted by "Triple J", we have determined their concerns to be valid. We recommend that the following amendments be issued to address the subject protest.

Amendment #1 To rescind the current, subject language that requires the "successful bidder" to be certified by the wheelchair lift manufacturer, to perform service and/or warranty on the lift.

All other requirements for the wheelchair lift should remain.

Amendment #2 To add the following conditions to the warranty section of the bid specifications:

1. The successful bidder shall be fully responsible to entertain, address, negotiate and schedule any and all warranty related issues whether in house or with outside vendors.

Yes, as requested:

NO, remarks:

2. All warranty and maintenance services shall be performed by manufacture\factory trained, authorized technicians.

Yes, as requested:

NO, remarks:

These conditions are applicable to the entire vehicle including the powertrain and wheelchair lift and can be enforced accordingly.

Please advise us of any other concerns you may have.

On Fri, Jan 3, 2014 at 7:39 AM, Paul N.I. Cepeda <paul.cepeda@dpw.guam.gov> wrote:

Todd,

For your review

Paul

[Quoted text hidden]

GDOE0087



Carmen T. Taitano <cttaitano@gdoe.net>

---

**GDOE IFB 004-2014 Purchase of 22-Passenger Mini School Buses**

---

**Marcus Y. Pido** <myvido@gdoe.net>

Fri, Jan 3, 2014 at 11:13 AM

To: "Todd A. Gillan" <todd.gillan@dpw.guam.gov>

Cc: "Paul N.I. Cepeda" <paul.cepeda@dpw.guam.gov>, "Carmen T. Taitano" <cttaitano@gdoe.net>

Mr. Gillan,

Thank you for your prompt response. We'll study your recommendations and advise our direction.

Regards,

Marc Pido

[Quoted text hidden]

GDOE0088



# **Exhibit 13**



Carmen T. Taitano <cttaitano@gdoe.net>

---

**GDOE IFB 004-2014 Purchase of SPED Mini Buses - Triple J Protest dtd  
12/19/2013**

---

Marcus Y. Pido <myvido@gdoe.net>  
To: Charlie Reynolds <fleetsales@triplejguam.com>  
Cc: "Carmen T. Taitano" <cttaitano@gdoe.net>

Mon, Jan 13, 2014 at 12:55 PM

Hafa adai, Charlie,

Thank you for our telephone conversation of earlier today, from 12:16 to 12:36pm, regarding Triple J's protest to the IFB 004-2014. In particular, your protest addresses the warranty language of two aspects of this bid; the wheelchair lift and the entire vehicle. As you may know, DPW produces all specifications for every vehicle purchased by GDOE. Therefore, we asked DPW to review your protest and they have suggested the following:

**A) Issue an amendment to delete** the following section from the Wheelchair Lift specifications (page 41 of 44):

"Successful bidder must also be certified by Wheelchair Lift Manufacturer to entertain, address and negotiate all Warranties and Liabilities for or said Wheelchair Lift here including an on island authorized to service center located on Guam."

**B) Issue an amendment to add** the following two conditions to the WARRANTY section of the bid specifications (page 43 of 44):

1) "The successful bidder shall be fully responsible to entertain, address, negotiate and schedule any and all warranty related issues whether in-house or outside vendors.

- Yes, as requested:
- No, remarks: "

2) "All warranty and maintenance services shall be performed by manufacturer/factory trained, authorized technicians.

- Yes, as requested:
- No, remarks: "

Charlie, would Triple J be willing to rescind its protest, in writing, on the condition that GDOE issue the above changes A & B? Thanks again for your time and I look forward to hearing from you soon.

Regards,

Marc Pido  
Guam Department of Education  
Supply Management Administrator  
Dir Line: 300-1580

---

**2 attachments**

GDOE0089

 **IFB 004-2014 Protest Letter Triple J dtd 12-19-2013.pdf**  
56K

 **IFB 004-2014 IQB Purchase of SPED Mini Buses.pdf**  
1020K

GDOE0090



Carmen T. Taitano <cttaitano@gdoe.net>

---

**GDOE IFB 004-2014 Purchase of SPED Mini Buses - Triple J Protest dtd 12/19/2013**

---

Charlie Reynolds <fleetsales@triplejguam.com>  
To: "Marcus Y. Pido" <myvido@gdoe.net>  
Cc: "Carmen T. Taitano" <cttaitano@gdoe.net>

Mon, Jan 13, 2014 at 1:01 PM

Thank you Marcus, we will review this and get back with you asap.

Best Regards,

Charlie

Charlie Reynolds

Fleet & Commercial Sales Manager



470 N. Marine Corps Dr • Tamuning, GU 96931  
T: (671) 648-6010 • F: (671) 648-6051 • C: 687-1280  
fleetsales@triplejguam.com  
[www.carsguam.com](http://www.carsguam.com)

---

**From:** Marcus Y. Pido [mailto:myvido@gdoe.net]  
**Sent:** Monday, January 13, 2014 12:55 PM  
**To:** Charlie Reynolds  
**Cc:** Carmen T. Taitano  
**Subject:** GDOE IFB 004-2014 Purchase of SPED Mini Buses - Triple J Protest dtd 12/19/2013

[Quoted text hidden]

GDOE0091



Carmen T. Taitano <cttaitano@gdoe.net>

---

**GDOE IFB 004-2014 Purchase of SPED Mini Buses - Triple J Protest dtd  
12/19/2013**

---

**Marcus Y. Pido** <mypido@gdoe.net>  
To: Charlie Reynolds <fleetsales@triplejguam.com>  
Cc: "Carmen T. Taitano" <cttaitano@gdoe.net>

Tue, Jan 14, 2014 at 3:51 PM

Charlie,

I know it's only been a day, but if you have any questions I'll be glad to try to answer them.

Thanks,  
Marc

[Quoted text hidden]

GDOE0092



Carmen T. Taitano <cttaitano@gdoe.net>

---

**GDOE IFB 004-2014 Purchase of SPED Mini Buses - Triple J Protest dtd 12/19/2013**

---

**Charlie Reynolds** <fleetsales@triplejguam.com>

Thu, Jan 16, 2014 at 9:58 AM

To: "Marcus Y. Pido" <mypido@gdoe.net>

Cc: "Carmen T. Taitano" <cttaitano@gdoe.net>, Jay Jones <jayjones@triplejguam.com>, Jeff Jones <jeffjones@triplejguam.com>, salesman@triplejguam.com, Alma Valdez <avaldez@triplejguam.com>

Marcus,

Please see our attached written agreement to rescind our GDOE bid protest.

We greatly appreciate GDOE's corporation on this bid specification matter.

Thank you,

Charlie Reynolds

**Charlie Reynolds**

Fleet & Commercial Sales Manager



470 N. Marine Corps Dr • Tamuning, GU 96931

T: (671) 648-6010 • F: (671) 648-6051 • C: 687-1280

[fleetsales@triplejguam.com](mailto:fleetsales@triplejguam.com)

[www.carsguam.com](http://www.carsguam.com)

---

**From:** Marcus Y. Pido [mailto:mypido@gdoe.net]

**Sent:** Monday, January 13, 2014 12:55 PM

**To:** Charlie Reynolds

**Cc:** Carmen T. Taitano

**Subject:** GDOE IFB 004-2014 Purchase of SPED Mini Buses - Triple J Protest dtd 12/19/2013

Hafa adai, Charlie,

GDOE0093

Thank you for our telephone conversation of earlier today, from 12:16 to 12:36pm, regarding Triple J's protest to the IFB 004-2014. In particular, your protest addresses the warranty language of two aspects of this bid; the wheelchair lift and the entire vehicle. As you may know, DPW produces all specifications for every vehicle purchased by GDOE. Therefore, we asked DPW to review your protest and they have suggested the following:

**A) Issue an amendment to delete** the following section from the Wheelchair Lift specifications (page 41 of 44):

"Successful bidder must also be certified by Wheelchair Lift Manufacturer to entertain, address and negotiate all Warranties and Liabilities for or said Wheelchair Lift here including an on island authorized to service center located on Guam."

**B) Issue an amendment to add** the following two conditions to the WARRANTY section of the bid specifications (page 43 of 44):

1) "The successful bidder shall be fully responsible to entertain, address, negotiate and schedule any and all warranty related issues whether in-house or outside vendors.

Yes, as requested:

No, remarks: "

2) "All warranty and maintenance services shall be performed by manufacturer/factory trained, authorized technicians.

Yes, as requested:

No, remarks: "

Charlie, would Triple J be willing to rescind its protest, in writing, on the condition that GDOE issue the above changes A & B? Thanks again for your time and I look forward to hearing from you soon.

Regards,

Marc Pido

Guam Department of Education

Supply Management Administrator

Dir Line: 300-1580

---

 **DOE Rescind Ltr 1-16-14.PDF**  
29K

GDOE0094



Guam Department of Education

January 16, 2014

Attn: Carmen Taitano

Buyer Supervisor

Ph: 300-1585

cttaitano@gdoe.net

**RE: Bid Protest - Bid no. DOE 004-2014 22 Passenger Mini School Buses**

Triple J is willing to rescind its protest, on the condition that GDOE issue changes of A & B below as suggested by DPW and GDOE on January 13, 2014.

**A) Issue an amendment to delete** the following section from the Wheelchair Lift specifications (page 41 of 44):

"Successful bidder must also be certified by Wheelchair Lift Manufacturer to entertain, address and negotiate all Warranties and Liabilities for or said Wheelchair Lift here including an on island authorized to service center located on Guam."

**B) Issue an amendment to add** the following two conditions to the WARRANTY section of the bid specifications (page 43 of 44):

1) "The successful bidder shall be fully responsible to entertain, address, negotiate and schedule any and all warranty related issues whether in-house or outside vendors.

- Yes, as requested:
- No, remarks: "

2) "All warranty and maintenance services shall be performed by manufacturer/factory trained, authorized technicians.

- Yes, as requested:
- No, remarks: "

Thank you for your attention to this matter.

Charlie Reynolds  
Fleet & Commercial Sales Manager

CC: Jeff Jones President & COO  
Jay Jones Senior Vice President  
Alma Valdez Business Manager  
Mike Temerowski Sales Manager

**TRIPLE J MOTORS**

P.O. BOX 6066 • TAMUNING, GUAM 96931 • TEL: (671) 648-6010 • FAX: (671) 648-6051  
Cell: (671) 687-1280

GDOE0095





Carmen T. Taitano <cttaitano@gdoe.net>

---

**GDOE IFB 004-2014 Purchase of SPED Mini Buses - Triple J Protest dtd  
12/19/2013**

---

**Marcus Y. Pido** <mypido@gdoe.net>

Thu, Jan 16, 2014 at 10:07 AM

To: Charlie Reynolds <fleetsales@triplejguam.com>

Cc: "Carmen T. Taitano" <cttaitano@gdoe.net>, Jay Jones <jayjones@triplejguam.com>, Jeff Jones <jeffjones@triplejguam.com>, salesman@triplejguam.com, Alma Valdez <avaldez@triplejguam.com>

Hafa adai, Charlie,

Thank you for your rescission of your protest, conditioned on GDOE's subsequent amendment to the IFB, as proposed by DPW and GDOE. You will be receiving shortly GDOE's amendment to the IFB 004-2014 22 Passenger Mini School Buses.

Kind regards,

Marc Pido

(Quoted text hidden)

GDOE0096