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PROCUREMENT APPEALS
DATE: 4/16/2014
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FILE NO OPA-PA: 14-003

Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL

PART I- To be completed by OPA

In the Appeal of	)	**NOTICE OF APPEAL**
Pacific Data Systems, Inc (PDS)	)	
(Name of Company), APPELLANT	)	Docket No. OPA-PA 14-003

PART II- Appellant Information

Name:	**Pacific Data Systems, Inc (PDS)**
Mailing Address:	**185 Ilipog Drive, Suite 204A**
	Tamuning, GU 96913
Business Address:	**same as above**
Email Address:	**John@pdsguam.com**
Daytime Contact No:	**671-300-0202**
Fax No.:	**671-300-0265**

PART III- Appeal Information

A) Purchasing Agency: **Guam Visitors Bureau (GVB)**

B) Identification/Number of Procurement, Solicitation, or Contract: **GVB-2014-002MS**

C) Decision being appealed was made on April 1, 2014 (date) by:
X GVB Chief Procurement Officer _ Director of Public Works _ Head of Purchasing Agency

Note: You must serve the Agency checked here with a copy of this Appeal within 24 hours of filing.

D) Appeal is made from:
(Please select one and attach a copy of the Decision to this form)
X Decision on Protest of Method, Solicitation or Award
____ Decision on Debarment or Suspension
____ Decision on Contract or Breach of Contract Controversy
(Excluding claims of money owed to or by the government)
____ Determination on Award not Stayed Pending Protest or Appeal
(Agency decision that award pending protest or appeal was necessary to protect the substantial interests of the government of Guam)

E) Names of Competing Bidders, Offerors, or Contractors known to Appellant:

- **G4S Security**

Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL

PART IV- FORM AND FILING

This is a Procurement Appeal by Pacific Data Systems, Inc. ("PDS") of the protest decision rendered by GVB on April 1, 2014 regarding a Protest made by PDS of the procurement award decision related to a bid submitted by G4S Security in the GVB procurement for Multi-Step Bid No. GVB-2014-002MS.

The original Protest in this matter was made by PDS to GVB on March 24, 2014 (attached as Exhibit A). By letter dated April 1, 2014, GVB Chief Procurement Officer, Karl A. Pangelinan, denied the PDS protest (copy of GVB letter attached as Exhibit B). To the best of PDS' knowledge no formal award has been issued by GVB in this procurement.

IV.1 PDS GROUNDS FOR APPEAL:

A. GVB DID NOT UNDERTAKE A PROPER EVALUATION OF THE PDS AND G4S BIDS AS REQUIRED BY 5 G.C.A. § 5211(g) AND 2 GAR § 3109(m)(3).

PDS's review of the evaluation performed by GVB (GVB Bid Abstract and Evaluation Report attached as Exhibit C) of the PDS and G4S bid and a letter received by GVB confirming that no clarifications were requested from the bidders (attached as Exhibit D) shows that GVB did nothing to confirm or clarify the bid of G4S to insure compliance with the GVB Technical requirements. 2 GAR § 3109(m)(3) states the following:

> (3) **Confirmation of Bid**. When the Procurement Officer knows or has reason to conclude that a mistake has been made, such officer should request the bidder to confirm the bid. Situations in which confirmation should be requested include obvious, **apparent errors on the face of the bid or a bid unreasonably lower than the other bids submitted.** If the bidder alleges mistake, the bid may be corrected or withdrawn if the conditions set forth in Subsections 3109(m)(4) through 3109(m)(6) of this Section are met. (**emphasis added**)

In the case of the subject GVB bid, a proper evaluation of the bids shows the following obvious indications of a mistake or failure to provide a compliant solution as required by the GVB technical requirements.

1. The G4S bid included a CCTV Camera that was 80% less than the camera recommended by PDS ($837.50 vs. $3900).

2. The amount bid by G4S for Task IV – Develop and perform Procedures to provide 24 hours a day, 7 days a week (24/7) CCTV System Monitoring Services, shows that the G4S will charge GVB less than the labor cost to provide this service to GVB, resulting in an annual loss of $20,000 to $40,000 a year to G4S to provide this service.

3. The cost quoted by G4S to connect and install the CCTV cameras at existing camera Locations as listed on Bid Form B-14.2 is only $156 per site versus the $2,500 bid by PDS.

4. The cost quoted by G4S to connect and install the CCTV cameras at new Locations as listed on Bid Form B-14.2 is only $156 per site versus the $21,000 bid by PDS.

An "apples to apples" comparison of the G4S and PDS bids should have called into question whether the bidders were actually bidding on the same scope of work and GVB should have undertaken a confirmation or clarification from the bidders of the exact work that was to be provided or included in the bids submitted. This clarification/confirmation is required by 2 GAR § 3109(m)(3) should have been done by GVB as part of its evaluation.

Failure by GVB to perform these confirmations of the bidders submissions calls into question whether the evaluation used in the determination of the award was valid and in compliance with 5 G.C.A. § 5211(g). PDS contends that GVB was guided by the face value of the bid submissions choosing to make an award to the lowest bidder without fully evaluating the bids and confirming compliance "in all material respects" with the bid specifications and requirements.

In *In the Appeal of O&M Energy, S.A.,* OPA-PA-08-004, the OPA found that a price disparity of six million dollars ($6,000,000) would indicate that the agency, GPA, did very little to evaluate the bids before deciding to award the contract (OPA-PA-08-004 at 4). Specifically, the OPA found that GPA favored an incumbent contractor by failing to properly evaluate the incumbent's Technical Specifications offered by the incumbent (OPA-PA-08-004 at 5). The OPA found that GPA failed to employ the objectively measurable criteria set forth in the IFB in the evaluation process to determine whether the lowest bidder did in fact meet the criteria set forth in the IFB (OPA-PA-08-004 at 5). In her decision, the OPA found that the proposed award was not adequate under the procurement law and regulations because GPA failed to evaluate the bids properly and thus cancelled the procurement in its entirety (OPA-PA-08-004 at 6).

PDS believes that, just as in the above referenced OPA Appeal, GVB has failed to employ measurable evaluation criteria to insure that the G4S bid meets the bid specifications in all matter respects as required by 5 G.C.A. § 5211(g).

B. GVB HAS VIOLATED 2 GAR § 3131 AND § 3132 FOR FAILING TO PROVIDE PDS WITH COPIES OF ALL OF THE G4S BID DOCUMENTS.

PDS requested from GVB all of the G4S bid documents, however GVB refused to provide these documents stating that the documents would not be released until after an award had been finalized (see Exhibit E GVB letter dated March 13, 2014). The release of these procurement documents are governed by 2 GAR § 3132 which states as follows:

> **§3132. Rules for Procurement Records.** As required by 5 GCA §5252, these rules are declared by the Policy Office to:
>
> **1. protect the integrity of the bidding process;**
> 2. protect the confidentiality of trade secrets;
> 3. establish reasonable charges for copying papers;
> 4. provide for and establish reasonable charges for transcription of sound recordings;
> **5. require public access to the record at the earliest possible time; and**

6. not require that the record be complete or that the procurement award be made before inspection and copying are permitted.

(emphasis added)

PDS believes that a review of the G4S bid documents will reveal further issues with the procurement process or award decision made by GVB. Failure by GVB to release these documents in clear violation of the above referenced 2 GAR regulations casts further doubt on the integrity of this procurement and the award decisions made by GVB.

IV.2 RULING REQUESTED BY THE OPA IN THIS APPEAL:

A. PDS seeks a *de novo* review of the procurement evaluation and award decisions made by GVB in this procurement. Specifically, PDS requests that the OPA validate the evaluation process used by GVB to determine the lowest and most responsive bidder based on the bid specifications and requirements, including the clarification of each bidder's offer to insure a fair and equal comparison. If the OPA finds that the GVB evaluation and award process was flawed or in violation of Guam Procurement Law or Regulation, PDS requests that the OPA instruct GVB to resolve the evaluation issues and to make a proper award to the lowest and most responsive bidder for this procurement.

B PDS requests a ruling by the OPA on each of the appeal points contained in this procurement appeal.

C. PDS requests reimbursement of any and all applicable costs as may be determined by the OPA in this matter.

D. That GVB be ordered to perform any actions ordered by the OPA within a 14 day period after the OPA decision and order is issued.

IV.3 SUMMARY OF SUPPORTING EXHIBITS ATTACHED HERETO:

Exhibit A – Protest by PDS to GVB on March 24, 2014

Exhibit B – GVB Protest Denial letter dated April 1, 2014

Exhibit C – GVB Bid Abstract and Evaluation Report

Exhibit D – GVB letter dated March 6, 2014

Exhibit E – GVB letter dated March 13, 2014 regarding G4S bid documents

Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL

PART V – DECLARATION REGARDING COURT ACTION

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

Submitted this 16th day of April, 2014.

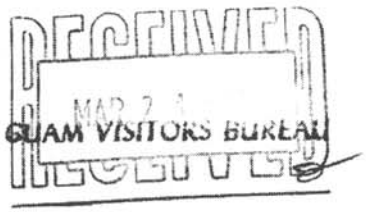
By: _____
APPELLANT – Pacific Data Systems
by John Day, its President

EX A

Pacific Data Systems

March 24, 2014

Via Hand Delivery



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

Re: Protest by Pacific Data Systems of GVB's Award Decision to G4S Security 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 as Exhibit "A"). This GVB letter, along with other GVB documents related to this procurement, were provided to PDS by GVB on March 10, 2014 in response to a PDS Freedom of Information Act request. This timely protest by PDS of GVB's actions in this procurement is based upon the following grounds:

I. GVB DID NOT UNDERTAKE A PROPER EVALUATION OF THE PDS AND G4S BIDS AS REQUIRED BY 5 G.C.A. § 5211(g).

PDS's review of the evaluation performed by GVB of the G4S bid shows that GVB did nothing to confirm or clarify the bid of G4S to insure compliance with the GVB Technical requirements. 2 GAR § 3109(m)(3) states the following:

> **(3) Confirmation of Bid.** When the Procurement Officer knows or has reason to conclude that a mistake has been made, such officer should request the bidder to confirm the bid. Situations in which confirmation should be requested include obvious, **apparent errors on the face of the bid or a bid unreasonably lower than the other bids submitted.** If the bidder alleges mistake, the bid may be corrected or withdrawn if the conditions set forth in Subsections 3109(m)(4) through 3109(m)(6) of this Section are met. (**emphasis added**)

In the case of the subject bid, a proper evaluation of the bids shows the following obvious indications of a mistake or failure to provide a compliant solution as required by the GVB technical requirements.

A. The G4S bid included a CCTV Camera that was 80% less than the camera recommended by PDS ($837.50 vs. $3900).

Pacific Data Systems

B. The amount bid by G4S for Task IV - Develop and perform Procedures to provide 24 hours a day, 7 days a week (24/7) CCTV System Monitoring Services, shows that the G4S will charge GVB less than the labor cost to provide this service to GVB, resulting in an annual loss of $20,000 to $40,000 a year to G4S to provide this service.

C. The cost quoted by G4S to connect and install the CCTV cameras at existing Locations as listed on Bid Form B-14.2 is only $156 per site versus the $2,500 bid by PDS.

D. The cost quoted by G4S to connect and install the New CCTV camera Locations as listed on Bid Form B-14.2 is only $156 per site versus the $21,000 bid by PDS.

An "apples to apples" comparison of the G4S and PDS bids should have called into question whether bidders were actually bidding on the same scope of work and a confirmation of what work was to be provided or included in the bids submitted as required by 2 GAR § 3109(m)(3) should have been done by GVB as part of its evaluation. Failure by GVB to perform these confirmations of the bidders submissions calls into question whether the evaluation used in the determination of the award was valid and in compliance with 5 G.C.A. § 5211(g).

II. GVB HAS VIOLATED 2 GAR § 3131 AND § 3132 FOR FAILING TO PROVIDE PDS WITH COPIES OF ALL OF THE G4S BID DOCUMENTS.

As noted earlier, PDS had requested from GVB all of the G4S bid documents. The release of these procurement documents are governed by 2 GAR § 3132 which states as follows:

> **§3132. Rules for Procurement Records.** As required by 5 GCA §5252, these rules are declared by the Policy Office to:
> **1. protect the integrity of the bidding process;**
> 2. protect the confidentiality of trade secrets;
> 3. establish reasonable charges for copying papers;
> 4. provide for and establish reasonable charges for transcription of sound recordings;
> **5. require public access to the record at the earliest possible time; and**
> **6. not require that the record be complete or that the procurement award be made before inspection and copying are permitted.**
> **(emphasis added)**

PDS believes that a review of these documents will also reveal further issues with the procurement process or award decision made by GVB. Failure by GVB to release these

Pacific Data Systems

documents in clear violation of the above referenced 2 GAR regulations casts further doubt on the integrity of this procurement and the award decisions made by GVB. 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,

John Day
President

Xc: Bill R. Mann – Attorney for Pacific Data Systems

Attachments: As stated.

185 Ilipog Drive, HBC Suite 204A, Tamuning, GU 96913
Main: (671) 300-0200 | Fax: (671) 300-0265 | www.pdsguam.com

GUAM VISITORS BUREAU

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

VIVIAN SWO 2/28/14

GUAM

Ex B

GUAM VISITORS BUREAU
SETBISION BISITAN GUÅHAN

April 1, 2014

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

RE: Your Protest, GVB 2014-002MS

Håfa Adai Mr. Day,

The Guam Visitors Bureau (GVB) is in receipt of your protest in regard to the above referenced solicitation. The GVB rejects your protest as without merit and out of time.

In your protest you allege that the GVB did not perform a proper analysis of PDS and G4S bids. *See your Protest, 24 March 2014, at pp. 1-2.* In fact, the GVB did perform such an analysis and was satisfied with the process and outcome of its analysis. GVB acted within the scope of the law and its discretion and you offer no evidence to the contrary. In any event, you were aware of the facts you offer to support your protest no later than 1100, 5 March 2014. Your protest is therefore made out of time. *See 5 Guam Code Ann. §5425(a).*

You characterize an alleged violation of Guam's Freedom of Information Act as a procurement protest. *See Protest, 24 March 2014, at pp. 2-3.* Allegations of agency violations of that act are addressed in Chapter 10 of that act, you present no cognizable protest under Guam's procurement rules and regulations, nor did you state how you are otherwise aggrieved. Accordingly this "protest" too is rejected.

Please be aware that you have a right to administrative and judicial review of this decision. *See 5 Guam Code Ann. §5425 (c)(2).*

Senseramente',

KARL A. PANGELINAN
General Manager
Guam Visitors Bureau

recd 4/1/14

GUAM

MULTI-STEP BID NO. GVB-2014-002MS CCTV SURVEILLANCE SYSTEM PHASE II: BID COST EVALUATION SUMMARY

BID COST PRICE FORM B-14.1 (MANDATORY REQUIREMENT)			LUMP SUM COST			ANNUAL COST			STANDARD HOURLY			PREMIUM HOURLY		
SCOPE OF WORK AND SERVICES	DESCRIPTION	TOTAL BID COST	G4S	PDS	COST DIFFERENCE	G4S	PDS	COST DIFFERENCE	G4S	PDS	COST DIFFERENCE	G4S	PDS	COST DIFFERENCE
TASK I Perform Assessment of Existing CCTV Surveillance System	Assess existing CCTV infrastructure to evaluate the operating or non-operating condition of installed system components (including existing fiber optic cables, power sources, ancillary system components); and recommend existing components to scrap; to replace; to repair; to re-use or recycle existing system components.	Lump Sum TASK I	$ 49,679.34	$ 296,600.00	$ (246,920.66)									
					Lower: G4S									
TASK II Recommend and Design-Build-Upgrade New Additional CCTV Infrastructure	Design and propose NEW CCTV equipment to upgrade the surveillance system to provide maximum coverage of the Tumon Bay Area. Proposed upgrades will include NEW equipment, supplies, and ancillary accessories, and the cost of installation	Lump Sum TASK II	$ 496,001.73	$ 373,500.00	$ 122,501.73									
					Lower: PDS									
TASK III Design CCTV System Maintenance Service Plan (to include Typhoon Preparedness)	Determine basic terms and conditions to establish an annual maintenance and repair service equipment to maintain the CCTV Surveillance System to minimize system down-time and/or equipment failure	Annual Cost & Hourly Cost TASK III				$ 22,291.83	$ 75,000.00	$ (52,708.17)	$ 52.00	$ 150.00	$ (98.00)			
								Lower: G4S			Lower: G4S			
TASK IV: Develop and Perform Procedures to Provide 24 Hours A Day, 7 Days A Week (24/7) CCTV System Monitoring Services	Provide 24 hours / 7 days a week (24/7) CCTV Surveillance and prepare reports to GVB on a quarterly schedule. Bidder shall quote service and support as an annual (12 – month) charge	Annual Cost TASK IV				$ 128,491.14	$ 272,000.00	$ (143,508.86)						
								Lower: G4S						
TASK IV - Inclusive of Required Human Resources to Perform CCTV System Monitoring Worker Duties.	Provide and schedule human resources to perform the duties of a CCTV Surveillance System Monitoring worker for continuous monitoring of all installed CCTV surveillance cameras. Each worker shall be assigned a standard 8 hour work schedule. The 24 hour period shall require a minimum of three workers. The bidder shall enter the base hourly rate to be paid to the CCTV monitoring workers that complies with US DOL FSLA requirements.	Standard & Hourly Cost - TASK IV							$ 14.71	$ 15.40	$ (0.69)	$ 14.71	$ 17.71	$ (3.00)
											Lower: G4S			Lower: G4S
TASK V: Provide identification signage at each CCTV surveillance camera location in the Tumon Area	Install a sign at each camera site to inform public that all activities are monitored and recorded by a CCTV surveillance system in the Tumon area.	Lump Sum TASK V	$ 27,759.05	$ 15,000.00	$ 12,759.05									
					Lower: PDS									
TASK VI Establish Guam Visitors Bureau's Secured CCTV System Access Via the Internet	Provide remote access via the Internet for surveillance monitoring by GVB authorized officials	Annual Cost and Hourly Cost TASK VI				$ 2,363.86	$ 9,000.00	$ (6,636.14)	$ -	$ 1.55	$ (1.55)			
								Lower: G4S			Lower: G4S			
			$ 573,440.12	$ 685,100.00	Lower: G4S $ (111,659.88)	$ 153,146.83	$ 356,000.00	Lower: G4S $ (202,853.17)						

CONTROLLER'S REPRESENTATIVES:

Summary Prepared by: Anne T. S. Camacho, Administration

Summary Certified by: Laurette Perez, Accounting

The CCTV Committee evaluated Technical Bids in Phase I on 2/18/14. Both G4S and PDS were moved to Phase II. Both Bid Cost envelopes were opened publicly by the GM on Wed, 2/26/14 @ 11:30 am in the GVB main conf. rm. All score sheets were verified and certified by the Controller's staff. After completing Phase I and II, the committee's recommendation to the GM to be first highest-ranked, responsive, and responsible bidder offering the best value for GVB and for the GM to begin best and final negotiations with is: G4S 2/26/14

EVALUATORS' APPROVAL SIGNATURES:

Robert Hofmann, GVB BOD

Antonio Muna, GVB

Doris Ada, GVB

Merise Peredo, GVB

Exc

MULTI-STEP BID NO. GVB-2014-002MS CCTV SURVEILLANCE SYSTEMS - SUBMITTED OFFERORS' BID COST SUMMARY

Sealed Bid Cost Opened by Karl A. Pangelinan, GVB General Manager & CPO; Summary prepared by: Anne Camacho, GVB Management Analyst IV; Summary verified by: Laurette Perez, GVB Accountant III on February 25, 2014, 5:00 PM .

B-14.2: MANDATORY USE OF BID COST PRICE FORMS IS A CONDITION OF BIDDING.

Price Quote to Replace Existing CCTV Equipment. Prospective bidders Shall Enter the Manufacturer's Model Type Offered by the Bidder, and Enter the Unit Price for Each Existing Camera Location. Qty = 1 for each existing location.

Location (Installed)	Camera Type Recommended		GVB Best Value Camera Type	Camera Manufacturer Model/Type		GVB Best-Value Mdl/Type	Camera Qty Required	Camera Unit Price		Camera Cost Difference for GVB	Connection Type		GVB Best Value Connection Type	Connection Unit Price		Connection Cost Difference for GVB	Price to Install & Connect		Installation & Connection Cost Difference for GVB
	G4S	PDS		G4S	PDS			G4S	PDS		G4S	PDS		G4S	PDS		G4S	PDS	
GPA Substation	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 1Gb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Hilton Entrance	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Ypao Intersection	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Across PIC	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Marriot Intersection	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 1Gb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Across Fountain Plaza	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Fiesta Hotel	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Across Church	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 1Gb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Tumon Sands	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 10GMb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Across Hyatt	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Across Sandcastle	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Across Market Place	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Outrigger Entrance	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 1Gb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
DFS Traffic Light	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 1Gb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Western Gun Club	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6420RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Open Port	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 1Gb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Westin Roadside	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Westin Beachside	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Sam Choi	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Grand Plaza	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
VK Tasi Beachside	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
PIC Beachside	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
PIC Beachside	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
VKT Beachside	PTZ	PTZ		G4S ULC	SAMSUNG/SNP-6230RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	FIBER	FIBER 100Mb		$ 12.00	$ 1,500.00	$ (1,488.00)	$ 156.00	$ 2,500.00	$ (2,344.00)
Office Entry	DOME	EXISTING		G4S ULC	N/A		1	$ 223.75	$ -	$ 223.75	COAX	COAX		$ 12.00	$ 100.00	$ (88.00)	$ 78.00	$ 600.00	$ (522.00)
Desk SGT. Entry	DOME	EXISTING		G4S ULC	N/A		1	$ 223.75	$ -	$ 223.75	COAX	COAX		$ 12.00	$ 100.00	$ (88.00)	$ 78.00	$ 600.00	$ (522.00)
Interview Room	DOME	EXISTING		G4S ULC	N/A		1	$ 223.75	$ -	$ 223.75	COAX	COAX		$ 12.00	$ 100.00	$ (88.00)	$ 78.00	$ 600.00	$ (522.00)
Holding Cell 1	DOME	EXISTING		G4S ULC	N/A		1	$ 223.75	$ -	$ 223.75	COAX	COAX		$ 12.00	$ 100.00	$ (88.00)	$ 78.00	$ 600.00	$ (522.00)
Holding Cell 2	DOME	EXISTING		G4S ULC	N/A		1	$ 223.75	$ -	$ 223.75	COAX	COAX		$ 12.00	$ 100.00	$ (88.00)	$ 78.00	$ 600.00	$ (522.00)
						TOTALS	29	$ 21,218.75	$ 93,600.00	$ (72,381.25)				$ 1,308.00	$ 36,300.00	$ (34,992.00)	$ 4,134.00	$ 63,000.00	$ (58,866.00)

MULTI-STEP BID NO. GVB-2014-002MS CCTV SURVEILLANCE SYSTEMS - SUBMITTED OFFERORS' BID COST SUMMARY

Sealed Bid Cost Opened by Karl A. Pangelinan, GVB General Manager & CPO; Summary prepared by: Anne Camacho, GVB Management Analyst IV; Summary verified by: Laurette Perez, GVB Accountant III on February 25, 2014, 5:00 PM .

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.

Location	Camera Type Recommended		GVB	Camera Function 180 or 360 degrees		GVB	Camera Manufacturer Model/Type		GVB	Camera Qty Required	Camera Unit Price		Camera Cost Difference for GVB	Connection Type		GVB	Price to Install & Connect Camera		
New Additional	G4S	PDS	Best Value	G4S	PDS	Best Value	G4S	PDS	Best Value		G4S	PDS		G4S	PDS	Best Value	G4S	PDS	
			Camera Type			Camera Function			Mdl/Type							Connection Type			Installation & Connection Cost Difference for GVB
Farenholt Avenue and Camp Watkins	PTZ	PTZ		360	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	ISP	FIBER 1Gb LOOP		$ 156.00	$ 21,000.00	$ (20,844.00)
Onward Agana Beach Hotel (aimed on top of hotel to view roadside and one to beach side of the hotel)	PTZ	PTZ		360	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	ISP	FIBER 1Gb LOOP		$ 156.00	$ 21,000.00	$ (20,844.00)
Onward Agana Beach Hotel (aimed on top of hotel to view roadside and one to beach side of the hotel)	PTZ	PTZ		360	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	ISP	FIBER 1Gb LOOP		$ 156.00	$ 21,000.00	$ (20,844.00)
Tretan and Farenholt Avenue	PTZ	PTZ		360	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	ISP	FIBER 1Gb LOOP		$ 156.00	$ 21,000.00	$ (20,844.00)
Route 14 and Farenholt Avenue	PTZ	PTZ		360	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	ISP	FIBER 1Gb LOOP		$ 156.00	$ 21,000.00	$ (20,844.00)
IEC Building (aimed to Route 14 and 1)	PTZ	PTZ		360	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	ISP	FIBER 1Gb LOOP		$ 156.00	$ 21,000.00	$ (20,844.00)
Route 1 and JFK School	PTZ	PTZ		360	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	ISP	FIBER 1Gb LOOP		$ 156.00	$ 21,000.00	$ (20,844.00)
Holiday Hotel, Tumon	PTZ	PTZ		360	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	ISP	FIBER 1Gb LOOP		$ 156.00	$ 21,000.00	$ (20,844.00)
Route 14 and Chichirica St., Tumon	PTZ	PTZ		360	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	ISP	FIBER 1Gb LOOP		$ 156.00	$ 21,000.00	$ (20,844.00)
Tower one Across Acoma Hotel pointed to Westbound on Gun Beach road towards Route 14 and Tumon Hill	DOME	PTZ		180	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 223.75	$ 3,900.00	$ (3,676.25)	ISP	FIBER 1Gb LOOP		$ 78.00	$ 21,000.00	$ (20,922.00)
Route 1 and Hill (aimed on top of Horizon Condominium)	PTZ	PTZ		360	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	ISP	FIBER 1Gb LOOP		$ 156.00	$ 21,000.00	$ (20,844.00)
Route 1 and Boonsri Plaza, Upper Tumon (aimed on top of the building close to the road)	DOME	PTZ		180	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 223.75	$ 3,900.00	$ (3,676.25)	ISP	FIBER 1Gb LOOP		$ 78.00	$ 21,000.00	$ (20,922.00)
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	PTZ		360	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 837.50	$ 3,900.00	$ (3,062.50)	ISP	FIBER 1Gb LOOP		$ 156.00	$ 21,000.00	$ (20,844.00)
Route 1 East Agana (aimed on top of retaining wall with the Guam and America flag)	DOME	PTZ		180	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 223.75	$ 3,900.00	$ (3,676.25)	ISP	FIBER 1Gb LOOP		$ 78.00	$ 21,000.00	$ (20,922.00)
Route 1 East Agana (aimed on top of Urlano building or on top of Stanton furniture building)	DOME	PTZ		180	360		G4S ULC	SAMSUNG/ SNP-6200RH		1	$ 223.75	$ 3,900.00	$ (3,676.25)	ISP	FIBER 1Gb LOOP		$ 78.00	$ 21,000.00	$ (20,922.00)
									TOTALS:	15	$ 10,107.50	$ 58,500.00	$ (48,392.50)				$ 2,028.00	$ 315,000.00	$ (312,972.00)
													Lower: G4S						Lower: G4S

MULTI-STEP BID NO. GVB-2014-002MS CCTV SURVEILLANCE SYSTEMS - SUBMITTED OFFERORS' BID COST SUMMARY

Sealed Bid Cost Opened by Karl A. Pangelinan, GVB General Manager & CPO; Summary prepared by: Anne Camacho, GVB Management Analyst IV; Summary verified by: Laurette Perez, GVB Accountant III on February 25, 2014, 5:00 PM .

B-14.3: MANDATORY USE OF BID COST PRICE FORMS IS A CONDITION OF BIDDING.

Quote purchase price per unit item; the bidder's price/cost to connect and install the unit; and the annual maintenance rate for each CCTV system component listed:

CCTVSURVEILLANCE SYSTEM EQUIPMENT DESCRIPTION	NEW - UNIT PRICE		Cost Difference for GVB	PRICE TO CONNECT & INSTALL		Cost Difference for GVB	ANNUAL MAINTENANCE SERVICE PRICE		Cost Difference for GVB
	G4S	PDS		G4S	PDS		G4S	PDS	
Pan-Tilt-Zoom Dome, Pendant/Wall-Mounted	$ 837.50	$ 3,181.00	$ (2,343.50)	$ 156.00	$ 2,500.00	$ (2,344.00)	$ 311.50	$ 487.50	$ (175.50)
Fixed Camera	$ 313.75	$ 2,500.00	$ (2,276.25)	$ 78.00	$ 2,500.00	$ (2,422.00)	$ 104.50	$ 312.50	$ (208.50)
Keyboard Controller	$ 387.50	$ 650.00	$ (262.50)	$ 78.00	$ 100.00	$ (22.00)	$ 104.00	$ 81.25	$ 22.75
Digital Video Recorder	$ 1,737.50	$ 20,000.00	$ (18,262.50)	$ 156.00	$ 1,500.00	$ (1,344.00)	$ 104.00	$ 2,500.00	$ (2,396.00)
Matrix Switcher	$ 5,500.00	$ 5,500.00	$ -	$ 156.00	$ 500.00	$ (344.00)	$ 104.00	$ 625.00	$ (521.00)
LCD Monitor	$ 1,134.66	$ 985.00	$ 153.66	$ 78.00	$ 100.00	$ (22.00)	$ 52.00	$ 123.13	$ (71.13)
Camera Power Supply	$ 76.69	$ 500.00	$ (523.31)	$ 156.00	$ 250.00	$ (94.00)	$ 189.00	$ 95.00	$ 29.00
Camera Mounting Bracket	$ 37.50	$ 500.00	$ (462.50)	$ 156.00	$ 250.00	$ (94.00)	$ 156.00	$ 62.50	$ 93.50
Camera Housing	$ 93.75	$ -	$ 93.75	$ 156.00	$ -	$ 156.00	$ -	$ -	$ -
Cabling	$ 125.00	$ 150.00	$ (25.00)	$ 156.00	Q = $10.00 per ft.	#VALUE!	$ 156.00	$ -	$ 156.00
Video Decoder	$ 1,875.00	$ 350.00	$ 1,525.00	$ 156.00	$ 100.00	$ 56.00	$ 156.00	$ 43.75	$ 112.25
Video Encoder	$ 2,125.00	$ -	$ 2,125.00	$ 156.00	$ -	$ 156.00	$ -	$ -	$ -
Uninterruptable Power Supply.	$ 1,518.75	$ 2,850.00	$ (1,331.25)	$ 156.00	$ 500.00	$ (344.00)	$ 156.00	$ 356.25	$ (200.25)
Conduits, fittings and joints	$ 918.50	Q= $10.00 per ft.			Q = $2.00 per ft.	#VALUE!	$ 156.00	$ -	$ 156.00

Quote Hourly Labor Rate Only: (parts to be charged per incident)

CCTV SURVEILLANCE SYSTEM MAINTENANCE, REPAIR, NETWORK, TECHNICAL SUPPORT SERVICES	Hourly Rate During Warranty Period		Cost Difference for GVB	Standard Hourly Rate		Cost Difference for GVB	After-Hours Support or Service Calls (weekends, holidays, after work hours)		Cost Difference for GVB
	G4S	PDS		G4S	PDS		G4S	PDS	
HARDWARE - Equipment	$ 82.00	$ 120.00	$ (38.00)	$ 82.00	$ 150.00	$ (68.00)	$ 78.00	$ 219.00	$ (147.00)
SOFTWARE - CCTV System Operating & Network Software	$ 82.00	$ 200.00	$ (118.00)	$ 82.00	$ 200.00	$ (118.00)	$ 78.00	$ 375.00	$ (297.00)
Help-Desk Technical Support	$ 82.00	$ 130.00	$ (48.00)	$ 82.00	$ 150.00	$ (68.00)	$ 78.00	$ 225.00	$ (147.00)
Network Technical Support	$ 82.00	$ 130.00	$ (48.00)	$ 82.00	$ 200.00	$ (118.00)	$ 78.00	$ 300.00	$ (222.00)
Technical Training Services	$ 82.00	$ 130.00	$ (48.00)	$ 82.00	$ 200.00	$ (118.00)	$ 78.00	$ 201.00	$ (123.00)
Technical Assistance/Consultation	$ 82.00	$ 150.00	$ (68.00)	$ 82.00	$ 250.00	$ (168.00)	$ 78.00	$ 300.00	$ (222.00)
Network Advisory/ Consultation Services	$ 82.00	$ 200.00	$ (118.00)	$ 82.00	$ 250.00	$ (168.00)	$ 78.00	$ 375.00	$ (297.00)
SYSTEM DOCUMENTATION CHG. - ONE (1) MANUAL	XC Operating Manual		Cost Difference for GVB	XC System Configuration		Cost Difference for GVB	XC Help-Desk Procedures Manual		Cost Difference for GVB
	G4S	PDS		G4S	PDS		G4S	PDS	
	$ 20.00	$ 1,500.00	$ (1,479.20)	$ 20.00	$ 1,500.00	$ (1,479.20)	$ 20.00	$ 1,000.00	$ (979.20)

EX D

GUAM VISITORS BUREAU
SETBISION BISITAN GUÅHAN

March 6, 2014

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

RE: Multi Step Procurement No. GVB 2014-002MS , A Closed Circuit Television Surveillance System at Tumon and Hagatna Bay, Guam

Håfa Adai Mr. Day,

In our meeting on 05 March 2014, you raised to us several concerns. We address these concerns as best as we can and within the constraints of procurement law and regulation.

Having examined a bid cost summary in this solicitation, you noted great differences in bid amounts between Pacific Data Systems and another bidder. Particularly, and as to Task 1, you asked whether the other bidder presented a quotation based upon an assessment of the existing closed circuit television system or replacement of that system. The Guam Visitors Bureau assumes that all bidders have read the solicitation carefully and responded according to its terms and call. *See pp. 51-52, Multi Step Procurement No. GVB 2014-002MS.*

You stated that the other bidder offered a bid amount as to Task IV that would result in a loss to that company. We do not know if the tendered bid would result in a loss to that other bidder and assume all bidders used their best business judgment in responding to the solicitation. In this solicitation, the Bureau seeks the lowest price from a responsible, responsive bidder.

You also stated that there was great disparity in the prices of items offered to the Bureau. We've noted the difference, but have found all bidders in Phase 2 to be responsive to the Bureau's needs.

Thank you for your interest in this solicitation and hope you will participate in future Bureau procurements as appropriate.

Senseramente',

JON NATHAN P. DENIGHT
Acting General Manager

Ex E

GUAM VISITORS BUREAU
SETBISION BISITAN GUÅHAN

March 13, 2014

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

RE: Letter on 11 March 2014, concerning a "Sunshine Act" request, 04 March 2014

Håfa Adai Mr. Day,

We are in receipt of your letter dated 11 March 2014, concerning a "Sunshine Act" request.

In that letter you stated that the Guam Visitors Bureau provided a partial response and assume certain requested material was withheld as confidential. *See your letter at passim.* Your assumption is incorrect. Please note that 2 Guam Admin. R. & Reg. 3109(v)(2)(c) states "after award the unpriced technical offer of the successful bidder shall be disclosed as follows . . . ." Thus another's technical offer may be disclosed, but not until *after award.*

Please be aware that the Guam Visitors Bureau responds to requests pursuant to the "Sunshine Act" in accordance with law.

Senseramente',

JON NATHAN DENIGHT
Acting General Manager
Guam Visitors Bureau