

CARLSMITH BALL LLP

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Attorneys for Interested Party
Orion Construction Corporation (Guam)

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS
DATE: 11/22/2013
TIME: 4:25 AM PM BY: M.B.
FILE NO OPA-PA: 13-013

IN THE OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEAL

IN THE APPEAL OF
G4S SECURITY SYSTEMS (GUAM) INC.,
Appellant.

Docket No. OPA-PA-13-013

**ORION CONSTRUCTION
CORPORATION (GUAM)'S EXHIBIT
LIST**

Party-in-Interest Orion Construction Corporation (Guam) hereby lists the following Exhibits which may be used at the hearing.

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
1.	General Instructions to Bidders
2.	Abstract of Bidders
3.	Amendment #2 - Questions and Answers
4.	Bid Clarification #2 - Questions and Answers

Orion reserves the right to add additional exhibits necessary for rebuttal, any exhibit listed by any other party, and any document disclosed in the procurement record.

ORIGINAL

DATED: Hagåtña, Guam, November 22, 2013.

CARLSMITH BALL LLP

Elyze Iriarte

ELYZE M. IRIARTE

Attorneys for Party-in-Interest

Orion Construction Corporation (Guam)

EXHIBIT 1

**DESIGN BUILD
FIRE ALARM SYSTEM UPGRADE/REPLACEMENT
AND FIRE SUPPRESSION/SPRINKLER SYSTEM
REPAIR FOR SOUTHERN HIGH SCHOOL**



INVITATION FOR BID

IFB No. 032-2013

Guam Department of Education

Supply Management Office
Manuel F.L. Guerrero Administration Building, 2nd Floor
312 Aspinall Avenue
Hagåtña, Guam 96910
T: +1 (671) 475-0438 / +1 (671) 300-1581
F: +1 (671) 472-5001
www.gdoe.net

A handwritten signature in black ink, appearing to read "Marqus Y. Pido".

MARQUS Y. PIDO

Supply Management Administrator

INVITATION FOR BID (IFB) TIMELINE

<u>DATE</u>	<u>ACTIVITY</u>	<u>TIME</u>
Friday, September 06, 2013	Bid Issuance	
Monday, September 09, 2013	Mandatory Pre-Bid Conference & Site Visit	1:30 P.M. CHAMORRO STANDARD TIME (ChST)
Wednesday, September 11, 2013	Bid Questions Submission Deadline	4:00 P.M. CHAMORRO STANDARD TIME (ChST)
Friday, September 13, 2013	Bid Question Published Response	5:00 P.M. CHAMORRO STANDARD TIME (ChST)
Monday, September 16, 2013	Bid Submission Deadline	10:00 A.M. CHAMORRO STANDARD TIME (ChST)

Section 1 – PROJECT DESCRIPTION

1.1 – PROJECT TITLE

DESIGN BUILD: FIRE ALARM SYSTEM UPGRADE/REPLACEMENT AND FIRE SUPPRESSION/SPRINKLER SYSTEM REPAIR FOR SOUTHERN HIGH SCHOOL

GDOE IFB No. 032-2013

1.1.1 – PROJECT SCOPE & INTENT

The Guam Department of Education (GDOE) is soliciting a qualified firm for the Design Build upgrade/replacement of the fire alarm system and the repair and certification of the existing Fire Sprinkler System at Southern High School (excluding the Gymnasium and Fine Arts Buildings). It is the responsibility of the Contractor to verify all existing equipment, conditions, testing and repairs, replacement and adjustments for the proper operation and function of the identified fire alarm system and fire sprinkler system. The upgrade/replacement of the fire alarm and the repair of the existing sprinkler systems will be done to such standards as to meet any requirements for the use and occupancy of the Project site in accordance with applicable code, permit or certificate requirements and applicable provisions of;

1. IBC/IFC (2009) as adopted by Government of Guam
2. latest edition of National Electrical Code (2011)
3. National Fire Alarm and Signaling Code: NFPA 72 (2013).
4. The Guam Fire Department Fire Prevention Bureau

Contractor/designer must submit the fire alarm design for approval and permitting with the Government of Guam Department of Public Works and Guam Fire Department Fire Prevention Bureau as the Agency Having Jurisdiction (AHJ) and its adoption of IBC 2009 & IFC 2009. Contractor/designer must provide additional labor and materials to comply with the Department of Public Works and Guam Fire Department findings and requirements during inspection and testing at no additional cost to the Government.

1.1.2 –PROJECT DESCRIPTION

Provide all necessary labor, material, transportation, supervision, equipment, field investigation, shop drawings, certification, permits, architectural and engineering design services (if applicable), and other incidental work required for this project. Other incidental work required includes any and all items and considerations necessary to insure a complete and usable final product, including, but not limited to the necessary design and construction considerations not specifically stated elsewhere. Complete and usable final product means that the completed final product can be used to fully satisfy the requirements and the intended purpose of the project including all requirements for the issuance of necessary use and occupancy permits.

Bidders are responsible for inspecting the project site in accordance with the instructions in this IFB and other instructions as may be issued by GDOE. Bidders will be presumed to have inspected the project site and to have read and to be thoroughly familiar with the scope of work intent. The failure of any bidder to inspect the project site or examine the intention of the project scope of work and documents shall not relieve a bidder from any obligation with respect to his bid.

Project Work shall include, but not be limited to the following:

1. Fire Alarm System:

- A. Restore and/or repair by replacement of the fire alarm system to a full operating condition which is ready for immediate use. It shall include but not limited to, repair, replacement (removal), adjustment, furnish,

Installation, testing of fire alarm and emergency evacuation systems. Note: Fine Arts and Gymnasium are excluded from the installation, however must be interfaced to the new installation.

- B. Provide power wiring for electrically-operated fire alarm equipment and appliances.
- C. Provide and install new intelligent addressable Fire Alarm/Mass Notification System complete with all new appliances, conduits, wiring, etc.
- D. Provide programming.
- E. Tie-in of Fire Alarm System to Fire Suppression/Sprinkler System.
- F. Tie-in Interface of existing Kitchen Hood Chemical Fire Suppression System (Ansul/Halon) at the cafeteria to include certification. Verify additional locations.
- G. Tie-In Interface to all existing elevators (Gym and Fine Arts Building Excluded)
- H. Interface with existing fire alarm systems located in the Fine Arts Auditorium and Gymnasium.
- I. System Certification.

2. Fire Sprinkler / Suppression System (Fine Arts and Gymnasium Excluded):

Restore by repairing existing fire sprinkler system as necessary for full operational condition.

- A. Replace worn out/leaking Sprinkler heads, replace flow switches, repair mechanical/motorized and or manual control valves, and gauges, replace if necessary.
- B. Replace missing Fire Department Connection Standpipe Plugs and other components.
- C. Tie-in of Fire Suppression/Sprinkler System to Fire Alarm System.
- D. System Certification.

3. Overall Fire Alarm and Fire Suppression requirements:

- A. All upgrades shall meet applicable IBC/IFC/NEC/NFPA provisions listed above under the project scope and intent.
- B. **Specialized License Conditions:** The Prime Contractor or its Sub-Contractor or a combination of both must possess a C13 Electrical, C19 Fire & Burglar Alarm, and C20 Fire Protection specialized license from the Guam Contractor's Licensing Board.
- C. Include in the bid and pay for the permits, inspection fees and deliver the certificate of final inspection to DOE.
- D. Preparation of Shop Drawings for the proposed work outlined on the Scope of Work. Review and approval of construction documents and/or shop drawings by DOE will be required prior to start of construction.
- E. Field investigation and verification of quantity and location of all existing equipment, field data necessary for the preparation of shop drawings, including but not limited to room layouts, dimensions and affected/associated electrical equipment and apparatus.
- F. Testing
- G. As-built drawings, reproducible (1 full-size paper copy & 3 duplicate CDs with CAD and pdf digital plans)
- H. Demolition work
- I. Warranty: Contractor will provide and administer the manufacturers' parts, material, labor and equipment warranty for a "minimum of one (1) year" or greater if offered by manufacturer. The Contractor will also warrant installations for a minimum of one (1) year upon final acceptance. Contractor shall warrant all workmanship including parts, materials, and equipment free from defects.
- J. Owner training.
- K. (3) sets of Operations and Maintenance Manuals (tabbed, organized, 3-ring binders)
- L. Include all touch up of marred surfaces, painting to match adjacent finishes, paint conduits, patch/caulk/seal all openings of through penetrations (for the demo of the existing systems and installation of new systems).
- M. No penetrations will be allowed through window openings or door jambs.

1.1.3 – PERSON(S) RESPONSIBLE FOR DRAFTING OF SPECIFICATIONS IS/ARE:

Randy P. Romero, PC IV, Capital Improvement Projects

Rodrigo Traya, PC III, Capital Improvement Projects

1.2 – ALL OR NONE BID

This solicitation is an ALL OR NONE BID and bids will be evaluated based on the lump sum price required in the bid form for this IFB. GDOE will not make itemized awards under this IFB. Requests for itemized pricing may be made by GDOE for the purpose of establishing unit prices for change orders that may be made to the Project. Alternate or multiple bids will not be accepted. Any bidder submitting alternate, multiple, or otherwise altered bid forms may be deemed non-responsive and disqualified from this solicitation.

NOTE: It should be noted by prospective bidders that there are NO As-built drawings for the existing conditions of both Fire Alarm System (FAS) and Fire Sprinkler System. It is the responsibility of the prospective bidder to verify the existing condition of both systems.

Section 2 - GENERAL INSTRUCTIONS

Bid submissions that do not comply with the instructions contained in this section and throughout this IFB may, at the discretion of GDOE, be deemed non-responsive and disqualified from this solicitation.

2.1 – COMMUNICATION REGARDING THE IFB

ANY CORRESPONDENCE OR COMMUNICATION BY A POTENTIAL BIDDER WITH GDOE MUST BE MADE IN WRITING VIA EMAIL AT aggarcia@gdoe.net OR BY FACSIMILE AT 671-472-5001 OR BY HAND DELIVERY AT THE GDOE SUPPLY MANAGEMENT OFFICE. ALL WRITTEN COMMUNICATIONS MUST REFERENCE IFB 032-2013 IN THE SUBJECT OR REFERENCE LINE.

2.2 – ACCEPTABLE FORMAT OF BIDS

Bids must be made in writing and on the bid forms contained in this IFB. For each bid, bidders should submit one (1) original copy and one (1) duplicate copy for a total of two (2) documents. Bidders should also submit one (1) compact disc (CD) containing electronic copies of the bid submittal. The bid should be submitted in a sealed envelope and delivered to the address listed in **Section 2.2.4.**

The bid envelope should be plainly marked as follows:

<p>The Guam Department of Education Invitation For Bid No. <u>032-2013</u></p> <p>Bidder's Name: _____ Submittal Date: __/__/____ Submittal Time: __:__ a.m./p.m.</p> <p>Attention: Albert Garcia Buyer Supervisor II</p>

2.3 – TIME AND DATE FOR RECEIPT OF BIDS

Bids in response to this IFB must be received by GDOE by:

TIME: 10:00 A.M. Chamorro Standard Time (ChST)
DATE: Monday, September 16, 2013

The GDOE Supply Management Office Maintains the Official time in this regard. Bids may be submitted any time before the deadline for receipt of bids.

If delivered via hand delivery, Federal Express, DHL, or other courier service, bids must be delivered to the following physical address:

PHYSICAL ADDRESS: Guam Department of Education, Supply Management Office
Re: IFB No. 032-2013
Manuel F.L. Guerrero Administration Building, 2nd Fl., Rm. 220
312 Asplnall Avenue
Hagatna, Guam 96910

If delivered via the United States Postal Service, bids must be delivered to the following mailing address:

MAILING ADDRESS: Guam Department of Education, Supply Management Office
Re: IFB No. 032-2013
Government of Guam
P.O. Box DE
Hagatna, Guam 96932

2.4 – BID SUBMISSION FORM

All bids must be submitted in the format of the Bid Form included with this IFB. Bids submitted in any other format will be deemed non-responsive and disqualified from participation in this solicitation.

2.5 – ALTERNATE BIDS NOT ACCEPTED

An alternate bid will not be accepted. A submission of an alternate bid will be considered nonresponsive and disqualified from participating in this solicitation.

2.6 – LATE BIDS NOT ACCEPTED

Bids received after the time and date in Section 2.3 – Time and Date for Receipt of Bids will be considered nonresponsive and disqualified from participating in this solicitation.

2.7 – TRADE SECRETS AND OTHER PROPRIETARY DATA

If a bidder wishes to designate information within a bid as a trade secret or other proprietary information, the bidder must submit GDOE Procurement Form 004 with the bid.

Blanket designations of confidentiality placed on the front cover of a bid will not be accepted as a valid designation of proprietary information. Every item, page, section or subsection that the Bidder wishes to designate as a trade secret or proprietary data should be clearly marked and separable from the remainder of the bid.

Prices and 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.

2.8 – ACKNOWLEDGEMENT OF AMENDMENTS TO IFB

This IFB may not be modified unless done by an Amendment made in writing by the GDOE Supply Management Administrator. Bidders must acknowledge in writing the receipt of any amendments to this IFB. Each amendment will contain an Amendment Acknowledgement Form. For each amendment, bidders must sign the Acknowledgment Form and return the signed copy via e-mail or fax to GDOE. Signed Acknowledgment Forms for every amendment must also be included with the bid submission. **Bidders who fail to properly submit Amendment Acknowledgment Forms may be deemed nonresponsive and disqualified from participating in this solicitation.**

2.9 – PRE-BID CONFERENCE

A **Mandatory** Pre-Bid Conference and Site Visit will be conducted in accordance with 2 GAR § 3109(g)(4) Pre-Bid Conferences, and will be held at:

DATE: Monday, September 09, 2013
TIME: 1:30 p.m. Chamorro Standard Time (ChST)
PLACE: SOUTHERN HIGH SCHOOL

Potential bidders must be in attendance no later than the designated TIME listed in this section. Potential bidders must also be in attendance for the entire time of the pre-bid conference and for the entire time of the site visit. The Pre-Bid Conference and Site Visit will be officially adjourned upon completion. Any bidder attempting to enter the pre-bid conference later than the designated TIME will be excluded from bidding. Any bidder leaving early from the pre-bid conference or from the site visit will be excluded from bidding.

Any verbal information provided at a pre-bid conference or site visit shall not change the requirements of the IFB or amendments. Questions asked at a pre-bid conference or site visit will not be considered as officially received by GDOE. In order to receive an official response from GDOE, all questions must be submitted in writing in accordance with Section 2.9 Pre-Bid Written Questions.

Pre-Bid conferences, as appropriate, may be conducted in accordance with 2 GAR Div 4 §3109(g)(4). Such a conference may be held at any time prior to the established date for submission of bids.

2.10 – PRE-BID WRITTEN QUESTIONS

Potential bidders may submit written questions concerning this IFB before the time and date listed below. Questions must be submitted in writing according to the instructions contained in 2.1 – COMMUNICATION REGARDING THE IFB. All questions and responses will be made available in writing to every potential bidder. Questions submitted after the time and date below will not be considered or answered.

Questions regarding this IFB must be received in writing by GDOE by:

TIME: 4:00 PM Chamorro Standard Time (ChST)

DATE: Wednesday, September 11, 2013

2.11 – AWARD

EVALUATION FACTORS FOR AWARD

Determination of an award pursuant to this IFB will be made based on the **lowest responsive and responsible bidder**. GDOE reserves the right to disqualify bids that are deemed to be nonresponsive, regardless of whether the bid is determined to contain the lowest price.

In determining the lowest responsive bidder, GDOE will be guided by the following evaluation factors:

- Price of overall performance and delivery of the work proposed in response to this IFB.
- Responsiveness to the requirements of this IFB.

Tie Bids: In the event GDOE receives lowest responsive bids from responsible bidders that are identical in price, determination of award will be made pursuant to 2 GAR Div 4 §3109.

EXECUTION OF AWARD

Any award pursuant to this IFB will not be complete until an agreement for the scope of work and the project is fully executed by the selected Bidder, GDOE, and other required parties. A sample agreement is included in this IFB as ATTACHMENT B. GDOE reserves the right to alter the sample agreement as allowed by applicable law or regulation.

2.12 - DETERMINATION OF RESPONSIBILITY

Responsibility of a bidder will be determined in accordance with 2 GAR Div. 4 §3116. Bidders should be prepared to promptly provide to GDOE information relating to the bidder's responsibility. Such information may include but is not limited to documentation of financial, personnel, and other resources; expertise; or records of performance. Failure of a bidder to comply with a request by GDOE for information relating to responsibility may result in a determination that a bidder is not responsible and therefore disqualified from an award.

Pursuant to 5 GCA §5201(g), responsiveness of a bidder will be determined by compliance with the requirements of this IFB.

In addition to the information described above, bidder responsibility may be determined by the following:

- a. Record of past performance and capability of the prime contractor, supervisory personnel, and major subcontractors and suppliers.
- b. Bidder's experience and record of timely completion on similar projects with similar scopes of work.
- c. Availability of and ability to obtain plant, machinery and other equipment necessary for the Project.
- d. Record of previous owner-contractor relationships.

2.13 – NOTICE OF AWARD

The lowest responsive and responsible bidder will be given written notice of intent to award. For solicitations over \$25,000 all bidders will be notified in writing of GDOE's determination of award. Notice of award will also be made a part of the GDOE procurement file and made available to the public.

2.14 – DELIVERY AND PERFORMANCE SCHEDULE

Upon execution of a contract pursuant to this IFB and issuance of any necessary permits or other required documents, GDOE will issue a Notice to Proceed (NTP). **The Project shall be completed within TWO HUNDRED SEVENTY (270) calendar days from Notice to Proceed (NTP).**

The selected contractor, on GDOE's written approval, may execute any work that is not disruptive to the daily operation of the school, or does not impose a safety hazard to the students and school faculty during regular instructional hours. Work that is disruptive to the daily operation of the school, and/or imposes a safety hazard to the students and school faculty must be executed outside regular instructional hours, i.e. weekends, and holidays and on any weekday school is not in session. The contractor will be responsible for returning the site to a clean, safe and secure condition before students and school faculty arrive for the next scheduled school session.

2.15 – PROGRESS PAYMENTS THROUGH SCHEDULE OF VALUES

Payments for services procured through this IFB will be made by progress payments through the submission of a schedule of values. As the work progresses and upon satisfactory completion of project tasks as outlined in the schedule of values, progress payments will be made accordingly.

2.16 – INSPECTION AND ACCEPTANCE OF CONSTRUCTION/GOODS

GDOE may inspect and test all work on the Project. GDOE reserves the right to reject and, at its discretion, require replacement of those items that are determined to be defective in material, construction, workmanship, manufacturing, or performance and/or that do not conform to the specifications described in this IFB. No work will be accepted unless the permits, licenses, or certificates required for the occupancy and use of the Project site have been provided to GDOE.

EXHIBIT 2

EXHIBIT 2

Number of Solicitation		Guam Department of Education Office of Supply Management Government of Guam		Bid Number									
6				GDOE IFB 032-2013									
Number of Bids Received:		Closing Date:		Time:									
		MONDAY, 9/16/13		10:00A.M.									
Description of Supplies or Services: DESIGN BUILD FOR SOUTHERN HIGH SCHOOL													
BIDDER(S)	Acceptance Time	Delivery Acceptance	Delivery Specified	A	B	C	D	E	F	Item No.	QTY	Item Description	AGGREGATE
Duron Const. Corp	0921			✓	✓	✓	✓	✓	✓	1		FIRE ALARM SYSTEM UPGRADE/REPLACEMENT	
GDOE PROCUREMENT FORM 001: (V1507)	09/16/13			✓	✓	✓	✓	✓	✓	2		FIRE SUPPRESSION SPRINKLER SYSTEM REPAIR	\$499,980
GDOE PROCUREMENT FORM 002: (V06-1r2)													
GDOE PROCUREMENT FORM 004: (V144 2)													
G4S Security Systems	0841			✓	✓	✓	✓	✓	✓				
GDOE PROCUREMENT FORM 001: (V1507)	Rejected:												
GDOE PROCUREMENT FORM 002: (V166-1)	None subm. Hw												
GDOE PROCUREMENT FORM 004: (V1)	Clarification 2/Answer 2												
GDOE PROCUREMENT FORM 001: ()													
GDOE PROCUREMENT FORM 002: ()													
GDOE PROCUREMENT FORM 004: ()													

I hereby certify that all BIDS received in response to this BID were opened under my personal supervision and that the same as of all bidders have been entered hereon

DATE: 9/16/13

(Signature)

DATE: 9/16/13

Signature: [Handwritten Signature]

Signature: [Handwritten Signature]

Signature: [Handwritten Signature]

LEGEND(S)

(A) AFFIDAVIT DISCLOSING OWNERSHIP AND COMMISSIONS

(B) AFFIDAVIT re NON-COLLUSION

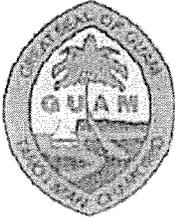
(C) AFFIDAVIT re GRATUITIES or KICKBACKS

(D) AFFIDAVIT re ETHICAL STANDARDS

(E) DECLARATION re COMPLIANCE WITH U.S. DOL WAGE DETERMINATION

(F) AFFIDAVIT re CONTINGENT FEES

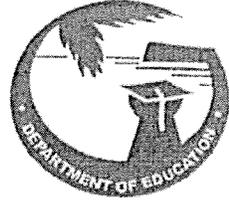
EXHIBIT 3



Jon J. P. Fernandez
Superintendent of Education

DEPARTMENT OF EDUCATION
OFFICE OF SUPPLY MANAGEMENT

www.gdoe.net
Manuel F.L. Guerrero Administration Building
2nd Floor, Suite B-220
Hagatna, Guam 96910
Telephone: (671) 475-0438/Fax: (671) 472-5001



Marcus Y. Pido
Supply Management Administrator

Date: September 11, 2013

Please review the attached documents. (All amendments can be reviewed on our website) Please sign this acknowledgement page and return only this signed page via fax (671) 472-5001 or e-mail to: aggarcia@gdoe.net.

I, Niña Sandy S. Carlos, an authorized representative of the company named below, acknowledge receipt of **AMENDMENT #2**. Number of pages received (including this coversheet) 3 for IFB/RFP: GDOE IFB 032-2013, Title: **DESIGN BUILD FIRE ALARM SYSTEM UPGRADE/REPLACEMENT AND FIRE SUPPRESSION/SPRINKLER SYSTEM REPAIR FOR SOUTHERN HIGH SCHOOL**

AMENDMENT ACKNOWLEDGEMENT FORM

Orion Construction Corporation (Guam)
Company Name (Print)

Niña Sandy S. Carlos
Print Name

[Handwritten Signature]
Signature

09/12/2013 11:11 A.M.
Time and Date

IFB/RFP 032-2013

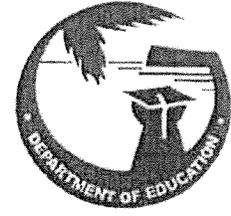
Title: **DESIGN BUILD FIRE ALARM SYSTEM UPGRADE/REPLACEMENT AND FIRE SUPPRESSION/SPRINKLER SYSTEM REPAIR FOR SOUTHERN HIGH SCHOOL**



JON J. P. FERNANDEZ
Superintendent of Education

**OFFICE OF SUPPLY MANAGEMENT
GUAM DEPARTMENT OF EDUCATION**

*Manuel F.L. Guerrero Administration Building
2nd. Floor, Suite B-220
Hagåtña, Guam 96910
Telephone: (671) 300-1581
Fax: (671) 472-5001*



MARCUS Y. PIDO
Supply Management Administrator

AMENDMENT NO. 2

September 11, 2013

Gentlemen:

Please refer to our Invitation for Bid No. **GDOE IFB 032-2013, DESIGN BUILD FIRE ALARM SYSTEM UPGRADE/REPLACEMENT AND FIRE SUPPRESSION/SPRINKLER SYSTEM REPAIR FOR SOUTHERN HIGH SCHOOL** a copy of which was issued to your company for consideration.

Please make necessary change (s) specified below:

Questions submitted by G45 on September 10, 2013:

Question: 1. Given the short time for this bid, as built Drawings or Floor plans on the entire campus layout, is essential in producing accurate estimates and designs. Can we have these drawing right away?

Response: Floor plans and some electrical drawings are being provided, however, the accuracy of the drawings provided is unknown. It is the Bidder's responsibility to verify all existing conditions and prepare their bids accordingly. (Reference purposes only)- **See E-Mail dated September 11, 2013.**

Question: 2. Can we extend Deadline for Questions to Thursday to allow time for site walk thru to be inclusive in questionnaire?

Response: Deadline for questions is extended to Thursday, 9/12/13 at 4:00 PM.

Question: 3. Some parts for the existing fire alarm system does not meet fire code. If some of the existing system is to be used for the new system, the conduit for example, are we required to alter the structure to adjust the existing Strobe and Pull stations location so that it meets code?

Response: The new Fire Alarm System must meet current fire code.

Question: 4. The fire alarm wires that will be removed, are we to dispose of it or give to GDOE?

Response: Remove, Dispose and Replace (with new wire) all existing fire alarm wiring.

Question: 5. Will GDOE and School principals approve Outside Classroom works between 8 am and 2:45 pm, and inside classroom work begin 3pm and 9pm?

Response: Work outside the classrooms will be allowed from 8:00AM to 2:45 PM only if it is non-disruptive to the classroom operation (i.e., no drilling, banging, loud noises, etc.).

Question: 6. Will GDOE and School principals Allow/guarantee access to school for Fire alarm work on Saturdays, Sundays, and Holidays between 8am and 5pm?

Response: Contractor will be allowed/granted access t work on weekends and holidays (excluding some major holidays, i.e., Christmas, Thanksgiving, Easter, etc.) with a request to the school administration at least 48 hours in advance.

Question: No Question. N/A (skipped a number).

Question: 8. Sometimes the Authority Having Jurisdiction will require additional work outside of the approved plans during their inspection, will this additional work if any constitute additional work under change order?

Response: The project is a Design/Build, therefore the Contractor will be responsible for meeting all requirements of the AHJ at no additional cost to the Owner.

All else remains same.

Sincerely,



MARCUS Y. PIDO

Supply Management Administrator

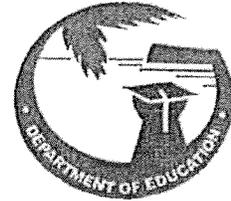
EXHIBIT 4



Jon J. P. Fernandez
Superintendent of Education

DEPARTMENT OF EDUCATION
OFFICE OF SUPPLY MANAGEMENT

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2nd Floor, Suite B-220
Hagatna, Guam 96910
Telephone: (671) 475-0438/Fax: (671) 472-5001



Marcus Y. Pido
Supply Management Administrator

Date: September 12, 2013

Please review the attached documents. (All amendments can be reviewed on our website) Please sign **this acknowledgement page** and return only this signed page via fax (671) 472-5001 or e-mail to: aggarcia@gdoe.net.

I, Niña Sandy C. Herania, an authorized representative of the company named below, acknowledge receipt of **CLARIFICATION #2**. Number of pages received (including this coversheet) 3 for IFB/RFP: **GDOE IFB 032-2013**, Title: **DESIGN BUILD FIRE ALARM SYSTEM UPGRADE/REPLACEMENT AND FIRE SUPPRESSION/SPRINKLER SYSTEM REPAIR FOR SOUTHERN HIGH SCHOOL**

AMENDMENT ACKNOWLEDGEMENT FORM

Orion Construction Corp. (Guam)
Company Name (Print)

Niña Sandy C. Herania
Print Name

Signature

09/13/2013 10:13 A.M.
Time and Date

IFB/RFP 032-2013

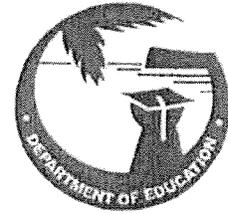
Title: **DESIGN BUILD FIRE ALARM SYSTEM UPGRADE/REPLACEMENT AND FIRE SUPPRESSION/SPRINKLER SYSTEM REPAIR FOR SOUTHERN HIGH SCHOOL**



JON I. P. FERNANDEZ
Superintendent of Education

**OFFICE OF SUPPLY MANAGEMENT
GUAM DEPARTMENT OF EDUCATION**

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MARCUS Y. PIDO
Supply Management Administrator

CLARIFICATION NO. 2

September 12, 2013

Gentlemen:

Please refer to our Invitation for Bid No. **GDOE IFB 032-2013, DESIGN BUILD FIRE ALARM SYSTEM UPGRADE/REPLACEMENT AND FIRE SUPPRESSION/SPRINKLER SYSTEM REPAIR FOR SOUTHERN HIGH SCHOOL** a copy of which was issued to your company for consideration.

Please make necessary change (s) specified below:

Questions submitted by EMB Electrical on September 11, 2013:

Question: 1. The Auditorium Theater has and confirm Standalone FAS Panel how about the Gynasium?

Response: The Gym and Auditorium both have stand-alone fire alarm systems and FACP that will need to be tied into the main campus system and FACP.

Question: 2. Is it all Elevator in good condition ?if not how is the procedure if the new design required to install elevator devices inside top of Elevator as per new GFD requirement Is it the owner obligation to fix the elevator to complete the new FAS Design?

Response: The elevators in Buildings 2 & 3 are not operational and are beyond repair. Therefore, the Contractor will not be required to install devices within these elevator shafts.

Questions submitted by G4S on September 11, 2013:

Question: Item C, under Fire alarm system on page 4 states, "Provide and install new intelligent addressable Fire alarm/Mass Notification System complete with all new appliances, conduits, wiring etc."

During the Pre-Bid Conference this past Monday, a question was asked about whether existing conduit can be used. The answer was yes.

Can existing Fire Alarm Conduit be use, and thereby saving the Government a lot of money?

Response: Existing conduits may be used, at the Contractor's discretion, as long as the existing conduit meets all current code requirements.

Questions submitted by Orion Construction on September 11, 2013:

Question: Are drawings designed and stamped by a Professional Electrical Engineer acceptable for required Building Permit Application?

Response: Refer to the AHJ for requirements to obtain a Building Permit.

Question: We refer you to Section 4-Forms Required for all Solicitations: Are we to complete and submit with our bid "GDOE Procurement Form 003 Performance Bond" and "GDOE Procurement Form 005 Labor and Material Payment Bond"?

Response: The Performance Bond and Labor and Material Payment Bonds are not required with the Bid Submission, these are for information only and will only be required of the awarded contractor. A Bid Bond is required with the Bid Submission.

Question: Request Bid Submission Date be extended for 1-week due to time required in conducting site investigation of existing school complex, preparation of initial design and requesting for quotations from various suppliers for the equipment and devices.

Response: The Bid Submission Date will not be extended.
All else remains same.

Sincerely,



MARCUS Y. PIDO

Supply Management Administrator