



**PORT AUTHORITY OF GUAM  
ATURIDAT I PUETTON GUAHAN  
Jose D. Leon Guerrero Commercial Port  
GOVERNMENT OF GUAM**

1026 Cabras Highway, Suite 201  
Piti, Guam 96925



Telephone: (671) 477-5931/35

(671) 477-2683/85

Facsimile: (671) 477-2689/4445

Webpage: www.portofguam.com

**FELIX P. CAMACHO**  
Governor of Guam

**MICHAEL W. CRUZ**  
Lieutenant Governor

November 27, 2007

Ms. Doris Flores Brooks  
Public Auditor  
Office of the Public Auditor  
Suite 401, Pacific News Building  
238 Archbishop Flores Street  
Hagatna, Guam 96910

Dear Ms. Brooks:

Pursuant to your letter dated November 20, 2007 addressed to Ms. Anita T. Cruz, Acting Assistant Chief Procurement Officer, transmitted is an original and two (2) copies of procurement records for GSA/PAG07-006 Item #4.1 – 40,000# Forklift.

Should you have any questions, please contact this office.



Sincerely,

  
KENNETH T. TAGAWA  
General Manager

Enclosure

cc: Mr. John Limtiaco, Far East Equipment Company LLC  
Acting Asst. Chief Procurement Officer, GSA  
Lujan, Aguigui & Perez, LLC  
PAG Supply Management Administrator

**RECEIVED**  
OFFICE OF THE PUBLIC AUDITOR  
PROCUREMENT APPEALS

NOV 27 2007  
TIME: 4:47 PM  
BY: T. Gumatod  
FILE No. OPA-PA 07-010

**ORIGINAL**

Felix P Camacho  
Governor



**GENERAL SERVICES AGENCY**

(Ahensian Setbision Hinirat)  
Department of Administration  
Government of Guam

Michael W. Cruz,  
Lt. Governor

Lourdes M. Perez  
Director  
Department of Administration

148 Route 1 Marine Drive, Piti, Guam 96915  
Tel: (671)475-1707 thru 1729/Fax Nos: (671)472-4217/475-1716

Joseph C. Manibusan  
Deputy Director  
Department of Administration

Procurement Record  
For Invitation for Bid  
GSA PAG07-006

For Five (5) Each 11,000 Lbs; Two (2) Each 16,000  
Lbs; One (1) Each 20,000 Lbs; and One (1) Each  
40,000 Lbs Fork trucks for Jose D. Leon Guerrero  
Commercial Port of Guam

RECEIVED  
OFFICE OF THE PUBLIC AUDITOR  
PROCUREMENT & CONTRACTS  
NOV 27 2007  
TIME: 4:47 PM  
BY: T. Cruz  
FILE NO. OPA-PA 07-010

ORIGINAL

Far East Equipment  
Company LLC  
Bid Offer



**PORT AUTHORITY OF GUAM**  
**ATURIDAT I PUETTON GUAHAN**  
**Jose D. Leon Guerrero Commercial Port**  
**GOVERNMENT OF GUAM**  
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**FELIX P. CAMACHO**  
 Governor of Guam

**MICHAEL W. CRUZ**  
 Lieutenant Governor

**ORIGINAL**

**INVITATION FOR BID**

**GSA PAG 07-006**

The Jose D. Leon Guerrero Commercial Port ("Port Authority of Guam"), a public corporation and an Autonomous Agency of the Government of Guam, is soliciting bids to purchase **Five (5) Each, 10,000-11,000lbs, Two (2) Each 14,000-16,000lbs, One Each 20,000 lbs, and One (1) Each 40,000 lbs Fork Trucks.**

All interested parties may pick up copies of the Invitation for Bid at the Commercial Port Procurement Office located at 1026 Cabras Highway, Suite 201, Piti, Guam 96915 or at the General Services Agency (GSA) anytime from Monday through Friday (excluding holidays) between 8:00A.M. to 5:00 P.M.

Bid Opening will be held at General Services Agency (GSA), 10:00a.m. Chamorro Standard Time, July 26, 2007.

A pre-bid conference is schedule for 2:00 P.M., Guam Time on July 17, 2007 at the General Services Agency Conference Room. A non-refundable fee of \$25.00 (U.S.Dollars) will be charged in the form of cash, cashier's or certified check made payable to Jose D. Leon Guerrero Commercial Port for a bid package.

This announcement is paid with Government Funds by the Jose D. Leon Guerrero Commercial Port

*Pedro F. San Nicolas*  
 /s/ PEDRO F. SAN NICOLAS  
 Acting Assistant Chief Procurement Officer



**PORT AUTHORITY OF GUAM  
 ATURIDAT I PUETTON GUAHAN,  
 Jose D. Leon Guerrero Commercial Port  
 GOVERNMENT OF GUAM**

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**FELIX P. CAMACHO**  
 Governor of Guam

**MICHAEL W. CRUZ**  
 Lieutenant Governor

**THIS ADVERTISEMENT IS PAID WITH GOVERNMENT FUNDS BY:**  
 Port Authority of Guam

**BID INVITATION**

Bid No. PAG 07-006  
 For Five (5) Ea. 10,000-11,000lbs, Two (2) Ea. 14,000-16,000lbs,  
One (1) Ea. 20,000lbs. and One (1) Ea. 40,000lbs. FORK  
TRUCKS

Pre-Conference Date:	<u>July 17, 2007</u>	Time:	<u>2:00 p.m.</u>
Bid Opening Date:	<u>July 26, 2007</u>	Time:	<u>10:00 a.m.</u>

**Place: GENERAL SERVICES AGENCY, PITI, GUAM**  
**Procurement Office**

**INTERESTED PARTIES MAY PICK UP BID  
 FORMS/SPECIFICATIONS AT SAID PLACE**  
 A non-refundable fee of \$25.00 will be charged for each Bid Package

**PEDRO F. SAN NICOLAS**  
 Acting Assistant Chief Procurement Officer

# INVITATION FOR BID

*Pedro F. San Nicolas*

PEDRO F. SAN NICOLLAS  
Chief Procurement Officer  
Acting Assistant

## ISSUING OFFICE:

Port Authority of Guam  
GENERAL SERVICE AGENCY  
GOVERNMENT OF GUAM  
148 ROUTE 1 MARINE DRIVE  
PITI, GUAM 96925

DATE ISSUED:

BID INVITATION NO.: 07-006

BID FOR: Five (5) Each 10,000-11,000 lbs, Two (2) Each 14,000-16,000 lbs,  
One (1) Each 20,000 lbs and One (1) Each 40,000 lbs Fork Trucks

SPECIFICATION: Please refer to pages 2a through 2t.

DESTINATION: Jose Datheen Guerrero, Commercial Port of Guam

REQUIRED DELIVERY DATE: Refer to delivery dates on attachments

## INSTRUCTION TO BIDDERS:

INDICATE WHETHER:  INDIVIDUAL  PARTNERSHIP  CORPORATION

INCORPORATED IN: \_\_\_\_\_

This Bid shall be submitted in duplicate and sealed to the issuing office above no later than (Time) 10:00 a.m. (Date) July 26, 2007, and shall be publicly opened. Bid submitted after the time and date specified above shall be rejected. See attached General Terms and Conditions, and Sealed Bid Solicitation for details.

The undersigned offers and agrees to furnish within the time specified, the articles and services at the price stated opposite the respective items listed on the schedule provided, unless otherwise specified by the bidder. In consideration to the expense of the Government in opening, tabulating, and evaluating this and other bids, and other considerations, the undersigned agrees that this bid remain firm and irrevocable within 60 calendar days from the date opening to supply any or all of the items which prices are quoted.

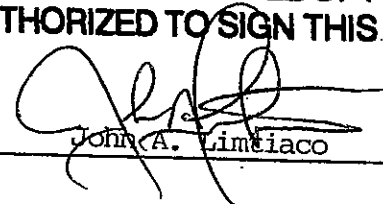
NAME AND ADDRESS OF BIDDER:

Far East Equipment Company LLC

P.O. Box Box 10838

Tamuning, Guam 96931

SIGNATURE AND TITLE OF PERSON  
AUTHORIZED TO SIGN THIS BID:

  
John A. Limtiaco

AWARD: CONTRACT NO.:

AMOUNT:

DATE:

ITEM NO(S) AWARDED:

**Morrice Equipment LLC  
Bid Offer**



**FELIX P. CAMACHO**  
Governor of Guam

**MICHAEL W. CRUZ**  
Lieutenant Governor

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**INVITATION FOR BID**

**GSA PAG 07-006**

The Jose D. Leon Guerrero Commercial Port ("Port Authority of Guam"), a public corporation and an Autonomous Agency of the Government of Guam, is soliciting bids to purchase **Five (5) Each, 10,000-11,000 lbs, Two (2) Each 14,000-16,000 lbs, One Each 20,000 lbs, and One (1) Each 40,000 lbs Fork Trucks.**

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This announcement is paid with Government Funds by the Jose D. Leon Guerrero Commercial Port

*Pedro F. San Nicolas*

/s/ PEDRO F. SAN NICOLAS  
Acting Assistant Chief Procurement Officer

**ORIGINAL**



# INVITATION FOR BID

*Pedro F. San Nicolas*

PEDRO F. SAN NICOLAS  
Chief Procurement Officer  
Acting Assistant

## ISSUING OFFICE:

Port Authority of Guam  
GENERAL SERVICE AGENCY  
GOVERNMENT OF GUAM  
148 ROUTE 1 MARINE DRIVE  
PITI, GUAM 96925

DATE ISSUED:

BID INVITATION NO.: 07-006

BID FOR: Five (5) Each 10,000-11,000 lbs, Two (2) Each 14,000-16,000 lbs,  
One (1) Each 20,000 lbs and One (1) Each 40,000 lbs Fork Trucks

SPECIFICATION: Please refer to pages 2a through 2t.

DESTINATION: Jose P. Leon Guerrero Commercial Port of Guam

REQUIRED DELIVERY DATE: Refer to delivery dates on attachments

## INSTRUCTION TO BIDDERS:

INDICATE WHETHER:  INDIVIDUAL  PARTNERSHIP  CORPORATION

INCORPORATED IN:  limited liability company

This Bid shall be submitted in duplicate and sealed to the issuing office above no later than (Time) 10:00 a.m. (Date) July 26, 2007, and shall be publicly opened. Bid submitted after the time and date specified above shall be rejected. See attached General Terms and Conditions, and Sealed Bid Solicitation for details.

The undersigned offers and agrees to furnish within the time specified, the articles and services at the price stated opposite the respective items listed on the schedule provided, unless otherwise specified by the bidder. In consideration to the expense of the Government in opening, tabulating, and evaluating this and other bids, and other considerations, the undersigned agrees that this bid remain firm and irrevocable within 60 calendar days from the date opening to supply any or all of the items which prices are quoted.

NAME AND ADDRESS OF BIDDER:

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS BID:

**MORRICO EQUIPMENT LLC**

197 Ypao Road  
Tamuning, Guam 96913  
Tel: 649-1948 Fax: 649-1947  
E-mail: morrico@morricequipment.com

*Torgun Smith*  
General Manager

AWARD: CONTRACT NO.: GSA-PAG-07-006 AMOUNT \$920,391.00 DATE: OCT 01, 2007

ITEM NO(S) AWARDED: 1.1 Five(5) 11,000lbs 1.3 Three(3) 20,000lbs 1.4 One(1) 40,000lbs

MORRICO EQUIPMENT LLC  
197 Ypao Road  
Tamuning Guam 96913

CONTRACTING OFFICER:  
*Pedro F. San Nicolas*  
PEDRO F. SAN NICOLAS,  
CHIEF PROCUREMENT OFFICER  
Acting Assistant

NAME AND ADDRESS OF CONTRACTOR:

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SIGN THIS CONTRACT:

**MORRICO EQUIPMENT LLC**

197 Ypao Road  
Tamuning, Guam 96913  
Tel: 649-1948 Fax: 649-1947  
E-mail: morrico@morricequipment.com

*Torgun Smith*  
General Manager



**GENERAL SERVICES AGENCY**

(Ahenan Sotision Hinire)

Government of Guam

P.O. box PG, Agaña, Guam 96910

Tel: 477-8836 - 8 • Telefax: 472-4217

Accountability • Impartiality • Competence • Openness • Value

INVITATION FOR BID (IFB) NO.: 07-006

DESCRIPTION: Five (5) Ea. 10,000-11,000 lbs, Two (2) Ea. 14,000-16,000 lbs  
One (1) Ea. 20,000 lbs and One (1) Ea. 40,000 lbs Fork Trucks

**SPECIAL REMINDER TO PROSPECTIVE BIDDERS**

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

(xx) **BID GUARANTEE (15% OF BID AMOUNT)** - May be in the form of;  
Reference #11 on the General Terms and Conditions

- a. Cashier's Check or Certified Check
- b. Letter of Credit
- c. Surety Bond - Valid only if accompanied by:
  - 1. Current Certificate of Authority issued by the Insurance Commissioner;
  - 2. Power of Attorney issued by the Surety to the Resident General Agent;
  - 3. Power of Attorney issued by two (2) major officers of the Surety to whoever is signing on their behalf.

( ) STATEMENT OF QUALIFICATIONS;

( ) SAMPLES;

(xx) BROCHURES/DESCRIPTIVE LITERATURE;

(xx) AFFIDAVIT OF DISCLOSURE OF MAJOR SHAREHOLDERS - Must comply with the following requirements:

- a. The affidavit must be notarized and dated on the same month as the bid opening;
- b. Date of signature of the person authorized to sign the bid and the notary date must be the same.


(xx) LOCAL PROCUREMENT PREFERENCE APPLICATION (See attached)  
(NON-COMPLETION OF THIS APPLICATION FORM IS NOT A BASIS FOR REJECTION.)

(xx) OTHER REQUIREMENTS:

- |                                  |                                      |
|----------------------------------|--------------------------------------|
| 1. Non-Collusion Affidavit       | 4. Ethical Standards Affidavit       |
| 2. Insurance Coverage upon award | 5. Non-Gratuity Affidavit            |
| 3. Good Standing Affidavit       | 6. Special Provisions (Pg. 10 of 19) |

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

On this 22nd day of August, 2007,  
I, Torgun Smith, authorized representative of  
Morner Equipment LLC acknowledge receipt of this  
special reminder to prospective bidders with the above referenced  
IFB.

  
Bidder Representative's Signature



# GOVERNMENT OF GUAM

## GENERAL TERMS AND CONDITIONS

### SEALED BID SOLICITATION AND AWARD

Only those Boxes checked below are applicable to this bid.

1. **AUTHORITY:** This solicitation is issued subject to all the provision of the Guam Procurement Act (5GCA, Chapter 5) and the Guam Procurement Regulations (copies of both are available at the Office of the Compiler of Laws, Department of Law, copies available for inspection at General Services Agency). It requires all parties involved in the Preparation, negotiation, performance, or administration of contracts to act in good faith.
2. **GENERAL INTENTION:** Unless otherwise specified, it is the declared and acknowledged intention and meaning of these General Terms and Conditions for the bidder to provide the Government of Guam (Government) with specified services or with materials, supplies or equipment completely assembled and ready for use.
3. **TAXES:** Bidders are cautioned that they are subject to Guam Income Taxes as well as all other taxes on Guam Transactions. Specific information on taxes may be obtained from the Director of Revenue and Taxation.
4. **LICENSING:** Bidders are cautioned that the Government will not consider for award any offer submitted by a bidder who has not complied with the Guam Licensing Law. Specific information on licenses may be obtained from the Director of Revenue and Taxation.
5. **LOCAL PROCUREMENT PREFERENCE:** All procurement of supplies and services where possible, will be made from among businesses licensed to do business on Guam in accordance with Section 5008 of the Guam Procurement Act (5GCA, Chapter 5) and Section 1-104 of the Guam Procurement Regulations.
6. **COMPLIANCE WITH SPECIFICATIONS AND OTHER SOLICITATION REQUIREMENTS:** Bidders shall comply with all specifications and other requirements of the Solicitation.
7. **"ALL OR NONE" BIDS:** Unless otherwise allowed under this Solicitation, "all or none" bids may be deemed to be non-responsive. If the bid is so limited, the Government may reject part of such proposal and award on the remainder.  
  
**NOTE:** By checking this item, the Government is requesting all of the bid items to be bid or none at all. The Government will not award on an itemized basis. Reference: Section 3-301.06 of the Guam Procurement Regulations.
8. **INDEPENDENT PRICE DETERMINATION:** The bidder, upon signing the Invitation for Bid, certifies that the prices in his bid were derived at without collusion, and acknowledge that collusion and anti-competitive practices are prohibited by law. Violations will be subject to the provision of Section 5651 of that of the Guam Procurement Act. Other existing civil, criminal or administrative remedies are not impaired and may be in addition to the remedies in Section 5651 of the Government Code.
9. **BIDDER'S PRICES:** The Government will consider not more than two (2) (Basic and Alternate) item prices and the bidder shall explain fully each price if supplies, materials, equipment, and/or specified services offered comply with specifications and the products origin. Where basic or alternate bid meets the minimum required specification, cost and other factors will be considered. Failure to explain this requirement will result in rejection of the bid.
10. **BID ENVELOPE:** Envelope shall be sealed and marked with the bidder's name, Bid number, time, date and place of Bid Opening.
11. **BID GUARANTEE REQUIREMENT:** Bidder is required to submit a Bid Guarantee Bond or standby irrevocable Letter of Credit or Certified Check or Cashier's Check in the same bid envelope to be held by the Government pending award. The Bid Guarantee Bond, Letter of Credit, Certified Check or Cashier's Check must be issued by any local surety or banking institution licensed to do business on Guam and made payable to the Treasurer of Guam in the amount of ~~one percent (1%)~~ 15% of his highest total bid offer. The Bid Bond must be submitted on Government Standard Form BB-1 (copy enclosed). Personal Checks will not be accepted as Bid Guarantee. If a successful Bidder (contractor) withdraws from the bid or fails to enter into contract within the prescribed time, such Bid guarantee will be forfeited to the Government of Guam. Bids will be disqualified if not accompanied by Bid Bond, Letter of Credit, Certified Check or Cashier's Check. Bidder must include in his/her bid, valid copies of a Power of Attorney from the Surety and a Certificate of Authority from the Government of Guam to show proof that the surety company named on the bond instrument is authorized by the Government of Guam and qualified to do business on Guam. For detailed information on bonding matters, contact the Department of Revenue and Taxation. Failure to submit a valid Power of Attorney and Certificate of Authority on the surety is cause for rejection of bid (GPR Section 3-202.03.3), PURSUANT OF PUBLIC LAW 27-127, ALL COMPETITIVE SEALED BIDDING FOR PROCUREMENT OF SUPPLIES OR SERVICES, EXCEEDING \$25,000.00, a 15% BID SECURITY OF THE TOTAL BID MUST ACCOMPANY BID
12. **PERFORMANCE BOND REQUIREMENT:** The Bidder may be required to furnish a Performance Bond on Government Standard Form BB-1 or standby irrevocable Letter of Credit or Certified Check or Cashier's Check payable to the Treasurer of Guam issued by any of the local Banks or Bonding Institution in the amount equal to \_\_\_\_\_

percent ( \_\_\_\_\_ %) of the contract prices as security for the faithful performance and proper fulfillment of the contract. In the event that any of the provisions of this contract are violated by the contractor, the Chief Procurement Officer shall serve written notice upon both the contractor and the Surety of its intention to terminate the contract. Unless satisfactory arrangement or correction is made within ten (10) days of such notice the contract shall cease and terminate upon the expiration of the ten (10) days. In the event of any such termination, the Chief Procurement Officer shall immediately serve notice thereof upon the Surety. The Surety shall have the right to take over and perform the contract, provided, however, that if the Surety does not commence performance thereof within 10 days from the date of the mailing

of notice of termination, the Government may take over and prosecute the same to complete the contract or force account for the account and at the expense of the contractor, and the contractor and his Surety shall be liable to the Government for any excess cost occasioned the Government thereby (GPR Section 3-202.03.4).

13. **PERFORMANCE GUARANTEE:** Bidders who are awarded a contract under this solicitation, guarantee that goods will be delivered or required services performed within the time specified. Failure to perform the contract in a satisfactory manner may be cause for suspension or debarment from doing business with the Government and to enforce Section 12 of these General Terms and Conditions. In addition, the Government will hold the Vendor liable and will enforce the requirements as set forth in Section 41 of these General Terms and Conditions.
14. **SURETY BONDS:** Bid and Performance Bonds coverage must be signed or countersigned in Guam by a foreign or alien surety's resident general agent. The Surety must be an Insurance Company, authorized by the Government of Guam and qualified to do business in Guam. Bids will be disqualified if the Surety Company does not have a valid Certificate of Authority from the Government of Guam to conduct business in Guam.
15. **COMPETENCY OF BIDDERS:** Bids will be considered only from the such bidders who, in the opinion of the Government, can show evidence of their ability, experience, equipment, and facilities to render satisfactory service.
16. **DETERMINATION OF RESPONSIBILITY OF BIDDERS:** The Chief Procurement Officer reserves the right for securing from bidders information to determine whether or not they are responsible and to inspect plant site, place of business; and supplies and services as necessary to determine their responsibility in accordance with Section 15 of these General Terms and Conditions (GPR Section 3-401).
17. **STANDARD FOR DETERMINATION OF LOWEST RESPONSIBLE BIDDER:** In determining the lowest responsible offer, the Chief Procurement Officer shall be guided by the following:
- a) Price of Items offered.
  - b) The ability, capacity, and skill of the Bidder to perform.
  - c) Whether the Bidder can perform promptly or within the specified time.
  - d) The quality of performance of the Bidder with regards to awards previously made to him.
  - e) The previous and existing compliance by the Bidder with laws and regulations relative to procurement.
  - f) The sufficiency of the financial resources and ability of the Bidder to perform.
  - g) The ability of the bidder to provide future maintenance and services for the subject of the award.
  - h) The compliance with all of the conditions to the Solicitation.
18. **TIE BIDS:** If the bids are for the same unit price or total amount in the whole or in part, the Chief Procurement Officer will determine award based on Section 3.202.15.2, or to reject all such bids (GPR Section 3-202.15.2).
19. **BRAND NAMES:** Any reference in the Solicitation to manufacturer's Brand Names and number is due to lack of a satisfactory specification of commodity description. Such preference is intended to be descriptive, but not restrictive and for the sole purpose of indicating prospective bidders a description of the article or services that will be satisfactory. Bids on comparable items will be considered provided the bidder clearly states in his bid the exact articles he is offering and how it differs from the original specification.
20. **DESCRIPTIVE LITERATURE:** Descriptive literature(s) as specified in this solicitation must be furnished as a part of the bid and must be received at the date and time set for opening Bids. The literature furnished must clearly identify the item(s) in the Bid. The descriptive literature is required to establish, for the purpose of evaluation and award, details of the product(s) the bidder proposes to furnish including design, materials, components, performance characteristics, methods of manufacture, construction, assembly or other characteristics which are considered appropriate. Rejection of the Bid will be required if the descriptive literature(s) do not show that the product(s) offered conform(s) to the specifications and other requirements of this solicitation. Failure to furnish the descriptive literature(s) by the time specified in the Solicitation will require rejection of the bid.
21. **SAMPLES:** Sample(s) of item(s) as specified in this solicitation must be furnished as a part of the bid and must be received at the date and time set for opening Bids. The sample(s) should represent exactly what the Bidder proposes to furnish and will be used to determine if the item(s) offered complies with the specifications. Rejection of the Bid will be required if the sample(s) do not show that the product(s) offered conform(s) to the specifications and other requirements of this solicitation. Failure to furnish the sample(s) by the time specified in the Solicitation will require rejection of the Bid.
22. **LABORATORY TEST:** Successful bidder is required to accompany delivery of his goods with a Laboratory Test Report indicating that the product he is furnishing the Government meets with the specifications. This report is on the bidder's account and must be from a certified Testing Association.
23. **AWARD, CANCELLATION & REJECTION:** Award shall be made to the lowest responsible and responsive bidder, whose bid is determined to be the most advantageous to the Government, taking into consideration the evaluation factors set forth in this solicitation. No other factors or criteria shall be used in the evaluation. The right is reserved as the interest of the Government may require to waive any minor irregularity in bids received. The Chief Procurement Officer shall have the authority to award, cancel, or reject bids, in whole or in part for any one or more items if he determines it is in the public interest. Award issued to the lowest responsible bidder within the specified time for acceptance as indicated in the solicitation, results in a bidding contract without further action by either party. In case of an error in the extension of prices, unit price will govern. It is the policy of the Government to award contracts to qualified local bidders. The Government reserves the right to increase or decrease the quantity of the items for award and make additional awards for the same type items and the vendor agrees to such modifications and additional awards based on the bid prices for a period of thirty (30) days after original award. No award shall be made under this solicitation which shall require advance payment or irrevocable letter of credit from the government (GPR Section 3-202.14.1).
24. **MARKING:** Each outside container shall be marked with the Purchase Order number, item number, brief item description and quantity. Letter marking shall not be less than 3/4" in height.

- [M] 25. **SCHEDULE FOR DELIVERY:** Successful bidder shall notify the General Services Agency, Telephone Nos. 475-1707 or 475-713, at least twenty-four (24) hours before delivery of any item under this solicitation.
- [M] 26. **BILL OF SALE:** Successful supplier shall render Bills of Sale for each item delivered under this contract. Failure to comply with this requirement will result in rejection of delivery. The Bill of Sale must accompany the items delivered but will not be considered as an invoice for payment. Supplier shall bill the Government in accordance with billing instructions as indicated on the Purchase Order.
- [M] 27. **MANUFACTURER'S CERTIFICATE:** Successful bidder is required, upon delivery of any item under this contract, to furnish a certificate from the manufacturer indicating that the goods meet the specifications. Failure to comply with this request will result in rejection of delivery payment. Supplier shall bill the Government in accordance with billing instructions as indicated on the Purchase Order.
- [M] 28. **INSPECTION:** All supplies, materials, equipment, or services delivered under this contract shall be subject to the inspection and/or test conducted by the Government at destination. If in any case the supplies, materials, equipment, or services are found to be defective in material, workmanship, performance, or otherwise do not conform with the specifications, the Government shall have the right to reject the items or require that they be corrected. The number of days required for correction will be determined by the Government.
- [M] 29. **MOTOR VEHICLE SAFETY REQUIREMENTS:** The Government will only consider Bids on motor vehicles which comply with the requirements of the National Traffic and Motor Vehicle safety Act of 1966 (Public Law 89-563) and Clean Air Act as amended (Public Law 88-206), that are applicable to Guam. Bidders shall state if the equipment offered comply with these aforementioned Federal Laws.
- [M] 30. **SAFETY INSPECTION:** All motor vehicles delivered under this contract must pass the Government of Guam Vehicle Inspection before delivery at destination.
- [M] 31. **GUARANTEE:**
- Guarantee of Vehicle Type of Equipment:**  
The successful bidder shall guarantee vehicular type of equipment offered against defective parts, workmanship, and performance, for a period of not less than one (1) year after date of receipt of equipment. Bidder shall also provide service to the equipment for at least one (1) year. Service to be provided shall include, but will not be limited to tune ups (change of spark plugs, contact points and condensers) and lubrication (change of engine and transmission oil). All parts and labor shall be at the expense of the bidder. All parts found defective and not caused by misuse, negligence or accident within the guarantee period shall be repaired, replaced, or adjusted within six (6) working days after notice from the Government and without cost to the Government. Vehicular type of equipment as used in this context shall include equipment used for transportation as differentiated from tractors, backhoes, etc.
  - Guarantee of Other Type of Equipment:**  
The successful bidder shall guarantee all other types of equipment offered, except those mentioned in 31a, above, against defective parts, workmanship, and performance for a period of not less than three (3) months after date of receipt of equipment. Bidder shall also provide service to the equipment for at least three (3) months. All parts found defective within the guarantee period shall be repaired or replaced by the Contractor without cost to the Government. Repairs, adjustments or replacements of defective parts shall be completed by the contractor within six (6) working days after notice from the Government. Compliance with this Section is a condition of this Bid.
  - Compliance with this Section is a condition of this Bid.**
- [M] 32. **REPRESENTATION REGARDING ETHICS IN PUBLIC PROCUREMENT:** The bidder or contractor represents that it has not knowingly influenced and promises that it will not knowingly influence a Government employee to breach any of the ethical standards and represents that it has not violated, is not violating, and promises that it will not violate the prohibition against gratuities and kickbacks set forth on Chapter 11 (Ethics in Public Contracting) of the Guam Procurement Act and in Chapter 11 of the Guam Procurement Regulations.
- [M] 33. **REPRESENTATION REGARDING CONTINGENT FEES:** The contractor represents that it has not retained a person to solicit or secure a Government contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business (GPR Section 11-207).
- [M] 34. **EQUAL EMPLOYMENT OPPORTUNITY:** Contractors shall not discriminate against any employee or applicant of employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that employees are treated equally during employment without regards to their race, color, religion, sex, or national origin.
- [M] 35. **COMPLIANCE WITH LAWS:** Bidders awarded a contract under this Solicitation shall comply with the applicable standard, provisions, and stipulations of all pertinent Federal and/or local laws, rules, and regulations relative to the performance of this contract and the furnishing of goods.
- [M] 36. **CHANGE ORDER:** Any order issued relative to awards made under this solicitation will be subject to and in accordance with the provisions of Section 6-101-03.1 of the Guam Procurement Regulations.
- [M] 37. **STOP WORK ORDER:** Any stop work order issued relative to awards made under this solicitation will be subject to and in accordance with the provisions of Section 6-101-04.1 of the Guam Procurement Regulations.
- [M] 38. **TERMINATION FOR CONVENIENCE:** Any termination order for the convenience of the Government issued relative to awards made under this solicitation will be subject to and in accordance with the provisions of Section 6-101.10 of the Government Procurement Regulations.
- [M] 39. **TIME FOR COMPLETION:** It is hereby understood and mutually agreed by and between the contractor and the Government that the time for delivery to final destination or the timely performance of certain services is an essential condition of this contract. If the contractor refuses or fails to perform any of the provisions of this contract within the time specified in the Purchase Order (from the date Purchase Order is acknowledged by vendor), then the contractor is in default. Defaults will be treated subject to and in accordance with the provisions of Section 6-101-08 of the Guam Procurement Regulations.

delivered to their destination or required services rendered within the time specified. If the bidder is not able to meet the specified delivery date, he is required to notify the Chief Procurement Officer of such delay. Notification shall be in writing and shall be received by the Chief Procurement Officer at least twenty-four (24) hours before the specified delivery date. Notification of delay shall include an explanation of the causes and reasons for the delay including statement(s) from supplier or shipping company causing the delay. The Government reserves the right to reject delay justification if, in the opinion of the Chief Procurement Officer, such justification is not adequate.

41. **LIQUIDATED DAMAGES:** When the contractor is given notice of delay or nonperformance as specified in Paragraph 1 (Default) of the Termination for Default Clause of this contract and fails to cure in the time specified, the contractor shall be liable for damages for delay in the amount of one-fourth of one percent (1%) of outstanding order per calendar day from date set for cure until either the territory reasonable obtains similar supplies or services if the contractor is terminated for default, or until the contractor provides the supplies or services if the contractor is not terminated for default. To the extent that the contractor's delay or nonperformance is excused under Paragraph 40 (Excuse for Nonperformance or Delayed Performance) of the Termination for Default Clause of this contract, liquidated damages shall not be due the territory. The contractor remains liable for damages caused other than by delay (GPR Section 6-101-09.1).

42. **PHYSICAL LIABILITY:** If it becomes necessary for the Vendor, either as principal, agent or employee, to enter upon the premises or property of the Government of Guam in order to construct, erect, inspect, make delivery or remove property hereunder, the Vendor hereby covenants and agrees to take, use, provide and make all proper, necessary and sufficient precautions, safeguards and protections against the occurrence of any accidents, injuries or damages to any person or property during the progress of the work herein covered, and to be responsible for, and to indemnify and save harmless the Government of Guam from the payment of all sums of money by reason of all or any such accidents, injuries or damages that may occur upon or about such work, and fines, penalties and loss incurred for or by reasons of the violations of any territorial ordinance, regulations, or the laws of Guam or the United States, while the work is in progress. Contractor will carry insurance to indemnify the Government of Guam against any claim for loss, damage or injury to property or persons arising out of the performance of the Contractor or his employees and agents of the services covered by the contract and the use, misuse or failure of any equipment used by the contractor or his employees or agents, and shall provide certificates of such insurance to the Government of Guam when required.

43. **CONTACT FOR CONTRACT ADMINISTRATION:** If your firm receives a contract as a result of this Solicitation, please designate a person whom we may contact for prompt administration.

Name: Torgun Smith

Title: General Manager

Address: 197 Yomo Road  
San Juan, Guam 96913  
Tel: 646-1946 Fax: 649-1947  
E-mail: [tor@incoequipment.com](mailto:tor@incoequipment.com)

Telephone: 1-646-7944

GOVERNMENT OF GUAM

SEALED BID SOLICITATION INSTRUCTIONS

1. **BID FORMS:** Each bidder shall be provided with two (2) sets of Solicitation forms. Additional copies may be provided upon request. Bidders requesting additional copies of said forms will be charged per page in accordance with Section 6114 of the Government Code of Guam. All payments for this purpose shall be by cash, certified check or money order, and shall be made payable to the General Services Agency (EO 86-24).
2. **PREPARATIONS OF BIDS:**
  - a) Bidders are required to examine the drawings, specifications, schedule, and all instructions. Failure to do so will be at bidder's risk.
  - b) Each bidder shall furnish the information required by the Solicitation. The bidder shall sign the Solicitation and print or type his name on the Schedule. Erasures or other changes must be initialed by the person signing the bid. Bids signed by an agent are to be accompanied by evidence of his authority unless such evidence has been previously furnished to the issuing office.
  - c) Unit price for each unit offered shall be shown and such price shall include packing unless otherwise specified. A total shall be entered in the amount column of the Schedule for each item offered. In case of discrepancies between a unit price and extended price, the unit price will be presumed to be correct.
  - d) Bids for supplies or services other than those specified will not be considered.
  - e) Time, if stated as a number of days, means calendar days and will include Saturdays, Sundays, and holidays beginning the day after the issuance of a Notice to Proceed. Time stated ending on a Saturday, Sunday or Government of Guam legal holiday will end at the close of the next business day.
3. **EXPLANATION TO BIDDERS:** Any explanation desired by a bidder regarding the meaning or interpretation of the Solicitation, drawings, specifications, etc., must be submitted in writing and with sufficient time allowed for a written reply to reach all bidders before the submission of their bids. Oral explanations or instructions given before the award of the contract will not be binding. Any information given to a prospective bidder concerning a Solicitation will be furnished to all prospective bidders in writing as an amendment to the Solicitation if such information is necessary for bidders in submitting bids on the Solicitation or if the lack of such information would be prejudicial to uninformed bidders.
4. **ACKNOWLEDGEMENT OF AMENDMENTS TO SOLICITATIONS:** Receipt of an amendment to a Solicitation by a bidder must be acknowledged by signing an acknowledgement of receipt of the amendment. Such acknowledgement must be received prior to the hour and date specified for receipt of bids.
5. **SUBMISSION OF BIDS:**
  - a) Bids and modifications thereof shall be enclosed in sealed envelopes and addressed to the office specified in the Solicitation. The bidder shall show the hour and date specified in the Solicitation for receipt, the Solicitation number, and the name and address of the bidder on the face of the envelope.
  - b) Telegraphic bids will not be considered unless authorized by the Solicitation. However, bids may be modified or withdrawn by written or telegraphic notice, provided such notice is received prior to the hour and date specified for receipt (*see paragraph 6 of these instructions*).
  - c) Samples of items, when required, must be submitted within the time specified, unless otherwise specified by the Government, at no expense to the Government. If not destroyed by testing, samples will be returned at bidder's request and expense, unless otherwise specified by the Solicitation.
  - d) Samples or descriptive literature should not be submitted unless it is required on this Solicitation. Regardless of any attempt by a bidder to condition the bid, unsolicited samples or descriptive literature will not be examined or tested at the bidder's risk, and will not be deemed to vary any of the provisions of this Solicitation.
6. **FAILURE TO SUBMIT BID:** If no bid is to be submitted, do not return the Solicitation unless otherwise specified. A letter or postcard shall be sent to the issuing office advising whether future Solicitations for the type of supplies or services covered by this Solicitation are desired.
7. **LATE BID, LATE WITHDRAWALS, AND LATE MODIFICATIONS:**
  - a) **Definition:** Any bid received after the time and date set for receipt of bids is late. Any withdrawal or modification of a bid received after the time and date set for opening of bids at the place designated for opening is late (*Guam Procurement Regulations Section 3-202.11.1*).
  - b) **Treatment:** No late bid, late modification, or late withdrawal will be considered unless received before contract award, and the bid, modification, or withdrawal would have been timely but for the action or inaction of territorial personnel directly serving the procurement activity (*Guam Procurement Regulations Section 3-202.11.2*).
8. **DISCOUNTS:**
  - a) Notwithstanding the fact that prompt payment discounts may be offered, such offer will not be considered in evaluating bids for award unless otherwise specified in the Solicitation. However, offered discounts will be taken if payment is made within the discount period, even though not considered in the evaluation of bids.
  - b) In connection with any discount offered, time will be computed from date of delivery and acceptance of the supplies to the destination as indicated in the purchase order or contract. Payment is deemed to be made for the purpose of earning the discount on the date of mailing of the Government check.
9. **GOVERNMENT FURNISHED PROPERTY:** No material, labor or facilities will be furnished by the Government unless otherwise provided for in the Solicitation.

10. **SELLERS' INVOICES:** Invoices shall be prepared and submitted in quadruplicate (*one copy shall be marked "original"*) unless otherwise specified. Invoices shall be "certified true and correct" and shall contain the following information: Contract and order number (if any), item numbers, description of supplies or services, sizes, quantities, unit prices, and extended total. Bill of lading number and weight of shipment will be shown for shipments made on Government bills of lading.
11. **RECEIPT, OPENING AND RECORDING OF BIDS:** Bids and modifications shall be publicly opened in the presence of one or more witnesses, at the time, date, and place designated in the Invitation for Bids. The name of each bidder, the bid price, and such other information as is deemed appropriate by the Procurement Officer, shall be read aloud and recorded, or otherwise made available. The names and addresses of required witnesses shall be recorded at the opening. The opened bids shall be available for public inspection except to the extent the bidder designates trade secrets or other proprietary data to be confidential as set forth in accordance with Section 12, below. Material so designated shall accompany the bid and shall be readily separable from the bid in order to facilitate public inspection of the non-confidential portion of the bid. Prices, makes and models or catalogue numbers of the items offered, deliveries, and terms of payment shall be publicly available at the time of bid opening regardless of any designation to the contrary (*Guam Procurement Regulations Section 3-202.12.2*).
12. **CONFIDENTIAL DATA:** The Procurement Officer shall examine the bids to determine the validity of any requests for nondisclosure of trade secrets and other proprietary data identified in writing. If the parties do not agree as to the disclosure of data, the Procurement Officer shall inform the bidders in writing what portions of the bid will be disclosed and that, unless the bidders protest under Chapter 9 of the Guam Procurement Act (*P.L. 16-124*), the bids will be so disclosed. The bids shall be opened to public inspection subject to any continuing prohibition on the disclosure of confidential data (*Guam Procurement Regulations Section 3-202.12.3*).
13. **MULTI-STEP SEALED BIDDING:**
- a) It is defined as a two-phase process consisting of a technical first-phase composed of one or more steps in which bidders submit unpriced technical offers to be evaluated by the territory, and a second-phase in which those bidders whose technical offers are determined to be acceptable during the first-phase have their priced bids considered. It is designed to obtain the benefits of competitive sealed bidding by award of a contract to the lowest responsive, responsible bidder, and at the same time obtained the benefits of the competitive sealed proposals procedure through the solicitation of technical offers and the conduct of discussions to evaluate and determine the acceptability of technical offers.
  - b) In addition to the requirements set forth in the General Terms and Conditions and the Special provisions, the following applies:
    - 1) only unpriced technical offers are requested in the first phase;
    - 2) priced bids will be considered only in the second phase and only from bidders whose unpriced technical offers are found acceptable in the first phase;
    - 3) the criteria to be used in the evaluation are those specified in the Special Provisions and the General Terms and Conditions;
    - 4) the territory, to the extent the Procurement Officer finds necessary, may conduct oral or written discussion of the unpriced technical offers;
    - 5) the bidders, may designate those portions of the unpriced technical offers which contain trade secrets or other proprietary data which are to remain confidential; and,
    - 6) the service being procured shall be furnished generally in accordance with the bidder's technical offer as found to be finally acceptable and shall meet the requirements of the Invitation for Bids.
  - c) **RECEIPT AND HANDLING OF UNPRICED TECHNICAL OFFERS.**  
Unpriced technical offers shall not be opened publicly, but shall be opened in front of two or more procurement officials. Such offers shall not be disclosed to unauthorized persons. Bidders may request nondisclosure of trade secrets and other proprietary data identified in writing.
  - d) **EVALUATION OF UNPRICED TECHNICAL OFFERS.**  
The unpriced technical offers submitted by bidders shall be evaluated solely in accordance with the criteria set forth in the Invitation for Bids. The unpriced technical offers shall be categorized as:
    - 1) acceptable;
    - 2) potentially acceptable, that is, reasonably susceptible of being made acceptable; or
    - 3) unacceptable. The Procurement Officer shall record in writing the basis for finding an offer unacceptable and make it part of the procurement file.

The Procurement Officer may initiate Phase Two of the procedure if, in the Procurement Officer's opinion, there are sufficient acceptable unpriced technical offers to assure effective price competition in the second phase without technical discussions. If the Procurement Officer finds such is not the case, the Procurement Officer shall issue an amendment to the Invitation for Bids or engage in technical discussions as set forth in Subsection 3-202.20.5 of this Section.
  - e) Upon the completion of Phase One, the Procurement Officer shall invite each acceptable bidder to submit a price bid. Upon submission of prices, the Procurement Officer shall prepare the final evaluation and reconsideration for the Chief Procurement Officer's approval.



DEPARTMENT OF ADMINISTRATION  
GENERAL SERVICES AGENCY  
GOVERNMENT OF GUAM

DATA CENTER  
DAS 07-006  
8/10/07 10:00 A.M.

ABSTRACT OF BIDS

DESCRIPTION OF SUPPLIES OR SERVICES:

*fork trucks*

BIDDER	AMOUNT	DISCOUNT	DELIVERY SPECIFIED IN BIDDING	EST.	
				1	2
(C) Far East Equipment Co.				1.1	EXT.
1 Bid Guarantee:				2.0	EXT.
Brochures Submitted					
affidavit of Disclosure of Major Shareholders x					
Local Inurement Preference application x					
non-collusion affidavit: 8/16/07					
Insurance Coverage upon award:					
bond standing affidavit: 8/16/07					
ethical standards affidavit: 8/16/07					
non-inactivity affidavit: 8/16/07					
special instructions: 8/16/07					
Letter #01-SB-0496 \$2,500.00					

EXHIBIT A

APPROVAL OF AWARD (S) (Signature and Date)

*P. Williams*  
8/27/07

I hereby certify that all bids received in response to this invitation were opened under my personal supervision, and that the amount of all bidders have been entered herein.

**BASES FOR AWARD**

LOWEST RESPONSIVE BIDDING

MEAN

BEST VALUE

OTHER THAN LOWEST RESPONSIVE BIDDING (also explanation as to basis for award or attached)

NUMBER OF AWARD (Contractors)

*Jan*



DEPARTMENT OF ADMINISTRATION  
GENERAL SERVICES AGENCY  
GOVERNMENT OF GUAM

ABSTRACT OF BIDS

INITIAL NUMBER  
DAG 07-006  
OPENING DATE  
8/10/07  
OPENING TIME  
10:00 A.M.

NUMBER OF BIDDERS  
4  
NUMBER OF BIDS  
2

DESCRIPTION OF SUPPLIES OR SERVICES  
Jerk Trucks

BIDDER	ACCEPT-ANCE TIME	DISCOUNT	DELIVERY METHOD	UNIT PRICE	QUANTITY	TOTAL PRICE	EXT.	EXT.
② <i>Horris Equipment</i>					1.1	44,799.00	EXT.	2.1
<i>Bid guarantee: 15%</i>							223,995.00	2.1
<i>Brochures submitted</i>								144,399.00
<i>affidavit of Disclosure of Major Shareholders</i>								288,798.00
<i>Local Movement Preference application: submitted</i>								
<i>non - Collision affidavit: 8/23/07</i>								
<i>Insurance Coverage, you avail:</i>								
<i>Good Standing affidavit: 8/23/07</i>								
<i>Ethical Standards affidavit: 8/23/07</i>								
<i>non Inactivity affidavit: 8/23/07</i>								
<i>special Instructions: 8/22/07</i>								

I hereby certify that all bids received in response to this invitation were opened under the personal supervision of the undersigned and that the amount of all bidders have been entered herein.  
*Raymond W. [Signature]*  
8/24/07

APPROVAL OF AWARD (B) (Bids and Principals stated above)

BASES FOR AWARD

LOWEST RESPONSIVE BIDDERS

THE BID

ONLY BID

OTHER THAN LOWEST RESPONSIVE BIDDERS (See explanation on reverse (insert or attach))

NUMBER OF AWARD (Contractors)



Felix P Camacho  
Governor

Lourdes M. Perez  
Director  
Department of Administration



**GENERAL SERVICES AGENCY**

(Ahensian Setbision Hinirat)  
Department of Administration  
Government of Guam

148 Route 1 Marine Drive, Piti, Guam 96915  
Tel: (671)475-1707 thru 1729/Fax Nos: (671)472-4217/475-1716

Michael W. Cruz,  
Lt. Governor

Joseph C. Manibusan  
Deputy Director  
Department of Administration

September 19, 2007

Memorandum

To: Chief Procurement Officer

From: Angel Cruz-Wusstig, Buyer II

Subject: **Analysis on Invitation for Bid No. GSA-PAG-07-006 for Purchase of Five (5) 11,000 lbs; Two (2) 16,000lbs; One (1) 20,000 lbs; One (1) 40,000 lbs FORK TRUCKS**

Invitation for Bid No. GSA-PAG-07-006 was officially announced and advertised in the Pacific Daily News on July 12, 2007. Five (5) prospective bidders expressed their interest by acknowledging receipt of the bid package.

The bid was officially opened and read at 10:00am on July 26, 2007. Two (2) bidders submitted their price, namely: Far East Equipment Co., LLC and Morrico Equipment LLC.

Far East Equipment Company offers the following:

- Item No. 1.1 Five (5) 11,000lbs. Fork Trucks: NO BID
- Item No. 1.2 Two (2) 16,000lbs. Fork Trucks: NO BID
- Item No. 1.3 Three (3) 20,000lbs. Fork Trucks: NO BID
- Item No. 1.4 One (1) 40,000lbs. Fork Truck: \$227,830.80-KalmarDCE 180-6
- \*Option for Item No. 1.4 One (1) 40,000lbs. Fork Truck: \$286,610.40-KalmarDCE 200-12

Morrico Equipment LLC offers the following:

Item No. 1.1 Five (5) 11,000lbs. Fork Trucks: Unit Cost \$44,799.00 X 5 ea.  
=\$223,995.00

Item No. 1.2 Two (2) 16,000lbs. Fork Trucks: CANCELLED  
An INCREASE on Item 1.3 One (1) 20,000lbs.to  
Three (3) ea. 20,000lbs. Fork Trucks

Item No. 1.3 Three (3) 20,000lbs. Fork Trucks: Unit Cost \$147,799.00 X 3 ea.  
=\$443,397.00

Item No. 1.4 One (1) 40,000lbs. Fork Truck: Unit Cost \$252,999.00

Grand Total of \$920,391.00

Felix P Camacho  
Governor

Lourdes M. Perez  
Director

Department of Administration



**GENERAL SERVICES AGENCY**

(Ahensian Setbision Hinirat)  
Department of Administration  
Government of Guam

148 Route 1 Marine Drive, Piti, Guam 96915  
Tel: (671)475-1707 thru 1729/Fax Nos: (671)472-4217/475-1716

Michael W. Cruz,  
Lt. Governor

Joseph C. Manibusan  
Deputy Director

Department of Administration

Based on my analysis and the approval from Port Authority of Guam Equipment Evaluation Committee along side with General Services Agency, I recommend Bid NO. GSA-PAG-07-006 be awarded to Morrigo Equipment LLC for all Fork Lift Truck Equipments, Five (5) 11,000lbs.; Three (3) 20,000lbs.; One (1) 40,000lbs in the total amount of \$920,391.00, to be the lowest most responsive and responsible bidder.

Your approval is therefore solicited.

Angel Cruz-Wusstig  
Buyer II

CONCURRED BY:

PSW for: Pedro F. San Nicolas

Claudia S. Acfalle  
Chief Procurement Officer

FCN-2-2-166 (APPROVED 10/66)

INDICATE METHOD BY NUMBER  
03 OTHER CONTRACTUAL SERVICES  
04 APPLIES & MATERIALS  
05 EQUIPMENT  
XX MISCELLANEOUS

PURCHASE ORDER



PORT AUTHORITY OF GUAM

1026 CABRAS HIGHWAY  
SUITE 201  
PITI, GUAM 96925

PURCHASE ORDER

No. 1044 OS

THIS NUMBER MUST APPEAR ON ALL  
PACKAGES AND PAPERS PERTAINING  
TO THIS ORDER

ID # 98-0020236

DATE  
09/27/07

REQUISITION NUMBER <b>8461 ON</b>	ACTIVITY <b>Port Authority of Guam</b>	ALLOTMENT <b>50.2010.FORKLIFT</b>
TO <b>MORRICO EQUIPMENT LLC 197 YPAO ROAD TAMUNING, GUAM 96913 ATTN: MR. FRANK FLORES TEL# 649-1946, FAX#649-1947</b>	CONSIGNEE, DESTINATION AND MARKING <b>Port Authority of Guam 1026 Cabras Highway Suite 201 Piti, Guam 96925</b>	
INVITATION NO. <b>IFBPAG07-006</b>	CONTRACT NO. <b>IFBPAG07-006</b>	TIME FOR DELIVERY <b>120 DAYS to 280 DAYS</b>
DELIVERY F.O.B.	SHIPPING POINT	SHIP VIA
		DISCOUNT TERMS
		B.L. NO.

ITEM NO.	ARTICLES OR SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1.	11,000 LBS. FORKLIFT TRUCKS, @\$44,799.00 each (120 Days to 180 Days)	5	ea.		\$223,995.00
2.	20,000 LBS. FORKLIFT TRUCKS, @\$147,799.00 each (180 Days to 280 Days)	3	ea.		\$443,397.00
3.	40,000 LBS. FORKLIFT TRUCKS, @\$252,999.00 each (180 Days to 280 Days)	1	ea.		\$252,999.00
<p><b>NOTE TO VENDOR:</b></p> <p>1). THE CHIEF PROCUREMENT OFFICER WILL CONDUCT AN AUDIT PERIODICALLY TO DETERMINE COMPLIANCE WITH GUAM PROCUREMENT LAW.</p> <p>2). THE GOVERNMENT OF GUAM WILL NOT BE RESPONSIBLE FOR UNAUTHORIZED SERVICE(S) OR PURCHASE(S).</p> <p>3). ALL LATE DELIVERIES ARE SUBJECT TO LIQUIDATED DAMAGES PURSUANT TO SECTION 6101(9) OF THE GPR.</p> <p>NOTE: All amounts due this Purchase Order may be off set for monies due the Government of Guam inclusive of but not limited to taxes, fees, and returned checks plus fees, interest or other damages, penalties and attorney's fees, after failure to pay according to law.</p> <p>AUTHORITY GAR: SECTION: 3109 **** PAYMENT TERMS: <u>NET 30 DAYS UPON FINAL DELIVERY OR UPON RECEIPT OF INVOICE WHICHEVER IS LATER</u></p> <p>SECTION: TRANSPORTATION DIVISION @ 477-5931/35 EXTS. 411/227 MR. RAY SANTOS</p> <p><i>Fred F. - morrico Equipment.</i> "Commonwealth Now" 10/4/07 CW</p>					
Certified Funds Available			Not to exceed the amount below.		
Authorized Certifying Officer					

ORIGINAL

Co-ordinator: Please supply promptly the above articles or services.  
All correspondence pertaining to this order including invoices, shipping documents and packages must bear the Purchase Order number shown above.

See reverse side for billing and shipping instructions.

<b>TOTAL</b> \$920,391.00
<i>for: Pedro F. Santos</i>
SIGNATURE
<b>CLAUDIA S. ACFALLE, CHIEF PROCUREMENT OFFICER</b>
NAME TITLE



**GENERAL SERVICES AGENCY**

(Ahenian Setibision Hinirat)

Government of Guam

P.O. box FG, Agaña, Guam 96910

Tel: 477-8836 - 8 • Telefax: 472-4217

**Accountability • Impartiality • Competence • Openness • Value**

# BID STATUS

Date: OCT 01, 2007

FAR EAST EQUIPMENT CO. LLC  
P.O. BOX 10838  
TAMUNING GUAM 96931

**BID INVITATION NO.:** GSA-PAG-07-006      **OPENED:** 24 AUGUST 2007

**DESCRIPTION:** 5(EA.) 11,000lbs 2(EA) 16,000lbs 1(EA) 20,000lbs 1(EA) 40,000lbs  
FORK LIFT TRUCKS

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 amount submitted; as required by Section 11 of the General Terms and Conditions;
- Not meeting the delivery requirement as stated in the IFB;
- Non-conformance with the specifications; For Option 1.
- Inability to provide future maintenance and services to the equipment;
- High price; or For Option 2.
- Others:
  - 1. Did not meet minimum horsepower requirements. Minimum horsepower required as per specifications 230hp-Far East 220hp
  - 2. Did not meet fork dimensions. As per specification Length of for 96" Far East 47".

**Bid is recommended for award to:**

MORRICO EQUIPMENT LLC IN THE TOTAL AMOUNT OF 920,391.00.

**REMARKS:**

**THANK YOU FOR PARTICIPATING IN THIS BID. PLEASE HAVE YOUR AUTHORIZED REPRESENTATIVE COME BY OUR OFFICE TO PICK UP THE ORIGINAL BID STATUS AND BID GUARANTEE DEPOSIT. SI YU'US MA'ASE**

received: 10-8-2007  
Time: 10:22 AM  
*[Handwritten signature]*  
John S. ...

PSN for: Pedro F. San Nicolas  
**CLAUDIA S. ACPALLS**  
Chief Procurement Officer





Felix P Camacho  
Governor



# GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)  
Department of Administration  
Government of Guam

Michael W. Cruz,  
Lt. Governor

Lourdes M. Perez  
Director  
Department of Administration

Tel: (671)475-1707 thru 1729/Fax Nos: (671)472-4217/475-1716

148 Route 1 Marine Drive, Piti, Guam 96915

Joseph C. Manibusan  
Deputy Director  
Department of Administration

August 24, 2007

## Memorandum

9/17/07 9:00 AM - PK  
**RECEIVED**

To: General Manager,  
Port Authority of Guam

From: Angel Cruz-Wusstig, Buyer II

Subject: **Approval of Bid Specifications GSA-PAG-07-006 for Purchase of Five (5) 11,000 lbs; Two (2) 16,000 lbs; One (1) 20,000 lbs; One (1) 40,000 lbs FORK TRUCKS**

Hafa Adai! Attached is a copy of specifications submitted by **Far East Equipment Co.,LLc and Morrico Equipment LLC**. Please review and evaluate the specifications provided by the bidders and concur below if all required specifications are met. If the specifications of a bidders is not acceptable, please provide a justification why it is not acceptable. We would appreciate your response no later than **Friday, August 31, 2007** in order for GSA to make an award on this bid, expeditiously.

If you have any questions regarding this matter, please call Angel Cruz-Wusstig, at 475-1708.

PSN for: *Pedro F. San Nicolas*  
Claudia S. Acfalle  
Chief Procurement Officer

Meets Specifications

*DPB 85-17SEP07*

Non-Compliance of Specifications

*Sept 17, 07*  
*9/17/07*  
*9/17/07*

Remarks: DELETE TWO(2) 16,000 LBS AND INCREASE 20,000 LBS TO THREE(3) UNITS.

Non-Compliance of Specifications   
Far East Equipment Co.,LLC does not meet specifications for line item 1.4 Option 1. please see attached justifications.

*K. Tagawa*  
CONCURRED BY:  
Kenneth Tagawa  
General Manager, Port Authority of Guam  
Joaquin Cruz, Deputy General Manager, Port Authority of Guam