

**RECEIVED**  
OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEALS

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DATE: 07/10/14  
TIME: 3:20  AM  PM BY: JS  
FILE NO OPA-PA: 14-007

7  
8 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**  
9 **GOVERNMENT OF GUAM**

10 IN THE APPEAL OF :  
11  
12 PACIFIC DATA SYSTEMS, INC.  
13  
14 Appellant.

CASE NO: OPA-PA 14-007

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**GUAM VISITORS BUREAU**

**AGENCY REPORT**

FISHER & ASSOCIATES



Minakshi V. Hemlani, Esq.  
Counsel for GVB

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CASE NO: OPA-PA 14-007

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**AGENCY REPORT – INDEX**

12 Appellant.

13 **COMES NOW** the Guam Visitors Bureau, by and through counsel of record Fisher &  
14 Associates, and submits its agency procurement record. This record is submitted pursuant to 2 Guam  
15 Admin. R. & Regs. 12105.

16 **INDEX**

17 **Tab**

- 18 I. A copy of the protest. **A**
- 19 II. A copy of the bid or offer submitted by the Appellant.  
20 - *See Agency Report at Tab B filed in OPA-PA-14-003 on May 1, 2014*
- 21 III. A copy of the bid or offer that has been awarded.  
22 - *See Agency Report at Tab C filed in OPA-PA-14-003 on May 1, 2014*
- 23 IV. A copy of all other bids or offers.  
24 - *See Agency Report at Tab D filed in OPA-PA-14-003 on May 1, 2014*
- 25 V. A copy of the solicitation.  
26 - *See Agency Report at Tab E filed in OPA-PA-14-003 on May 1, 2014*
- 27 VI. A copy of the abstract of bids or offers.  
28 - *See Agency Report at Tab F filed in OPA-PA-14-003 on May 1, 2014*

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- VII. Any other documents which are relevant to the protest including the contract if one has been awarded.  
- *See Agency Report at Tab G filed in OPA-PA-14-003 on May 1, 2014*
- VIII. The decision from which the Appeal is taken. **B**
- IX. A statement answering the allegation of the Appeal. **C**
- X. If the award was made after receipt of the protest, the determination required under 2 GAR §9101(e).  
- *Not applicable.*
- XI. A statement indicating whether the matter is the subject of a court proceeding. **D**

**TAB A**

A copy of the protest.

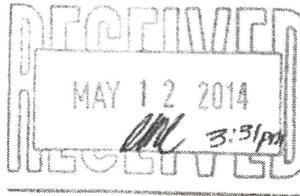
*Attached herewith.*



May 12, 2014

via Hand Delivery

Mr. Karl Pangelinan  
General Manager  
Guam Visitors Bureau (GVB)  
401 Pale San Vitores Road  
Tumon, GU 96913



**Re: Protest by Pacific Data Systems of GVB's Award Decision to G4S Security in Procurement GVB-2014-002MS**

Dear Mr. Pangelinan:

This is a Protest by Pacific Data Systems ("PDS") reference 5 G.C.A. § 5425(a) to the award decision made by Guam Visitor's Bureau ("GVB") in the above referenced bid and evidenced by the GVB Notice of Award letter issued to G4S Security ("G4S") by GVB on February 27, 2014 (a copy of the Notice of Award is attached hereto as Exhibit "A"). This timely protest is based information contained within the Agency Report provided to the Office of Public Accountability (OPA) by GVB in the pending OPA Procurement Appeal 14-003 on May 1, 2014.

PDS' protest of GVB's actions in this procurement is based upon our finding that the GVB award to G4S has violated 5 G.C.A. § 5211(g). The G4S bid did not meet "the requirements and criteria set forth in the Invitation for Bids" and for this reason G4S was not a Responsive Bidder as defined by 5 G.C.A. § 5201(g). Also, since G4S did not submit a bid "which conforms in all material respects to the Invitation for Bids", all the more reason why G4S was not a "Responsive Bidder" as defined under the law.

Any proper evaluation of the G4S Technical Bid by GVB could only have lead to the G4S bid being rejected by GVB as non-responsive. The following summary of points gleaned from the G4S Technical bid contained in the OPA-PA-14-003 Agency Report provides a clear and indisputable showing that the G4S bid did not meet critical requirements of the IFB specifications:

1. The video cameras included in the G4S recommendations (G4S Model GSD36NVW and Model GCD705N-VWU, datasheets attached as Exhibit B) fail to meet the requirement to provide both video and audio surveillance capabilities at each of the camera locations. As specified in the following IFB references:



- IFB page 22 A. INTENT OF MULTI-STEP BID NO. GVB-2014-002MS SPECIFICATIONS second paragraph states "The Multi-Step Bid's Specifications cover the required equipment, cabling, and other work related to installing a high-quality video and audio recording and surveillance system designed to effectively monitor key locations within the Tumon area." (emphasis added)
- IFB page 47 B.3 INTENT OF SPECIFICATIONS second paragraph states "The Multi-Step Bid's Specifications cover the required equipment, cabling, and other work related to installing a high-quality video and audio recording and surveillance system designed to effectively monitor key locations within the Tumon area." (emphasis added)

The cameras recommended by G4S are based on analog technology and do not provided any audio capabilities (no microphone for recording audio from the camera location). This is a serious deficiency of the G4S Technical Bid which was either overlooked or ignored by GVB in its technical evaluation of the G4S Bid. A proper evaluation could only have determined that this part of the G4S Technical Bid **DID NOT MEET** the "requirements and criteria set forth in the Invitation for Bids" (ref. 5 G.C.A. § 5211(g)) and was therefore not a responsive bid. This singular determination should have lead to the outright rejection of the G4S bid.

2. The 24x7 CCTV monitoring and operations service to be provided by G4S do not meet the requirement for these services to be performed at the GPD Frankie Smith Tumon Police Precinct and that they be performed by dedicated personnel. Please note the following relevant IFB requirements references.
  - Page 28 I. Background, at the second paragraph which states "The Guam Police Department (GPD) Frankie Smith Precinct located in Tumon will be the central monitoring control facility...".
  - Page 29 III. Phase I: Assessment and Refurbishment of Existing Tumon CCTV Surveillance System, at first paragraph which states "featuring on-site control and recording equipment at the Frankie Smith Precinct in Tumon...".
  - Page 30 VII. Monitoring Control Center - 24 Hours a Day; 7 Days a Week (24/7), first two sentences of the first paragraph "The CCTV system is intended to provide intelligent video assessment of questionable activities, with monitoring of these activities primarily at the Frankie Smith Precinct in Tumon. On-Site personnel may view non-alarm related video as they wish, sequentially, at



random, or in a single screen multiple camera display, at the current security console."

- Page 30 VII. Monitoring Control Center – 24 Hours a Day; 7 Days a Week (24/7), at paragraph five "CCTV Surveillance System Monitoring 24/7: This need requires an actual person to be physically present at the central security system network console to ensure that all installed (existing and new) CCTV cameras are functioning properly, monitoring and recording the land area it was designated to cover."
- Page 30 VII. Monitoring Control Center – 24 Hours a Day; 7 Days a Week (24/7), at paragraph seven "The 24/7 CCTV Surveillance System Monitor's duties shall include but not limited to the operation of the CCTV Surveillance System cameras, communications links, maintaining the operational status of all installed CCTV cameras, receive incoming calls for assistance and dispatching personnel to the scene of an emergency. The System Monitor must be technically trained to operate the CCTV equipment..."
- Page 31 X. Equipment Locations at 3. "The location of the on-site recording equipment and operator's controls shall be located at the Frankie Smith Precinct in Tumon."

(emphasis added above)

The G4S Technical Bid was based on performing the required 24x7 monitoring and operating services from almost 5 miles away in the G4S National Control Center (NCC) using existing NCC personnel, and NOT by dedicated personnel located at the GPD Frankie Smith Precinct at Tumon Bay. Exhibit C from page 47 of the G4S Technical Bid Project Plan clearly states how G4S will provide these services. This is a serious deficiency of the G4S Technical Bid was either overlooked or ignored by the GVB technical evaluation. Any proper evaluation should have determined that this part of the G4S Technical Bid **DID NOT MEET** the "*requirements and criteria set forth in the Invitation for Bids*" (ref. 5 G.C.A. § 5211(g)) and was therefore not a responsive bid. This singular determination should have lead to the outright rejection of the G4S bid.

3. The G4S Technical Bid was based on the use of an Internet Provider ("ISP") to provide connections to camera locations (please refer to attached Exhibit D for various references from the G4S Technical Bid). However there is no identification of what kind of services would be provided, what entity would provide the



service(s), or the cost of the required services over the defined IFB service period. This is a significant deficiency since the IFB speaks to problems with connections at existing camera locations and requires the Bidder to clearly define a new solution to address these issues via new fiber optic connections, or alternative wireless or broadband connections. The following IFB references clearly demonstrate this.

- Page 29 "IV. Phase 2: Provide New Additional CCTV Surveillance Cameras at Locations Identified by GVB: **The successful bidder shall design the layout, recommend the new additional system equipment, cabling, and required ancilliary accessories for the complete installation of the additional cameras at new sites (Appendix B), specifically the JFK/Kmart Intersection and the Oka Payless Intersection to include monitoring the Sheraton, Santa Fe and Onward Resort areas.**"
- Page 29 VII. Minimum CCTV System Functionality and Capabilities, VII.a: Cameras and Housing at the second paragraph of this section: "Existing **fiber cable should be used to connect the cameras whenever practical and applicable**. The existing wireless cameras, even when operational, did not provide the video quality that was required. **The wireless cameras need to be reconfigured to a wired connection such as fiber or other broadband connection, unless the bidder or offeror submits an alternative solution** will consistently provide the video image quality required by GVB."
- Page 35 A-3.6 Wireless Equipment, "The wireless equipment for transmitting video and data signals should be replaced with hardware/fiber optic cables. The wireless equipment is not as reliable as the hard-wire, for sending video signals. This wireless equipment currently is not working."
- Page 35, A-3.7: Cabling, "With the exception of the coax cabling at the precinct, for the 5 fixed lens cameras, **the existing video cabling system are all single mode fiber. This cabling system will be retained and used, if found defective**, the contractor will have to replace or repair as necessary to achieve a reliable cabling system and will in the warranty period for 5 years."

**(emphasis added above)**

The G4S Technical Bid did not define how the CCTV connections would be reconfigured from wireless for the existing CCTV camera locations and there is no information provided regarding the new camera locations at all. As noted by GVB in the IFB, these connections are critical to the proper operation and performance of



the existing and new CCTV cameras. And, as PDS found in preparing its own Bid, the cost to provide these connections can be very expensive and technically challenging.

Attached as Exhibit E hereto are pages 8-10 of the G4S Technical Bid Project Plan that identifies connections for the existing CCTV camera locations (page 8). In this schedule G4S has defined the new connection to be used to the current wireless locations as "ISP" but has provided no other information regarding the nature of the connection, capacity, or how the connection will be provisioned. Since these locations are on the top of several of Guam's tallest Hotels (PIC and Westin for example), these details are critical to insure that the solution configured by G4S will provide the required performance noted in the IFB specifications.

Exhibit E also contains page 10 of the G4S Technical Bid Project Plan that lists the 15 new CCTV locations identified by GVB in the IFB. However, G4S does not provide any information regarding how these new CCTV cameras will be connected to the GVB CCTV system. Since most of these cameras are located outside of where the existing GVB fiber optic cable is installed (along Tumon Bay Hotel Road), the cost to connect these locations back to the GPD Frankie Smith Precinct on Tumon Bay could be a significant cost to GVB.

G4S' failure to properly document this essential part of their Technical Bid explaining how the configuration of the existing and new CCTV camera connections back to the central monitoring location at the GPD Frankie Smith Precinct on Tumon Bay is a serious deficiency that should have lead to the outright rejection of the G4S bid. Any proper evaluation should have determined that this part of the G4S Technical Bid **DID NOT MEET** the "*requirements and criteria set forth in the Invitation for Bids*" (ref. 5 G.C.A. § 5211(g)) and was therefore not a responsive bid. This singular determination should have lead to the rejection of the G4S bid.

4. The G4S bid failed to provide the required Project Plan as part of the Bidder's Technical Bid that detailed how G4S would provide the design, upgrade, construct, service, repair, assessment, maintenance, monitoring, and signage to meet the requirements of the GVB IFB. Specifically the IFB defined the following requirements:
  - Page 2-57 at the bottom of each page, "Multi-Step Bid No. GVB-2014-002MS ASSESSMENT OF EXISTING CCTV SURVEILLANCE SYSTEM; DESIGN-BUILD-UPGRADE NEW ADDITIONAL CCTV INFRASTRUCTURE MAINTENANCE SERVICES (including Typhoon Preparedness); 24/7 SYSTEM



MONITORING & SECURE ACCESS VIA INTERNET FOR GVB AUTHORIZED OFFICIALS".

- Page 26, GENERAL STATEMENT OF WORK, II. PROJECT DESCRIPTION AND LOCATIONS "The Scope of Work and Services for this project involves the design, upgrade, construct, service, repair, maintenance, and installation of GVB existing CCTV surveillance system. It also includes assessment, evaluation repair, and replacement of existing units prior to installations, site clearing and or grading, fencing, erection of poles plus all other necessary and incidental works to make the system work and ready for use."
- Page 26, GENERAL STATEMENT OF WORK, III. GENERAL SCOPE OF SERVICES AND RESPONSIBILITIES, a., **"The Contractor must be responsible for the complete design and construction of the project."**
- Page 26, GENERAL STATEMENT OF WORK, III. GENERAL SCOPE OF SERVICES AND RESPONSIBILITIES, f., "The contractor shall be responsible for the identification of all necessary additional work/equipment, rehabilitation of existing system that is directly related to the Scope of Work and the Service in this bid, any interfacing requirements in the existing system, a new proposed design for the **completion of the work in every detail, and the handling over to GVB ready for complete, safe, reliable and continuous operation"**.
- Page 27, GENERAL STATEMENT OF WORK, III. GENERAL SCOPE OF SERVICES AND RESPONSIBILITIES, g., **"The supply of new equipment, supply cable i.e. fiber optic, wireless equipment, rough-in, cabling**, erection of antenna pole and design approved by the local engineers, repair, installation, programming, testing, commissioning, testing, documentation, and setting to work of a GVB CCTV System, shall be complete to the satisfaction of the GVB and performance required by all regulatory authorities having jurisdiction over the work."
- Page 27, GENERAL STATEMENT OF WORK, III. GENERAL SCOPE OF SERVICES AND RESPONSIBILITIES, h., "The reuse, re-configuration of existing equipment and devices that are identified as still in its normal operating condition shall be to the complete satisfaction of GVB."
- Page 27, GENERAL STATEMENT OF WORK, III. GENERAL SCOPE OF SERVICES AND RESPONSIBILITIES, i., **"The replacement of existing and upgrading** of devices that are identified as **"defective" or "faulty" or**



“obsolete/antiquated” including testing shall be to the complete satisfaction of GVB.”

- Page 32, A-1. TECHNICAL BIDS – REVIEW GUIDELINES AND EVALUATION CRITERIA AT PHASE I: at the second paragraph, “In Phase I the bidder or offeror shall submit the “TECHNICAL BID” which provides a written detailed project plan to meet the Scope of Work and Services per the Multi-Step Bid’s specifications. The Technical Bid shall explain the results from the assessment of the existing CCTV infrastructure and include recommended actions; provide recommendations on the design and layout for the new additional equipment to upgrade the current CCTV infrastructure; the bidders recommended action plan to provide 24x7 monitoring services, to provide signage at each camera location, and provide the maintenance and support services to be provided in the form of a maintenance agreement. The Technical Bid is the project plan for the contract deliverables and shall include supporting documentation, such as but not limited to photographs, product brochures, test data, how the proposed item(s) meets or exceeds the Bid specifications.”

(emphasis added above)

The G4S Technical Bid did not provide a Project Plan that defined how G4S would meet the IFB requirements or perform the work defined in the IFB. No designs or configuration is provided for the existing or new camera locations with details of how the work will be performed. The closest we can find to a detailed scope of work to be performed by G4S is at pages 13 and 14 of the Technical Bid Project Plan (attached as Exhibit F) which details the schedule of work to be performed over the project timeline of about six (6) months (182 days between March 3 to September 1). The Project Schedule provided by G4S is two pages of basically the same information; one page shows the tasks displayed in a Gantt chart format and the other page lists each of the tasks with columns for various task data. Both pages identify the Project work as “GVB Assessment of Existing & Design-Build Upgrade New CCTV” with the work to be performed in (4) four phases as follows:

- 1.1. **Assessment Phase**
  - 1.1.1 Testing of Fiber Optic Cable
  - 1.1.2 Testing of Camera
  - 1.1.3 Testing of CCTV Equipment
- 1.2. **Salvage & Restoration Phase**
  - 1.2.1 Salvaging of Equipment
  - 1.2.2 Restoring of Working Equipment



- 1.3. System Design Phase
  - 1.3.1 Design Approval
  - 1.3.2 Drawing Approval
  - 1.3.3 Cost Approval Proposal
- 1.4. Contract Award
  - 1.4.1 Notice to Proceed

As the attached Exhibit F and the above summary clearly shows, G4S did not include any work in its Technical Proposal regarding the "Build" or installation part of the IFB. Instead the G4S Bid only includes; Testing/Assessment of the existing CCTV system components, Salvaging or Repair of the existing equipment that may be usable, the creation of a design for the remaining parts of the IFB requirements, and finally a NEW CONTRACT AND AWARD to perform the installation work, though this is not clearly defined.

Instead of including the work required for the installation of new cameras or connections at the existing/new CCTC camera locations and the other work as defined in the IFB Scope of Work shown above, the G4S Technical Bid assumes that this work will be done under another contract award and in addition to the amounts that G4S has included in this bid. For G4S to ignore explaining this part of their Project Plan or to fail to include any one time or continuing costs for the required services is a serious deficiency that should lead to the rejection of the G4S bid. Any proper evaluation should have determined that this part of the G4S Technical Bid **DID NOT MEET** the "requirements and criteria set forth in the Invitation for Bids" (ref. 5 G.C.A. § 5211(g)) and was not a responsive bid. This singular determination should have lead to the outright rejection of the G4S bid.

5. The G4S bid failed to provide the required Project Plan as part of the Bidders Technical Bid that detailed how G4S would perform all required services within the required 120 day delivery period. Specifically the IFB defined the following delivery requirements:
  - Page 3 Required Delivery Date: **Within 120 days from Notice to Proceed, once final negotiations have been completed and Award accepted by successful offeror.**
  - Page 11 (X) 38. **TIME FOR COMPLETION:** It is hereby understood and mutually agreed by and between the contractor and the Guam Visitors Bureau that the time for delivery to final destination or the timely performance of certain services is an essential condition of this contract.



- Page 25 **Delivery Period: Delivery shall be a period of 120 Calendar Days** upon receipt of Award's Notice to Proceed from the GVB GM & CPO.
- Page 32 **A-1. TECHNICAL BIDS - REVIEW GUIDELINES AND EVALUATION CRITERIA AT PHASE I:** at the second paragraph, "In Phase I the bidder or offeror shall submit the "Technical Bid" which provides a written detailed project plan to meet the Scope of Work and Services per the Multi-Step Bid specifications.

As noted in #4 above, the G4S Project Plan did not contain any specific plan that showed how G4S would meet the IFB delivery requirements and the one project schedule that was included in the G4S Project Plan defined an 182 day schedule that did not include all required work related to the installation of new cameras at existing camera locations, replacement of the existing wireless camera connections, and installation of new cameras and connections at the new CCTV sites. Clearly the G4S bid contained no information that confirmed that the bid submitted could be performed within the 120 day Delivery Period. On the contrary, the G4S bid provided a clear indication that the proposed Project Plan will take far longer than the time allowed in the IFB (and cost more money). This is a serious deficiency that should lead to the rejection of the G4S bid. Any proper evaluation should have determined that this part of the G4S Technical Bid **DID NOT MEET** the "requirements and criteria set forth in the Invitation for Bids" (ref. 5 G.C.A. § 5211(g)) and was not a responsive bid. This singular determination should have lead to the outright rejection of the G4S bid.

The above findings by PDS drawn from its review of the Agency Report submitted by GVB provide a clear and convincing showing that GVB failed to undertake a proper and impartial evaluation of the PDS and G4S Technical Bids; a clear violation of 5 G.C.A. § 5001(4). Against this backdrop of examples of G4S' non-responsiveness, it is interesting to note that according to the GVB Technical Bid Evaluation Score Summary (attached as Exhibit G) the G4S Project Plan, containing the above noted terminal deficiencies, scored an almost perfect 79 out of 80 points, while the PDS Project plan, which complied in all material aspects with the requirements of the IFB, scored only 56 out of 80 points. PDS believes that this evaluation speaks to serious problems with the integrity of this procurement and a clear and improper bias on the part of the GVB Evaluation Committee in favor of the G4S Bid. This conclusion is further reinforced by the failure of GVB to produce all documents required for the Procurement Record in this matter, particularly those documents specifically related to the development of the IFB specifications; a violation of 2 GAR 3119.x. Close scrutiny of GVB's IFB



specifications clearly shows that the specifications were not developed independently by GVB but in fact originated from G4S and were adapted almost verbatim by GVB for the purposes of this procurement.

PDS believes the points it has raised in this timely protest should result in GVB undertaking a further review and evaluation of the G4S Technical Bid with GVB paying close attention to the points raised herein. Since this IFB was defined by GVB as an "All or None" procurement (IFB General Terms and Conditions Page 6 at #7), if an evaluation by GVB sustains even just one of the points made by PDS above, then GVB must reject the entire G4S bid as non-responsive and make a new award to PDS as the lowest and most responsive and responsible bidder.

GVB is reminded that PDS has made this timely Protest according to 5 G.C.A. § 5245(g) and that any further action in this procurement by GVB is stayed until this Protest is resolved. PDS welcomes the opportunity to meet with you in an effort to negotiate a mutually acceptable resolution of these issues as provided for in 5 G.C.A. § 5245(b).

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Day', written over a light blue horizontal line.

John Day  
President

Xc: Bill R. Mann - Attorney for Pacific Data Systems  
Attachments: As stated.



Ex A

February 27, 2014

Ms. Teresa K. Sakazaki  
Marketing and Sales Director  
G4S Security Systems (Guam) Inc.  
1851 Army Drive  
Harmon, Guam 96913

**Subject:** Notice of Award  
**Reference:** Multi-Step Bid No. GVB-2014-002MS for CCTV Surveillance System

*Håfa Adai* Ms. Sakazaki,

Congratulations! GVB is pleased to issue this Notice of Award to G4S as the offeror selected by the evaluation committee as the lowest responsive and responsible offeror to complete the CCTV Surveillance Systems Scope of Work and Services as solicited in Multi-Step Bid No. GVB-2014-002MS. The Abstract is attached for your review.

As this project involves four phases to be completed over a period of time, as stated in the solicitation, a contract will be jointly developed and mutually agreed upon by GVB and G4S. Once the contract is signed, GVB will issue the Notice to Proceed.

Thank you for G4S Security Systems (Guam) Inc.'s (G4S) Technical and Cost Bid submissions in response to GVB 2014-002MS for CCTV Surveillance Systems.

Please contact our office at (671) 646-5278 should you have any questions.

*Senseramente',*

**KARL A. PANGELINAN**  
General Manager and  
Chief Procurement Officer

*Attachment: Bid Abstract*

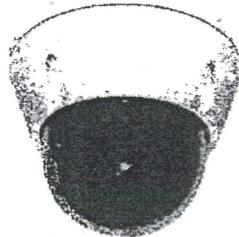
*QUINIAN  
SUOD 2/28/14*







VA Vandal-Proof Dome  
GCD705-VWU



- 700 TV Lines Ultimate High Resolution
- Day & Night with True Night function, 0.03 Lux Sensitivity
- New enhanced video analytics: (Motion Detection & Tracking, Abandon Detection, Scene Change, Unfocus Detection, Loitering Detection)
- Privacy Masking Zone & Wide Dynamic Range
- Powerful 3D-DNR (3D-Digital Noise Reduction)
- New digital effects (Rotation, Mirror, V Flip, Neg, Freeze)
- Vandal-Proof Aluminium Die-cast, IP66
- Unshielded Twisted Pair (UTP) for far distances transmission

Technical Specifications

<b>Sensor</b>		<b>Camera</b>	
Image sensor	1/3" Sony 960H DS SUPER HAD II CCD	White Balance	ATW/ Push/ User 1/ User 2/ And CR/ Manual/ Push Lock
Effective Pixel	GCD705-VWU 976 (H) x 582 (V) GCD705N-VWU 976 (H) x 494 (V)	Shutter Speed	1/50-1/10,000 Auto : ~100,000 1/60-1/10,000 Auto : ~100,000 (NTSC)
Scanning system	2:1 Interlace	Language	English, French, German, Portuguese, Spanish
Scanning frequency	GCD705-VWU 15.625KHz(H), 50Hz(V) GCD705N-VWU 15.734KHz(H), 59.95Hz(V)	Sens-Up	x256
Sync. system	Internal / Line Lock	<b>Input/output</b>	
<b>Video</b>		Video output	1 x BNC (1.0Vp-p, 75ohms), UTP
Resolution	700 TVL	Power Input	2-Pin Terminal Block
Day & Night Mode	ICR & DSS	<b>Control</b>	
Min. Illumination	0.14 Lux (Color), 0.03 Lux (BW) @ F1.2	Camera Control	Joystick Switch
S/N ratio	50IRE	Protocols	Pelco-D, Pelco-P, Fastrax II
<b>Lens</b>		<b>Mechanical</b>	
Focus	Varifocal	Dimensions	146.3mm Ø x 114.5mm H
Focal length	2.8 ~ 12mm	Bubble: Ø 99	
Lens Mount	Board Type	Weight	760g
Pan/Tilt Range	0° - 360° / 0° - 180°	Ingress Protection	IP66/IK10
Rotate Range	0° - 360°	<b>Electrical</b>	
<b>Functions</b>		Power source	DC 12V / AC 24V ± 10%
Video Analytics	4 configuration/ max. 10 jobs Motion Detection & Tracking, Abandon Detection, Scene Change, Unfocus Detection, Loitering Detection	Power consumption	TBD
Privacy Zones	Max 10 (Polygonal)	<b>Environmental</b>	
DIS	Off/ On	Operating temp.	-10°C ~ +50°C
3D-DNR	Motion Adaptive 3DNR	Operating humidity	20 ~ 80% RH
WDR	30 FPS 54dB DUAL SCAN	<b>Approvals</b>	
BLC	Yes	Approvals	FCC (Class A), UL CE(Class A)
Focus Aid	Yes	<b>Securing Your World</b>	
D-PTZ	~ x4(Zoom), D-PTZ Support		
Ultra Deep Field (UDF)	Yes		
Image Enhancement	ATR-EX		
Digital Effects	Rotation, Mirror, V Flip, Neg, Freeze		

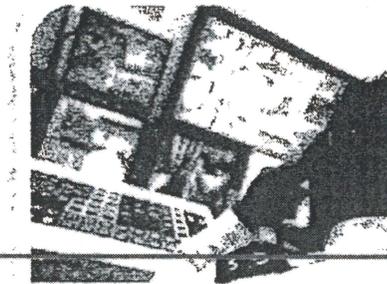
130616 Note: Specifications are subject to change without notice.

G4S plc., The Manor, Manor Royal, Crawley, West Sussex, RH10 9UN, UK.

[www.g4s.com](http://www.g4s.com)



G4S offers different service options of remote video monitoring. As outlined in the scope of work under 'Monitoring Service': The security solution should include remote monitoring services for surveillance. Additionally, GVB is requiring first responders for any CCTV events. The purpose of the monitor services is to react, protect people and properties.



G4S' interpretation of the above noted scope of work indicates a requirement for video surveillance monitoring personnel to be allocated and dedicated specifically for monitoring the G4S provided cameras associated with this project 24 hours daily, 7 days weekly. This will be accomplished with the appropriate remote connection software installed on the GVB system, remotely monitored by G4S staff at our local National Control Center in Tamuning. This is G4S' full service option identified as Active Remote Video Monitoring (ARVM).

As an added benefit, you and other authorized personnel will also be able to view the cameras from any internet-enabled portable device such as smart-phones, notepads, laptops and desktop computers. Secure access makes RVM an effective tool which provides peace of mind, by enabling you to see the activity at your property from anywhere you have internet connection.

With the (ARVM) service feature, if a suspicious incident is detected, a G4S Patrol Supervisor will be dispatched to the designated locations to further assess the area. This is effective in deterring loitering, graffiti, homeless individuals and other criminal mischief.

The National Control Center is where we have professional Alarm monitors who are on alert to react and dispatch the proper personnel to your location where an alarm system has been triggered.

At the National Control Center is also where MSS Supervisors are directing and coordinating the Security Officers.

**Manned Security Solutions (MSS):**

**MOBILE PATROL SOLUTIONS:**

Sometime it does not make economic sense to place a security guard at your establishment. In these cases a mobile patrol solution may be a better alternative. While random patrol inspections are the key to this program, electronic check points verify that your facility has been inspected and high-threat areas visited. This verification is accomplished by the proxy-pen, a G4S product. Our mobile patrol officer will record into the proxy-pen event book his arrival time and location. He will then commence his patrol, checking all designated high-risk areas.





**Equipment Recommendation for Existing CCTV Camera Under A-3.11**

No.	Existing Camera Type	Connection Type	Location (Installed)	Proposed Camera Model	Camera Brand	Comments
1	PTZ	Fiber	GPA Substation	GSD36NVW	G4S ULC	
2	PTZ	Fiber	Hilton Entrance	GSD36NVW	G4S ULC	
3	PTZ	Fiber	Ypao Intersection	GSD36NVW	G4S ULC	
4	PTZ	Fiber	Across PIC	GSD36NVW	G4S ULC	
5	PTZ	Fiber	Marriot Intersection	GSD36NVW	G4S ULC	
6	PTZ	Fiber	Across Fountain Plaza	GSD36NVW	G4S ULC	
7	PTZ	Fiber	Fiesta Hotel	GSD36NVW	G4S ULC	
8	PTZ	Fiber	Across Church	GSD36NVW	G4S ULC	
9	PTZ	Fiber	Tumon Sands	GSD36NVW	G4S ULC	
10	PTZ	Fiber	Across Hyatt	GSD36NVW	G4S ULC	
11	PTZ	Fiber	Across Sandcastle	GSD36NVW	G4S ULC	
12	PTZ	Fiber	Across Market Place	GSD36NVW	G4S ULC	
13	PTZ	Fiber	Outrigger Entrance	GSD36NVW	G4S ULC	
14	PTZ	Fiber	DFS Traffic Light	GSD36NVW	G4S ULC	
15	PTZ	Fiber	Western Gun Club	GSD36NVW	G4S ULC	
16	PTZ	None	Open Port	GSD36NVW	G4S ULC	
17	PTZ	ISP	Westin Roadside	GSD36NVW	G4S ULC	
18	PTZ	ISP	Westin Beachside	GSD36NVW	G4S ULC	
19	PTZ	ISP	Sam Choi	GSD36NVW	G4S ULC	
20	PTZ	ISP	Grand Plaza	GSD36NVW	G4S ULC	
21	PTZ	ISP	VKT Beachside	GSD36NVW	G4S ULC	
22	PTZ	ISP	PIC Beachside	GSD36NVW	G4S ULC	
23	PTZ	ISP	PIC Beachside	GSD36NVW	G4S ULC	
24	PTZ	ISP	VKT Beachside	GSD36NVW	G4S ULC	

→ currently wireless

EX D

New locations

ISP?

**B-14.2: MANDATORY USE OF BID COST PRICE FORMS IS A CONDITION OF BIDDING.**  
**Price Quote for New CCTV Equipment Locations.** Prospective bidders Shall Enter the Manufacturer's Model Type Offered by the Bidder, Unit Camera Price and Extended Price. Prospective Bidders Shall Also Enter the Camera Connection Type and Total Cost to Connect and Install.

NEW Installations By Location	Camera Type	Function 180 or 360 deg	Camera Manufacturer Model/Type Offered	Qty Required	Camera Unit Price	Enter Connection Type	Price to Connect & Install Camera
Farenholt Avenue and Camp Watkins	PTZ	360	G4S ULC	1	\$837.50	ISP	\$156.00
Onward Agana Beach Hotel (aimed on top of hotel to view roadside and one to beach side of the hotel)	PTZ	360	G4S ULC	1	837.50	ISP	\$156.00
Onward Agana Beach Hotel (aimed on top of hotel to view roadside and one to beach side of the hotel)	PTZ	360	G4S ULC	1	\$837.50	ISP	\$156.00
Treton and Farenholt Avenue	PTZ	360	G4S ULC	1	\$837.50	ISP	\$156.00
Route 14 and Farenholt Avenue	PTZ	360	G4S ULC	1	\$837.50	ISP	\$156.00
ITC Building (aimed to Route 14 and 1)	PTZ	360	G4S ULC	1	\$837.50	ISP	\$156.00
Route 1 and JFK School	PTZ	360	G4S ULC	1	\$837.50	ISP	\$156.00
Holiday Hotel, Tumon	PTZ	360	G4S ULC	1	\$837.50	ISP	\$156.00
Route 14 and Chichirica St., Tumon	PTZ	360	G4S ULC	1	\$837.50	ISP	\$156.00
Power Pole Across Aurora Hotel (aimed to Westbound on Gun Beach road towards Route 14 and Santos Hill.)	Dome	180	G4S ULC	1	\$223.75	ISP	\$78.00
Route 1 and Hill (aimed on top of Horizon Condominium)	PTZ	360	G4S ULC	1	\$837.50	ISP	\$156.00
Route 1 and Boonsri Plaza, Upper Tumon (aimed on top of the building close to the road)	Dome	180	G4S ULC	1	\$223.75	ISP	\$78.00
Route 1 and 16, Harmon (aimed on top of the building that houses Invisalign at the corner of Route 1 and 16, Harmon Side)	PTZ	360	G4S ULC	1	\$837.50	ISP	\$156.00
Route 1 East Agana (aimed on top of retaining wall with the Guam and America flag)	Dome	180	G4S ULC	1	\$223.75	ISP	\$78.00
Route 1 East Agana (aimed on top of Uttams Building or on top of Stanton furniture building)	Dome	180	G4S ULC	1	\$223.75	ISP	\$78.00
<b>Total Quoted Cost for CCTV Camera Equipment-&gt;</b>	<b>\$ 10,107.50</b>					<b>Total Cost to Connect &amp; Install-&gt;</b>	<b>\$ 2,028.00</b>



**Equipment Recommendation for Existing CCTV Camera Under A-3.11**

No.	Existing Camera Type	Connection Type	Location (Installed)	Proposed Camera Model	Camera Brand	Comments
1	PTZ	Fiber	GPA Substation	GSD36NVW	G4S ULC	
2	PTZ	Fiber	Hilton Entrance	GSD36NVW	G4S ULC	
3	PTZ	Fiber	Ypao Intersection	GSD36NVW	G4S ULC	
4	PTZ	Fiber	Across PIC	GSD36NVW	G4S ULC	
5	PTZ	Fiber	Marriot Intersection	GSD36NVW	G4S ULC	
6	PTZ	Fiber	Across Fountain Plaza	GSD36NVW	G4S ULC	
7	PTZ	Fiber	Fiesta Hotel	GSD36NVW	G4S ULC	
8	PTZ	Fiber	Across Church	GSD36NVW	G4S ULC	
9	PTZ	Fiber	Tumon Sands	GSD36NVW	G4S ULC	
10	PTZ	Fiber	Across Hyatt	GSD36NVW	G4S ULC	
11	PTZ	Fiber	Across Sandcastle	GSD36NVW	G4S ULC	
12	PTZ	Fiber	Across Market Place	GSD36NVW	G4S ULC	
13	PTZ	Fiber	Outrigger Entrance	GSD36NVW	G4S ULC	
14	PTZ	Fiber	DFS Traffic Light	GSD36NVW	G4S ULC	
15	PTZ	Fiber	Western Gun Club	GSD36NVW	G4S ULC	
16	PTZ	None	Open Port	GSD36NVW	G4S ULC	
17	PTZ	ISP	Westin Roadside	GSD36NVW	G4S ULC	
18	PTZ	ISP	Westin Beachside	GSD36NVW	G4S ULC	
19	PTZ	ISP	Sam Choi	GSD36NVW	G4S ULC	
20	PTZ	ISP	Grand Plaza	GSD36NVW	G4S ULC	
21	PTZ	ISP	VKT Beachside	GSD36NVW	G4S ULC	
22	PTZ	ISP	PIC Beachside	GSD36NVW	G4S ULC	
23	PTZ	ISP	PIC Beachside	GSD36NVW	G4S ULC	
24	PTZ	ISP	VKT Beachside	GSD36NVW	G4S ULC	



25	Fixed	Coax	Office Entry	GCD705N-VWU	G4S ULC	
26	Fixed	Coax	Desk SGT. Entry	GCD705N-VWU	G4S ULC	
27	Fixed	Coax	Interview Room	GCD705N-VWU	G4S ULC	
28	Fixed	Coax	Holding Cell 1	GCD705N-VWU	G4S ULC	
29	Fixed	Coax	Holding Cell 2	GCD705N-VWU	G4S ULC	



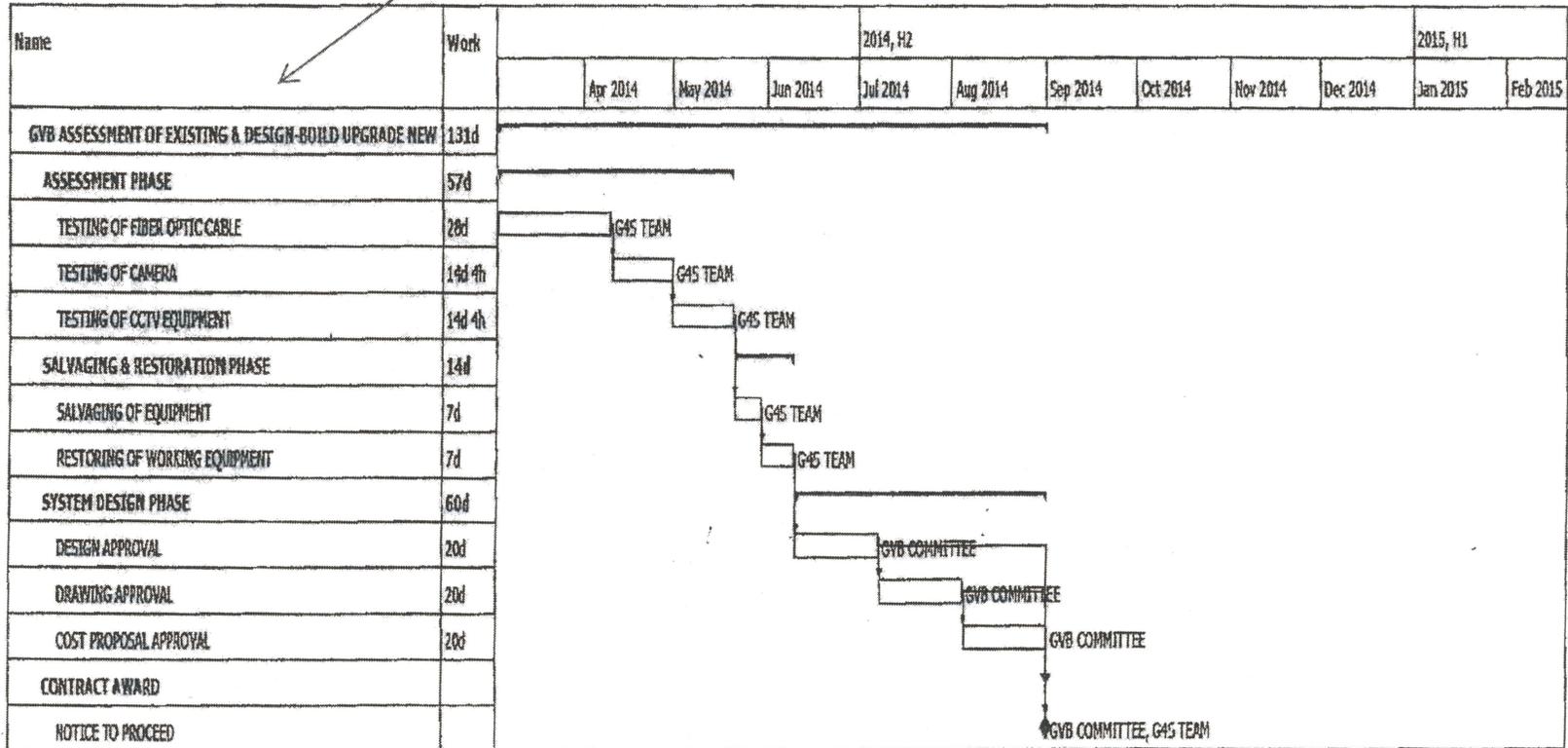
**Equipment Recommendation for New CCTV Camera at New Location Under A-3.12**

No	Location	Camera Type	Camera Brand	Proposed Camera Model	Qty
1	Farenholt Avenue and Camp Watkins	PTZ	G4S ULC	GSD36NVW	1
2	Onward Agana Beach Hotel (aimed on top of hotel to view roadside and one to beach side of the hotel)	PTZ	G4S ULC	GSD36NVW	2
3	Treton and Farenholt Avenue	PTZ	G4S ULC	GSD36NVW	1
4	Route 14 and Farenholt Avenue	PTZ	G4S ULC	GSD36NVW	1
5	ITC Building (aimed to Route 14 and 1)	PTZ	G4S ULC	GSD36NVW	1
6	Route 1 and JFK School	PTZ	G4S ULC	GSD36NVW	1
7	Holiday Hotel, Tumon	PTZ	G4S ULC	GSD36NVW	1
8	Route 14 and Chichirica St., Tumon	PTZ	G4S ULC	GSD36NVW	1
9	Power Pole Across Aurora Hotel (aimed to Westbound on Gun Beach road towards Route 14 and Santos Hill.)	Dome	G4S ULC	GCD705N-VWU	1
10	Route 1 and Hill (aimed on top of Horizon Condominium)	PTZ	G4S ULC	GSD36NVW	1
11	Route 1 and Boonsri Plaza, Upper Tumon (aimed on top of the building close to the road)	Dome	G4S ULC	GCD705N-VWU	1
12	Route 1 and 16, Harmon (aimed on top of the building that houses Invisalign at the corner of Route 1 and 16, Harmon Side)	Pan/Tilt/Zoom	G4S ULC	GSD36NVW	1
13	Route 1 East Agana (aimed on top of retaining wall with the Guam and America flag)	Dome	G4S ULC	GCD705N-VWU	1
14	Route 1 East Agana (aimed on top of Uttams Building or on top of Stanton furniture building)	Dome	G4S ULC	GCD705N-VWU	1



work to be performed

Assessment Gantt Chart Schedule:



182 day timeline

additional award required?

EX F



WBS	Name	Start	Finish	Work	Duration	Slack	Cost	Assigned to	% Complete
1	<b>GVB ASSESSMENT OF EXISTING &amp; DESIGN-BUILD UPGRADE NEW CCTV</b>	Mar 3	Sep 1	131d	131d		0		0
1.1	<b>ASSESSMENT PHASE</b>	Mar 3	May 20	57d	57d	74d	0		0
1.1.1	TESTING OF FIBER OPTIC CABLE	Mar 3	Apr 9	28d	28d		0	G4S TEAM	0
1.1.2	TESTING OF CAMERA	Apr 10	Apr 30	14d 4h	14d 4h		0	G4S TEAM	0
1.1.3	TESTING OF CCTV EQUIPMENT	Apr 30	May 20	14d 4h	14d 4h		0	G4S TEAM	0
1.2	<b>SALVAGING &amp; RESTORATION PHASE</b>	May 21	Jun 9	14d	14d	60d	0		0
1.2.1	SALVAGING OF EQUIPMENT	May 21	May 29	7d	7d		0	G4S TEAM	0
1.2.2	RESTORING OF WORKING EQUIPMENT	May 30	Jun 9	7d	7d		0	G4S TEAM	0
1.3	<b>SYSTEM DESIGN PHASE</b>	Jun 10	Sep 1	60d	60d		0		0
1.3.1	DESIGN APPROVAL	Jun 10	Jul 7	20d	20d		0	GVB COMMITTEE	0
1.3.2	DRAWING APPROVAL	Jul 8	Aug 4	20d	20d		0	GVB COMMITTEE	0
1.3.3	COST PROPOSAL APPROVAL	Aug 5	Sep 1	20d	20d		0	GVB COMMITTEE	0
1.4	<b>CONTRACT AWARD</b>	Sep 1	Sep 1				0		0
1.4.1	NOTICE TO PROCEED	Sep 1	Sep 1	N/A	N/A		0	G4S TEAM, GVB COMMITTEE	0



conforms to  
all IFB specifications

Multi-Step Bid No. GVB-2014-002MS CCTV Surveillance Systems  
Technical Bid Evaluation Score Summary - CERTIFIED  
Tuesday, Feb. 18, 2014, 1:20 to 2:25 PM, Conf. Rm.

79 out of 80

56 out of 80

TECHNICAL BID EVALUATION CRITERIA	Max Pts.
<b>1. Project Plan: Conformance to ALL specifications</b>	20
Development and design met Scope of Work and Services	5
Qualifications, design layout, client references submitted to support recommendation	5
GVB's 24/7 Monitoring & Maintenance services specifications met	5
Assessment of existing CCTV Infrastructure supports bidder's recommendations & project plan	5
<b>2. Contractor's Logistical and Service Support</b>	20
Repair, maintenance, and sheltering facility	5
Service capability and timeliness of service	5
Service Technician Qualifications/Certifications	5
Availability of consumable parts and supplies	5
<b>3. Warranty Provisions</b>	20
Warranty provisions and coverage	10
Manufacturer and factory warranty support	5
Designated warranty Support representative.	5
<b>4. Key Project Milestones and Delivery Schedule</b>	20
Manufacture and Delivery Timelines.	10
Acceptability of shipping and delivery procedures	5
Progress check control procedures	5
<b>5. Demonstrated Capabilities and Qualifications</b>	20
CCTV Surveillance system design past engineering performance	5
Satisfactory Track Record supported with customer references	5
Business relationship w/Manufacturer's recommended products	5
Demonstrated On-Time technical & performance on similar projects supported by customer references	5
<b>TOTAL MAXIMUM POINTS - ALL CRITERIA</b>	<b>100</b>

Legend:  
A - ACCETABLE; 80-100 pts  
PA - POTENTIALLY ACCEPTABLE; 60 - 79 pts.  
U - UNACCEPTABLE; 59 pts. & below

RH - Robert Hofmann  
DA - Doris Ada  
AM - Antonio Muna  
MP - Meriza Peredo

G4S SECURITY SYSTEMS (G4S)					
RH	DA	AM	MP	ALL	
5	5	5	5	20	
5	5	5	5	20	
5	5	5	5	20	
5	5	5	4	19	
5	5	5	5	20	
4	5	5	5	19	
4	5	5	1	15	
10	8	10	10	38	
5	3	5	1	14	
4	3	5	1	13	
9	8	10	10	37	
4	5	5	5	19	
4	5	5	5	19	
5	5	5	5	20	
5	5	5	5	20	
5	4	5	5	19	
5	4	5	5	19	
					79
					100

PACIFIC DATA SYSTEMS (PDS)					
RH	DA	AM	MP	ALL	
4	4	5	5	18	
3	1	5	3	12	
3	3	2	5	13	
4	1	3	5	13	
4	1	3	4	12	
3	2	3	4	12	
4	2	2	2	10	
3	2	2	5	12	
7	8	6	10	31	
4	4	3	4	15	
3	4	3	3	13	
9	4	5	10	28	
4	4	3	4	15	
4	3	3	4	14	
4	4	2	5	15	
4	4	3	5	16	
5	4	3	3	15	
3	4	2	5	14	
75	59	58	86	278	
PA	U	U	A	89%	
					AVG

PREPARED BY: Anne T. S. Camacho DATE: 2/18/14  
 Anne T. S. Camacho, Administration

CERTIFIED BY: Laurette Perez DATE: 02/19/2014  
 Laurette Perez, Accounting

Evaluators' Approval Signatures:  
 Robert Hofmann: [Signature]  
 Doris Ada: [Signature]

Antonio Muna: [Signature]  
 Meriza Peredo: [Signature]

EX G

**TAB B**

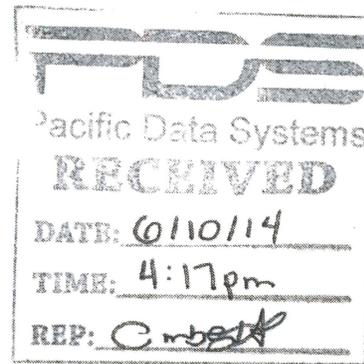
The decision from which the Appeal is taken.

*Attached herewith.*



June 10, 2014

Mr. John Day  
Pacific Data Systems  
185 Illipog Dr., Suite 204A  
Tamuning, Guam 96913



**In re Your Second Protest, GVB 2014-002MS**

Dear Mr. Day,

The Guam Visitors Bureau (GVB) is in receipt of your second protest regarding the above referenced solicitation dated May 12, 2014. The GVB considered your ten (10) page protest with exhibits, and rejects the same as without merit and out of time.

You contend that your second protest is timely based on information provided in the Agency Report filed by the GVB before the Office of Public Accountability (OPA) in pending procurement appeal case number OPA-PA 14-003. In fact, the arguments set forth in the second protest are merely detailed contentions of the same arguments alleged in your first protest dated March 24, 2014. In both untimely protests, you allege that the GVB did not conduct a proper analysis of the G4S bids.

As stated in response to your first protest, the GVB performed an analysis of the G4S bid and was satisfied with the process and outcome of its analysis. Pursuant to 5 GCA § 5211(e), GVB evaluated and scored the technical bids submitted by Pacific Data Systems (PDS) and G4S Security Systems (G4S) in accordance with criteria set forth under A-2. Phase I: Maximum Score Points for Technical Bid Criteria. See page 33 of *Multi-Step Bid No. GVB-2014-002MS*.

Under Phase I, G4S scored 92.5 out of 100 total points and was deemed "acceptable" to continue to Phase II. PDS scored only 69.5 out of 100 total points, falling in the "potentially acceptable" range. See *Technical Bid Evaluation Score Summary - Certified, Agency Report at Tab F, OPA-PA 14-003*. You will recall the GVB met with you on February 24, 2014, to discuss the "potentially acceptable" technical proposal submitted by PDS, which was ultimately deemed acceptable to continue to Phase II.

The GVB acted within the scope of the law and its discretion and you offer no evidence to the contrary. Responses to your particular contentions are enumerated below.

1. "The cameras recommended by G4S are based on analog technology and do not provided [*sic*] any audio capabilities (no microphone for recording audio from the camera location)." See your *Second Protest, May 12, 2014, at p. 2*.

The minimum specifications for the cameras do not require audio capability - only video. See page 29, Section VII.a: *Cameras and Holding of Multi-Step Bid No. GVB-2014-002MS*. GVB outlined the minimum specifications for the CCTV system components under Section B-1, pages 40 through 45 of *Multi-Step Bid No. GVB-2014-002MS*. Requirements for audio

capability are only found under the minimum specifications for the Digital Video Recorder (subsection h) and the LCD Monitor (subsection k-m).

2. "The G4S Technical Bid was based on performing the required 24x7 monitoring and operating services from almost 5 miles away in the G4S National Control Center (NCC) using existing NCC personnel, and NOT by dedicated personnel located at the GPD Frankie Smith Precinct at Tumon Bay." See your *Second Protest, May 12, 2014, at p. 3.*

G4S confirmed to the GVB that its personnel will be stationed at the GPD Frankie Smith Precinct in Tumon, and that the G4S National Control Center will serve as a secondary monitoring site.

3. "The G4S Technical Bid did not define how the CCTV connections would be reconfigured from wireless for the existing CCTV camera locations...G4S does not provide any information regarding how these new CCTV cameras will be connected to the GVB CCTV system." See your *Second Protest, May 12, 2014, at pp. 4, 5.*

The G4S bid states an Internet service provider (ISP) would be utilized. There are no ISP's in Guam that offer lower than broadband speeds, which meet the minimum requirement for connectivity of the surveillance cameras to the GPD Frankie Smith Precinct in Tumon.

4. "The G4S Technical Bid did not provide a Project Plan that defined how G4S would meet the IFB requirements or perform the work defined in the IFB [and] ...that detailed how G4S would perform all required services within the required 120 day delivery period." See your *Second Protest, May 12, 2014, at pp. 7, 8.*

The G4S bid satisfactorily outlined a proposed Project Plan from the initial phase of assessment through the installation, maintenance and monitoring of the CCTV surveillance system, and was deemed responsive to the multi-step bid.

As stated by PDS, "...there are 'unknowns' associated with the project...[that] could affect the actual time required to install the proposed system." See *PDS Technical Bid, Section 7 - Project Schedule*. The GVB evaluation committee accepted the 131-day project schedule outlined in the G4S bid. See *Technical Bid Evaluation Score Summary Item 4 Line 1 - Certified Agency Report at Tab F, OPA-PA 14-003*.

Accordingly, your second protest is rejected as without merit and out of time. Please be aware that you have a right to administrative and judicial review of this decision. See 5 GCA §5425(c)(2).

Sincerely,



**KARL A. PANGELINAN**  
General Manager

CC: Legal Counsel

**TAB C**

A statement answering the allegation of the appeal.

*Attached herewith.*

1 **FISHER & ASSOCIATES**  
2 Suite 101 De La Corte Building  
3 167 East Marine Corp. Drive  
4 Hagåtña, Guam 96910  
5 Telephone: (671) 472-1131  
6 Facsimile: (671) 472-2886

7  
8 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**  
9 **GOVERNMENT OF GUAM**

10 IN THE APPEAL OF :

CASE NO: OPA-PA 14-007

11 PACIFIC DATA SYSTEMS, INC.

**AGENCY STATEMENT**

12 Appellant.

13 **COMES NOW** Guam Visitors Bureau (“GVB”), by and through undersigned counsel of  
14 record, and submits its Agency Statement in response to Appellant Pacific Data System, Inc.’s (“PDS”)  
15 procurement appeal filed June 25, 2014. This Agency Statement is submitted pursuant to 2 GAR §  
16 12105(g).

17 This appeal concerns Multi-Step Bid No. GVB 2014-002MS; the same procurement for which  
18 PDS filed an appeal under case number OPA-PA-14-003 on April 16, 2014. Any reference to the  
19 Agency Procurement Record herein refers to the procurement record submitted by the GVB in case  
20 number OPA-PA-14-003 on April 23, 2014, and certified by the GVB in OPA-PA-14-007 on July 3,  
21 2014.

22 **I.**

23 **FACTUAL & PROCEDURAL BACKGROUND**

24 On January 31, 2014, the GVB issued an invitation for interested parties to submit bids for the  
25 assessment of existing CCTV surveillance systems and design-build-upgrade new additional CCTV  
26 infrastructure in the Tumon area, including maintenance services and 24/7 system monitoring (Multi-  
27 Step Bid No. GVB-2014-002MS). *See Agency Procurement Record at Tab E.* Two offerors, PDS and  
28

1 G4S Security Systems, Inc. (“G4S”) submitted bids that were opened on February 17, 2014. The sealed  
2 bid costs were opened publicly on February 26, 2014. *See Agency Procurement Record at Tab A.*

3 On February 27, 2014, the GVB sent a Notice of Award to G4S as the lowest responsive and  
4 responsible offeror. *See Agency Procurement Record at Tab B.* On the same date, a Notice of Non-  
5 Selection was sent to PDS along with the Abstract for review. *See Agency Procurement Record at Tab*  
6 *B.*

7 On March 6, 2014, the GVB sent a letter to PDS documenting their meeting of March 5, 2014,  
8 wherein the parties discussed PDS’ concerns regarding the disparity of prices of items offered to the  
9 GVB. *See Agency Procurement Record at Tab B.* On March 24, 2014, PDS submitted a bid protest  
10 alleging that the GVB did not undertake a proper evaluation of the PDS and G4S bids. *See Agency*  
11 *Procurement Record at Tab B.* The protest was rejected on April 1, 2014, as without merit and out of  
12 time. *See Agency Procurement Record at Tab B.* PDS appealed to the Office of Public Accountability  
13 (“OPA”) on April 16, 2014 under case number OPA-PA-14-003, and waived formal hearing on June 5,  
14 2014. GVB’s Motion to Dismiss OPA-PA-14-003 remains under advisement with the OPA.  
15

16 On May 12, 2014, PDS submitted a second bid protest again alleging that GVB did not  
17 undertake a proper evaluation of the G4S bid. *See Agency Report at Tab A.* The second protest was  
18 rejected on June 10, 2014 as without merit and out of time. *See Agency Report at Tab B.*

## 19 II.

### 20 MEMORANDUM OF POINTS & AUTHORITIES

#### 21 A. PDS’ SECOND PROTEST IS UNTIMELY AND SHOULD BE DISMISSED.

22 GVB references and incorporates herein the arguments set forth in its Motion to Dismiss OPA-  
23 PA-14-003 filed May 13, 2014. PDS contends that its second protest is timely based on information  
24 provided in the Agency Report filed in OPA-PA 14-003. In fact, the arguments set forth in the second  
25 protest are merely detailed contentions of the same arguments alleged in PDS’ first protest dated March  
26 24, 2014. In both untimely protests, PDS allege that the GVB did not conduct a proper analysis of the  
27 G4S bid. As stated in response to PDS’ first protest, GVB performed an analysis of the G4S bid and  
28

1 was satisfied with the process and outcome of its analysis.

2 Pursuant to 5 GCA § 5211(e), GVB evaluated and scored the technical bids submitted by PDS  
3 and G4S in accordance with criteria set forth under A-2. Phase I: Maximum Score Points for Technical  
4 Bid Criteria. *See page 33 of Multi-Step Bid No. GVB-2014-002MS, Agency Procurement Record at*  
5 *Tab E.* Under Phase I, G4S scored 92.5 out of 100 total points and was deemed “acceptable” to  
6 continue to Phase II. PDS scored only 69.5 out of 100 total points, falling in the “potentially  
7 acceptable” range. *See Technical Bid Evaluation Score Summary – Certified, Agency Report at Tab F,*  
8 *OPA-PA 14-003.* Pursuant to 2 GAR §3109(t)(5), a determination was made to meet with PDS and  
9 discuss their unpriced “potentially acceptable” technical proposal. PDS’ proposal was ultimately  
10 determined acceptable to continue to Phase II. *See Agency Report at Tab G, OPA-PA-14-003.*

11 GVB’s responses to PDS’ particular contentions are further analyzed below.

12  
13 **B. GVB 2014-002MS DOES NOT REQUIRE CAMERAS WITH AUDIO CAPABILITY.**

14 PDS contends that G4S failed to meet the bid requirements for cameras with audio recording.  
15 However, the minimum specifications for the cameras do not require audio capability – only video:

16 “Cameras with the most effective features for the specific location, such as motion detection,  
17 pan/tilt/zoom functionality and low light capability, should be utilized. Cameras shall be able  
18 to deliver high-quality **video** so that faces and license plates can clearly be seen, and should  
19 have motorized capabilities with remote contract functionality when required.

20 “The cameras and housing (dome) system should be optimized for Guam’s extreme  
21 environment. All equipment should be able to withstand Guam’s harsh environmental  
22 conditions, including heavy winds and rain, heat and humidity and minor typhoons. Existing  
23 fiber cable should be used to connect the cameras whenever practical and applicable. The  
24 existing wireless cameras, even when operational, did not provide the **video** quality that was  
25 required. The wireless cameras need to be reconfigured to a wired connection such as a fiber  
26 or other broadband connection, unless the bidder or offeror submits an alternative solution  
27 will consistently **provide video image quality required by GVB.**”

28 *Multi-Step Bid No. GVB-2014-002MS, page 29, Section VII.a: Cameras and Housing, Agency  
Procurement Record at Tab E (Emphasis added).*

GVB outlined the minimum specifications for the CCTV system components under Section  
B-1, pages 40 through 45 of Multi-Step Bid No. GVB-2014-002MS. Requirements for audio

1 capability are only found under the minimum specifications for the Digital Video Recorder  
2 (subsection h) and the LCD Monitor (subsection k-m). *See Agency Procurement Record at Tab E.*  
3 Therefore, the G4S bid was properly deemed responsive.

4 **C. G4S CONFIRMED ITS PERSONNEL WOULD BE STATIONED AT THE GPD STATION.**

5 “The Procurement Officer may conduct discussions with any bidder who submits an acceptable or  
6 potentially acceptable technical offer. During the course of such discussions, the Procurement Officer shall  
7 not disclose any information derived from one unpriced technical offer to any other bidder. Once discussions  
8 are begun, any bidder who has not been notified that its offer has been finally found unacceptable may submit  
9 supplemental information amending its technical offer at any time until the closing date established by the  
10 Procurement Officer. Such submission may be made at the request of the Procurement Officer or upon the  
11 bidder's own initiative.” 2 GAR § 3109(t)(5)

12 PDS contends that the G4S bid did not provide for monitoring by dedicated personnel located at the  
13 GPD Frankie Smith Precinct at Tumon Bay. However, after opening the technical bid, GVB clarified with  
14 G4S that its personnel would be stationed at the GPD Frankie Smith Precinct in Tumon, and that the G4S  
15 National Control Center would serve as a secondary monitoring site.

16 Similarly, GVB met with PDS after opening its technical bid (which initially scored in the  
17 “potentially acceptable” range) to discuss concerns requiring clarification. Said concerns included questions  
18 regarding how/if PDS personnel would be stationed at the GPD station when PDS proposed to engaged an  
19 Australian company to provide monitoring.

20 GVB did not violate procurement law by seeking clarification from either bidder regarding their  
21 technical bids.

22 **D. G4S WAS RESPONSIVE TO CCTV CAMERA CONNECTIVITY REQUIREMENTS.**

23 Multi-Step Bid No. GVB-2014-002MS, Section VII.a: Cameras and Housing states in part,  
24 “Existing fiber cable should be used to connect the cameras whenever practical and applicable. The  
25 wireless cameras need to be reconfigured to a wired connection such as a fiber or other broadband  
26 connection, unless the bidder or offeror submits an alternative solution will consistently provide  
27

1 video image quality required by GVB.” *Multi-Step Bid No. GVB-2014-002MS, page 29, Agency*  
2 *Procurement Record at Tab E.*

3 PDS contends that the G4S bid did not define how the CCTV connections would be  
4 reconfigured from wireless for the existing CCTV camera locations, and that the G4S bid does  
5 contain costs associated with such services. In fact, the G4S bid states that an internet service  
6 provider (ISP) would be utilized. There are no ISP’s in Guam that offer lower than broadband  
7 speeds, which meets the minimum requirement for connectivity of the surveillance cameras to the  
8 GPD Frankie Smith Precinct in Tumon. Therefore, the G4S bid was responsive.

9 PDS’s secondary argument with regards to costs associated with connectivity is a repeat of  
10 its first untimely protest under OPA-PA-14-003 (concerning the disparity of prices of items offered  
11 to the GVB) and remains without merit. GVB sought the lowest price from a responsible,  
12 responsive bidder. Moreover, pursuant to the June 27, 2014 Order issued in OPA-PA-14-003, GVB  
13 received confirmation that G4S accurately submitted its bid with respect to price and specifications.  
14 *See Exhibit 1 attached.*

15 **E. G4S’ PROPOSED PROJECT PLAN WAS DEEMED RESPONSIVE.**

16 Provision 22 of the General Terms and Conditions states in part, “[a]ward shall be made to  
17 the lowest responsible and responsive bidder, whose **bid is determined to be the most**  
18 **advantageous to the Government**, taking into consideration the evaluation factors set forth in this  
19 solicitation. *See page 9 of Multi-Step Bid No. GVB-2014-002MS, Agency Procurement Record at*  
20 *Tab E.* The G4S bid satisfactorily outlined a proposed Project Plan from the initial phase of  
21 assessment through the installation, maintenance and monitoring of the CCTV surveillance system,  
22 and was deemed responsive to the multi-step bid.

23 As stated by PDS in its bid, “...there are ‘unknowns’ associated with the project...[that]  
24 could affect the actual time required to install the proposed system.” *See PDS Technical Bid,*  
25 *Section 7 - Project Schedule, Agency Report at Tab B, OPA-PA-14-003.* The GVB evaluation  
26 committee accepted the 131 day project schedule outlined in the G4S bid. *See Technical Bid*  
27 *Evaluation Score Summary Item 4 Line 1 – Certified Agency Report at Tab F, OPA-PA 14-003.*  
28



# EXHIBIT 1



G4S Security Systems, (Guam) Inc.  
1851 Army Drive  
Harmon, GU. 96913  
Tel: (671) 646-2307  
Fax: (671) 649-7245  
Email: ed.bitanga@gu.g4s.com  
www.g4sguam.com

G4S Security Systems, (CNMI) Inc.  
PMB 384 PPP  
P.O. Box 10000  
Saipan, MP 96950-8900  
Tel: (670) 233-3238  
Fax: (670) 233-3241

July 9, 2014

Mr. Karl Pangelinan  
General Manager  
Guam Visitors Bureau  
401 Pale San Vitores Rd.  
Tumon, Guam 96913

Subject: Multi-Step Bid No. GVB-2014-002MS  
Ref: Your letter to me dated July 8, 2014

Hafa Adai, Mr. Pangelinan!

This is to confirm that the bid submitted by G4S in response to the above reference was accurately submitted with respect to price and specification.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Garde', written over a horizontal line.

Chris Garde  
General Manager

Securing Your World



July 8, 2014

Mr. Chris Garde  
Country Manager  
Suite 215, Dos Amantes Plaza  
1350 N. Marine Corps Drive  
Upper Tumon, GU. 96913

Re: Multi-Step Bid No. GVB-2014-002MS

*Dear Mr. Garde,*

On June 27, 2014, in the appeal of Pacific Data Systems, Inc. (OPA-PA-14-003), the Public Auditor ordered GVB to confirm G4S' bid with respect to price and IFB specifications by July 11, 2014.

Please confirm whether the bid submitted by G4S in response to Multi-Step Bid No. GVB-2014-002MS was accurately submitted with respect to price and specifications.

*Senseramente',*

**KARL A. PANGELINAN**  
General Manager

*Cathy HR  
07/08/14  
3:10 PM*



**TAB D**

A statement indicating whether the matter is the subject of a court proceeding.

*Attached herewith.*

1 **FISHER & ASSOCIATES**  
2 Suite 101 De La Corte Building  
3 167 East Marine Corp. Drive  
4 Hagåtña, Guam 96910  
5 Telephone: (671) 472-1131  
6 Facsimile: (671) 472-2886

7 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**  
8 **GOVERNMENT OF GUAM**

9 IN THE APPEAL OF :

CASE NO: OPA-PA 14-007

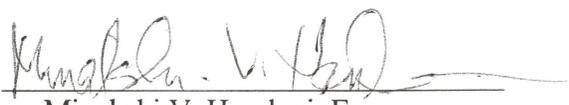
10 PACIFIC DATA SYSTEMS, INC.

11 Appellant.

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

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

19 Submitted this 10th day of July, 2014.

20  
21 By: 

22 Minakshi V. Hemlani, Esq.  
23 Counsel for GVB  
24  
25  
26  
27  
28