

From:

clema@unionfenosa.es

Sent:

Monday, September 14, 2009 8:24 PM

To:

Melissa Uncangco

Cc:

DANNY.GUERRERO@YAHOO.COM

Subject:

Re: FW: Bid Status, Re-Bid Multi-Step Bid No.: GPA-013-07, PMC for the Guam Power

Authority Cabras 1&2 Power Plant

Attachments: DOC (401).PDF

Dear Melissa,

I'm confirming the reception of the attached Letter.

Thank you BR

Clarice Lema **Business Development** O&M Energy - Union Fenosa Generacion Paseo del Club Deportivo 1, Edificio 5, P. E. La Finca 28223 Pozuelo de Alarcón, Madrid, Spain Switchboard: +34 912 103 900; Direct: +34 912 577 263

Fax: +34 912 103 901

e-mail: clema@unionfenosa.es; URL: http://www.unionfenosa.es

Para <clema@unionfenosa.es>, <DANNY.GUERRERO@YAHOO.COM>

"Melissa Uncangco" <muncangco@guampowerauthority.com>

Asunto FW: Bid Status, Re-Bid Multi-Step Bid No.: GPA-013-07, PMC for the Guam Power Authority Cabras 1&2 Power Plant

14/09/2009 05:50

Good Afternoon Clarice & Danny,

Kindly acknowledge receipt of attached Bid Status Letter.

Regards.

Melissa C. Uncangco Buyer II **Procurement Division**



From:

Melissa Uncangco [muncangco@guampowerauthority.com]

Sent:

Monday, September 14, 2009 12:25 PM

To:

'clema@unionfenosa.es'

Cc:

'DANNY.GUERRERO@YAHOO.COM'

Subject:

FW: Bid Status, Re-Bid Multi-Step Bid No.: GPA-013-07, PMC for the Guam Power Authority

Attachments: DOC (401).PDF

Good Afternoon Clarice,

I was wondering if you would kindly acknowledge receipt of attached Bid Status Letter.

Regards,

Melissa C. Uncangco

Buyer II

Procurement Division

From: Melissa Uncangco [mailto:muncangco@guampowerauthority.com]

Sent: Thursday, September 10, 2009 2:48 PM

To: 'clema@unionfenosa.es'

Cc: 'DANNY.GUERRERO@YAHOO.COM'

Subject: Bid Status, Re-Bid Multi-Step Bid No.: GPA-013-07, PMC for the Guam Power Authority Cabras 1&2

Importance: High

Good Afternoon Clarice,

Kindly acknowledge receipt of attached Bid Status Letter relative to subject bid invitation.

Regards,

Melissa C. Uncangco

Buuyer II

Procurement Division

From:

Melissa Uncangco [muncangco@guampowerauthority.com]

Sent:

Monday, September 14, 2009 1:47 PM

To:

'clema@unionfenosa.es'; 'DANNY.GUERRERO@YAHOO.COM'

Subject:

FW: Bid Status, Re-Bid Multi-Step Bid No.: GPA-013-07, PMC for the Guam Power Authority

Importance: High

Attachments: DOC (401).PDF

Good Afternoon Clarice & Danny,

Kindly acknowledge receipt of attached Bid Status Letter.

Regards,

Melissa C. Uncangco

Buyer II

Procurement Division

From: Melissa Uncangco [mailto:muncangco@guampowerauthority.com]

Sent: Monday, September 14, 2009 12:25 PM

To: 'clema@unionfenosa.es'

Cc: 'DANNY.GUERRERO@YAHOO.COM'

Subject: FW: Bid Status, Re-Bid Multi-Step Bid No.: GPA-013-07, PMC for the Guam Power Authority Cabras 1&2

Good Afternoon Clarice,

I was wondering if you would kindly acknowledge receipt of attached Bid Status Letter.

Regards,

Melissa C. Uncangco

Buyer II

Procurement Division

From: Melissa Uncangco [mailto:muncangco@guampowerauthority.com]

Sent: Thursday, September 10, 2009 2:48 PM

To: 'clema@unionfenosa.es

Cc: 'DANNY.GUERRERO@YAHOO.COM'

Subject: Bid Status, Re-Bid Multi-Step Bid No.: GPA-013-07, PMC for the Guam Power Authority Cabras 1&2

Importance: High

Good Afternoon Clarice,

From:

clema@unionfenosa.es

Sent:

Monday, September 14, 2009 8:20 PM

o:

Melissa Uncangco

Subject:

FW: Bid Status, Re-Bid Multi-Step Bid No.: GPA-013-07, PMC for the Guam Power Authority

Return Receipt

FW: Bid Status, Re-Bid Multi-Step Bid No.: GPA-013-07, PMC

document: for the Guam Power Authority Cabras 1&2 Power Plant

was

received

by:

at:

14/09/2009 12:19:16

Cuide el medio ambiente, no imprima este correo si no es necesario. *********** Este mensaje y sus documentos anexos son privados y confidenciales y estan dirigidos exclusivamente a sus destinatarios. Si por error, ha recibido este mensaje y no se encuentra entre los destinatarios, por favor, no use, informe, distribuya, imprima o copie su contenido por ningun medio. Le rogamos lo comunique al remitente y borre todo su contenido. La empresa no asume ningun tipo de responsabilidad legal por el contenido de este mensaje. Sualquier opinion manifestada en el pertenece solo al autor y no representa necesariamente la opinion de la compagma salvo que expresamente se especifique lo contrario.

Please do not print this message to preserve environment. Trease do not print this message to preserve environment. attached files may contain confidential and/or privileged information. If you are not the addressee or authorized to receive this for the addressee, you must not use, copy, disclose, or take any action based on this message or any other information herein. If you have received this message in error, please notify the sender immediately by reply e-mail

The company does not assume any legal responsability for the contents of this message. Any opinion contained in it belongs exclusively to its author and does not necessarily represent the company's opinion unless it is specifically expressed on the contrary.



From:

Melissa Uncangco [muncangco@guampowerauthority.com]

Sent:

Thursday, September 10, 2009 2:48 PM

To:

'clema@unionfenosa.es'

Cc:

'DANNY.GUERRERO@YAHOO.COM'

Subject:

Bid Status, Re-Bid Multi-Step Bid No.: GPA-013-07, PMC for the Guam Power Authority

Importance: High

Attachments: DOC (401).PDF

Good Afternoon Clarice,

Kindly acknowledge receipt of attached Bid Status Letter relative to subject bid invitation.

Regards,

Melissa C. Uncangco

Buuyer II

Procurement Division



ATURIDÅT ILEKTRESEDÅT GUAHAN P.O. BOX 2977 HAGATNA, GUAM U.S.A. 96932-2977 BID STATUS

September 09, 2009

Juan Rodriguez
Business Manager
Union Fenosa generacion O&M Energy
Parque Empresarial La Finca
Paseo del Club Dejportive, 1
28223 Pozuelo de Alarcon
Madrid, Spain

BID INVITATION: Re-Bid Multi-Step GPA-013-07

OPENED: July 22, 2009

DESCRIPTION: Performance Management Contract (PMC) for the Guam Power Authority Cabras 1&2

The fo	llowing 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
1	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; () High price; (XX) Others: Low Positive Net Present Value (NPV)
	Bid is recommended for award to: TEMES, INC., Contract Year 1, \$2,520,000.00.
•	The Guam Power Authority greatly appreciates the interests and participation in our bids.
	JOAQUIN C. FLORES, P.E.



From:

Melissa Uncangco [muncangco@guampowerauthority.com]

Sent:

Thursday, September 10, 2009 2:31 PM

To:

'wizrun@gmail.com'

Subject:

Bid Intent, Re-Bid Multi-Step Bid No.: GPA-013-07 (PMC-Cabras 1&2)

Attachments: DOC (400).PDF

Good Afternoon Walter,

Kindly acknowledge receipt of attached Notice of Intent of Possible Award Letter relative to subject bid invitation.

Regards,

Melissa C. Uncangco

Buyer II

Procurement Division



ATURIDÅT ILEKTRESEDÅT GUAHAN P.O.BOX 2977 • AGANA. GUAM U.S.A. 96932-2977

FACSIMILE TRANSMITTAL COVER LETTER

	Date:	September 10, 2009
Please deliver the following to:	TEMES, INC. Attn: Mr. T.R. Ho	T: 477-5327 F: 477-5328
From:	Melissa C. Uncangco Buyer II	
Subject:	Re-Bid Multi-Step Bid No. GPA-013-07, I Contract (PMC) for the Guam Power Aut Plant	[⊃] erformance Management hority Cabras 1&2 Steam Power
Hafa Adai!		
Kindly acknowledge receipt of the	e following by signing below and return far	c to (671) 648-3165.
Received By: Print Name	Date:	·
Confidentiality Notice: The information may contain instructions requiring error, or if there is a transmission error.	nation in this facsimile is intended for the the immediate attention of the addressee error, please notify us immediately.	named recipients ONLY . It . If you receive this facsimile in

THANK YOU

Number of pages: 2

Sent by: Melissa C. Uncangco

Date: 09/10/2009



ATURIDÅT ILEKTRESEDÅT GUAHAN P.O. BOX 2977 HAGATNA, GUAM U.S.A. 96932-2977

September 09, 2009

C.H. Liu Vice President TEMES, INC. 8Th. Floor, 119 Paochung Road Hsintien City Taipei 231, Taiwan, R.O.C.

NOTICE OF INTENT OF POSSIBLE AWARD ON RE-BID INVITATION FOR RE:

MULTI-STEP BID NO.: GPA-013-07 for Performance Management Contract (PMC) for

the Cabras 1&2 Steam Power Plant

Dear Mr. Liu:

As a result of Re-Bid Invitation for Multi-Step Bid No.: GPA-013-07, your bid for Performance Management Contract (PMC) for the Cabras 1&2 Steam Power Plant, commencing December 01, 2009, in the amount of \$2,520,000.00 (Contract Year 1) is being considered for possible award. However, you are required to provide a PERFORMANCE BOND as specified in Section 12 of the General Terms and Conditions.

You are hereby advised that this Notice of Intent of possible award should not be construed as an award by Guam Power Authority. However, you are requested to submit your Performance Bond on or before fourteen (14) days after receipt of this letter so that consideration of possible award and release of purchase order may be issued. Enclosed is a Performance Bond Form for your

Your failure to submit the performance guarantee bond by the established deadline will result in delay of the award.

Your prompt response to this matter is requested.

Sincerely.

JOAQUIN C. FLORES, P.E.

From:

Melissa Uncangco [muncangco@guampowerauthority.com]

Sent:

Thursday, September 10, 2009 2:59 PM

To:

"조한규"

Subject:

Bid Status, Re-Bid Multi-Step Bid No.: GPA-013-07 (PMC-Guam Power Authority Cabras 1&2

Attachments: DOC (402).PDF

Good Afternoon Mr. Cho,

Kindly acknowledge receipt of attached Bid Status letter relative to subject bid invitation.

Regards,

Melissa C. Uncangco Buyer II Procurement Division



ATURIDÅT ILEKTRESEDÅT GUAHAN P.O. BOX 2977 HAGATNA, GUAM U.S.A. 96932-2977 **BID STATUS**

September 09, 2009

Byung Won So Deputy General Manager of Business Development Team Korea East-West Power Co., Ltd. 167, Samseong-Dong, Gangnam-Gu Seoul 135-791, Republic of Korea

BID INVITATION: Re-Bid Multi-Step GPA-013-07 **OPENED:** July 22, 2009

DESCRIPTION: Performance Management Contract (PMC) for the Guam Power Authority Cabras 1&2

The follo	owing 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 ()

XXRejected 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;

() High price; (XX)

Others: Low Positive Net Present Value (NPV)

Bid is recommended for award to: TEMES, INC., Contract Year 1, \$2,520,000.00.

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

JOAQUIN C. FLORES, P.E.



From: "조한규" [david@ewp.co.kr]

Sent: Monday, July 20, 2009 9:30 AM

To: "Melissa Uncangco"

Subject: {Disarmed} Re: Bid Opening of Priced Proposal - Step 2

n alchest C. anangea,

I suffirm that I received the notice of the Sid Opening of Princid Proposal - Stop 2 Hated on July 16, 2009.

fest agains, avid H.K. Cho

David H.K. Cho

Korea East-West Power Co., LTD

Business Development Team

H 1 Yeongdong-Daero, Gangnam-Gu, Seoul 135-791, Korea

Tel: 82-2-3456-7588 Mobile: 82-11-9251-6539 Fax: 32-2-3456-8378 e-Mail: david@ewp.co.kr

---- Original Message ----

From: Melissa Uncangco(muncangco@guampowerauthority.com)

To: '조한규'(david@ewp.co.kr)

Sent : Thursday, Jul 16, 2009 02:59 PM

Subject : Melissa C. Uncangco

Good Afternoon Mr. Co:

ifinally acknowledge receipt of attached Letter dated July 15, 2009 relative to subject bid invitation

Regards.

Melissa C. Uncariguo

Payer II





POWER AUTHORITY

ATURIDÅT ILEKTRESEDÅT GUAHAN P.O.BOX 2977 • AGANA. GUAM U.S.A. 96932-2977

FACSIMILE TRANSMITTAL COVER LETTER

Date: July 17, 2009

Please deliver the following to: Korea East-West Power Co., Ltd.

Attn: Mr. Byung Won So

T: +82-2-3456-8542 F: +82-2-3456-8378

From:

Melissa C. Uncangco

Buyer II

Subject:

Bid Opening of Priced Proposal - Step 2

Hafa Adai!

Kindly acknowledge receipt of the following by signing below and return fax to (671) 648-3165.

Received By:	Print Name	Signature	Date:
	THICH VAILE	Signature	

Confidentiality Notice: The information in this facsimile is intended for the named recipients **ONLY**. It may contain instructions requiring the immediate attention of the addressee. If you receive this facsimile in error, or if there is a transmission error, please notify us immediately.

THANK YOU

Number of pages: 2

Sent by: Melissa C. Uncangco

Date: 07/17/2009

Fax Confirmation Report

Date/Time

: JUL-17-2009 10:14AM FRI

Fax Number x Name

: 671 648 3165

odel Name

: GPA PROCUREMENT : WorkCentre 4150

Total Pages Scanned:

2

Remote Station

StartTime

Duration Page

Mode

Job Type Result

001 9505588,,,8223456837

07-17 10:13AM

00'37

002/002

EC

HS CP

Abbreviations:

WS: Waiting Send

HS: Host Send

PL:Polled Local

CP:Completed

HR: Host Receive PR: Polled Remote FA: Fail

MS: Mailbox Save TU: Terminated by User EC: Error Correct

TS: Terminated by System

G3:Group3

MP: Mailbox Print



GUAM POWER AUTHORITY

ATURIDĀT ILEKTRESEDĀT GUAHAN P.O BOX 2977 · AGANA, GUAM U.S.A. 96932-2977

FACSIMILE TRANSMITTAL COVER LETTER

Date: July 17, 2009

Please deliver the following to: Korea East-West Power Co., Ltd. Attn: Mr. Byung Won So

T: +82-2-3456-8542

F: +82-2-3456-8378

From:

Melissa C. Uncangco

Buyer II

Bid Opening of Priced Proposal - Step 2

Subject: Hafa Adail

Kindly acknowledge receipt of the following by signing below and return fax to (671) 648-3165.

Received By: ______Print Name Signature

Confidentiality Notice: The information in this facsimile is intended for the named recipients <u>ONLY</u> It may contain instructions requiring the immediate attention of the addressee. If you receive this facsimile in error, or if there is a transmission error, please notify us immediately.

THANK YOU Number of pages: 2 Sent by: Melissa C. Uncangco Date: 07/17/2009

From:

Melissa Uncangco [muncangco@guampowerauthority.com]

Sent:

Thursday, July 16, 2009 3:59 PM

To:

'wizrun@gmail.com'

Subject:

Bid Opening of Priced Proposal - Step 2

Attachments: DOC000 (14).PDF

Good Afternoon Walter:

Kindly acknowledge receipt of attached Letter dated July 15, 2009 relative to subject bid invitation.

Regards,

Melissa C. Uncangco

Buyer II



ATURIDÅT ILEKTRESEDÅT GUAHAN P.O.BOX 2977 • AGANA. GUAM U.S.A. 96932-2977

FACSIMILE TRANSMITTAL COVER LETTER

	Date:	July 16, 2009
Please deliver the following to:	TEMES, INC. Attn: Walter Gatan	T: 477-5327 F: 477-5328
From:	Melissa C. Uncangco Buyer II	
Subject:	Invitation for Re-Bid Multi-Step Bid No.: (Management Contact (PMC) for the Guar Power Plant	GPA-013-07 for Performance am Power Authority Cabras 1 & 2
Hafa Adai!		
Kindly acknowledge receipt of the	e following by signing below and return fa	x to (671) 648-3165.
Received By:Print Name		
	Signature	
Confidentiality Notice: The informay contain instructions requiring	mation in this facsimile is intended for the	named recipients ONLY. It

may contain instructions requiring the immediate attention of the addressee. If you receive this facsimile in

error, or if there is a transmission error, please notify us immediately.

THANK YOU

Number of pages: 2

Sent by: Melissa C. Uncangco

Date: 07/16/2009



ATURIDÅT ILEKTRESEDÅT GUAHAN P.O. BOX 2977 HAGATNA, GUAM U.S.A. 96932-2977

July 15, 2009

Byung Won So Deputy General Manager of Business Development Team Korea East-West Power Co., Ltd. 167, Samseong-Dong, Gangnam-Gu Seoul 135-791, Republic of Korea

REFERENCE: Invitation for Re-Bid Multi-Step Bid No.: GPA-013-07 for Performance Management

Contract (PMC) for the Guam Power Authority Cabras 1&2 Power Plant

SUBJECT: Bid Opening of Priced Proposals - Step 2

Dear Mr. So:

The Guam Power Authority is announcing the opening of "Priced Proposals" on Wednesday, July 22, 2009 at 2:00 P.M. at the GPA Procurement Conference Room.

Should you require any additional information, please feel free to contact Mrs. Jamie L.C. Pangelinan, Supply Management Administrator at (671) 648-3054/55 or fax 648-3165.

Sincerely,

, XAQUIN C. FLORES, P.E.



ATURIDÅT ILEKTRESEDÅT GUAHAN P.O. BOX 2977 HAGATNA, GUAM U.S.A. 96932-2977

July 15, 2009

Juan Rodriguez **Business Manager** Union Fenosa generacion O&M Energy Parque Empresarial La Finca Paseo del Club Dejportive, 1 28223 Pozuelo de Alarcon Madrid, Spain

REFERENCE: Invitation for Re-Bid Multi-Step Bid No.: GPA-013-07 for Performance Management

Contract (PMC) for the Guam Power Authority Cabras 1&2 Power Plant

SUBJECT: Bid Opening of Priced Proposals - Step 2

Dear Mr. Rodriguez:

The Guam Power Authority is announcing the opening of "Priced Proposals" on Wednesday, July 22, 2009 at 2:00 P.M. at the GPA Procurement Conference Room.

Should you require any additional information, please feel free to contact Mrs. Jamie L.C. Pangelinan, Supply Management Administrator at (671) 648-3054/55 or fax 648-3165.

Sincerely,

JOÃQUIN C. FLORES, P.E.



ATURIDÄT ILEKTRESEDÄT GUAHAN P.O. BOX 2977 HAGATNA, GUAM U.S.A. 96932-2977

July 15, 2009

Tsun-Ren Ho Plant General Manager-Cabras Taiwan Electrical and Mechanical Engineering Svcs., Inc. (TEMES) No. 178 Cabras Highway Route 11 Piti, Guam 96915

REFERENCE: Invitation for Re-Bid Multi-Step Bid No.: GPA-013-07 for Performance Management

Contract (PMC) for the Guam Power Authority Cabras 1&2 Power Plant

SUBJECT: Bid Opening of Priced Proposals - Step 2

Dear Mr. Ho:

The Guam Power Authority is announcing the opening of "Priced Proposals" on Wednesday, July 22, 2009 at 2:00 P.M. at the GPA Procurement Conference Room.

Should you require any additional information, please feel free to contact Mrs. Jamie L.C. Pangelinan, Supply Management Administrator at (671) 648-3054/55 or fax 648-3165.

Sincerely,

J**O**ÁQUIN C. FLORES, P.E.

Fax Confirmation Report

Date/Time

: JUL-16-2009 03:59PM THU

Fax Number

: 671 648 3165

ıx Name

: GPA PROCUREMENT

Model Name

: WorkCentre 4150

Total	Pages	Scanned:
No.		Ctation

2

Remote Station

StartTime

Duration Page

Mode

Job Type Result

001 4775328

07-16 03:58PM

00'32

002/002

EC

HS CP

Abbreviations:

WS: Waiting Send

HS: Host Send HR: Host Receive

PL:Polled Local PR:Polled Remote FA:Fail

CP:Completed

TS: Terminated by System

MS: Mailbox Save TU: Terminated by User EC: Error Correct RP:Report

G3: Group3

MP: Mailbox Print

GUAM POWER AUTHORITY

ATURIDĀT II EKTRESEDĀT GUAHAN P.O.BOX 2977 · AGANA, GUAM U.S.A. 96932-2977

FACSIMILE TRANSMITTAL COVER LETTER

Date: July 16, 2009

Please deliver the following to: TEMES, INC.

Attn: Walter Gatan

T: 477-5327 F: 477-5328

Melissa C. Uncangco

Buyer II

Subject:

From:

Invitation for Re-Bid Multi-Step Bid No.: GPA-013-07 for Performance

Management Contact (PMC) for the Guarn Power Authority Cabras 1 & 2 Power Plant

Hafa Adai!

Kindly acknowledge receipt of the following by signing below and return fax to (671) 648-3165.

Received By: Print Name

Signature

Date:

Confidentiality Notice: The information in this facsimile is intended for the named recipients ONLY. It may contain instructions requiring the immediate attention of the addressee. If you receive this facsimile in error, or if there is a transmission error, please notify us immediately.

THANK YOU Number of pages: 2 Sent by: Melissa C. Uncangco Date: 07/16/2009

DANNY LEON GUERRERO [danny.guerrero@yahoo.com] From:

Sent: Friday, July 17, 2009 6:11 AM

To: Melissa Uncangco

Subject: Re: Bid Opening of Priced Proposal - Step 2

MELISSA:

I HEREBY ACKNOWLEDGE THE FOREGOING ATTACHMENT AND WILL CONFIRM MY ATTENDANCE FOR

SI YUUS MAASE PARA TODOS HAMJU.

SI;

DANNY LEON GUERRERO O&M ENERGY **UNION FENOSA** BUSINESS PARTNER 477-9111 OR 483 3193 (M)

From: Melissa Uncangco <muncangco@guampowerauthority.com>

To: clema@unionfenosa.es

Cc: DANNY.GUERRERO@YAHOO.COM

Sent: Wednesday, July 15, 2009 10:56:33 PM Subject: Bid Opening of Priced Proposal - Step 2

Good Afternoon Clema/Danny:

Kindly acknowledge receipt of attached Letter dated July 15, 2009 relative to subject bid invitation.

Regards,

Melissa C. Uncangco Buyer II **Procurement Division**

From:

clema@unionfenosa.es

Sent:

Thursday, July 16, 2009 9:22 PM

To:

Melissa Uncangco

Subject:

Re: Bid Opening of Priced Proposal - Step 2

Importance: High

Dear Melissa.

I hereby acknowledge receipt of Letter dated July 15, 2009 relative to subject bid invitation.

BR,

Clarice Lema **Business Development** O&M Energy - Union Fenosa Generacion Paseo del Club Deportivo 1, Edificio 5, P. E. La Finca 28223 Pozuelo de Alarcón, Madrid, Spain Switchboard: +34 912 103 900; Direct: +34 912 577 263

Fax: +34 912 103 901

e-mail: clema@unionfenosa.es; URL: http://www.unionfenosa.es

Cuide el medio ambiente, no imprima este correo si no es necesario.

Este mensaje y sus documentos anexos son privados y confidenciales y estan dirigidos exclusivamente a sus destinatarios. Si por error, ha recibido este mensaje y no se encuentra entre los destinatarios, por favor, no use, informe, distribuya, imprima o copie su contenido por ningun medio. Le rogamos lo comunique al remitente y borre todo su contenido.

La empresa no asume ningun tipo de responsabilidad legal por el contenido de este mensaje. Cualquier opinion

manifestada en el pertenece solo al autor y no representa necesariamente la opinion de la compañía salvo que expresamente se especifique lo contrario.

Please do not print this message to preserve environment.

This message and its attached files may contain confidential and/or privileged information. If you are not the

or authorized to receive this for the addressee, you must not use, copy, disclose, or take any action based on

or any other information herein. If you have received this message in error, please notify the sender e-mail and delete this message.

The company does not assume any legal responsability for the contents of this message. Any opinion contained

exclusively to its author and does not necessarily represent the company's opinion unless it is specifically contrary.



From:

Melissa Uncangco [muncangco@guampowerauthority.com]

Sent:

Thursday, July 16, 2009 3:57 PM

To:

'clema@unionfenosa.es'

Cc:

'DANNY.GUERRERO@YAHOO.COM'

Subject:

Bid Opening of Priced Proposal - Step 2

Attachments: DOC (337).PDF

Good Afternoon Clema/Danny:

Kindly acknowledge receipt of attached Letter dated July 15, 2009 relative to subject bid invitation.

Regards,

Melissa C. Uncangco

Buyer II

Procurement Division





From:

Melissa Uncangco [muncangco@guampowerauthority.com]

Sent:

Thursday, July 16, 2009 4:01 PM

To:

"'조한규"

Subject:

Bid Opening of Priced Proposal - Step 2

Attachments: DOC001 (6).PDF

Good Afternoon Mr. Co:

Kindly acknowledge receipt of attached Letter dated July 15, 2009 relative to subject bid invitation.

Regards,

Melissa C. Uncangco Buyer II



ATURIDAT ILEKTRESEDAT GUAHAN P O BOX 2977, HAGATNA, GUAM 96932-2977

TO:

General Manager

FROM:

Bid Evaluation Committee

DATE:

10 July 2009

SUBJECT:

Step One Recommendation for the Re-Bid for Multi-Step Bid GPA-013-07,

Performance Management Contract (PMC) for the Cabras 1&2 Steam Power

Plant

The Committee has completed Step One of the multi-step bid (evaluation of the technical proposals) with the following bidders:

- Korea East-West Power Co., Ltd.
- O&M Energy
- Taiwan Electrical and Mechanical Engineering Services, Inc. (TEMES)

The committee determined that the technical proposals from these bidders are acceptable. The committee therefore recommends that GPA proceeds to Step Two - evaluation of priced proposals.

Andriano E. Balajadia

Manager of Generation (A)

Rodrigo A. Bumagat

Accountant III - Accounts Payable Supervisor

Jennifer G/Sablan

Special Projects Engineer

Honorio (Jun) Estira, Jr. Special Projects Engineer

Jara pr

Joven G. Acosta, P.E.

Engineering Supervisor

Salvador E.A. Managa Special Projects Engineer

Francis J. Iriarte, P.E.

Special Projects Engineer





Summary of Scores

Committee Members	Korea East-West Power Co., Ltd.	O&M Energy	TEMES
Member 1	648	644	656
Member 2	543	543	582
Member 3	621	570	621
Member 4	621	603	633
Member 5	670	624	695
Member 6	637	625	643
Member 7	589	564	550
Potentially Acceptable Scores	1	3	1
Acceptable Scores	6	4	6

Minimum Score - Potentially Acceptable Proposal	540
Minimum Score - Acceptable Proposal	576
Maximum Compliance Score	720
Minimum Percent Score - Potentially Acceptable Proposal	75%
Minimum Percent Score - Acceptable Proposal	80%

Page 2 of 3

| Approved

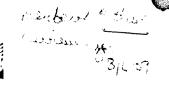
[] Disapproved

Joaquin C. Flores, P.E.



Attachment(s)

file cc:



1 Youngdong-daero, Gangnam-gu, oul, 135-791, Korea, www.ewp.co.kr

TEL: +82-2-3456-8541 FAX: +82-2-3456-8378

E-mail: evergreen@ewp.co.kr

GUAM POWER AUTHORITY

ATRURIDAT ILEKTRESEDAT GUAHAN P.O. BOX 2977 HAGATNA, GUAM U.S.A. 96932-2977

Attention:

Mr. JOAQUIN C. FLORES, P.E

General Manager

REFERENCE: Invitation for Re-Bid Multi-Step Bid No. GPA-013-07

10.15 ing

Aug. 3, 2009

Dear Mr. Flores,

We appreciate the GPA for giving us an opportunity to participate in the Captioned Bidding procedure.

It is a great pity we failed to submit the lowest price tender, although EWP offered the minimum Fixed Management Fees (EWP employees' salaries) and the reasonable warranty conditions for Unit Availability after thorough study based on the past statistics and the planned Turbine Overhaul schedules for a better proposal and to avoid a repeated failure in the future.

EWP has reviewed the bid result and studied the reasons why the Proposed O&M Spending Budget offered by EWP was high, and finally reached the conclusions as below;

- EWP offered the reasonable amount for the O&M Spending Budget to fully satisfy RFP requirements, which means that the EWP's Proposed O&M Spending Budget included not only the Overtime Allowance of GPA employees (15% of basic wages) but also all taxes.
- 2. EWP faithfully reflected the past 6-year historic spending patterns and followed amendments stated in the RFP issued to the bitters. Actually, we offered the marginal costs required for the O&M in order to secure the O&M quality.

Even though the lowest price tenderer is entitled to the priority of the contract negotiation, in our experience the too low O&M Spending Budget does not guarantee the appropriate quality for O&M and might result in the adverse impacts on the GPA.

We hope that the GPA considers these issues above we mention while evaluating the proposed price proposals of the Cabras 1&2 Power Plant PMC.



411 Youngdong-daero, Gangnam-gu, Seoul, 135-791, Korea, <u>www.ewp.co.kr</u>

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E-mail: evergreen@ewp.co.kr

Sincerely yours,

Kim, Snag Rok

General Manager Business Development Team Korea East-West Power Co., Ltd.

)





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generación

0&M ENERGY

PARQUE EMPRESARIAL LA FINCA P.º DEL CLUB DEPORTIVO, 1-EDIF.CIO 5 28223 POZUELO DE ALARCÓN (MADRID) TEL. [34] 91 210 39 00

FAX 1341 91 210 39 01

To the attention of:

Mr. Joaquin C. Flores General Manager **Guam Power Authority** 2:30 ANG

Madrid, July 30th 2009

Copy to:

Ms. Jamie L.C. Pangilinan Supply Management Administrator **Guam Power Authority**

Subject: Re-Bid for Multiple-step Bid No. GPA-013-07 Performance Management Contract for Cabras #1 and #2 Steam Power Plants

Dear Mr. Flores,

Following our previous communication regarding this issue, for your review and financial/technical analysis we are conducting a full scale cost benefit analysis of "the quality of performance of the bidder with regards to awards previously made to him".

These cost comparison and close examination of Temes previous PMC performances pursuant to the above general Terms and Conditions under section #17, subsection gl:

"The ability of the bidder to provide future maintenance and services for the subject of the award"

This issue inevitably becomes significant whereas our financial model and performance charts (please see attached charts 1 and 2) indicates that Temes did not satisfy the above threshold and in lieu of their past history, with an O&M Annual Budgets for 2008 at \$ 3.6 million as well as other previous years in excess of over \$ 2.5 million, in spite of previously overhauled engines. This must be viewed by GPA as non-responsive and not the lowest responsible bidder pursuant to the above

If Temes was not able to perform its PMC duties with substantial 0&M Annual Budgets of \$2.4 to \$3.6 million, the question becomes significant as to their "ability to provide future maintenance and services for the subject award" with their current Priced Proposal for an Annual Budget of \$ 1 million at 90% availability, versus their past history of sub-par performances at 84-86% availability, and clearly any award to Temes will be a serious indictment on GPA / CUC / PUC failures to permit Temes to engage in overcharging and fleecing the 46,000 Guam rate payers.

We submit our review of Temes past performance history as evidence of the irresponsibility incurred in presenting a Priced Proposal completely inconsistent with past performances and





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industry standards, thus clearly not comporting to all of the Procurement Requirements found under the Procurement Documentation.

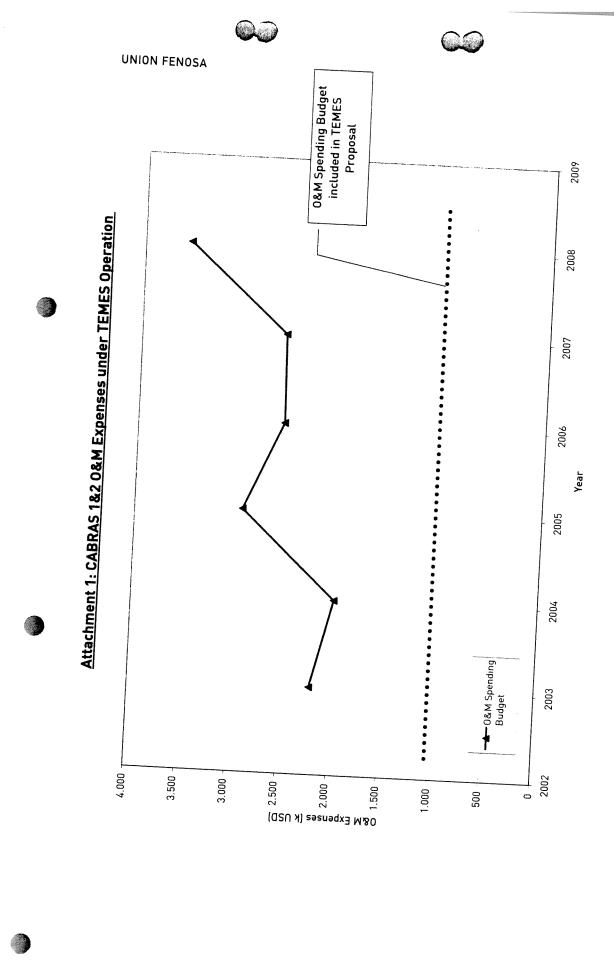
We look forward to your final review and await your decisions as to upholding the core values of accountability, impartiality, competence, openness and value as embraced by your competent leadership and management team.

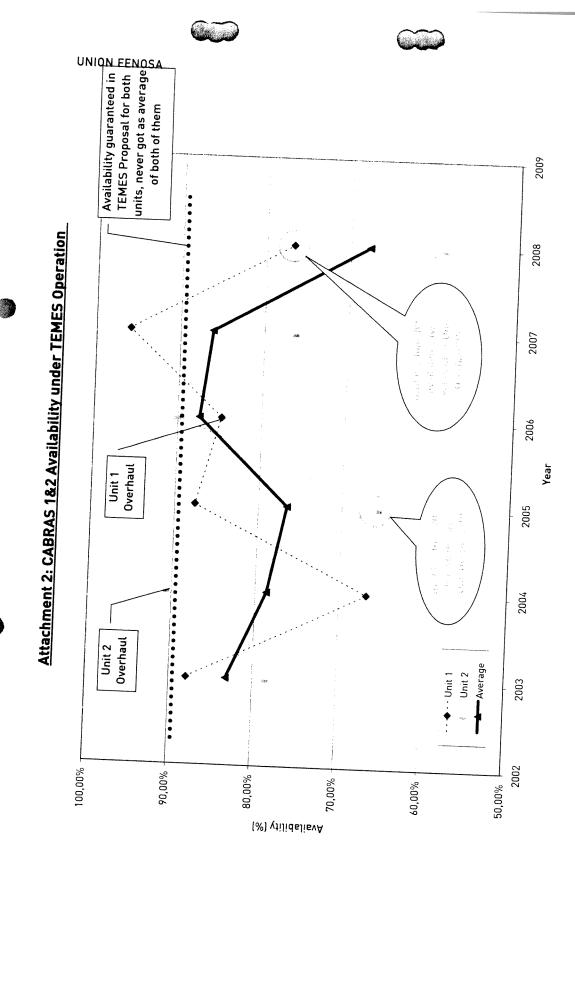
Yours sincerely,

Luis Zarauza General Manager O&M Energy

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ioirce attention of

Mr. Condum D. Hibres Coneral Manager Suam Power Authority

Topy for

Ms. Jamie L.C. Pang brian Supply Management Administrator Seam Pewer Authority Madrid, July 277 2009

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Clear Mr. Libres

After the public opening of fince Bids for the Cabras 182 Performance Management Contract runned out by your Office on August 22%, 2009, we have noticed contain irregularities in the contents of Temes bid that we want to bring up to your consideration.

Themes proposal should be considered irresponsible and non-responsible as required under the Deneral Terms & Conditions, section I which irrequires all parties involved in the preparation court ation, performance or administration to act in good taith), and we base this on the following groupes.

- Tames and shows a NPV (Net Present Value) of \$ 9.4 million, versus the other two proposals with NPVs of \$ 3.3 million, and \$ 4.5 million. This means NPV of Temes is extremely higher than 108% (than the NPVs of the other two bids received.)
- Proposed C&M Sportding Budget I value of \$ 1 milion is presented by Temes for Year I has then two bidgers include values of \$1.9 and \$2.4 million. Again, the companious shows that Temes. Proposed C&M Spending Budget" for year 1 is extremely and coreasonably ower. Similar ratios are found for subsequent years in which a escalation factor is applied by binders.

A rechanged analysis of the OSM Epending Budget with the contribution that has been obtained to all broders show that there is no way in which the facility can be oberated and countained with such a low budget without senously compromising the plant personnel safety, prudent industry standards and condition of the facility.

More than that, this low value can not be considered a mistake and it must be deamed as intentional, since Temes has been performing the PMC for the last multiple years, thus being extremely knowledgeable of the actual historical financial data. Actual manages values of D&M Spending, for the previous olivers show values in the range of the Sid 3 to upon see attached document extracted from the bid documentation provided by GPA.

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For year 2718, 0&M Spending Budget under Terries was 9.3.4 million. Even previous Terries big had values within that runge ,050.2,139,999.

In summary, Temes value consciously deviates from any logical value. Based on industry standards, this is increasonable, and taits to meet the good faith required in the process. Usually, such differences between one proposal and the rest show signs of a bid that can be considered incurring in predatory pricing, und/or in the category of "less than fair value" in this case, considering. Temes, knowledge of the plant historical performance and expensitures, it can be sustained that there has been an intentionality to artific ally after the normal result of the bidding process.

Furthermore, in the General Terms and Conditions Section 17, it is established that the Chief Frodurement Office shall be guided by the following tamong others): Dilthe quality of performance of the bidder with regards to awards previously made to him, and Of the ability of the bidder to provide future maintenance and services for the subject of the award. Considering that fir the last years. Terms has not been able to reach the availability presented in this Bid, and incurring at a much higher cost, it is necessary to consider this historical performance at the time of evaluating this current proposal from Terms.

All these arguments bring us to the conclusion that Temes has intentionally presented a Bid with a tess than fair value, and that obviously tacks bona fide (good faith).

Considering all the above, and in the certainty that GPA gives capital relevance to the transparency and fairness of its producement processes, we request the disqualification of Temes bid, and we remain vailing for jour layourable action reserving our right to further proceed and/or support you in this largument in higher instances of the relevant Guam Government Offices if it becomes uncessary.

Voinz de exect.

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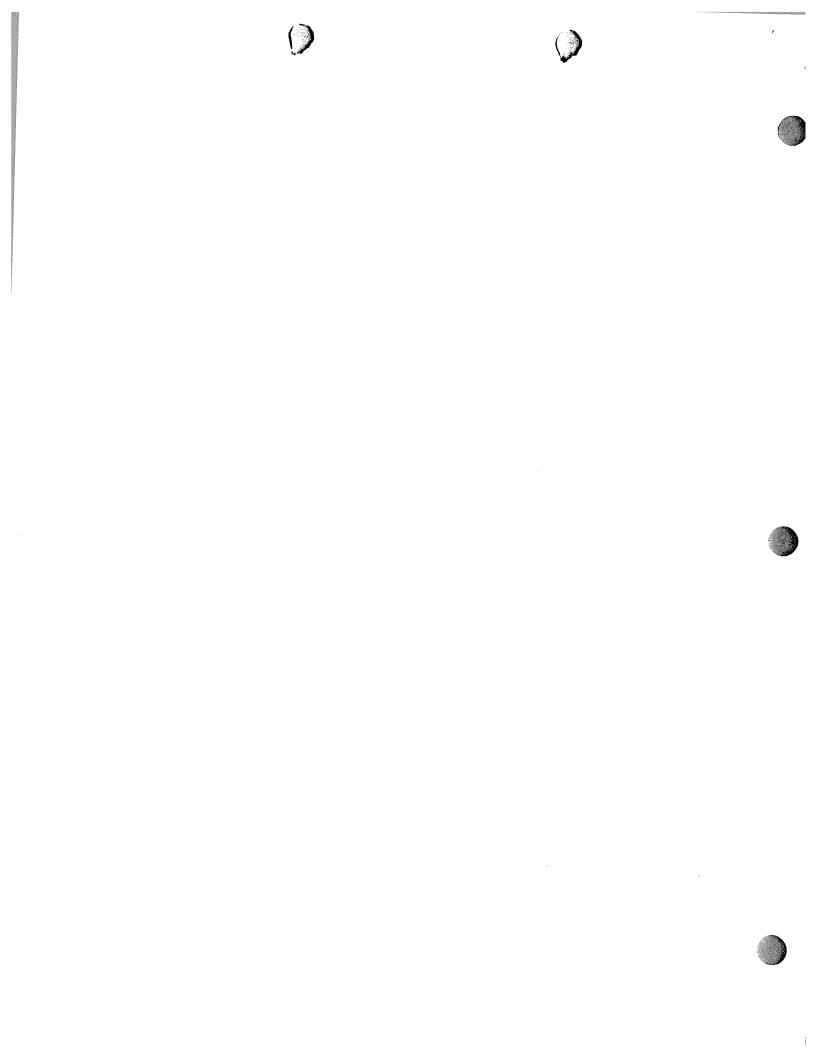


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Attachment: Actual O&M Spending, 2003-2008. Source: Bidding documents.

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APPENDIX G

Incentive and Penalty Assessments

PERFORMANCE MEASURES INCENTIVES AND PENALTY ASSESSMENTS

1. Introduction

GPA is contracting a PMC to perform against the following key performance indicators:

- Equivalent Availability Factor (EAF)
- Equivalent Forced Outage Rate (EFOR)
- Relative Heat Rate

2. Equivalent Availability Performance Measure

GPA is contracting a PMC to assure that the Cabras Units #1 and #2 Steam Power Plant achieves a high equivalent availability factor (EAF). The PMC shall track and compute the EAF for each unit as defined by the North American Electric Reliability Council (NERC) or its successors. The EAF computation shall be computed to two decimal places.

Should plant unavailability be caused by any factor which is completely and totally beyond the control of the PMC, such as forced majeure or catastrophic equipment failure, or unavailability solely caused by the failure of GPA to provide sufficient manpower, fuel or water, GPA and the PMC shall meet an discuss appropriate adjustments in accordance with the following procedures:

- EAF credit shall start from the determination of the root-cause of the outage and terminate when the unit is restored into service, except for forced majeure events, where the EAF shall start upon the occurrence of such event; and
- Throughout the EAF credit period, the outage unit shall be assumed to be in the pre-failure unit condition as per the NERC guidelines.

The Equivalent Availability Performance Period shall commence from the PMC's contract commencement date to the first anniversary of the commencement date. Subsequent performance periods shall fall between contract commencement anniversary dates except for the last contractual year where the performance period is the contract termination date. The Plant Equivalent Availability Performance minimum Guarantees are listed in Table G-1.

Table G-1 Equivalent Availability Performance Guarantees

CY 09	CY 10	CY 11	CY 12	CY 13
86%	86%	88%	88%	88%

The PMC shall compute the EAF for each unit for each performance period.

Comment [jgs1]: This is based on 30 & 60 day unit outages.



The EAF benefit or penalty shall be computed as follows to address costs for singleunit outages:

EQ-1 (Unit 1): [(1-EAFGuarantee Unit 1) * EAFGuarantee Unit 2 - (1-EAFUnit 1) * EAFUnit 2] * Penalty for Down Time Percent Per Unit Downtime (\$ /Percent) *100.

EQ-2 (Unit 2): [(1-EAF_{Guarantee Unit 2}) * EAF_{Guarantee Unit 1} - (1-EAF_{Unit 2}) * EAF_{Unit 1}] * Penalty for Down Time Percent Per Unit Downtime (\$ /Percent)*100.

Where:

 $EAF_{Unit\; l}$ is the EAF achieved for Unit 1 in decimal

 $\mathsf{EAF}_{\mathsf{Unit}\,2}$ is the EAF achieved for Unit 2 in decimal

 $EAF_{Guarantee\ Unit\ 1}$ is the EAF guarantee for Unit 1 in decimal

EAF_{Guarantee Unit 2} is the EAF guarantee for Unit 2 in decimal.

The Penalty for Downtime Percent per unit or plant will be computed quarterly based on the average fuel price and the average system load.

The EAF benefit or penalty shall be computed as follows to address costs for simultaneous-unit outages:

EQ-3:

[((1-EAF_{Guarantee Unit 1})* (1-EAF_{Guarantee Unit 2})) - ((1-EAF_{Unit 1})* (1-EAF_{Unit 2}))] * Penalty for Down Time Percent Per Plant Downtime (\$ /Percent)* 100

Total EAF benefit or penalty is the sum of EQ-1, EQ-2 and EQ-3 divided by 2.

If the computed values are negative, the PMC shall pay the absolute value of the computed amount to GPA. If the computed values are positive, GPA shall pay the computed value to the PMC. Payments will be rounded up to the nearest dollar.

For example, if the EAF guarantee for Unit 1 and Unit 2 is 88% and Unit 1's actual performance is 90% and Unit 2 is 92%, and the Penalty for Down Time Percent per unit and plant is \$ 40,150 and \$222,650, respectively then the benefit payment is computed as follows:

Both units out:

$$[((1 - .88) * (1 - .88)) - ((1 - .90) * (1 - .92))] * $222,650 * 100 = $142,496.00$$

If both units were out simultaneously in same period then GPA will pay the PMC ((\$54,604.00+\$134,904.00+\$142,496.00)/2) \$166,002.00, for superior performance.

For example, if the EAF guarantee for Unit 1 and Unit 2 is 88% and Unit 1's actual performance is 85% and Unit 2 is 87%, then the benefit payment is computed as follows:

Unit 1:
$$(1 - .88) * .88 - (1 - .85) * .87 * $40,150 * 100 = - $99,973.50$$

Unit 2: $(1 - .88) * .88 - (1 - .87) * .85 * $40,150 * 100 = - $19,673.00$

Both units out:

$$[((1 - .88) * (1 - .88)) - ((1 - .85) * (1 - .87))] * $222,650 * 100 = -$113,551.50$$

If both units were out simultaneously in same period then the PMC will pay GPA ((\$99,973.50+\$19,673.00+\$113,551.50)/2) \$116,599.00 for not meeting the performance guaranteed for the units.

3. Equivalent Forced Outage Performance Measure

In addition to achieving a high EAF, GPA is contracting a PMC to assure that the Cabras Units #1 and #2 Steam Power Plant achieves a low equivalent force outage rate (EFOR). The PMC shall track and compute the EFOR for each unit as defined by the North American Electric Reliability Council (NERC) or its successors. The EFOR computation shall be computed to two decimal places.

There will be no bonus or penalty associated with EFOR. However, the Authority will not consider an option for an additional 5-year extension if the contract average performance for EFOR is greater than 8.2%. The Authority reserves the right to extend this PMC contract for a year by year extension up to five extensions if the EFOR performance measure is met.

4. Relative Heat Rate Performance Measure

GPA is contracting a PMC to assure that the Cabras Units #1 and #2 Steam Power Plant achieves a low Relative Heat Rate (RHR).

The Relative Heat Rate Performance Period shall be the period between the contract commencement date and the next contract commencement anniversary date for any given contract year. Subsequent performance period shall fall between contract commencement anniversary date.

The bonus or penalty for heat rate performance for the first performance period shall be based on the first year Guaranteed Energy Input Calculation and Actual Energy Input Calculation for the evaluation period as follows:

Table G-1 - Heat Rate Bonus/Penalty for the first performance period

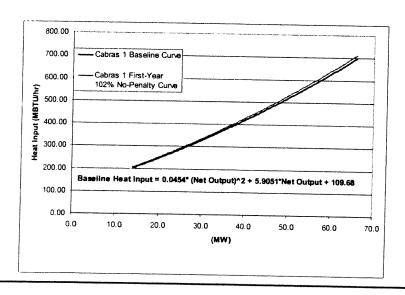
	Penalty	Bonus
Actual Energy Input (MBTU)	> 102% of Guaranteed Energy Input	≤ 102 % of Guaranteed Energy Input

The baseline input/output curves and the 102% no-penalty curves are shown in Figures G1-1 and G1-2 for Cabras Unit 1 and Unit 2 respectively. Table G-4 shows the tabulated values.

The baseline heat input/output curve for the first performance period will be based on coefficients developed using the heat rate performance test data for both units in 2005. These coefficients are defined in table G-2.

Table G-2. Baseline Heat Input/Output Curve Regression Coefficients

Coefficients	Units	Cabras Unit 1	Cabras Unit 2	
A	(MBTU/hr/MW ²)	0.045	0.002	
В	(MBTU/hr/MW)	5.905	8.979	
С	(MBTU/h)	109.677	72.629	



Form G-4



Figure G1-1. Cabras 1 Baseline and First-Year Target Input/Output Curves

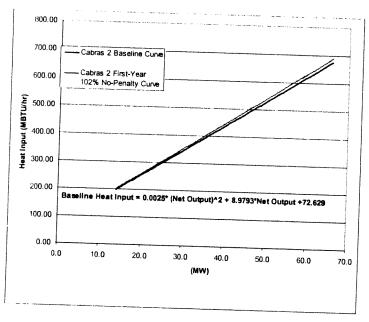


Figure G1-2. Cabras 2 Baseline and First-Year Target Input/Output Curves

Table G-4. Baseline and First-Year Target Heat Input/Output

Cabras #1				Cabras #2				
MW	BTU/KWH	Baseline MBTU/Hr	First-Year Bandwidth MBTU/Hr	MW	BTU/KWH	Baseline MBTU/Hr	First-Year Bandwidth MBTU/Hr	
12.7	14.013.00	177.97	181.52	13.66	15,309.00	209.12		
22.7	11,768.00	267.13	272.48	22.57	12,253.00	276.55	213.30	
29.38	10,957.00	321.92	328.35	30.12	11,363.00	342.25	282.08	
32.4	10,864.00	351.99	359.03	33.01	11,014.00	363.57	349.10	
36.82	10,518.00	387.27	395.02	37.78	10,826.00		370.84	
37.38	10,538.00	393.91	401.79	37.99		409.01	417.19	
42.1	10,380.00	437.00			10,985.00	417.32	425.67	
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Assessments
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62.3	10,596.00	660.13	673.33	60.98	10,352.00	631.26	643.89

One month after the contract Commencement Date, the PMC shall draft the specifications for an RFP for Performance Testing, which RFP shall be subject to review and approval by GPA. The PMC shall contract a third-party to perform the testing as specified in Volume II, Section 9.1.6. The PMC will initiate the performance testing of each Cabras Steam Unit and establish new baseline input/output curves to be used in evaluating the 2nd and 3rd year's performance periods a month after GPA's approval. Within 30 days of the contract commencement anniversary of the 4th year, the PMC will initiate the performance testing of each Cabras Steam Unit and establish new baseline input/output curves for the 4th and 5th year's performance periods evaluation.

The PMC shall bear the costs of the Performance Testing of Cabras Unit 1 and 2 for establishing baseline input/output curves and the costs for additional testing.

The bonus or penalty for heat rate performance for the subsequent contract year's performance period shall be based on the subsequent contract year Guaranteed Energy Input Calculation and Actual Energy Input Calculation for the evaluation period as follows:

Table G-5 - Heat Rate Bonus/Penalty for the 2nd to 5th year performance periods

	Penalty	Bonus
Actual Energy Input	> 101% of Guaranteed	< 99 % of Guaranteed
(MBTU)	Energy Input	Energy Input

The RHR benefit/penalty process for the contract years shall be as follows:

- GPA and the PMC shall collect the fifteen-minute energy production and demand information from the revenue metering on a monthly basis for each unit.
- GPA and the PMC shall establish the actual plant fuel consumption for each unit using the fuel metering data every month.
- GPA shall establish monthly averages for fuel heating value and fuel cost.
- GPA and the PMC shall compute the monthly theoretical fuel consumption given the heat rate performance guarantee established by the guaranteed heat input/output.

- If the actual monthly fuel consumption value for a unit is less than that computed using the unit's guaranteed heat input/output curve, then GPA shall pay the PMC half the difference between the actual monthly fuel consumption and the theoretical fuel consumption value, multiplied by the average fuel cost over the performance period.
- If the actual monthly fuel consumption value for a unit is greater than that
 computed using the unit's guaranteed input/output curve, then the PMC shall
 pay GPA half the difference between the actual monthly fuel consumption and
 the theoretical fuel consumption value, multiplied by the average fuel cost
 over the performance period.
- Fuel consumption shall be normalized for 60 °F.
- The RHR incentives and penalties shall be paid every quarter of each contract year year.
- The PMC is responsible for all metering and information processing for computation of RHR incentives and penalties. GPA shall maintain review and approval authority over the RHR incentives and penalties process.
 The Relative Heat Rate Bonus/Penalty is computed as follows:

$$RHRI = [(GFC1 + GFC2) - AFC12] * WFC / 2$$

here.

RHRI = Relative Heat Rate Incentive Payment (\$) for the Performance Period.

GFC1 = Guaranteed Fuel Consumption for Unit 1 (BBL) for the Performance Period

- Guaranteed Fuel Consumption for Unit 2 (BBL) for the erformance Pariod.

ruel Consumption for Cabras Unit 1 and 2 (BBL) for the

Veighted Fuel Cost (\$/BBL) for the Performance Period.

required a guaranteed performance metrics. GPA and the PMC shall develop this software application program during the first contract year and prior to the Performance Tests.

The basis for computing the RHR incentives and penalties shall be illustrated using the demand and energy for each 15-minute interval and the assumptions listed below:



- Table G-6 shows the fuel and heat input information to be used in the illustrative example.
- Table G-7 shows the 15-minute energy production and demand metering information for one hour, to be used in the illustrative example.
- Using the demand and energy information in Table G1-5 and the guarantees input/output equation for each unit, one can compute the guaranteed heat input in MBTU requirement over the typical day.

Table G-6. Fuel and Heat Input Data

Parameter	Units	Value
Weighted Heating Value		
Weighted Fuel Cost	MBTU/BBL	6.10
Weighted Fuel Heat Content Cost:	\$/BBL	50.00
Weighted Fuel Cost) / (Weighted Heating Value)		
(Weighted Heating Value)	\$/MBTU	8.20

Example 1. The PMC achieves an equivalent 105% Relative Heat Rate actual performance for the first year performance period.

In this example, the baseline guaranteed heat input is 421.39 MBTU and 375.62 MBTU for Cabras Unit 1 and Unit 2, respectively over this typical illustrative hour. Dividing both heat input values by the weighted Fuel Heating Value yields a guaranteed fuel consumption of 69.08 and 61.58 BBLs, respectively.

Suppose the actual measured fuel consumption for both Cabras Unit 1 and 2 is 137.19 BBLs. This is equivalent to a 105 % RHR actual performance. Then the Relative Heat Rate Incentive Payment is computed as follows:

Since the above value is negative, the PMC would have to pay GPA \$163.33 for an hour period.

The numbers above are for illustration only.

Example 2. The PMC achieves an equivalent 98% Relative Heat Rate actual Performance for the first year performance period.

In this example, the baseline guaranteed heat input is 421.39 MBTU and 375.62 MBTU for Cabras Unit 1 and Unit 2, respectively. Dividing both heat input values by the weighted Fuel Heating Value yields a guaranteed fuel consumption of 75.55 and 64.05 BBLs, respectively.

Suppose the actual measured fuel consumption for both Cabras Unit 1 and 2 is 128.05 BBLs. This is equivalent to a 98% RHR actual performance. Then the Relative Heat Rate Incentive

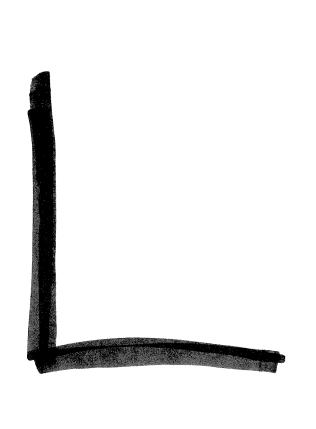
Payment is computed as follows:

Since the above value is positive, GPA would pay the PMC \$65.33 for an hour period.

The numbers above are for illustration only.

Table G-6. 15-Minute Energy and Demand Data and Guaranteed Heat Input Table.

Hour	Cabras 1 (MW)	Cabras 1 (MWh)	Cabras 1 Guaranteed Heat Input (MBTU)	Cabras 2 (MW)	Cabras 2 (MWh)	Cabras 2 Guaranteed Heat Input (MBTU)
0:00						
0:15	40.00	10.00	104.63	35.00	8.75	92.99
0:30	40.20	10.05	105.11	35.20	8.80	93.45
0:45	40.40	10.10	105.59	35.40	8.85	93.90
1:00	40.60	10.15	106.07	36.00	9.00	95.28
Total MBTU			421.39		, , , , , , , , , , , , , , , , , , ,	375.62





M POWER AUTHO

ATURIDAT ILEKTRESEDAT GUAHAN P O BOX 2977, HAGATNA, GUAM 96932-2977

TO:

Staff Attorney

FROM:

Bid Evaluation Committee

DATE:

18 August 2009

SUBJECT:

Re-Bid for Multi-Step Bid (IFB) GPA-013-07, Performance Management

Contract (PMC) for the Cabras 1&2 Steam Power Plant

After completing review of TEMES's letter dated August 13, 2009, the Committee is at an impasse on the next appropriate step to take and therefore requesting your legal opinion on the following questions:

- 1. Can GPA disqualify TEMES for not including true-up adjustment expenses in its priced True-up adjustment expenses are costs directly associated with sudden unexpected failure of a major piece of equipment. This is included in Table 27 of Volume III for Historical O&M Spending (specifically non-Labor costs) which is the basis for the bidders to determine their O&M Spending Proposal. TEMES did not include any anticipated true-up expenses in their priced proposal and so their bid may not be comparable to the other bidders.
- 2. Can the Committee request further clarification from O&M and Korea East-West Power regarding their priced, O&M maintenance proposals. In the bid, GPA provided several years of actual O&M expenses by type/object codes, and asked the bidders to base their priced proposals using these data. Since these actual costs include significant non-routine expenses and repair costs due to unexpected equipment failures, we would like for the bidders to indicate whether their priced proposals include such costs in addition to routine O&M costs. For example, contract year 2008 included unexpected expenses such as circulating water pump casing repairs, welding services for air preheater repairs, and replacement of corroded main air lines of sealed air booster blower system which are considered "non-routine". If the response is that their bids include unexpected, nonroutine expenses then their bids are not comparable to the TEMES bid. If their reply is that their bids are only for routine O&M costs, then TEMES' bid is on the same basis, and may be compared to each other. This is important information to know in the case of a protest.
- 3. Can GPA cancel this bid and rebid on the basis of that GPA did not sufficiently clarify what made up the historical O&M Spending in Table 27 of Volume III thus creating uneven or unfair competition? Or that GPA was not sufficiently clear to bidders that the historical O&M spending provided in Table 27 of Volume III is made up of all costs, i.e., routine O&M and expenses for unexpected repairs and non-routine maintenance expenses. Based on the review of the price proposals it has come to committee's attention that although total expenses were provided to all bidders, disclosure of routine vs. non-routine expenses was not provided and TEMES as the current PMC contractor is

the only bidder with this insight. The bid documents only indicate that the values in Table 27 were the actual maintenance expenses and is the basis for the bidders to determine their O&M Spending Proposal.

4. Is it justified to award TEMES the contract with the strong possibility of a protest?

Andriano E. Balajadia

Manager of Generation (A)

Rodrigo A. Bumagat

Account III, Accounts Payable Supervisor

Sate

Jennifer & Sablan

Special Projects Engineer

Francis J. Iriarte, P.E.

Special Projects Engineer

Honorio (Jun) Estira, Jr. Special Projects Engineer

Joven G. Acosta, P.E. Engineering Supervisor

Salvador E.A. Mariaga Special Projects Engineer



ATURIDAT ILEKTRESEDAT GUAHAN P O BOX 2977, HAGATNA, GUAM 96932-2977

TO:

Staff Attorney

FROM:

Bid Evaluation Committee

DATE:

03 August 2009

SUBJECT:

Re-Bid for Multi-Step Bid (IFB) GPA-013-07, Performance Management

Contract (PMC) for the Cabras 1&2 Steam Power Plant

 \mathcal{Y}

This is the Committee's response to TEMES qualifications to their priced proposal. The Committee has determined that there are five qualifications not in compliance with the bid document requirements and amendments as noted in the attached table. Therefore, the Committee considers TEMES to be a non-responsive bidder. We recommend that GPA request TEMES to rescind these qualifications or risk being disqualified.

Andriano E. Balajadia

Manager of Generation (A)

Honorio (Jun) Estina, Jr. Special Projects Engineer

Rodrigo A. Bumagat

Account III, Accounts Payable Supervisor

Joven G. Acosta, P.E. Engineering Supervisor

Jennifer G. Sablan

Special Projects Engineer

Salvador E.A. Mapaga Special Projects Engineer

Francis J. Friarte, P.E.

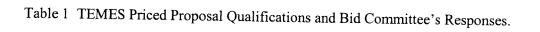
Special Projects Engineer

FOR FRANCIS I CONV OF THE LETTER HELVED TO GRAHAM DO ON THE 19/4/27

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file

cc:



Item No.	Qualifications	Response	
1.	The proposed routine O&M spending for each contract year does not include the training expense which is allocated in the CIP/PIP projects.	No. Section 5.1 of Volume II requires that The PMC shall include estimated training costs in their O&M price proposal for GPA's consideration and approval.	
2.	The proposed routine O&M spending for each contract year does not include raw water expense and PIP budget.	No. Amendment V requires that water which was initially the responsibility of GPA would now be transfer to the PMC as part of O&M Expenses. Ok for PIP.	
3.	GPA shall pay TEMES for the routine O&M spending on a reimbursable basis and a charge of five percent (5%) of the Routine O&M spending for administration, finance fees and interests.	No. Amendment III does not allow costplus reimbursable for O&M expenses.	
4.	GPA shall reimburse TEMES for any gross receipts taxes actually imposed upon TEMES which related to the routine O&M spending.	No. Amendment V requires that the PMC is responsible for payment of any tax such as GRT, custom duties, associated with O&M and CIP/PIP as part of its procurement authority. These costs must be included in their annual O&M Spending Budget and in their proposed CIP/PIP projects.	
5.	The performance guarantees are proposed based on timely completion of all CIP/PIP projects in tender document Volume III, Table 26 and all CIP/PIP projects recommended by TEMES as scheduled.	No. Section 2 of Appendix F requires that EAF shall be solely based on the proposed annual O&M budget.	



ATURIDÅT ILEKTRESEDÅT GUAHAN P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

August 7, 2009

Via Fax: (34) 91 210 39 01

Mr. Luis Zarauza, General Manager O&M Energy Parque Empresarial La Finca P. o Del Club Deportivo, 1-Edificio 5 28223 Pozuelo De Alarcon Madrid, Espana

RE: Letter of July 27, 2009 regarding Cabras 1&2 PMC Contract

Dear Mr. Zarauza:

I have received your letter of July 27, 2009 regarding the Cabras 1&2 PMC Contract and your concerns regarding the TEMES bid. Please be advised that the Evaluation committee is still reviewing the price proposals submitted by the bidders. We will advise all bidders when GPA has completed its review and has a made a decision to award the PMC contract.

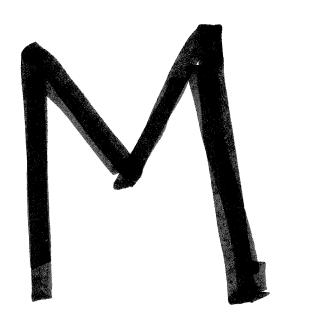
If you have any further questions regarding procurement issues, you may contact Ms. Jamie Pangelinan at 648-3054/55.

Sincerely,

JOXQUIN C. FLORES, P.E.

General Manager, Guam Power Authority

Reid 8/1/09 Ed (PMM)



台灣模電工程服務社 TAIWAN ELECTRICAL AND MECHANICAL ENGINEERING SERVICES. INC.

ENGINEERS - CONSULTANTS - CONSTRUCTORS 8TH FL., 119, PAOCHUNG ROAD, HSINTIEN CITY, TAIPEI 231, TAIWAN, REPUBLIC OF CHINA TEL: 886-2-86658182 FAX: 886-2-86658180 TEMS-0908-0277 August 13, 2009

ATTENTION: Mr. JOAQUIN C. FLORES, P.E. GENERAL MANAGER
GUAM POWER AUTHORITY
POST OFFICE BOX 2977
HAGATNA, GUAM 96932-2977
FAX: 1 (671) 648-3165

RE: Price Proposal of TEMES for Cabras 1&2 PMC, GPA-013-07

Dear Mr. Flores,

This letter is written in response to your letter to Mr. Liu dated August 10, 2009 via fax with reference to price proposal submitted by Taiwan Electrical and Mechanical Engineering Services, Inc. ("TEMES") for Cabras 1&2 PMC, GPA-013-07.

Please be advised that subject to the provisions under the GPA-013-07 bid document as well as its subsequent Amendments, in particular Section 5.1 of Volume II, Question 16 and Answer of Amendment V, Section 2.2.2 of Volume II and Item 3 of Amendment No. III, Question 22 and Answer in Amendment V, Section 2 of Appendix F, the following remarks and condition in TEMES price proposal as noted in the second paragraph of your letter are hereby withdrawn:

- 1. TEMES' remark in Section 5.1.2 Operation & maintenance (O&M) Spending, 1. Routine O&M Spending 1)a;
- 2. TEMES' remark in Section 5.1.2 Operation & maintenance (O&M) Spending, 1. Routine O&M Spending 1)b;
- 3. TEMES' remark in Section 5.1.2 Operation & maintenance (O&M) Spending, 1. Routine O&M Spending 2);
- 4. TEMES' remark in Section 5.1.2 Operation & maintenance (O&M) Spending, 1. Routine O&M Spending 3); and
- 5. TEMES' condition stated in Section 5.2.1, Unit Availability (%), 1.

合資保定本程度等執 TAIWAN ELECTRICAL AND MECHANICAL ENGINEERING SERVICES, INC.

TEMS-0908-0277 August 13, 2009

Please be further advised that the price submitted by TEMES is not changed as a result of the removal of the remarks and condition as described above.

We trust you find the above satisfactory. Should you have any further questions, please feel free to contact Mr. Liu.

Sincerely yours,

/ Hsiao

President of TEMES



ATURIDAT ILEKTRESEDAT GUAHAN P.O.BOX 2977 • AGANA. GUAM U.S.A. 96932-2977

Tel: (671) 648-3180; Fax: (671) 648-3290

August 10, 2009

Via Fax: 011-886-2-86658180

Mr. C.H. Liu, Vice-President
Taiwan Electrical and Mechanical Engineering Services, Inc.
8th floor, 119 Paochung Road
Hsintien City
Taipei 231, Taiwan, R.O.C.

RE: Price Proposal of TEMES for Cabras 1&2 PMC, GPA-013-07

Dear Mr. Liu:

The GPA evaluation has carefully reviewed the TEMES price proposal submitted for Multi-Step Bid (IFB) GPA-013-07, Performance Management Contract (PMC) for the Cabras 1&2 Steam Power Plants. In reviewing the TEMES price proposal the committee noted several exceptions listed in the price proposal. These items were specified in the GPA bid and were required to be included. GPA hereby notifies TEMES that its price proposal has been provisionally deemed non-responsive, which will require the disqualification of TEMES in the event that TEMES fails to withdraw the exceptions noted below from its price proposal. 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). Further, any bidder's offering which does not meet the acceptability requirements shall be rejected as non-responsive. 2 GAR, Div. 4, Chap. 3, §3109(n)(3)(c).

Section 5.1.2 Operation & Maintenance (O&M) Spending 1.1) a. "The proposed routine O&M spending for each contract year does not include the training expense which is allocated in the CIP/PIP projects. Section 5.1 of Volume II requires that the PMC shall include estimated training costs in their O&M price proposal. 1) b. "The proposed routine O&M spending for each



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Tel: (671) 648-3180; Fax: (671) 648-3290

contract year does not include raw water expense and PIP budget." Amendment V requires that water which was initially the responsibility of GPA would now be transferred to the PMC as part of O&M expenses. 2) "GPA shall pay TEMES for the routine O&M spending on a reimbursable basis, and a charge of five percent (5%) of the Routine O&M spending for administration, finance fees and interests." Amendment III does not allow for cost-plus reimbursable for O&M expenses. 3) "GPA shall reimburse TEMES for any gross receipts taxes actually imposed upon TEMES which related to the routine O&M spending." Amendment V requires that the PMC is responsible for payment of any taxes such as GRT, custom duties, ... associated with O&M and CIP/PIP as part of its procurement authority. These costs must be included in the annual O&M spending budget and in the proposed CIP/PIP projects. Proposed Performance Guarantees, Unit Availability (%) 5.2.1 1. "The performance guarantees are proposed based on timely completion of all CIP/PIP projects in tender document Volume III, Table 26 and all CIP/PIP projects recommended by TEMES as scheduled." Section 2 of Appendix F requires that EAF shall be solely based on the proposed annual O&M budget.

Any modification of a bid received after the time and date set for opening of the bids at the place designated for opening is late. 2 GAR, Div. 4, Chap. 3, §3109(k)(2). The price can not be changed as a result of the removal of the exception listed in the TEMES price proposal. In the event that GPA does not receive a response from TEMES by August 17, 2009, indicating that the exception to the price proposal are removed, then the TEMES proposal will be deemed non-responsive and TEMES will be disqualified from Multi-Step Bid (IFB) GPA-013-07.

Performance Management Contract (PMC) for the Cabras 1&2 Steam Power Plants.



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Tel: (671) 648-3180; Fax: (671) 648-3290

If you have any further questions regarding procurement issues, you may contact Ms. Jamie Pangelinan at 648-3054/55.

Sincerely,

JOAQUIN C. FLORES, P.E.

General Manager, Guam Power Authority



ATURIDÅT ILEKTRESEDÅT GUAHAN P.O.BOX 2977 • AGANA. GUAM U.S.A. 96932-2977

FACSIMILE TRANSMITTAL COVER LETTER

		Date:	August 11, 2009			
Please deliver the following to:	TEMES Attn: Mr. C. H. Liu Vice President		F: 011-886-2-86658180			
From:	Melissa C. Uncangco Buyer II					
Subject:	Re-bid Multi-Step Bid No.: GPA-013-07 for PMC-Cabras 1&2					
Hafa Adai!						
Kindly acknowledge receipt of the following by signing below and return fax to (671) 648-3165.						
Received By: Print Name	Da Signature	ate:				

Confidentiality Notice: The information in this facsimile is intended for the named recipients <u>ONLY</u>. It may contain instructions requiring the immediate attention of the addressee. If you receive this facsimile in error, or if there is a transmission error, please notify us immediately.

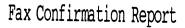
THANK YOU

Number of pages: 4

Sent by: Melissa C. Uncangco

Date: 08/12/2009







Date/Time

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Fax Number

: 671 648 3165

Name

el Name

: GPA PROCUREMENT : WorkCentre 4150

Total Pages Scanned:

4

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Duration Page

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Job Type Result

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HS

CP

Abbreviations:

HS: Host Send

PL:Polled Local CP:Completed

HR: Host Receive PR: Polled Remote FA: Fail

TS: Terminated by System

RP: Report WS: Waiting Send MS: Mailbox Save TU: Terminated by User EC: Error Correct

G3:Group3

MP: Mailbox Print



GUAM POWER AUTHORITY

ATURIDÂT ILEKTRESEDÂT GUAHAN P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

FACSIMILE TRANSMITTAL COVER LETTER

Date: August 11, 2009

Please deliver the following to: TEMES

Vice President

F: 011-886-2-86658180

From

Melissa C. Uncangco

Buyer II

Subject

Re-bid Multi-Step Bid No : GPA-013-07 for PMC-Cabras 182

Hafa Adai!

Kindly acknowledge receipt of the following by signing below and return fax to (671) 648-3165

Received By: ______Print Name

Signature

Date:

Confidentiality Notice: The information in this facsimile is intended for the named recipients <u>ONLY</u>. It may contain instructions requiring the immediate attention of the addressee—if you receive this facsimile in error, or if there is a transmission error, please notify us immediately.

THANK YOU Number of pages: 4 Sent by: Melissa C. Uncangco

Date: 08/12/2009



ATURIDÅT ILEKTRESEDÅT GUAHAN P.O.BOX 2977 • AGANA. GUAM U.S.A. 96932-2977

FACSIMILE TRANSMITTAL COVER LETTER

	Date:	August 11, 2009			
Please deliver the following to:	TEMES Attn: Mr. Tsun-Ren Ho	T: 477-5327 F: 477-5328			
From:	Melissa C. Uncangco Buyer II				
Subject:	Re-bid Multi-Step Bid No.: GPA-013-07 for PMC-Cabras 1&2				
Hafa Adai!					
Kindly acknowledge receipt of th	e following by signing below and return fa	x to (671) 648-3165.			
Received By:	Date·				
Print Name	Signature Signature				
Confidentiality Notice: The info	rmation in this facsimile is intended for the	e named recipients ONLY . It			

may contain instructions requiring the immediate attention of the addressee. If you receive this facsimile in

error, or if there is a transmission error, please notify us immediately.

THANK YOU

Number of pages: 4

Sent by: Melissa C. Uncangco

Date: 08/12/2009



Fax Confirmation Report



Date/Time

: AUG-12-2009 11:10AM WED

Fax Number

: 671 648 3165

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Total Pages Scanned:

Remote Station

4

StartTime

Duration Page

Mode

Job Type Result

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No.

08-12 11:09AM

01'04

004/004

EC

HS

CP

Abbreviations:

HS: Host Send

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GUAM POWER AUTHORITY

ATURIDÅT ILEKTRESEDÅT GUAHAN P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

FACSIMILE TRANSMITTAL COVER LETTER

Date: August 11, 2009

Please deliver the following to:

TEMES

Attn: Mr. Tsun-Ren Ho

T: 477-5327 F: 477-5328

From:

Melissa C. Uncangco

Buyer II

Subject

Re-bid Multi-Step Bid No : GPA-013-07 for PMC-Cabras 1&2

Date._

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