



Jerrick Hernandez &lt;jhernandez@guamopa.com&gt;

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**FW: Appeal to GSA-055-19 Protest Denial on 6/22/20**

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Ira Palero <ipalero@guamopa.com>  
To: Jerrick Hernandez <jhernandez@guamopa.com>  
Cc: Benjamin Cruz <bjcruz@guamopa.com>

Mon, Jun 29, 2020 at 8:36 AM

**From:** Erik Soderholm [mailto:[erik@soderholmbus.com](mailto:erik@soderholmbus.com)]

**Sent:** Sunday, June 28, 2020 12:36 PM

**To:** [admin@guamopa.com](mailto:admin@guamopa.com)

**Cc:** Claudia Acfalle <[Claudia.Acfalle@gsadoa.guam.gov](mailto:Claudia.Acfalle@gsadoa.guam.gov)>; Anita Cruz <[Anita.Cruz@gsadoa.guam.gov](mailto:Anita.Cruz@gsadoa.guam.gov)>; Robert Kono <[robert.kono@gsa.guam.gov](mailto:robert.kono@gsa.guam.gov)>; Christine Tedtaotao <[christine.tedtaotao@gsadoa.guam.gov](mailto:christine.tedtaotao@gsadoa.guam.gov)>; Celestin Babauta <[celestin.babauta@grta.guam.gov](mailto:celestin.babauta@grta.guam.gov)>; Rally M. Pilipina <[rally.pilipina@grta.guam.gov](mailto:rally.pilipina@grta.guam.gov)>; Catherine Blas <[catherine.blas@grta.guam.gov](mailto:catherine.blas@grta.guam.gov)>; Charlie Renoylds <[charlie.reynolds@triplejhq.com](mailto:charlie.reynolds@triplejhq.com)>; Denise Soderholm <[denise@soderholmbus.com](mailto:denise@soderholmbus.com)>; Gus Soderholm <[gus@soderholmbus.com](mailto:gus@soderholmbus.com)>; Jessica Scheuring <[jessica@soderholmbus.com](mailto:jessica@soderholmbus.com)>; Jeffrey Miller <[jeff@millershealaw.com](mailto:jeff@millershealaw.com)>

**Subject:** Appeal to GSA-055-19 Protest Denial on 6/22/20

Public Auditor:

Please find the following attachments for your review;

- 1) Completed and signed Appendix A: Notice of Appeal Form.
- 2) Signed appeal stating the reasons for the appeal and action requested.
- 3) Copy of the appeal to the GSA dated 6/15/20.
- 4) Copy of the denial of our appeal dated 6/22/20 from the GSA.
- 5) Copy of email response dated 1/4/20 to Christine Tedtaotao of GSA responding to her request for clarification. In a subsequent conversation she accepted our clarification.
- 6) Copy of letter from Forest River, parent company of StarCraft Bus, the bus bid by Monster Auto Spot, stating that chassis after 3/1/19 GM/GMC chassis no longer meet the Buy America requirement of 70% domestic content.
- 7) Copy of bid abstract.
- 8) Copy of the Bid Status.

Would you please confirm receipt, and that the bid appeal was accepted by email per Chapter 12, 121104, Procurement Appeals to the Public Auditor?

Please call or email us any questions?

Please email to us any notices?

Thank you for your review.

R. Erik Soderholm

Vice President

Soderholm Sales & Leasing, Inc.

2044 Dillingham Blvd. Honolulu, HI 96819

Mailing address: P.O. Box 19010 Honolulu, HI 96817

808-834-1417 Fax 808-834-1070

[erik@soderholmbus.com](mailto:erik@soderholmbus.com)      [www.soderholmbus.com](http://www.soderholmbus.com)

This message **and any attachments** contain confidential information **and is the property of Soderholm Sales and Leasing, Inc. and/or Soderholm Mobility, Inc.** If you are not the intended recipient (or authorized to receive for the recipient) and received this message in error; any use, distribution or disclosure is strictly prohibited. Please contact the sender by reply e-mail and delete all copies of this message from your computer system.

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**8 attachments**

 **ERIKS0372.pdf**  
347K

 **ERIKS0373.pdf**  
291K

 **ERIKS0374.pdf**  
290K

 **ERIKS0375.pdf**  
985K

 **ERIKS0376.pdf**  
440K

 **ERIKS0377.pdf**  
217K

 **ERIKS0378.pdf**  
224K

 **ERIKS0379.pdf**  
156K





Appendix A: Notice of Appeal Form  
PROCUREMENT APPEAL

**RECEIVED**  
OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEALS

DATE: 6/29/2020 (via email)

TIME: 8:37  AM  PM BY: jet

FILE NO OPA-PA: 20-006

**PART I- To be completed by OPA**

In the Appeal of \_\_\_\_\_ )  
Soderholm Sales and Leasing, Inc. ) **NOTICE OF APPEAL**  
(Name of Company), APPELLANT )  
\_\_\_\_\_ ) Docket No. OPA-PA \_\_\_\_\_  
\_\_\_\_\_ )

**PART II- Appellant Information**

Name: Soderholm Sales and Leasing, Inc.  
Mailing Address: PO Box 19010  
Honolulu, Hawaii 96817  
Business Address: 2044 Dillingham Blvd.  
Honolulu, Hawaii 96819  
Email Address: erik@soderholmbus.com  
Daytime Contact No: (808) 834-1417  
Fax No.: (808) 834-1070

**PART III- Appeal Information**

- A) Purchasing Agency: General Services Agency (GSA)
- B) Identification/Number of Procurement, Solicitation, or Contract: GSA-055-19
- C) Decision being appealed was made on 6/22/20 (date) by:  
 Chief Procurement Officer  Director of Public Works  Head of Purchasing Agency

*Note: You must serve the Agency checked here with a copy of this Appeal within 24 hours of filing.*

D) Appeal is made from:

*(Please select one and attach a copy of the Decision to this form)*

- Decision on Protest of Method, Solicitation or Award  
 Decision on Debarment or Suspension  
 Decision on Contract or Breach of Contract Controversy  
(Excluding claims of money owed to or by the government)  
 Determination on Award not Stayed Pending Protest or Appeal  
(Agency decision that award pending protest or appeal was necessary to protect the substantial interests of the government of Guam)



**Appendix A: Notice of Appeal Form**  
**PROCUREMENT APPEAL**

**PART I- To be completed by OPA**

In the Appeal of )  
 ) **NOTICE OF APPEAL**  
 )  
Soderholm Sales and Leasing, Inc. )  
(Name of Company), APPELLANT ) Docket No. OPA-PA \_\_\_\_\_  
 )  
 )  
 )

**PART II- Appellant Information**

Name: Soderholm Sales and Leasing, Inc.  
Mailing Address: PO Box 19010  
Honolulu, Hawaii 96817  
Business Address: 2044 Dillingham Blvd.  
Honolulu, Hawaii 96819  
Email Address: erik@soderholmbus.com  
Daytime Contact No: (808) 834-1417  
Fax No.: (808) 834-1070

**PART III- Appeal Information**

- A) Purchasing Agency: General Services Agency (GSA)
- B) Identification/Number of Procurement, Solicitation, or Contract: GSA-055-19
- C) Decision being appealed was made on 6/22/20 (date) by:  
 Chief Procurement Officer     Director of Public Works     Head of Purchasing Agency

*Note: You must serve the Agency checked here with a copy of this Appeal within 24 hours of filing.*

- D) Appeal is made from:  
(Please select one and attach a copy of the Decision to this form)
- Decision on Protest of Method, Solicitation or Award  
 Decision on Debarment or Suspension  
 Decision on Contract or Breach of Contract Controversy  
(Excluding claims of money owed to or by the government)  
 Determination on Award not Stayed Pending Protest or Appeal  
(Agency decision that award pending protest or appeal was necessary to protect the substantial interests of the government of Guam)

E) Names of Competing Bidders, Offerors, or Contractors known to Appellant:

Monster Auto Spot

|       |       |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

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**PART IV- Form and Filing**

In addition to this form, the Rules of Procedure for Procurement Appeals require the submission together with this form of additional information, including BUT NOT LIMITED TO:

1. A concise, logically arranged, and direct statement of the grounds for appeal;
2. A statement specifying the ruling requested;
3. Supporting exhibits, evidence, or documents to substantiate any claims and the grounds for appeal unless not available within the filing time in which case the expected availability date shall be indicated.

*Note: Please refer to 2 GAR § 12104 for the full text of filing requirements.*

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**PART V- Declaration Re Court Action**

Pursuant to 5 GCA Chapter 5, unless the court requests, expects, or otherwise expresses interest in a decision by the Public Auditor, the Office of Public Accountability will not take action on any appeal where action concerning the protest or appeal has commenced in any court.

The undersigned party does hereby confirm that to the best of his or her knowledge, no case or action concerning the subject of this Appeal has been commenced in court. All parties are required to and the undersigned party agrees to notify the Office of Public Accountability within 24 hours if court action commences regarding this Appeal or the underlying procurement action.

Submitted this 26 day of June, 20 20.

By: Soderholm Sales and Leasing, Inc.  
APPELLANT

or 

By: R. Erik Soderholm, Vice President  
Appellant's Duly Authorized Representative  
(Address) 2044 Dillinham Blvd., Honolulu, Hawaii 96819  
(Phone No.) (808) 306-2115

APPENDIX A



**Söderholm Sales & Leasing, Inc.**

June 26, 2020

Public Auditor  
Office of Public Accountability  
Suite 401 DNA Building  
Hagatna, Guam 96910

SENT VIA: admin@guamopa.com

RE: Appeal to GSA-055-19 Protest Denial on 6/22/20

Dear Public Auditor:

We respectfully appeal the decision of Claudia Acfalle, Chief Procurement Officer, GSA, to deny our appeal of her decision to award the GSA-055-19 bid for ten (10) buses to Monster Auto Spot for the following reasons:

- 1) We were the lowest responsive and responsible bidder by \$4,474.20 per bus, as acknowledged and agreed to by Ms. Acfalle in her denial on 6/22/20. There can be no caveat after she agreed that we were the lowest responsive and responsible bidder. Being the lowest responsive and responsible bidder means we won the bid, and met all the terms.
- 2) Christine Tedtaotao of GSA asked us for a clarification of the location of the wheelchair lift due to very confusing bid specifications. We submitted the floor plan she wanted. She said she was satisfied.
- 3) The Pre-Award BUY AMERICA CERTIFICATION dated 2/17/20 by Forest River, the parent company of StarCraft Bus, the bus manufacturer that Monster Auto Spot bid, was untimely and defective. It should have been submitted with the bid opening on 11/15/19. Additionally, Buy America certifications must add up to 100% showing domestic content of at least 70% and foreign content. The certificate shows an unaccounted amount of 4.55% which means it effect it adds up to 104.55%. This is impossible. In the our 30+ years of bidding U.S. FTA funded bus procurements and reviewing hundreds of Buy America certificates, we have never seen an unaccounted percentage. The certificate is a sham and defective. The Forest River Buy America certificate is in conflict with the Forest River, Inc. letter of 1/24/19 stating GM/GMC chassis that Monster Auto Spot bid no longer meet the Buy America requirement of 70% domestic content.
- 4) Moreover, Cel Babauta, the GRTA Director, has no authority or knowledge to certify a Buy America certificate for Starcraft Bus, the bus manufacturer. He does not work for Starcraft Bus.

Mailing Address: P. O. Box 19010 • Honolulu, Hawaii 96817

Delivery Address: 2044 Dillingham Blvd. • Honolulu, Hawaii 96819

Telephone: (808) 834-1417 • Fax: (808) 834-1070 • [www.soderholmibus.com](http://www.soderholmibus.com)

Public Auditor  
June 26, 2020  
Page 2

- 5) After two phone conversations with Christine Tedtaotao and one with Anita Cruz, over fifty phone messages and emails to Christine, Anita and Claudia were not returned. This is unfair and illegal to not answer us.
- 6) GSA has favored the high bid of Monster Auto Spot continually due to the close employment relationship with the Lieutenant Governor.
- 7) If a hearing is needed we request it be by Zoom or Charlie Reynolds of Triple J Motors be allowed to represent us.

Please call or email us any questions?

We request, the bid terminated, and new bid be sent out with notice to us for the new bid.

Thank you for your review. Would you please confirm receipt of this appeal?

Sincerely,



R. Erik Soderholm  
Vice President





## Söderholm Sales & Leasing

June 15, 2020

General Service Agency  
Claudia S. Acfalle, Chief Procurement Officer  
148 Route 1 Marine Corps Drive  
Piti, GU 96915

Sent: via email to [Claudia.acfalle@gsadoa.guam.gov](mailto:Claudia.acfalle@gsadoa.guam.gov) & Hand Delivered by Charlie Reynolds of Triple J Motors.

Re: GSA-055-19 Protest

Claudia,

We respectfully protest the decision by General Service Agency (GSA) to award GSA-055-19 bid to Monster Auto Spot for the following reasons:

- 1) Our bid was \$158,700.00 per bus which is \$4,474.20 less than Monster Auto Spot's bid of \$163,174.20.
- 2) We met all the terms of the bid, as evidenced by the attached bid abstract.
- 3) Our bid was the lowest responsive and responsible bid.
- 4) Christine Tedtaotao sent us a questions about the location of the wheelchair lift, we responded on 1/4/20 with the attached email questioning the confusing bid instructions on page 45 of the specifications, and offering the floor plan with the preferred front lift at no additional cost? Specifications are routinely adjusted at preproduction meetings? Christine said she was satisfied in a subsequent phone conversation.
- 5) We told GSA that the GM/GMC/Savanna chassis that Monster Auto Spot bid, no longer meets Buy America, due to too much foreign content which disallows these buses to be purchased using Federal Transportation Agency (FTA) funds. See attached letter from EIDorado. See also attached letter dated 01/24/19 from Forest River, parent company of StarCraft, the bus manufacturer bid by Monster Auto Spot, saying that the GM/GMC Chassis does not meet Buy America. On page 40, included in the Special Provisions, #23 states that vehicles must "comply with all FTA Buy America/ADA requirement..."
- 6) EIDorado was purchased by Forest River, Inc. on 5/8/20, the parent company of Starcraft, the bus manufacturer that Monster Auto Spot bid. The same Buy America failure applies to all

Mailing Address: P.O. Box 19010 - Honolulu, Hawaii 96817

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Tel: (808) 834-1417 Fax: (808) 834-1070 • [www.SoderholmMobility.com](http://www.SoderholmMobility.com) • [www.SoderholmBus.com](http://www.SoderholmBus.com)

GM/GMC/Savanna chassis that Forest River/Starcraft uses for Starcraft buses that Monster Auto Spot bid. See attached press release from Forest River for your review.

- 7) I was only able to talk to Christine on the phone twice last year, and Anita Cruz once. Christine said the bid was with the Attorney General's office? For over 6 months I have left numerous phone messages & sent numerous emails to you all to no avail. There was absolutely no common courtesy to return my calls or emails.
- 8) We talked to Ryan Fujii, the head to the FTA Pacific office in Honolulu. He assured us that the FTA will not fund a bid that for buses don't meet Buy America.
- 9) We will not sign your attached Bid Status. It is unfair, violates the law & FTA guidelines.
- 10) We request the bid be awarded to us, or at the very least the bid be cancelled, and rebid to clarify the numerous discrepancies, and that the bid was opened over 6 months ago which is an unbelievable long period of time to award a low bid.

Thank you for your review. Please get back to us with any questions by calling or email?

Sincerely,



R. Erik Soderholm  
Vice President



**DEPARTMENT OF  
ADMINISTRATION**  
DIPATTAMENTON ATMENESTRASION  
**GENERAL SERVICES AGENCY**

*(Ahensian Setbision Hinirat)*

Telephone (Telifon): (671) 475-1707/1729 • Fax (Faks): (671) 472-4217/1727  
Email: [gsaprocurement@gsadoa.guam.gov](mailto:gsaprocurement@gsadoa.guam.gov) Website: [gsa.doa.guam.gov](http://gsa.doa.guam.gov)



LOURDES A. LEON GUERRERO  
Governor (Maga'håga)

JOSHUA F. TENDRIO  
Lt. Governor (Sigundo Maga'låhi)

June 22, 2020

Mr Erik Soderholm  
Vice President  
Soderholm Sales & Leasing, Inc  
2044 Dillingham Blvd, Honolulu, Hi 96817

Ref: GSA-055-19 Protest, email, June 15, 2020

Hafa Adai and Aloha! We've reviewed our procurement records to GRTA bus procurement bid and here are the responses to reasons in your email:

- **Protest issue 1:** Our bid was \$158,700.00 per bus which is \$4,474.20 less than Monster Auto Spot's bid of \$163,174.20. **GSA response:** Agree, but your bid your bid was rejected as a result of non-compliance with specifications. Therefore, this matter is denied. (ref: Bid Status, May 29 provided to you). 2 GAR, DIV 4, CH. 3
- **Protest issue 2:** We met all the terms of the bid, as evidenced by the attached bid abstract. **GSA response:** Disagree. All bidder information and required forms are recorded on the abstract and become part of the procurement record. However, the bid abstract is not the basis for award. It's merely a record of information and a checklist. Your bid was rejected as a result of non-compliance with specifications. Therefore, this matter is denied. 2 GAR, DIV 4, §3109
- **Protest issue 3:** Our bid was the lowest responsive and responsible bid. **GSA response:** Agree, but for the same reason as in protest issue 1 – non-compliance with specifications. Therefore, this matter is denied. 2 GAR, DIV 4, CH. 3
- **Protest issue 4:** You sent us questions about the location of the wheelchair lift, we responded on 1/4/20 with the attached email questioning the confusing bid instructions on page 45 of the specifications, and offering the floor plan with the preferred front lift at no additional cost? Specifications are routinely adjusted at preproduction meetings? You said you were satisfied in a subsequent phone conversation. **GSA response:** Disagree. Your original bid didn't meet the specifics for the wheelchair lift and your later memo can't change that fact. Moreover, there's no documented evidence Christine Tedaotao stated she was satisfied with the floor plan you presented on June 4, 2020 email for the location of the wheelchair lift. Her last email

to your company was June 12, 2020 advising on the Bid Status and for acknowledgement. Therefore, this matter is denied.

- **Protest issue 5:** We told you that the GM/GMC/Savanna chassis that Monster Auto Spot bid, no longer meets Buy America, due to too much foreign content which disallows these buses to be purchased using Federal Transportation Agency (FTA) funds. See attached letter from EIDorado. On page 40, included in the Special Provisions, #23 states that vehicles must "comply with all FTA Buy America/ADA requirement..." **GSA response:** Disagree. Attached are two documents – one from GRTA Director certifying Monster Auto complied with all the specifications and another from StarCraft Bus certifying compliance with FTA Buy America regulations. Therefore, this matter is denied
- **Protest issue 6:** EIDorado was purchased by Forest River, Inc. on 5/8/20, the parent company of StarCraft, the bus manufacturer that Monster Auto Spot bid. The same Buy America failure applies to all GM/GMC/Savanna chassis that Forest River/StarCraft uses for StarCraft buses that Monster Auto Spot bid. See attached press release from Forest River for your review. **GSA response:** Disagree. We provided documents showing StarCraft buses are compliant with FTA Buy America regulations and another document signed by the GRTA Director certifying specification compliance. Therefore, this matter is denied.
- **Protest issue 7:** I was only able to talk to you on the phone twice last year, and Anita Cruz once. You have said the bid was with the Attorney General's office? For over 6 months I have left numerous phone messages & sent numerous emails to you both to no avail. There was absolutely no common courtesy to return my calls or emails. **GSA response:** Disagree. Under the COVID-19 emergency declaration by the Governor of Guam, the Attorney General's office worked limited hours with a skeleton crew. Bids for review at the Attorney General's office is beyond our control. Therefore, this matter is denied.
- **Protest issue 8:** We talked to Ryan Fujii, the head to the FTA Pacific office in Honolulu. He assured us that the FTA will not fund a bid that for buses don't meet Buy America. **GSA response:** Disagree. The buses from Monster Auto meet the Buy America Act based on the documents provided. Therefore, this matter is denied.
- **Protest issue 9:** We will not sign your attached Bid Status. It is unfair, violates the law & FTA guidelines. **GSA response:** Disagree. Not signing the Bid Status is immaterial to an award. We followed all bid procedures guided by procurement law in 5 GCA, CH 5 and 2 GAR, DIV 4 and had additional oversight and review by the Attorney General of Guam and our administrative counsel. Documents provided by StarCraft show compliance with FTA guidelines on Buy America Act. Therefore, this matter is denied.
- **Protest issue 10:** We request the bid be awarded to us, or at the very least the bid be cancelled, and rebid to clarify the numerous discrepancies, and that the bid was opened over 6 months ago which is an unbelievable long period of time to award a low bid. **GSA**

**response:** Disagree. Your bid was rejected as a result of non-compliance with specifications (ref: Bid Status, May 29 provided to you). GSA followed all rules/regulation and bid procedures in accordance with 2 GAR, DIV 4 and 5 GCA, CH 5. Moreover, the length of time for review at the Attorney General's office is beyond our control. Therefore, this matter is denied.

Based on the above, your protest is denied. You have the right to seek any administrative or judicial review authorized by law.

  
/ CLAUDIA ACFALLE  
Chief Procurement Officer



EDWARD M. BIRN  
Director (Direktor)

EDITH C. PANGELINAN  
Deputy Director (Sigunda Direktor)

# DEPARTMENT OF ADMINISTRATION

DIPATTAMENTON ATMENESTRASION

GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)

Telephone (Telifon) (671) 475-1707/1723 • Fax (Foks) (671) 472-4217/1727



LOURDES A. LEON GUERRERO  
Governor (Maga'hága)

JOSHUA F. TENORIO  
Lt. Governor (Sigunda Maga'háhi)

Memorandum

January 15, 2020

To: Guam Regional Transit Authority  
From: Buyer Supervisor II, GSA  
Subject: Approval of Bid Specifications IFB No. GSA-026-19 14 Passenger Bus, ADA Compliant Buses

Attached is a copy of specifications submitted by Monster Auto Corp. dba: Auto Spot in regards to the above Invitation for Bid No. GSA-026-19.

Please review and evaluate the specifications provided by the bidder and concur below if all required specifications are met. We would appreciate your response no later than Friday, January 17, 2020 before close of business, 5:00pm in order for GSA to process accordingly.

If you have any questions regarding this matter, please call at 475-1713 or fax 475-1727.

Anita Cruz

Meets Specifications

Non-Compliance of Specifications

Remarks: Upon review and evaluation of the vehicle specifications and certifications provided by the bidder, the bidder complied with all the bid specifications and provided all the required certifications with their bid.

Concurred By:

CELESTIN BABAUTA, DIRECTOR GRTA

**Starcraft Bus**

**Pre-Award BUY AMERICA CERTIFICATION**

**This certifies compliance with FTA Buy America Regulations set forth in 49 C.F.R. § 661.11 for each component that more than 70% of the subcomponents, by cost, are of U.S. origin/manufacture and is manufactured in the U.S. Manufacturer attests that the U.S. content of subcomponents, by cost is as indicated below.**

| COMPONENT NAME                      | MANUFACTURER NAME |              | % U.S. CONTENT | % FOREIGN CONTENT |
|-------------------------------------|-------------------|--------------|----------------|-------------------|
| ALLSTAR 25' 177" WB GMC Savana 4500 | Starcraft Bus     |              | 73.49%         | 26.51%            |
| SUBCOMPONENT NAME                   | MANUFACTURER NAME | MFG LOCATION | % OF TOTAL     |                   |
| Chassis                             | General Motors    | U.S.         | 38.48%         |                   |
| Air Conditioning                    | Trans Air         | U.S.         | 4.54%          |                   |
| WheelChair and/or Rear Door         | Challenger Door   | U.S.         | 1.66%          |                   |
| Wheelchair Lift                     | Braun             | U.S.         | 5.19%          |                   |
| Wheelchair Securements              | Q'Straint         | U.S.         | 1.63%          |                   |
| Exterior Mirrors                    | ROSCO             | U.S.         | 0.24%          |                   |
| Seating                             | Freedman Seating  | U.S.         | 6.66%          |                   |
| Destination Signs                   | Transign          | U.S.         | 4.24%          |                   |
| Rear Suspension                     | Mor/Ryde          | U.S.         | 0.80%          |                   |
| Bike Rack                           | Sportworks        | U.S.         | 2.35%          |                   |
| Farebox                             | Diamond MFG       | U.S.         | 1.89%          |                   |
| Roof Hatch                          | Transpec          | U.S.         | 0.23%          |                   |
| Electric System                     | LGS Group         | U.S.         | 1.29%          |                   |
| Car Body                            | Starcraft Bus     | U.S.         | 2.34%          |                   |
| Labor/Overhead/Profit               | Starcraft Bus     | U.S.         | 1.95%          |                   |
|                                     |                   |              |                |                   |
|                                     |                   |              |                |                   |
|                                     |                   |              |                |                   |

**MAJOR ACTIVITIES UNDERTAKEN AT THE FINAL ASSEMBLY LOCATION**

All purchasing of raw and assembled materials including the chassis, fabrication and welding of the frame, prime paint, installation of all wood, fabric, FRP, aluminum and/or other body panel and/or trim materials, installation of doors and windows, HVAC components and systems, electrical systems, installation of any required options such as wheel chair lifts, tie down kits, seats, radios and optional electronic items, if any, complete undercoat, exterior paint and/or graphics if ordered, full road test, rain booth test and all other final quality functions as needed to ensure compliance with the contract.

**FINAL ASSEMBLY LOCATION: 2367 CENTURY DRIVE, GOSHEN, IN 46528**

**BODY V.I.N. OF UNITS DELIVERED UNDER POST DELIVERY BUY AMERICA:**  
TBD

**FINAL ASSEMBLY % OF TOTAL COST NOT INCLUDED IN THE MATERIAL COSTS ABOVE: 4.55%**  
**FINAL ASSEMBLY \$\$ NOT INCLUDED IN THE COSTS ABOVE \$2,456.27**

  
AUTHORIZED SIGNATURE

Government Bids  
TITLE

2/17/2020  
DATE

Scott Defrees  
PRINT NAME

## **Gus Soderholm**

---

**From:** Erik Soderholm <erik@soderholmbus.com> on behalf of Erik Soderholm  
**Sent:** Saturday, January 4, 2020 12:28 AM  
**To:** Christine Tedtaotao  
**Cc:** gsaprourement@gsadao.guam.gov; Claudia Actalle; Denise Soderholm; Gustaf Soderholm; Jessica Scheuring; Charlie Reynolds; Helen Kusunoki; Gene Arnold  
**Subject:** Fwd: [EXTERNAL] Re: IFB GSA-055-19 lift location  
**Attachments:** 2408-GA02-Model.pdf; Untitled attachment 01385.html

Christine: Per your request for clarification, please find attached an alternative floor plan for your review. We would like to note:

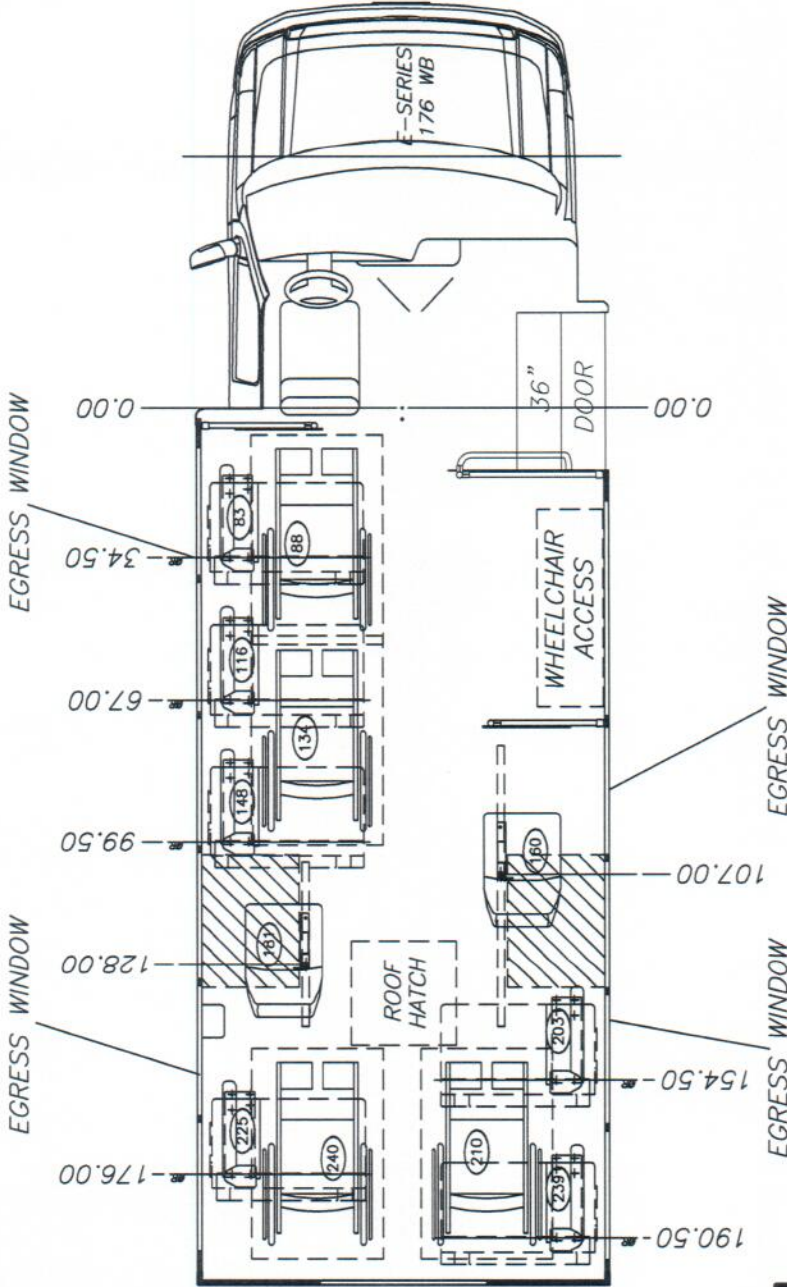
- 1) This floor plan shows the wheelchair lift also on the curbside but now just rear of the entry door.
  - 2) The specifications are confusing because as you stated in your request for clarification they called for "...forward facing"? There is no such wheelchair lift that is forward facing? Wheelchair lifts are either installed curbside or rear facing? This could be referring to the position of the wheelchair tiedown locations as that is the section it was in? But if so, then the wheelchair lift location should have been in the wheelchair lift section? The forward facing description was then a run on sentence, confusing and needed clarification from the winning bidder from GSA as you are asking for.
  - 3) There is no cost difference in providing a curbside wheelchair lift on the curbside front or the rear. There also is no FMVSS or ADA government regulation mandate either way. It's purely a preference.
  - 4) We can provide additional floor plans moving the seats & wheelchair positions around. This is a normal process after winning a bid to choose the final floor plan. The floor plan submitted was just a starting point. We make adjustment to bid floor plans often.
  - 5) This process would normally be handled in a preproduction meeting after we receive the contract? This is how it's done across the U.S. mainland & in Hawaii with all the transit agencies including the City & County of Honolulu/Oahu Transit Services (OTS)/Handi-Van, County of Kauai, County of Maui, County of Hawaii & the Daniel K. Inouye International Airport/Wiki Wiki. Many of the bus build specifications are routinely clarified during the preproduction meeting/process to meet the requests of the transit agency. These are normally done for no cost change.
  - 6) We would be pleased to have a preproduction meeting in Guam with GSA/GRTA. Gus, Nick, our Service Manager, and are are coming to Guam in March for the delivery & training of buses to Lam Lam with Triple J. We would could schedule a preproduction meeting?
- Would you now please email us the Notice of Award for the bid we were the lowest responsive bidder for 7 weeks ago?

Christine, thank you for your continued assistance. Please call or email us any questions?



95 = C/L FRONT AXLE TO PASS C.G.

LEGEND



DEALER APPROVAL  
 APPROVED  
 X CUSTOMER SIGNATURE

**ELDORADO**  
 REV GROUP  
 1655 WALL STREET  
 SALINA, KS. 67401

TITLE:  
 ADVANTAGE 240 3.0  
 36" ENTRY DOOR / WC DOOR (FRONT)

UNIT NUMBER  
 AVF2408-GA02

PAGE  
 1 OF 1

| DRAWING INFORMATION   |               | REV. | BY | DATE   | DESCRIPTION           |
|---|---------------|------|----|--------|-----------------------|
| DO NOT SCALE DRAWING  | DRAWN: MILLER |      |    |        |                       |
| THIS DRAWING IS THE PROPERTY OF ELDORADO, A REV GROUP COMPANY, AND IS NOT TO BE DUPLICATED OR USED IN ANY WAY DETRIMENTAL TO THEIR BEST INTEREST. | CKD:          |      |    |        |                       |
|   | DATE: 1/3/19  |      |    |        |                       |
|   | SCALE: 1/42   |      |    |        |                       |
|   | SIZE: A       |      |    |        |                       |
|   | WGT:          |      |    |        |                       |
| TOLERANCE UNLESS SPECIFIED  |               |      |    |        |                       |
| SEAT SPACING ± .25 (SEAT SPACING NOT TO BE LESS THAN 28.5")   |               |      |    |        |                       |
| RESTRAINTS ± .25 (W/C POSITIONS NOT TO BE SMALLER THAN 30 X 48)   |               |      |    |        |                       |
|   |               | JPM  |    | 1/3/19 | RELEASE TO PRODUCTION |



## Forest River, Inc.

55470 County Road 1, P.O. Box 3030, Elkhart, Indiana 46515-3030 • 574-389-4600 • Fax 574-296-7558

January 24, 2019

To: All Forest River Bus Dealers

From: Jerry Cavanah

Re: Federally Funded Purchases of Units on General Motors Cutaway Chassis

Since the 2016 Model year, the domestic content of GM cutaway chassis has declined from 68.989% to the current 55.695% level. Meanwhile, the domestic content threshold has increased on federally funded purchases from 60% of material cost to 65%. It will again increase to 70% October 1, 2019.

These factors have made the use of GM chassis for federally funded purchases tenuous and, as a result forced a new policy on potential orders for these federally funded purchases. That new policy is this:

Any request for purchase of a vehicle on a GM chassis cannot be considered an order. As such you should not accept purchase orders from a customer until a quote has been sent to the proper Forest River Bus division for a Buy America compliance review. Upon completion of the review we will advise whether or not the quoted build will meet the Buy America domestic content threshold. If it does, you will be authorized to accept an order from the end user and submit it to Forest River Bus for processing. If it does not, we will inform you that no order will be accepted if Federal Funding is used.

We urge you to advise your clients of this change immediately.

We apologize for the need to implement this policy; however, neither you, your client nor we have any control over the domestic content change in the chassis.

**\*\*\* UPDATE\*\*\***

**We wanted to provide a clarification regarding the timeline for the previously mentioned Buy America compliance reviews. The reviews on orders with GM chassis must take place before March 1, 2019. The chassis also must be ordered by the same March 1, 2019 deadline. The reason for this deadline is to account for chassis arrival, production scheduling, vehicle build and delivery. All of that must occur prior to Oct. 1, 2019 to avoid the 70% threshold. After this March 1, 2019 deadline, GM chassis will not be considered on FTA-funded vehicle purchases due to the new 70% domestic content requirement.**

If you should have any questions, please reach out to your sales rep.

Sincerely,

Jerry Cavanah, Government Bids

|                          |   |   |              |            |
|--------------------------|---|---|--------------|------------|
| Number of Bidders        | 2 | Department of Administration<br>590 S. Marine Corps Drive, Suite 219<br>Tamuning, Guam 96913<br>Government of Guam<br>ABSTRACT OF IFB | IFB Number:  | GSA-055-19 |
| Number of Bids Received  | 2 |   | Opening Date | 11/15/19   |
| Number of IFB Amendments | 4 |   | Time:        | 2:00 PM    |

| DESCRIPTION | OFFEROR(S)   | Acceptance Time  | Delivery Acceptance | Delivery Specified (N IFB (30 Days)) | A                                      | B | C | D | E | F | G | H | I | Item No.  | Qty. | Unit |
|-------------|--|------------------|---------------------|--------------------------------------|--|---|---|---|---|---|---|---|---|---|------|------|
|             |  |                  |                     |                                      | 14 PASSENGER, ADA COMPLIANT GRTA BUSES |   |   |   |   |   |   |   |   |   |      |      |
|             | 3000ER HOLM BUS & MOBILITY<br>BID GUARANTEE # N/A OHIO CASUALTY INS. CO. 15% T&A 10/28/19<br>POA, BROCHURES submitted. | 2:29 PM 11/14/19 |                     |                                      | X                                      | X | X | X | X | X | X | X | X | BID FORM<br>10 ea \$158,700.00<br>MUNE/RELDORADO / 2020<br>MR/ND ADVENTURE 1240<br>DOD 240 Calendar Days<br>BID FORM                              |      |      |
|             | MONSTER AUTO SPOT<br>SBLC 1/13/2019 BOG CR#01-SB-1586 #268,500.00<br>ROCHURE submitted.                                | 1:43 PM 11/15/19 |                     |                                      | X                                      | X | X | X | X | X | X | X | X | 10 ea \$163,174.20<br>MUNE/RE General Muterio / 2020<br>MR/ND GMC / Savana 4500 Custom w/<br>Bom Craft Equip. Conversion<br>DOD 240 Calendar Days |      |      |

personal supervision and that the same as of all bidders have been entered hereon

TABULATED BY: R. JOYCE CASTRO (Signature) DATE: 11/15/19

LEGEND(S)  
 (A) Affidavit re Ethical Standards  
 (B) Affidavit re No Gratuities or Kickbacks  
 (C) Restriction Against Sexual Offenders Affidavit  
 (D) Form E, Declaration Re Compliance with U.S. DOL Wage Determination  
 (E) Affidavit re Non-Collusion  
 (F) Affidavit Disclosing Ownership and Commission  
 (G) Affidavit re Contingent Fees  
 (H) Bid Bond  
 (I) Current Business License

NAMES OF PERSONS PRESENT AT THE BID OPENING AND WHOM THEY REPRESENT.  
(It is not necessary to fill in this portion if date is recorded elsewhere)

DEVA DECASTRO - MANAGER AGCU COLP  
DEBRA MUELLER - DIRECTOR  
Christie Reibold - Superintendent Business  
Helen Russett - Superintendent Business

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ADMINISTRATIVE STATEMENT (Where applicable)

GENERAL SERVICE AGENCY  
(Ahensian Setbision Hinirat)  
Government of Guam  
148 Route 1 Marine Corps Drive, Piti, Guam 96915  
Tel: 477-1707-10 Fax: 472-4217 / 475-1716/27

Accountability \* Impartiality \* Competence \* Openness \* Value

## BID STATUS

May 29, 2020

**SODERHOLM SALES & LEASING, INC.**  
Attn: Erike Soderholm, Vice President  
2044 Dillingham Blvd.  
Honolulu, Hawaii 969817  
Tel: (808) 834-1417 / Fax: (808) 834-1070  
Email: [erikesoderholm@bus.com](mailto:erikesoderholm@bus.com)

BID INVITATION NO.: GSA-055-19

OPENING DATE: November 15, 2019

### 14 PASSENGER, ADA COMPLIANT BUSES

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

Cancelled (in its entirety), or partially cancelled due to:

- Insufficient funds;
- Change of specifications; or
- Insufficient number of bidders.

Rejected due to:

- Late submission of bid;
- No bid security or insufficient bid security;
- Not meeting the delivery requirement as stated in the IFB;
- Non-conformance with requirement of IFB; (See Remarks)
- High price
- Others

**REMARKS:** Non-compliant with specifications refer to page 41 of 74 Model/Type: ADA Compliant Buses with four (4) front lift wheelchair. Offered "Wheelchair Rear Lift" as shown on floor plan layout.

Bid recommended for: **MONSTER AUTO SPOT** in the total amount of \$1,631,742.00

**REMARKS:** Thank you for your participation with this bid. Please send your authorized representative to pickup your original bid status and cashier check/bid bond or Standby Letter of Credit.

|  |       |
|--|-------|
| Please Print   |       |
| Acknowledgement Copy (Re-Fax to GSA)   |       |
| Received by:   | _____ |
| Date:  | _____ |
| Company Name:  | _____ |
| Fax To: 475-1727 or 472-4217   |       |
| Email To: <a href="mailto:gsaprourement@gsadoa.guam.gov">gsaprourement@gsadoa.guam.gov</a> |       |

  
1  
CLAUDIA S. ACFALLE  
Chief Procurement Officer