

1 **GUAM DEPARTMENT OF EDUCATION**

2 Rebecca M. Perez, Legal Counsel

3 P.O. Box DE

4 Hagåtña, Guam 96910

5 Telephone (671) 300-1537

6 Email: legal-admin@gdoe.net

7 *Attorney for Guam Department of Education*

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

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TIME: 4:15 PM BY: AC
FILE NO. OPA-PA-11-021

8 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**

9 **PROCUREMENT APPEAL**

10 IN THE APPEAL OF

APPEAL NO. OPA-PA-11-021

11 INFRATECH INTERNATIONAL, LLC,

**SUBMISSION OF PROCUREMENT
RECORD**

12 Appellant.

13 The Guam Department of Education, the Purchasing Agency in the matter referenced
14 above, hereby submits the following exhibits as the procurement record to date in this case:

- 15 1. Log of date, time, subject matter, and names of participants at
16 meetings relating to IFB039-2011, specifically the Pre-Bid
17 Conference of July 18, 2011.

18 **Bates Stamp Nos. GDOE001-005**

Exhibit 1

- 19 2. Log of communication between GDOE employees and
20 members of the public, potential bidders, vendors, or
21 manufacturers relating to IFB039-2011

22 **Bates Stamp Nos. GDOE006-009**

Exhibit 2

- 23 3. Sound recording of all pre-bid conferences; negotiations
24 arising from a request for proposals and discussions with
25 vendors concerning small purchase procurement.

26 *Not applicable. The GDOE procurement officer for this
27 matter has indicated there is no sound recording of the pre-
28 bid conference for the solicitation that is the subject of this
proceeding. Additionally, this matter involves an Invitation
for Bid as opposed to a Request for Proposal and this matter
does not involve small purchase procurement.*

- 29 4. A CD of the Drawings and Specifications included with
30 IFB039-2011. These documents were made available to
31 prospective bidders electronically via the GDOE website at
32 www.gdoe.net. A copy of the webpage listing the drawings

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and specifications is included in this Exhibit.

Bates Stamp Nos. GDOE010-024

Exhibit 3

5. Purchasing Agency's Determination of Need.

Bates Stamp No. GDOE025

Exhibit 4

Dated this 21st day of December, 2011.

Respectfully submitted,

GUAM DEPARTMENT OF EDUCATION

By: _____

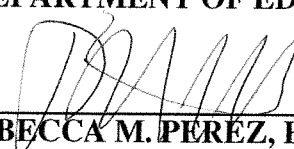
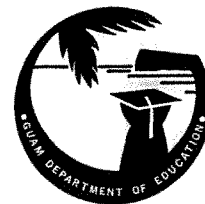

REBECCA M. PEREZ, ESQ.
Legal Counsel

Exhibit 1



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

Manuel F.L. Guerrero / Administration Building
2nd. Floor, Suite B-202
Hagåtña, Guam 96932
Telephone: (671) 300-1581
Fax: (671) 472-5001



Marcus Y. Pido
Supply Management Administrator

NERISSA BRETANIA UNDERWOOD, Ph.D.
Superintendent of Education

IFB: 035-2011, 036-2011, 037-2011, 038-2011 & 039-2011
STRUCTURAL REPAIRS & ROOF COATING
MANDATORY PRE-BID CONFERENCE
MONDAY, JULY 18, 2011 AT 2:00 PM

Attendees Sign-In Sheet			
PRINT NAME	SIGNATURE	COMPANY	TEL. & E-MAIL
MATTHEW MURPHY 1. Wilco/Sancimex	<i>Matthew Murphy</i>	Wilco & SANCIMEX	787-8076 matmurphy5@cheatmail.com
2. SUMTOSANG	<i>Sumtosang</i>	Mega United Corp.	6875293 vnmh@netpc.com 647 7870
3. BRIAN KENT	<i>Brian Kent</i>	UNITED COATINGS	ISCOPOINT@SLANOEBS.COM
4. JOHN ROSARIO	<i>John Rosario</i>	JJ Global	632-1179 jrosario73@gmail.com 734-3939-888-5535
5. ROMAN G. GUERREIRO	<i>Roman G. Guerrero</i>	ITA CORPORATION	ROMAN I. IAN CORPORATION 888-5670
6. RAVINDRA G. GENEVE	<i>Ravindra G. Geneve</i>	INFRA TECH INT'L LLC	ravi@infrotechintl.com
7. SUK JIN LEE	<i>Suk Jin Lee</i>	VIVID CORPORATION	483-6688 smjin889@hammail.net 6876940
8. FRANK A. FLORJ	<i>Frank A. Florj</i>	3M Company	FAFLORJ@MUMM.COM 647-9871 isla57a.com
9. RICHARD LABADNOY	<i>Richard Labadnoy</i>	ISLA PAINT & ROOFING SUPPLY	689-7473 teleguam.net
10. HONG YUN SUN	<i>Hong Yun Sun</i>	Asia-Pacific Int'l Inc	888-8868/632-8889 apiusa@guam.net
11. TERRY DEBOLD	<i>Terry Debold</i>	ARMOR COATINGS MICROWESIA	647-2650/888-8251 tdebold@guam.gov.gu
12. OMAR PATELA	<i>Omar Patel</i>	" "	482438 omarpatel@y4.com
13. RIC MERCADO	<i>Ric Mercado</i>	EVM CONST. GUAM	684 7752 evm-const-guam@y4.com
14. DIEGO GASPUS	<i>Diego Gaspus</i>	ISLAND ROOFING	632-5335 GASPUS@GUAM.NET
15. ALFRED GARTHE	<i>Alfred Garthe</i>	ISLAND ROOFING	648-2987
16. FRANK TERPIS	<i>Frank Terpis</i>	NEW MW Corp.	898-4505 Frank 647-7664
17. ROZANO SANTOS	<i>Rozano Santos</i>	MODERN KONSTRUK	898-5602 modernkonstrukt@y4.com
18. REYNOLD LEUNG	<i>Reynold Leung</i>	CHECKPOINT INT'L	8981741 ROYNLEUNG@GNAD06E001

19. HAROLD KAGUYUTAN		KRAM YANS CORPORATION	# 646-7435 KRAMYANS@GMAIL.COM
20. JONI PALMA		KORANDO CORP.	649-7880/898-9290 joni_korando@teleglam.net
21. ROMEO A. LOPEZ		Bascon Corporation	romelo@basconcorporation.com
22. MARK YANG		Bascon Corporation	mark.yang@basconcorporation.com Tel. 477-6071 Fax 477-4975
23. DOMINGO CONDO		KONSTRAK BUILDERS	konstrak-builders@yahoo.com 688-4312 / 632-4312
24. LUIS PARTIDA		Konstrak Builders	688-4312
25. NATI CATOLO		***MICO.CORP	63633-7261 necatoloc.bb@teleglam.net
26. Young H. Lee		Tomyoung, INC	482-2299 Younghe Lee Fax 649-2293 htmall
27. LOY ESCABILAR		KIM BROS CONST CORP.	Tel: 734 0082 734 0080
28. NOEL LOPEZ		J&B ModernTech	646-3346 646-0589
29. BERNARDO SACAYAN		CB CONST. LLC	T 632-1920 F 637-2687
30. RICHARD M GULO		ATA TIGER CONST	T 898-3821 / richard F 646-0208 @asiatic.us
31. RONALD TRENTE		ALLIED PACIFIC BUILDERS	ronaldt@alliedpacific.com 483-4795 Builders
32. REYNALDO GARCIA		J.M. AQUINO P.C.	685-8185
33. MICHAEL RACUVAL		J.M. AQUINO PC	685-2284
34. ARSENIO SONTAGA		SANTIAGO CORP.	688-4813
35. EDMON VALENCIA		Z4 CORPORATION	T 646-0874 F 649-0322
36. ABE ASUNCION		CEVAL	482-8554
37. JOHN LIZANA		PACIFIC INDUSTRIAL	472-7770 482-0486
38. Sung hee		Loyal Pacific Corp.	483-5128 482-8789
39. Sung hee		SLEE Construction	483-5188 482-8789
40. FRANCISCO ORANTON		COENAL DESIGN PARTNERS	647-1292

Mandatory Pre-Bid Conference
 IFB 035-2011, 036-2011, 037-2011, 038-2011 & 039-2011
 Structural Repairs & Roof Coating
 07/18/11 (Monday) at 2:00 PM

41. Rod Traya ~~947.4232~~
42. JOE SPADLER COEVAL DESIGN 947.4232
43. JW HERRERA " " 947.4232
44. Tracy Higuera Sodexo 788-2707 A. Higuera
45. Denise Santos Sodexo 685-9190 Dents
46. R. Dummo DOE DOE



PRE-BID CONFERENCE AGENDA

BID PROJECT NUMBERS: **IFB 035-2011, 036-2011, 037-2011, 038-2011, 039-2011**

PROJECT NAME: **Structural Repairs and Roof Coating**

MEETING LOCATION: **DOE Conference Room**

MEETING DATE: July 18, 2011

MEETING TIME: 2:00 PM

No entrance after 2:00 PM

- I. Introduction and Roster
- II. Purpose of Conference
 - A. Mutual Benefit
 1. Roles & Responsibilities
 2. Required Documents
 3. General Project Overview
 - B. Conference does not alter bid/contract documents
- III. Roles & Responsibilities
 - A. GDOE, Owner
 1. All questions directed to Procurement, in writing, per IFB.
 2. Any changes, design issues, procedures that vary from bid/contract documents, or other modifications discussed prior to bid opening must be documented by GDOE, in writing (by amendment), prior to bid opening, or will be considered invalid.
 3. Assume most stringent or costly; seek clarification.
 - B. Sodexo, Project Manager Consultant
 - C. Coeval Design Partners, Architect
- IV. Required Documents
 - A. With Bid Submission (refer to IFB for complete list of documents)
 1. Bid Form
 2. Bid Security
 3. Contractor Qualifications
 4. Amendment Acknowledgement
 5. All forms identified in Section 5 of the IFB
 - B. For Awarded Contractor (refer to contract and specifications for complete list of documents)
 1. Performance & Payment Bonds
 2. Insurance Certificates
 3. Prevailing Wage/Certified Payrolls
- V. General Project Overview
 - A. General Scope
 1. Structural Repairs
 2. Roof Coating
 - B. Bid Packages (by region/proximity of schools)
 - C. Schedule
 1. 120 Calendar Days
 2. Liquidated Damages

Attachment A

Site Visit Location, Date and Time

IFB 035-2011 "Northern A" – Tuesday, July 19, 2011

1. Wettengel Elementary School at 9:00 am
2. VSA Benavente Middle at 10:00 am
3. Maria Ulloa Elementary at 11:00 am
****BREAK FOR LUNCH****
4. Machananao Elementary at 1:00 pm
5. Finegayan Elementary at 2:00 pm
6. Astumbo Elementary at 3:00 pm

IFB 036-2011 "Northern B" – Wednesday, July 20, 2011

1. DL Perez Elementary at 9:00 am
2. Simon Sanchez High at 10:00 am
3. FB Leon Guerrero Elementary at 11:00 am
4. JM Guerrero Elementary at 12:00 pm

IFB 037-2011 "Central A" – Friday, July 22, 2011

1. BP Carbullido Elementary at 9:00 am
2. Untalan Middle at 10:00 am
3. HB Price Elementary at 11:00 am
4. George Washington High at 12:00 pm

IFB 038-2011 "Central B" – Monday, July 25, 2011

1. Agana Heights Elementary at 9:00 am
2. CL Taitano Elementary at 10:00 am
3. Agueda Johnston Middle at 11:00 am
4. Jose LG Rios Middle at 12:00 pm

IFB 039-2011 "Southern" – Tuesday, July 26, 2011

1. Inarajan Middle at 9:00 am
2. Oceanview Middle at 10:00 am
3. JP Torres Alternative at 11:00 am
4. HS Truman Elementary at 12:00 pm

Exhibit 2

IFB 039-2011

STRUCTURAL REPAIRS and ROOF COATING – SOUTHERN

Date	Subject	From	TO	Type
7/13/11	Amendment 1/sent	Kat Bayson	All Prospective Bidders	E-mail
7/13/11	Amendment 1/rec	Ravindra B. Gogineni Infratech int'l, LLC	Gdoe	Fax
7/14/11	Amendment 1 rec	Genaro Danila Allied pacific Builders, inc.	Gdoe	Fax
7/15/11	Amendment 1/rec	Hong Yun Sun Asia pacific International, Inc	Gdoe	E-mail
7/18/11	Amendment 1 rec	Collie B. Konstruck Builders	Gdoe	Email
7/21/11	Amendment 1/rec	Wilcosp/Sancimech Matt Murphy	Gdoe	Hand Deliver
8/10/11	Amendment 1/rec	Masood Namari IBC	Gdoe	Email
7/14/11	Amendment 2/sent	Kat Bayson	All Prospective Bidders	Fax
7/14/11	Amendment 2/rec	Genaro Danila Allied pacific BUILDERS, INC	Gdoe	Fax
7/15/11	Amendment 2/rec	H.Y. Sun Asia Pacific Int'l	Gdoe	Fax
7/18/11	Amendment 2/rec	Collie B. Konstruck Builders	Gdoe	Fax
7/18/11	Amendment 2/rec	Matt Murphy Wilcosp-Sancimech	Gdoe	Fax
8/10/11	Amendment 2/rec	Masood Namazi IBC	Gdoe	Fax
7/14/11	Amendment 3/sent	Kat Bayson	All Prospective Bidders	Fax
7/18/11	Amendment 3/rec	Collie B, Konstruck Builders	Gdoe	E-mail
7/19/11	Amendment 3rec	Nobel lopez J&B Modern tech	Gdoe	Fax
7/22/11	Amendment 3/rec	H.Y. Sun Asia Pacific Int'l	Gdoe	Fax
7/29/11	Amendment3/rec	Matt Murphy Wilcosp-Sancimech	Gdoe	Hand Deliver
8/10/11	Amendment 3/rec	Matt Murphy Wilcosp-Sancimech	Gdoe	Fax

8/8/11	Amendment 4/ sent	Kat Bayson	All prospective Bidders	Fax
8/9/11	Amendment 4/rec	Joni Palma Korando corp	Gdoe	Fax
8/9/11	Amendment 4/rec	Rolando Santos Modern Konstruck	Gdoe	Fax
8/9/11	Amendment 4/rec	Noel Tolentino Allied Pacific Builders, Inc	Gdoe	Fax
8/9/11	Amendment 4/rec	Masood Namazi IBC	Gdoe	Fax
8/9/11	Amendment 4/rec	Richard Guiao Asia tiger Construction	Gdoe	Fax
8/10/11	Amendment 4 rec	Bernardo liy	Gdoe	Fax
8/10/11	Amendment 4/rec	Noel lopez J&b Modern tech	Gdoe	Fax
8/10/11	Amendment 4/rec	H.Y. Sun Asia Pacific Int'l	Gdoe	Fax
8/11/11	Amendment 4/rec	Edmon Valencia Ez Corporation	Gdoe	FAX
8/11/11	Amendment 4/rec	Sumin Shang mega United Corp	Gdoe	Fax
8/25/11	Amendment 4/rec	Eun Mi Tsiao Vivid Corp / Guam Daesong	Gdoe	Fax
9/19/11	Amendment 4/rec	Matt Murphy Wilcosp-Sancimech	Gdoe	Fax
9/13/11	Amendment 5/sent	Kat Bayson	All prospective Bidders	Fax
9/14/11	Amendment 5/rec	Edd lacuata JJ Global	Gdoe	Fax
9/14/11	Amendment 5/rec	Genaro Danila Allied Pacific Builders, Inc	Gdoe	Fax
9/18/11	Amendment 5/rec	Francisco Palma Jr Korando Corp	Gdoe	Fax
9/14/11	Amendment 5/rec	Noel Lopez J&B Modern tech	Gdoe	Fax
9/14/11	Amendment 5/rec	Mama Angela Esparas Ibc	Gdoe	Fax
9/15/11	Amendment 5/rec	Romeo lopez Bascon Corporation	Gdoe	Fax
9/19/11	Amendment 5/rec	Matt Murphy Wilcosp-Sancimech	Gdoe	Fax

9/16/11	Amendment 6/sent	Kat Bayson	All Prospective Bidders	Fax
9/19/11	Amendment 6/rec	Edd Lacuata JJ Global	Gdoe	Fax
9/19/11	Amendment 6/rec	Richard Guiao Asia Tiger Construction	Gdoe	Fax
9/19/11	Amendment 6/rec	Matt Murphy Wilcosp-Sancimech	Gdoe	E-mail
9/19/11	Amendment 6/rec	Bernardo Iiy Bascon Corp	Gdoe	E-mail
9/19/11	Amendment 6/rec	Noel Lopez J&B Modern tech	Gdoe	Fax
9/20/11	Amendment 6/rec	H. Y. Sun Asia Tiger International, Inc	Gdoe	E-mail
9/21/11	Amendment 6/rec	Genaro Danilo Allied pacific Builders, Inc	Gdoe	Fax
9/20/11	Amendment 7/sent	Kat Bayson	All prospective Bidders	Fax
9/20/11	Amendment 7/rec	Matt Murphy Wilcosp-Sancimech	Gdoe	Hand Deliver
9/21/11	Amendment 7/rec	Genaro Danilo Allied pacific Builders, Inc	Gdoe	Fax
9/21/11	Amendment 7/rec	Richard Guiao Asia Tiger Construction	Gdoe	Fax
9/22/11	Amendment 7/rec	Keisa Weia Bascon Corporation	Gdoe	Fax
9/23/11	Amendment 8/sent	Kat bayson	All Prospective Bidders	Fax
9/23/11	Amendment 8/rec	Edd Lacuata JJ Global	Gdoe	Fax
9/23/11	Amendment 8/rec	Keisa Weia Bascon Corporation	Gdoe	Fax
9/26/11	Amendment 8/rec	Suk Jinlez Vivid Corporation	Gdoe	E-mail
9/28/11	Amendment 8/rec	Matt Murphy Wilcosp-Sancimech	Gdoe	HAND DELIVER
9/30/11	Amendment 8/rec	Genaro Danilo Allied pacific Builders, Inc	Gdoe	Fax

9/28/11	Amendment 9/sent	Kat Bayson	All Prospective Bidders	Fax
9/28/11	Amendment 9/rec	Edd Lacuata JJ Global	Gdoe	Fax
9/28/11	Amendment 9 /rec	Keisa Weia Bascon Corporation	Gdoe	Fax
9/28/11	Amendment 9/rec	Richard Guiao Asia Tiger Construction	Gdoe	Fax
9/29/11	Amendment9/ rec	Masood Namazi IBC	Gdoe	Fax
9/30/11	Amendment 9/rec	Noel lopez J&B Modern tech	Gdoe	Fax
9/30/11	Amendment (/rec	Genaro Danilo Allied pacific Builders, Inc	Gdoe	Fax

Exhibit 3

Exhibit 3

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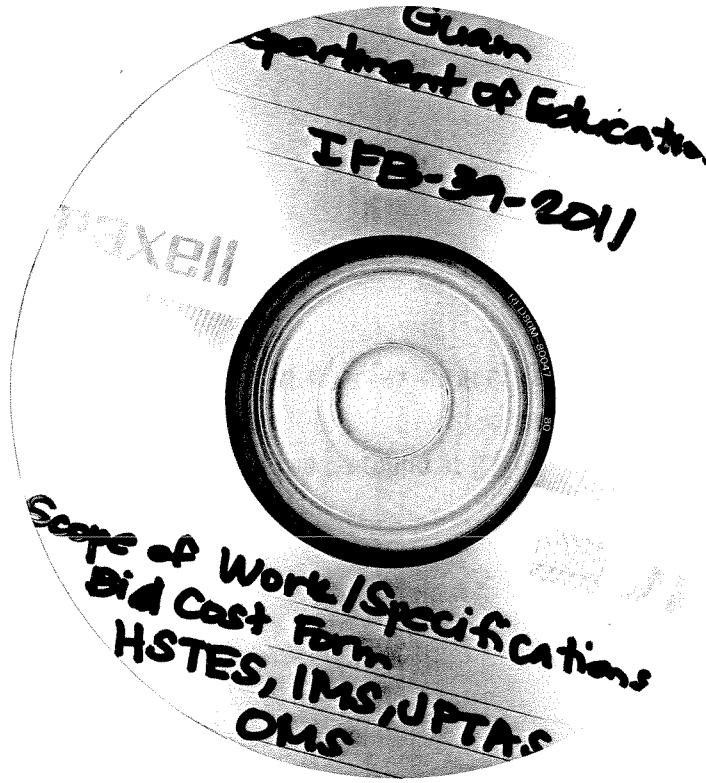
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	 A. Scope of Work/Specifications					
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B. HS Truman Elementary School Drawings					
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C. Inarajan Middle School Drawings








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D. Oceanview Middle School Drawings

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E. JP Torres Alternative School Drawings

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 F. Bid Cost Form

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 Responses

Exhibit 4

END-USER REVIEW
MEMORANDUM for INVITATION FOR BID

TO: OFFICE OF SUPPLY MANAGEMENT

CC: PROCUREMENT FILE

FROM: Tracy Higuera, Sodexo PM

DATE: 10/04/2011

RE: PROCUREMENT REVIEW CHECKLIST FOR IFB
039-2011 Structural Repairs and Roof Coating –
Southern

INVITATION FOR BID PROCUREMENT REVIEW CHECKLIST – END-USER REVIEW

This form is to be completed by End-Users and is necessary for compliance with the Attorney General's (AG's) Procurement Review Checklist for Invitations for Bid (IFB). Questions regarding each of the items below should be directed to Marcus Pido (myvido@gdoe.net).

Please answer the questions below.

INITIAL QUESTIONS

1. **Describe the planning for this procurement, e.g., how the need for this procurement was determined?**
Roof repairs and coatings at all schools maintained by GDOE were included in the original SFSF Grant Application. Per Sodexo's recommendations and Coeval Design Partner's design the upgrades include structural repairs of cracks and spalls, subsurface preparation and roof coatings.

2. **Is this procurement mandated by statute?**

Yes Please provide the statute that mandates this procurement: PL 31-40

No