

DEC 20 2011

TIME: 3:30 pm BY: J.P.

FILE NO. OPA-PA-11-018

1 **GUAM DEPARTMENT OF EDUCATION**
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7 *Attorney for Guam Department of Education*

8 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**

9 **PROCUREMENT APPEAL**

10 IN THE APPEAL OF

11 J&B MODERN TECH,

Appellant.

APPEAL NO. OPA-PA-11-018

**SUBMISSION OF PROCUREMENT
RECORD**

12 The Guam Department of Education, the purchasing agency in the matter referenced
13 above, hereby submits the following exhibits as the procurement record to date in this case:

14 1. Log of the date, time, subject matter and names of participants Exhibit 1
15 at any meeting including government employees that is in any
16 way related to a particular procurement.

Bates Stamp Nos. GDOE001-002

17 2. Log of communication between GDOE employees and Exhibit 2
18 members of the public, potential bidders, vendors, or
19 manufacturers relating to IFB044-2011.

Bates Stamp Nos. GDOE003-004

20 3. Purchasing Agency's Determination of Need. Exhibit 3

Bates Stamp Nos. GDOE005

21 Dated this 20th day of December, 2011.
22

23 Respectfully submitted,

24 **GUAM DEPARTMENT OF EDUCATION**

25
26 By: _____

REBECCA M. PEREZ, ESQ.
Legal Counsel

27
28

Exhibit 1

PRE-BID CONFERENCE: IFB 044-2011

ATTENDEE	COMPANY NAME	CONTACT NUMBER
1 CLIFF GUZMAN	GFS GROUP LLC	(671) 687-5556
2 ALEXANDER SALAMAN	JEB MODERN TECH	(671) 646-0588
3 MARTIN MERCADO	JRN AC & REF, INC.	649-812011
4 JEDE PRANGGIANW	JEB MODERN TECH	606 4435
5 Harry Sauer JMR	GFS	688-5348
6 JACINTO ESTELIA	FEM DBPR. SURV.	475-0018, 24
7 EUNICE AFLAGUE	FEM DOE OPS MANAGER	488-1518
8 JOHN LEON GUERRERO	DOE MAINT.	475-0011
9 RANDY PEREZ	F/M	475-0023
10 CRUZ, Billy P.	GOOE, FEM Manager	475-0639
11 AUBREY G. GARCIA	GOOE. PROCUREMENT	300-1582
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PRE-BID CONFERENCE AGENDA

BID PROJECT NUMBER: GDOE IFB 044-2011 PREVENTIVE MAINTENANCE AND MINOR REPAIRS FOR SPLIT AND CENTRAL A/C EQUIPMENT FOR THIRTY SIX (36) PUBLIC SCHOOLS AND ALL SUPPORT FACILITIES

MEETING LOCATION: FACILITIES AND MAINTENANCE DIVISION (MANAGER'S OFFICE)

MEETING DATE: SEPTEMBER 21, 2011

MEETING TIME: 10:00 A.M., Door closes at 10:15 A.M.

- I. Issuance and signing of attendance roster. (Procurement)
- II. Acceptance of Roster. (Procurement)
- III. Introduction of DOE Staff and Pre-Bid Attendees.
- IV. Purpose of Conference:
 - A. Preventive Maintenance and Minor Repairs for Split and Central Air Conditioning Equipment
- V. Communications:
 1. **Verbal questions are not allowed during the Pre-Bid Conference. All questions shall be in writing via Request for Information (RFI) and directed to the Procurement Office.**
 2. **RFI's are due by COB September 23, 2011, 1:00 p.m.**
 3. **Any changes, issues procedures that vary from bid/contract documents, or other modifications discussed prior to bid opening must be documented by the Guam Department of Education, in writing (by addenda), prior to bid opening, or will be considered invalid.**
- VI. Conflicts in Documents:
 1. Conflicts found in specifications shall be submitted in writing via Request for Information (RFI).
- VII. Conclusion

Exhibit 2

COMMUNICATION LOG

IFB044-2011

**Preventive Maintenance and Minor Repairs for Split and Central A/C Equipment for
Thirty-Six (36) Public Schools and All Support Facilities**

DATE	FROM	TO	SUBJECT	VIA
9/19/2011	Albert Garcia, GDOE	All Prospective Bidders	Amendment No. 1	Fax
9/19/2011	JRN Airconditioning	GDOE	Amendment No. 1	Fax
9/19/2011	Alexander Salazar, J&B Modern Tech	GDOE	Amendment No. 1	Fax
9/19/2011	Richard Luo, Sunleader	GDOE	Amendment No. 1	Fax
9/19/2011	Bernie C. Gines, GFS Group	GDOE	Amendment No. 1	Fax
9/20/2011	Albert Garcia, GDOE	All Prospective Bidders	Clarification No. 1	Fax
9/20/2011	Martin Mercado, JRN Airconditioning	GDOE	Clarification No. 1	Fax
9/20/2011	Clifford A. Guzman, GFS Group	GDOE	Clarification No. 1	Fax
9/20/2011	Alexander Salazar, J&B Modern Tech	GDOE	Clarification No. 1	Fax
9/21/2011	Richard Luo, Sunleader	GDOE	Clarification No. 1	Fax
9/22/2011	Alexander Salazar, J&B Modern Tech	GDOE	IFB Clarification	Hand Delivery
9/22/2011	Clifford Guzman, GFS Group	Albert Garcia, GDOE	Questions	Fax
9/23/2011	Alexander Salazar, J&B Modern Tech	GDOE	Clarification	Email
9/26/2011	Noel Lopez, J&B Modern Tech	GDOE	Amendment No. 1	Fax
9/29/2011	Albert Garcia, GDOE	All Prospective Bidders	Amendment No. 2	Fax
9/29/2011	Clifford A. Guzman, GFS Group	GDOE	Amendment No. 2	Fax
9/29/2011	Martin Mercado, JRN Airconditioning	GDOE	Amendment No. 2	Fax

9/29/2011	Albert Garcia, GDOE	Gene Bangayan, J&B Modern Tech	Amendment No. 2	Email
9/30/2011	Julius R. Nucum, JRN Airconditioning	GDOE	Amendment No. 2	Fax
9/30/2011	Albert Garcia, GDOE	All Prospective Bidders	Amendment No. 3	Fax
9/30/2011	Clifford A. Guzman, GFS Group	GDOE	Amendment Nos. 2 and 3	Fax
9/30/2011	JRN Airconditioning	GDOE	Amendment No. 3	Fax
10/3/2011	GFS Group	GDOE	Amendment No. 2	Fax
10/3/2011	Gene Bangayan, J&B Modern Tech	GDOE	Question	Email
10/6/2011	Albert Garcia, GDOE	All Prospective Bidders	Amendment No. 4	Fax
10/6/2011	Gene M. Bangayan, J&B Modern Tech	GDOE	Amendment No. 4	Fax
10/6/2011	Clifford A. Guzman, GFS Group	GDOE	Amendment No. 4	Fax
10/6/2011	Lynne Balatbat, JRN Airconditioning	GDOE	Amendment No. 4	Fax
10/6/2011	Clifford A. Guzman, GFS Group	GDOE	Status on 2 nd Request for Clarification of 10/03/11	Fax
10/14/2011	Albert Garcia, GDOE	Clifford A. Guzman, GFS Group	Proprietary Information - IFB044-2011	Email
10/14/2011	Albert Garcia, GDOE	Julius R. Nucum, JRN Airconditioning	Proprietary Information - IFB044-2011	Email
10/14/2011	Albert Garcia, GDOE	Gene Bangayan, J&B Modern Tech	Proprietary Information - IFB044-2011	Email

Exhibit 3

**END-USER MEMORANDUM
INVITATION FOR BID**

TO: OFFICE OF SUPPLY MANAGEMENT

CC: PROCUREMENT FILE

FROM: Facilities & Maintenance Manager

DATE: 10/17/2011 (MM/DD/YYYY)

RE: PROCUREMENT REVIEW CHECKLIST FOR IFB **044-2011**

INVITATION FOR BID PROCUREMENT REVIEW CHECKLIST – END-USER REVIEW

This form is to be completed by End-Users and is necessary for compliance with the Attorney General's (AG's) Procurement Review Checklist for Invitations for Bid (IFB). Questions regarding each of the items below should be directed to Marcus Pido (mypido@gdoe.net) or Carmen Taitano (cttaitano@gdoe.net).

Please answer the questions below.

INITIAL QUESTIONS

Describe the planning for this procurement, e.g., how the need for this procurement was determined?

Planning was based upon:

1.
 - Work requests for GDOE Operated Facilities
 - The requirement that we must have properly working and maintained air condition units in every classroom or rooms must be well ventilated.
 - The Adequate Education public law 28-45

2. Is this procurement mandated by statute?

Yes Please provide the statute that mandates this procurement: PL 28-45

No