

DOOLEY ROBERTS & FOWLER LLP
Suite 201, Orlean Pacific Plaza
865 South Marine Corps Drive
Tamuning, Guam 96913
Telephone No. (671) 646-1222
Facsimile No. (671) 646-1223
E-mail: fowler@guamlawoffice.com

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PROCUREMENT APPEALS

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FILE NO OPA-PA: 13-015

Attorneys for Appellant
Morrigo Equipment, LLC

THE OFFICE OF PUBLIC ACCOUNTABILITY

In the Procurement Appeal of)	Docket No. OPA-PA-13-015
)	
MORRICO EQUIPMENT, LLC,)	APPELLANT'S EXHIBIT
)	LIST
Appellant.)	
_____)	

Morrigo Equipment, LLC ("Morrigo"), hereby submits its Exhibit List for the December 16, 2013, hearing of this appeal.

Exhibit 1: Morrigo bid submission for Invitation for Bid No. GPA-064-11 ("IFB").

Exhibit 2: October 5, 2011, Guam Power Authority ("GPA") notice to Mid-Pac Far East ("Mid-Pac") that its bid was rejected for non-conformance with the IFB specifications and high price.

Exhibit 3: October 5, 2011, GPA notice to Morrigo that its bid was rejected due to high price.

Exhibit 4: August 8, 2013, Pacific Daily News abstract of GPA press release regarding two new bucket trucks.

Exhibit 5: August 7, 2013, GPA press release regarding two new bucket trucks.

Exhibit 6: October 15, 2013, GPA denial of Morrigo protest.

In the Procurement Appeal of Morrico Equipment, LLC
Docket No. OPA-PA-13-015
Appellant's Exhibit List

Exhibit 7: January 3 and 4, 2013, email correspondence between Terex Utilities, Inc. ("Terex"), and Mid-Pac regarding Terex's termination of its distributorship agreement with Mid-Pac.


Exhibit 8: January 4, 2013, Terex letter to Mid-Pac terminating their distributorship agreement.

Morrigo reserves any right it may have to offer additional exhibits for rebuttal purposes.

Dated this 6th day of December, 2013.

DOOLEY ROBERTS & FOWLER LLP

By:



KEVIN J. FOWLER
Attorneys for Appellant
Morrigo Equipment, LLC



SIMON A. SANCHEZ II
CCU Chairman

JOAQUIN C. FLORES, P.E.
General Manager

Telephone Nos.: (671) 648-3054/55 or Facsimile (671) 648-3165

Accountability	Impartiality	Competence	Openness	Value
----------------	--------------	------------	----------	-------

INVITATION FOR BID (IFB) NO.: GPA-064-11
 DESCRIPTION: 55' Bucket Trucks

SPECIAL REMINDERS TO PROSPECTIVE BIDDERS

Bidders are reminded to read the Sealed Bid Solicitation and Instructions, and General Terms and Conditions attached to the IFB to ascertain that all of the following requirements checked below are submitted in the bid envelope, **one (1) original, in duplicate**, at the date and time for bid opening.

- (XX) BID GUARANTEE (15%) May be in the form of; Reference #11 on the General Terms and Conditions
 - a. Cashier's Check or Certified Check (NOTE: Cashier's Check or Certified Check Refunds will be ONLY be made out to the name of the Bidder.)
 - b. Letter of Credit or
 - c. Surety Bond - Valid only if accompanied by:
 - 1. Current Certificate of Authority issued by the insurance Commissioner;
 - 2. Power of Attorney issued by the Surety to the Resident General Agent;
 - 3. Power of Attorney issued by two (2) major officers of the Surety to whomever is signing on their behalf.

() STATEMENT OF QUALIFICATION;

() SAMPLES;

(XX) BROCHURES/DESCRIPTIVE LITERATURE;

(XX) NON-COLLUSION AFFIDAVIT;

(XX) AFFIDAVIT OF DISCLOSURE OF MAJOR SHAREHOLDERS - Affidavits must comply with the following requirements:

- a. The affidavit must be signed within 60 days of the date the bid is due;
- b. Date of signature of the person authorized to sign the bid and the notary date must be the same.
- c. First time affidavit must be an original - If copy, indicate Bid Number/Agency where original can be obtained.

(XX) OTHER REQUIREMENTS:

Restrictions against Sex Offenders Affidavit, Wage Determination, No Gratuities or Kickbacks Affidavit, and Ethical Standards Affidavit. A Guam Business License is not required in order to provide a proposal for this engagement, but is a pre-condition for entering into a contract with the Authority. Bidders MUST comply with PL 26-111 dated June 18, 2002, PL 28-165 dated January 04, 2007 and Wage Determination under the Service Contract Act (www.wdol.gov).

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

On this 5th day of July, 2011, I, Jorgean Smith
authorized representative of Morrice Equipment LLC acknowledge receipt of this special reminder to prospective bidders with the above referenced IFB.

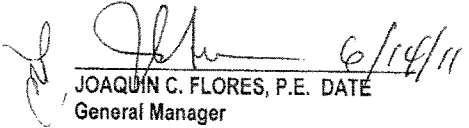
Bidder Representative's Signature

MORRICO
EQUIPMENT
 Sales, Rental, Parts and Service
 197 Ypao Road, Tamuning, Guam 96913
 Tel.: 649-1946 Fax: 649-1947
 E-mail: morrice@morriceequipment.com

EXHIBIT
1

INVITATION FOR BID

ISSUING OFFICE:
Guam Power Authority
Procurement Management Materials Supply
GPA Central Office, 1st. Floor
1911 Route 16
Harmon, Guam 96929


JOAQUIN C. FLORES, P.E. DATE
General Manager

DATE ISSUED: June 14, 2011 BID INVITATION NO.: GPA-064-11
BID FOR: 55' Bucket Trucks
SPECIFICATION: See Attached
DESTINATION: GPA Transportation, Tamuning
REQUIRED DELIVERY DATE: 240 Calendar Days ARO

INSTRUCTIONS TO BIDDERS:

INDICATE WHETHER: INDIVIDUAL PARTNERSHIP CORPORATION

INCORPORATED IN: limited liability company

This bid shall be submitted in duplicate and sealed to the issuing office above no later than (Time) 2:30 P.M.,
Date: June 28, 2011 and shall be publicly opened. Bid submitted after the time and date specified above
shall be rejected. See attached General Terms and Conditions and Sealed Bid Solicitation for details.

The undersigned offers and agrees to furnish within the time specified, the articles and services at the price stated opposite
the respective items listed on the schedule provided, unless otherwise specified by the bidder. In consideration to the
expense of the Government in opening, tabulating, and evaluating this and other bids, and other considerations, the
undersigned agrees that this bid remain firm and irrevocable within one hundred twenty (120) calendar days from the date
opening to supply any or all of the items which prices are quoted.

NAME AND ADDRESS OF BIDDER:
Morisco Equipment LLC
1974 Pao Road
Tamuning, Guam 96913

SIGNATURE AND TITLE OF PERSON
AUTHORIZED TO SIGN THIS BID:



AWARD: CONTRACT NO.: _____ AMOUNT: _____ DATE: _____

ITEM NO(S). AWARDED: _____

CONTRACTING OFFICER:

JOAQUIN C. FLORES, P.E. DATE
General Manager

NAME AND ADDRESS OF CONTRACTOR:

SIGNATURE AND TITLE OF PERSON

INVITATION FOR BID NO.: GPA-064-11
 Requisition No.: 22601

<u>DESCRIPTION:</u>	<u>QTY.</u>	<u>UNIT</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
1.0) Compartmentalized Body Over center Articulating Material Handling Aerial Device 55 Feet Working Height as per the following specifications:	2	Each	\$ 237,486 ⁰⁰	\$ 474,972 ⁰⁰

Delivery Requirements: 240 Calendar Days

OPTION TO PURCHASE:
 Provide bid cost for Option years 2013, 2014,
 and 2015. Bids will be evaluated based on
 lowest responsive base bid. GPA reserves the
 right to exercise subsequent option years.

Option 1 Year (2013)	2	Each	\$ 244,528 ⁰⁰	\$ 489,056 ⁰⁰
Option 2 Year (2014)	2	Each	\$ 251,833 ⁰⁰	\$ 503,666 ⁰⁰
Option 3 Year (2015)	2	Each	\$ 289,413 ⁰⁰	\$ 578,826 ⁰⁰

SPECIFICATION:

BIDDING ON:

A. BODY:

- | | |
|--|----------------------|
| A.1- Wheelbase: 180 inches minimum | <u>189 Inches</u> |
| A.2- Cab to axle: 120 inches minimum | <u>123.44 Inches</u> |
| A.3- Provide air conditioning system and factory tinted glasses | <u>comply</u> |
| A.4- Lighting and reflective package that meets federal regulations | <u>comply</u> |
| A.5- Install beacon lights at left and right front corners of catwalk | <u>comply</u> |
| A.6- Mount two spotlights at left and right rear corners of catwalk | <u>comply</u> |
| A.7- Provide standard stereo system | <u>comply</u> |
| A.8- Provide air and electrical horns | <u>comply</u> |
| A.9- Provide daytime running lights | <u>comply</u> |
| A.10- Provide intermittent windshield wipers | <u>comply</u> |
| A.11- Provide left and right west-coast side view mirrors with convex mirrors | <u>comply</u> |
| A.12- Provide vinyl covered bench type seat with required seat belts for three passengers | <u>comply</u> |
| A.13- Provide backup warning alarm mounted at tail end area | <u>comply</u> |
| A.14- Body paint with John Deere Yellow (color code: #4149728) and white (color code: #QMIX) on aerial unit. | <u>comply</u> |
| A.15- <u>Compartmentation</u> | |

INVITATION FOR BID NO.: GPA-064-11
Requisition No.: 22601

- A.15.1-Shall be on street and curb sides comply
- A.15.2-Provide stationary and adjustable shelves on both sides comply
- A.15.3-Provide stationary material hooks comply
- A.15.4-All doors shall have safety latches, chain supports, water guards, hinges, and double paneled comply
- A.15.5-Latches shall be slam action lockable type on all doors using a common key on each unit. A minimum of three keys is provided with each unit. Note: each unit will have a different set of common keys. comply
- A.15.6-Compartment tops shall be 4-way safety deck plated. comply
- A.15.7-All compartments shall have lightings. comply
- A.15.8-All compartments shall be constructed of fiberglass. comply
- B. **CHASSIS:**
 - B.1- Shall be current year model 2011 at a minimum 2012
 - B.2- Six cylinder, diesel engine, with a 250 horsepower minimum. 280 HP
 - B.3- Provide a 1875CCA battery and 130 amp alternator or approved equal. 1850 CCA - 160 Amp Alternator
 - B.4- Transmission shall be 4-speed automatic at a minimum 5 speed Automatic
 - B.5- **Gross Axle Weight Rating: GAWR**
 - B.5.1- Front: 12,000 pounds minimum comply
 - B.5.2- Rear: 21,000 pounds minimum comply
 - B.6- Shall be a heavy duty suspension system comply
 - B.7- Provide full air brake system. Parking shall be air operated comply
 - B.8- Tires shall be 11R22.5 size mounted on aluminum rims, US made, and meet DOT requirements comply
 - *B.9 Provide one full size spare tire...
To Now Read: Provide one (1) full size spare tire and rim; Spare tire shall be mounted as not to impede operation of aerial unit. comply
 - B.10- Provide hydraulic jack with handle and lock nut wrench. comply
 - B.11- Provide power assisted steering system with steering gearbox comply
 - B.12- Provide access steps with grab handles to access body bed and platform comply
 - B.13- Catwalk should be triple coated with galvanized material comply

INVITATION FOR BID NO.: GPA-064-11
 Requisition No.: 22601

- B.14- Provide pintle hook with a capacity of at least 10,000 lbs. and mounted at rear bumper Comply
- B.15- Provide rings for safety chains at both sides of pintle hook comply
- B.16- Provide one trailer electrical 7-wire coupler mounted at rear bumper area comply
- B.17- Provide dual fuel tanks, 45 gallons minimum capacity Capacity each, equipped with drain valves mounted at the bottom rear corners 50 Gallon Dual Fuel Tanks
- B.18- Provide drain valve for air tank comply
- C. **AERIAL UNIT: *Shall be Category "B" per ANSI A92.2**
 - C.1- Over center articulating material handling device mounted over the rear axle comply
 - C.2- Working height: 55 feet minimum... To Now
 Read: Working Height: 60 feet Minimum comply
 - C.3- Platform bottom height: 55 feet minimum comply
 - C.4- Horizontal reach: 30 feet minimum comply
 - C.5- **Lower Boom**
 - C.5.1- Constructed with a high strength rectangular or round steel comply
 - *C.5.2- Articulates 192 degrees minimum... To Now
 Read: Articulates 100 degrees minimum. 120 degrees
 - C.5.3- Insert shall be rectangular or round bi-axial epoxy resin, filament wound fiberglass and to withstand 69KV AC rating comply
 - C.5.4- Insulation gap shall be 18 inches minimum. comply
 - C.6- **Upper Boom**
 - C.6.1- Rectangular or round bi-axial epoxy resin, filament wound fiberglass comply
 - *C.6.2- Articulate 100 degrees minimum... To Now
 Read: Articulate 192 degrees minimum. 194 degrees
 - C.6.3- 69KV AC rating comply
 - C.6.4- Shall be secured to boom saddle with strap and locking device comply
 - C.7- **Platform**
 - C.7.1- Two man fiberglass, 24" x 48" x 42" deep, 700 lbs. maximum capacity. Includes non-skid surfaces on access steps comply
 - C.7.2- Provide polyethylene liner with 69KV AC rating comply
 - C.7.3- Provide 1 each waterproof cover with quick lock and release latch comply
 - C.7.4- Provide two each safety straps and body harnesses comply

INVITATION FOR BID NO.: GPA-064-11
Requisition No.: 22601

- C.8.1- Articulating and extends to 40 inches
Minimum. 72"
- C.8.1.a-Hydraulic jib extension system
- C.8.2- Winch minimum load capacity of 1,000 pounds
*Hydraulic articulating jib wench side mount 2000 lb
- C.8.3- Provide 70 feet minimum of ½ inch braided
rope with eye splice and hook comply
- C.8.4- Minimum of 46kV insulated single and multi
phase attachments comply
- C.9- Pedestal shall be high strength construction
with large service opening for easy access
of lines and fittings comply
- C.10- **Turntable**
- C.10.1- Turntable continuous rotation in either direction. comply
- C.10.2- Provide heavy duty sealed rotational gearbox comply
- C.11- **Controls**
- C.11.1- A single stick control with enabling lever at
platform to control all movements of upper and
lower booms comply
- C.11.2- Lower control lever for upper and lower boom
movements located at turntable to include
lever to override upper control assembly comply
- C.11.3- Engine stop/start switch at platform comply
- C.11.4- Provide auxiliary winch control at pedestal. comply
- C.12- Upper and lower booms paint shall be gelcoat
finish and painted surfaces are highly resistant
to chipping, scratching, abrasion, and corrosion comply
- C.13- Provide heavy duty upper and lower boom rests
rubber coated with saddle pads and adjustable
strap comply
- C.14- Provide tool holders installed at platform comply
- C.15- Aerial unit meets or exceeds dielectric
requirement comply
- D. **HYDRAULIC SYSTEM:**
- D.1- Oil reservoir tank capacity 30 gallons
minimum comply
- D.2- Provide visual oil level indicator mounted
on tank comply
- D.3- 12 volt stowage system that can be controlled
at platform and curbside compartment comply
- D.4- Provide power take off driven pump comply

INVITATION FOR BID NO.: GPA-064-11
Requisition No.: 22601

- D.5- Provide hydraulic tilt cylinder for platform comply
- D.6- Fill system with oil compatible to DTE 26 oil or equivalent comply
- D. 7- Auxiliary tool quick disconnect couplers at pedestal and platform. Couplers shall be equipped with pressure release valves comply
- E. **STABILIZERS:**
- E.1- Install one set of hydraulic double-acting, full A-Frame mounted directly behind the cab. X-Frame
- E.2- Install one set of hydraulic double acting, full A-Frame mounted directly behind the pedestal X-Frame
- E.3- Outriggers spread from pin to pin of 140 inches minimum 143"
- E.4- Paint inner outrigger legs with graphite impregnated paint comply
- E.5- Provide four outrigger pads constructed of laminated exterior, termite preserved plywood with approximate dimensions of 24"x24"x2 1/4" thickness comply
- E.6- Provide outrigger pad holders near outriggers. comply
- F. **TOOLS:**
- F.1- Provide hydraulic crimping tool: Pressure: up to 2,000 PSI; flow Range: 3-9 GPM; weight: 12 lbs.; length: 9 inches; Width: 4 inches With compatible dies for 336.4 & 927 comply
- F.2- Provide hydraulic 1/2 inch impact wrench: Torque: up to 500 ft. lbs.; pressure: up to 2000 PSI, flow range: 4-12 GPM, Weight: 7 lbs; Length: 9 inches; width: 4 inches comply
- F.3- Provide hydraulic chain saw with a 15 inch bar Length comply
- F.4- Provide two each air hoses with male and female couplers comply
- F.5- Provide all necessary attachments, i.e., couplers comply
- F.6- DC/AC inverter: minimum of 1800w comply
- G. **MISCELLANEOUS:**
- G.1- Provide Type 10 BC fire extinguisher mounted inside and behind driver's seat comply
- G.2- Provide three warning triangle reflectors comply
- G.3- Provide one medium first aid kit. comply
- G.4- Provide four-wheel chocks with storage bins at Rear fenders. comply

INVITATION FOR BID NO.: GPA-064-11
Requisition No.: 22601

- G.5- Provide complete rust-proofing and under coating. Comply
- G.6- Provide arma-coating at the rear bed inner sides and flooring Comply
- G.7- Provide scotch guard application on upholstery Comply
- G.8- **Provide Each Unit With the Following**
- G.8.1- Operator's manual Comply
- G.8.2- Operator's manual for auxiliary tools Comply
- G.8.3- Body and Chassis service manual Comply
- G.8.4- Aerial unit service manual Comply
- G.8.5- Auxiliary tools service manual Comply
- G.8.6- Body and Chassis repair manual Comply
- G.8.7- Aerial unit repair manual Comply
- G.8.8- Body and Chassis parts manual Comply
- G.8.9- Aerial unit parts manual Comply
- G.8.10- Complete body and chassis wiring diagrams Comply
- G.8.11- Complete aerial unit wiring diagram Comply
- G.9- Provide all warning, safety, and identification decals to meet federal requirements Comply
- G.10- Provide all warning and safety devices to meet current standards and requirements Comply
- G.11- Provide three set of keys for compartments, ignition and doors Comply
- G.12- Provide grounding cable and clamp, 65 ft. long, 2/0 600V insulated copper wire Comply
- G.13- Provide line-setting ticket Comply
- G.14- Provide heavy duty floor mats Comply

H. PRODUCT SUPPORT:

H. 1- It is very important that this vehicle be in good operating condition without protracted down-time. Therefore, it is essential that on-island parts availability and service facility both be identified Comply

*H. 2- The bidder will provide operator's and technical/service trainings by a certified instructor from the manufacturer...
To Now Read: Upon delivery the successful Bidder shall provide 40 hour operator's and Technical/Mechanical service training on island by a "Certified Instructor" from the manufacturer. Comply

I. WARRANTY:

I. 1- The bidder shall provide a manual listing on all Warranties on the entire vehicle. The warranty begins on the acceptance date upon delivery.

INVITATION FOR BID NO.: GPA-064-11
Requisition No.: 22601

The present mileage then be documented on the warranty booklet upon delivery

comply

I. 2- The warranty period shall be extended by adding the amount of time the vehicle spend for warranty repair/s... **To Now Read: The warranty period shall be extended by adding the amount of time the vehicle is out of commission for warranty repair/s.**

comply

*I.3 The manufacturer shall offer a warranty, of at least two (2) years or 24,000 miles, whichever occurs first.

comply

J. **GUARANTEES:**

*J. 1- The dealer shall warrant that the unit and all auxiliary equipment conforms to the proposed specifications and be free of defects from material, workmanship, and title... **To Now Read: The dealer shall warrant that the unit and all auxiliary equipment conforms to the proposed specifications and be free of defects from material, workmanship, and title before and after delivery.**

comply

J. 2- Vehicle must be DOT and safety inspected

comply

*J. 3- Manufacturer's brochure/s (original) shall be submitted and attached on bid submittal... **To Now Read: Dealer/bidder shall provide manufacturer's brochure and/or colored brochure printed from the internet shall be submitted and attached on bid submittal**

comply

J. 4- The vehicle must be delivered to the transportation compound with required documents. Documents shall consist of the original copies of the Bill of Sale, line setting ticket, DOT and safety inspection, delivery checklist, scotch guard certificate, and receipts of rust proofing and Arma-coating

comply

Standard Terex Bed liner

BIDDING ON:

Manufacture: Terex | Freightliner

Make: Terex | Freightliner

Model: HRX20 | M2

Year: 2011 | 2012

Place of Origin: U.S.A.

Delivery Date: 240 days ARO

Specification Approved By:
[Signature] 07/06/11
Vincent F. Bias Date
Power Plant Maint. Superintendent
Transportation Support Unit

Specification Approved By:
[Signature] 7/6/11
Rynald Okada Date
T&D Manager
Transportation Support Unit

Specification Approved By:
[Signature] 7-6-11
Herbert Pinaula Date
Manager, Fleet Support Services

Specification Approved By:
[Signature] 7/6/11
Simon Camacho Date
T&D Asst. Manager



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 HAGÁTÑA, GUAM U.S.A. 96932-2977

BID STATUS

October 05, 2011

Craig Wade
President/VCFO
Mid Pac Far East, LLC.
P.O. Box 20969
Barrigada, Guam 96921

BID INVITATION: GPA-064-11

OPENED: July 12, 2011

DESCRIPTION: 55' Bucket Trucks

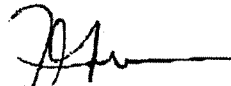
The following is the result of the above-mentioned bid. Refer to items checked below.

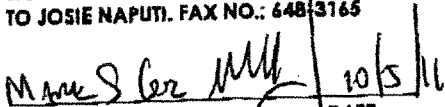
- Cancelled (in its entirety), or partially canceled due to:**
 - Insufficient funds;
 - Change of specifications;
 - Best interest of the Government
- Rejected due to:**
 - Late submission of bid;
 - No bid security or insufficient bid security amount submitted: as required by Section 11 of the General Terms and Conditions;
 - Not meeting the delivery requirements as stated in the IFB;
 - Non-conformance with the specifications: did not meet the minimum di-electric rating for the platform polyethylene liner.
 - Inability to provide future maintenance and services to the equipment;
 - High price; Line Item No.: 1.0, 2/Each @ \$235,750.00 Each
 - Others:

Bid is recommended for award to: Far East Equipment, LLC, Line Item Nos.: 1.0: 2/Each, in the total amount of \$456,250.00.

The Guam Power Authority greatly appreciates the interests and participation in our bids.

PLEASE ACKNOWLEDGE RECEIPT, BY
SIGNING BELOW AND RETURN THIS FAX
TO JOSIE NAPUTI. FAX NO.: 648-3165


JOAQUIN C. FLORES, P.E.
General Manager



PRINT/SIGNATURE DATE

APPRECIATE YOUR IMMEDIATED RESPONSE.
THANK YOU
JOSIE NAPUTI, BUYER
GPA PROCUREMENT DIVISION
TEL: (671) 648-3054/55





GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 HAGÁTÑA, GUAM U.S.A. 96932-2977
BID STATUS

October 05, 2011

Torgun Smith
Executive Vice President
Morrico Equipment, LLC
197 Ypao Road
Tamuning, Guam 96913

BID INVITATION: GPA-064-11

OPENED: July 12, 2011

DESCRIPTION: 55' Bucket Trucks

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

- Cancelled (in its entirety), or partially canceled due to:**
 - () Insufficient funds;
 - () Change of specifications;
 - () Best interest of the Government
- Rejected due to:**
 - () Late submission of bid;
 - () No bid security or insufficient bid security amount submitted: as required by Section 11 of the General Terms and Conditions;
 - () Not meeting the delivery requirements as stated in the IFB;
 - () Non-conformance with the specifications;
 - () Inability to provide future maintenance and services to the equipment;
 - (X) High price; Line Item No.: 1.0: 2/Each @ \$237,485.00/Each
 - () Others:

Bid is recommended for award to: Far East Equipment, LLC. Line Item Nos.: 1.0: 2/Each, in the total amount of \$458,250.00.

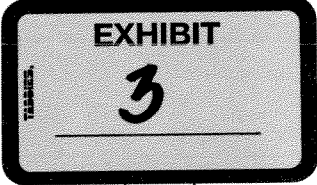
The Guam Power Authority greatly appreciates the interests and participation in our bids.

JOAQUIN C. FLORES, P.E.
General Manager


PLEASE ACKNOWLEDGE RECEIPT BY
SIGNING BELOW AND RETURN THIS FAX
TO JOSIE NAPUTI, FAX NO.: 448-3145

Joaquin Flores 10/6/2011
PRINT/SIGNATURE DATE

APPRECIATE YOUR IMMEDIATE RESPONSE.
THANK YOU
JOSIE NAPUTI, BUYER
GPA PROCUREMENT DIVISION
TEL: (671) 648-3084/55



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Power agency adds two new bucket trucks

Pacific Daily News - Hagatna, Guam
 Author: Conerly, Michelle
 Date: Aug 8, 2013
 Start Page: n/a
 Section: Local News
 Text Word Count: 140

Abstract (Document Summary)

"With these additions, GPA can continue ongoing maintenance and capital improvement work, including streetlight repairs, outage response and service calls."

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New Trucks Support Ongoing Maintenance Work

7 August 2013

NEW BUCKET TRUCKS ADDED TO UTILITY FLEET

The Guam Power Authority will add two (2) new bucket trucks to its existing fleet of bucket trucks to be immediately utilized for preventive maintenance and infrastructure improvement work throughout GPA's islandwide transmission & distribution system; the new bucket trucks are the first additions to GPA's fleet of bucket trucks since early 2006. Of the 26 existing bucket trucks, 22 are operational with the remaining 4 undergoing extensive repairs.

"These new bucket trucks are capable of reaching upwards of 60 feet and cost approximately \$236k each; the trucks will be assigned to the line crews to continue ongoing preventive maintenance (PM) and capital improvement work," stated Melinda Camacho, P.E., Assistant GM of Operations, "You'll be seeing these trucks on the road and in the field providing more support to other line crews – with these additions, GPA can continue ongoing maintenance and capital improvement work including streetlight repairs, outage response & service calls."

GPA personnel have undergone extensive training on Operations & Maintenance of the new 2013 International/Altec Bucket Trucks with MidPac Far East. GPA is pleased to add this equipment to our fleet to support continued improvements to the power system.

#####

at 8/07/2013 01:46:00 PM

Labels: New Bucket Trucks Added to GPA Fleet





GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

Dooley Roberts & Fowler LLA
RECEIVED

OCT 23 2013

Monique

Tel: (671) 648-3225; Fax: 648-3290

DENIAL OF PROCUREMENT PROTEST

October 15, 2013

VIA FAX: 646-1223

Morrigo Equipment LLC
C/O Mr. Kevin Fowler
Dooley Roberts & Fowler LLP
856 South Marine Corps Drive, Ste 201
Tamuning, Guam 96913

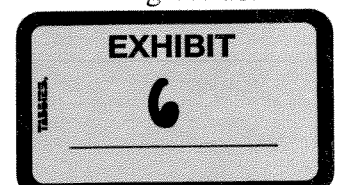
RE: Guam Power Authority's Response to Morrigo Equipment LLC's Protest dated August 20, 2013 for GPA-IFB-064-11, Bucket Trucks

Dear Mr. Fowler:

I have reviewed your protest letter on behalf of Morrigo Equipment LLC, dated August 20, 2013, protesting the Guam Power Authority's (GPA) award of bucket trucks to Mid-Pac Far East, after the default of the original bidder, Far East Equipment. Your Protest is hereby denied for the following reasons:

1. You indicated in your letter that the submission provided by Mid Pac was not responsive to the solicitation. You are correct that originally Mid Pac's bid submittal quoted a Kenworth truck and High Ranger body, which met the requirements of the bid. When the original low bidder, Far East, defaulted in delivery, GPA contacted the next lowest responsive bidder, Mid Pac, and requested whether they would honor the price submitted. They agreed to meet the original price, but requested a deviation in brand name to an International truck with an Altec body. GPA reviewed this request and determined that the revised submission still met the requirements of the original bid specifications.

Your allegations that the bucket trucks already delivered by Mid Pac did not meet the bid specifications are not supported by any factual basis, and your protest is denied on these grounds.



GPA reviewed the bid packages and provided a notice of intent to award to the lowest responsible and **responsive** bidder. After the default of the original low bidder, GPA made an award to the next lowest responsible and responsive bidder based on the bid abstract. A responsive bidder is a person who has submitted a bid which conforms in all material respects to the Invitation for Bids. 5 GCA §5201(g) and 2 GAR, Div. 4, Chap. 3, §3109(n)(2).

2. In addition, 5 GCA § **5425, Authority to Resolve Protested Solicitations and Awards.**

(a) Right to Protest, provides that “Any actual or prospective bidder, offeror, or contractor who may be aggrieved in connection with the method of source selection, solicitation or award of a contract, may protest to the Chief Procurement Officer, the Director of Public Works or the head of a purchasing agency. The protest shall be submitted in writing within fourteen (14) days after such aggrieved person knows or should know of the facts giving rise thereto. “ It is clear that this protest was not received in a timely manner, as the bucket trucks were already delivered to GPA by Mid Pac at the time of the protest.

Morrice Equipment LLC is hereby ON NOTICE that this is the Guam Power Authority’s final decision concerning Morrice Equipment LLC’s August 20, 2013, protest for the above described IFB. You are hereby advised that Morrice Equipment LLC has the right to seek judicial review.

Sincerely,


JOAQUIN C. FLORES, P.E.
General Manager

Kevin Fowler

From: Mark Cruz [macruz@midpacfareast.com]
Sent: Thursday, January 03, 2013 4:01 PM
To: Tilden, Michael
Cc: 'STEPHEN BONFIELD'
Subject: RE: MPFE distributor termination

Dear Michael,

MPFE is in receipt of the Termination Letter.

Best Regards,

Mark S. Cruz

Sales Manager
Mid Pac Far East, LLC
Office: (671) 632-5160
Mobile: (671) 486-2789
Fax: (671) 632-5167

From: Tilden, Michael [mailto:Michael.Tilden@terex.com]
Sent: Friday, January 04, 2013 9:57 AM
To: macruz@midpacfareast.com
Cc: Tilden, Michael
Subject: MPFE distributor termination

Sir,

Effective January 4, 2013 - MPFE is being terminated as a distributor for Terex Utilities, Inc.

However, as a chassis supplier to Guam customers.

If MPFE requests a quotation from Terex South Dakota, Inc., for an installed product on a MPFE supplied chassis, (for Guam). Terex South Dakota, Inc., will provide MPFE a quotation.

Please respond with an acknowledgement - receipt of termination letter.

Best Regards,

Michael Tilden
International Sales Manager
Terex South Dakota, Inc.
T 503.924.1551
F 503.684.1793
M 775.722.3882
E michael.tilden@terex.com





January 4, 2013

Mid Pac Far East
825 Tiyon Parkway
Barrigada, Guam 96921 USA

Re: Termination of Distribution Agreement (“Agreement”)

The Purpose of this letter is to act in accordance with the provisions of the (“Distribution agreement”) reached between **Terex-Telelect, Inc.**, (“Terex” or Terex Utilities, Inc.) and **Mid Pac Far East**, (“MPFE”) dated July 6, 2009 for distribution of Terex-Telelect aerial devices and digger derrick products in Guam (the “Distributorship”).

Per the Distribution agreement, Terex-Telelect is hereby terminating the Distributorship of MPFE effective immediately, due to MPFE sales inactivity.

If you have any questions regarding this matter, please contact me directly.

Best Regards,

Michael Tilden

Michael Tilden

International Sales Manager
Terex South Dakota, Inc.
DBA – Terex Utilities, Inc.

