

### **EXHIBIT D** PDS IFB GCC-FB-015 Bid Form

### GCC Invitation to Bid GCC-FB-10-015 Bid Worksheet - GCC Campus

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## GCC Invitation to Bid GCC-FB-10-015 Bid Worksheet - GCC Campus

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\* This is our recommended yolf System and Service configuration based only analysis of the Secure Topulation (approx 191 total users).



### **EXHIBIT E**

### Page 1 of GCC Amendment #1 IFB GCC-FB-015

Pacific Data Systems

185 Ilipog Drive, HBC Suite 204A, Tamuning, GU 96913

Main: (671) 300-0200 | Fax: (671) 300-0265 | www.pdsguam.com



Kulehon Kumunidát Guáhan

Accredited by the Western Association of Schools and Colleges

Date:

May 20, 2010

To:

All Prospective Bidders

From:

Joleen M. Evangelista, Procurement & Inventory Administrator

Subject:

Amendment #3

Bid No:

GCC-FB-10-015

Bid Description:

Voice Over-Internet Protocol Telephone System

Attached you will find Amendment #3 with questions from prospective bidders and responses from GCC.

Please respond with the following information:

Company Name:

Company Address:

Your Name:

Date Acknowledged:

Please respond and acknowledge this amendment #4 immediately or no later than 5:00 p.m., Friday, May 21, 2010.

If you have any questions, please do not hesitate to email: materialsmanagement@guamcc.edu or call 735-5540 or 5541.

Thank you for participating in this bid.

Subject: Amendment #3

Bid No: GCC-FB-10-015

Bid Description: Voice Over-Internet Protocol Telephone System

MCV Submission

MCV Question #1: Support for Variety of Telephone Instruments and Unified Messaging/Communications.

Which specific types and number of telephone instruments are required? For example, telephone instruments come in many variations such Basic, Executive, Advanced, Digital, Analog models...etc. Pricing is just as varied with manufacturer/vendor discounts available based on volume for specific instruments. Providing a recommended range of telephone instruments to select from will not afford for the lowest pricing.

GCC Response:
Although it is commonly brown plant withing the viring apparels on which lowered pricing, GCC trappyed one right of independent of decrease fundaments of items anywhere from 0 to 200 acceptances anywhere from 0 to 200 acceptances anywhere

We expect the vendors to compete with each other in the best interest of the college and take reasonable risks in providing the lowest possible price on their proposal regardless of instrument or its model type, even if that number is just 1. As per the provided amendments detailing GCC's current phone services billing, phone numbers, and employee listings, vendors' experience should dictate considerations for reasonable ranges that guide price estimates per proposed instrument. For example, we are certain not everyone in GCC is going to have an advanced executive instrument with video or audio conferencing capability, but vendors' experience will at least estimate 1 for the President of the college, and possibly take additional risks by adjusting that price to a lower and more competitive amount by estimating 2 more for the college's 2 vice presidents. This will not guarantee that GCC will buy three units, but as a vendor competing with others, it will be GCC's position, trust, or confidence that said vendor truly considered the best interest of the college by providing the most lowest or favorable price on the item.

Although GCC currently does not have a 1:1 ratio of phone instruments or numbers to employees, GCC by its option, can replace every existing phone instrument on campus with the most basic or standard IP phone. Whether GCC needs only one (1), two hundred (200), or three hundred (300), the college only needs one price per item from each vendor to objectively evaluate which vendor offering is the lowest price, or even how much the extended cost (quantity x unit cost) will be when the decision is made on exactly how many is needed, what type, and for which employee.

Leaving the items quantity column blank in the VoIP price template was done intentionally to allow vendors to specify their own required numbers based on what they are proposing. But for the purpose of clarification on this specific question and quantity-related questions, the final decision and response is to base all the quantity numbers to at least 1, regardless on whether it is an instrument, a switch, controller, server, or software license, etc. However, wherever quantity must be made higher due the vendor's own proposed solution's requirements, that vendor must specify the cost of 1 and also indicate how many in total are required along with its total extended cost. In cases of service-related items, where 1 year is specified instead of 1 month, GCC will divide the amount by 12 to determine monthly cost.

Objectively, GCC will use the cost of 1 quantity as the basis for totaling overall price evaluation, and will only add the cost of any higher quantity

indicated by the prospective vendor as a required number in its proposed solution.

MCV Question #2: Inside Wiring MCV requests for copies of the conduit communications plans for all buildings covered by the scope of this project in the event that new wiring is required to support our system recommendation.

GCC Response:

Vendor is responsible for doing a feasibility assessment of the current network and inside wiring for the potential linking or integration of the new VoIP system they are proposing. The recent walkthrough conducted with the vendors showed that certain network backbone cables are armored/outdoor types and are over the walkway/hallway concrete canopies, or exterior walls, and buried underground or without conduits. Some indoor cabling are on exposed and anchored cable trays and many labs and offices are fitted with both telephone and network/data cabling sharing conduits. Majority of labs in older buildings have single long runs providing a switch-to-switch network link between two points. In terms of old or current telephone installations, many employee offices use no conduits, or conduits were part of the initial building construction. Majority of networked labs and offices in new buildings have long or homerun cabling to a communications room.

It is also important to note that GCC does not own or possess all communications conduit plans for all buildings covered by the scope of this project. There are GTA copper wiring, fiber cabling, pedestals on, off, and near the campus perimeter with lines entering, going throughout, and exiting from many buildings, and GCC does not entirely manage all traversed areas. However, all cabling of workstations, servers, switches, routers, etc., and backbone copper and fiber optic network connections are owned by GCC with the exception of those directly installed by either GTA or MCV.

GCC recommends that vendors focus on the existing network connections and not on upcoming building conduit plans, as well as use provided network-related drawings and diagrams from the amendments. Although it is not actually information specific to this question, another important and possibly helpful point is for vendors to know that GCC has more than a 1:1 ratio of networked office computers to employees. Unless an employee absolutely refuses to use a computer, it is rare to find anyone here at GCC without a networked computer assigned or available to them either at their office, in the classroom, or in conference rooms. Note that every occupied or currently used office, classroom, meeting, and conference room is connected to the network.

End of MCV Submission

Dimension Systems Inc. Submission

Dimension Systems Inc. Question #1: Reference Page 2, Project Description, "proposal must be scalable and able to incorporate up to 300+ lines/end users".

Dimension Systems Inc. Question #1.1.: Please explain your definition of lines and end users?

GCC Response:

"Lines" is the number of individual IP phone lines each with a unique assigned directory phone number and not an extension. "End Users" is the number of individuals assigned to each of those IP directory phone numbers.

Dimension Systems Inc. Question #1.2.: Are the lines Telco trunk lines?

GCC Response:

No. The Telco trunk lines required for this bid will be those needed for the 22 analog POTS lines that use 22 unique directory phone numbers. Also, existing lines and their numbers that do not technically meet requirements for, are not possible of, or are not easily capable of porting or converting over to the VoIP system environment, and as deemed incompatible by the prospective vendor and its proposed solution, will remain as is.

Dimension Systems Inc. Question #1.3.: Are the end users extensions?

GCC Response:

No. See GCC Response to Dimension Systems Inc. Question #1.1.

Dimension Systems Inc. Question #1.4.: Or are both referring to extensions? No. See GCC Response to Dimension Systems Inc. Question #1.1.

Dimension Systems Inc. Question #2: We are requesting for a current diagram of each DMARC and what building(s) it provides service to and the exact number of telephones in each building.

GCC Response:

GCC will provide the employee phone numbers according to their rooms and building number. Note, however, that some rooms, especially classrooms, meeting, and conference rooms have phone numbers assigned to the area and not to actual employees. Please see also GCC Response to MCV Question #2: Inside Wiring.



### Phones Rooms Building Document.do

Document Object:

Dimension Systems Inc. Question #3: In reference to questions #2, please provide exact number of extensions needed in each building.

GCC Response:

GCC does not use extension numbers, but will provide the employee's 7-Digit phone numbers according to their rooms and building number.

Dimension Systems Inc. Question #4: Are the current copper infrastructures (from DMARC to each port) that are being used for telephones/ systems/Centrex lines, the property of GCC and will they be available to be utilized as needed?

GCC Response:

No. Please see also GCC Response to MCV Question #2: Inside Wiring.

Dimension Systems Inc. Question #5: Are the existing network switches on your network (which will be used for this project) QOS capable?

GCC Response:

Not all the switches in place that can potentially be used for this project are confirmed as QoS capable. The vendor's feasibility assessment of the current network and inside wiring for the potential linking or integration of the new VoIP system they are proposing should determine if the existing switches will meet their proposed system's QoS technical requirements. The summary list immediately below provides a listing of existing network switches and their supported level of and for QoS at designated areas:

GCC Campus, Known NON-QOS Supported Switches

All Switches that support QOS are based on the 3Com products: 3Com 4200 Series Switches & 3Com 4060 Series Switches

D-Wing

D-01 (Edge Switch, 3Com 3300 TM) SYSOps QOS NOT SUPPORTED

D-06 (Edge Switch, 3Com 3300 TM) TechOps QOS NOT SUPPORTED

D-06 (Edge Switch, 3Com 3300 TM) NetOps QOS NOT SUPPORTED

A-Wing

QOS SUPPORTED

C-Wing

C-01 (Distribution Switch, 3Com 3300 TM) QOS NOT SUPPORTED

Allied Health QOS SUPPORTED

Library

QOS SUPPORTED

Tech Center

QOS SUPPORTED (Exceptions Below)

RM1105 Edge HUB Detected

RM1106 Edge HUB Detected

### Admin

QOS SUPPORTED (Exceptions Below)

RM 2214 Edge HUB Detected

RM 2114 Edge HUB Detected

RM 2119 Edge HUB Detected

RM 2103 Edge HUB Detected

RM 2111 Edge HUB Detected

RM 2234 Edge HUB Detected

BLDG 100-600

BLDG 100-500 (Distribution Switch, 3Com 3300 TM) QOS NOT SUPPORTED

RM 104 (Edge Switch, 3Com 3300 TM) CJ 130-33

RM 205 (Edge HUB) HUB Detected

Dimension Systems Inc. Question #6: We are requesting for an extension from the current BID due date of May 26, 2010. We are requesting for an additional three (3) weeks to review and evaluate information received on Pre BID conference, Site Visit, and GCC's responses to vendors questions. This will also allow us time to feasibly assess the current voice and data network and inside wiring for the linking/integrations for the new VOIP system.

### GCC Response:

Because of strict ARRA timelines, it is not possible at this time to provide another extension of the current bid opening date of May 26, 2010.

End of Dimension Systems Inc. Submission

GTA Submission

1: Page 1, States: GCC Business VoIP Phone System Minimum Technical Requirements

"The following specifications define the minimum requirements for the new IP based (VoIP) Phone system that GCC is interested in procuring to support the main campus in Mangilao and its remote office/classroom operations at the Guam public high schools.

The Scope of work includes:

GCC's Mangilao Campus Buildings, Offices, Classrooms, and Conference Rooms High school sites below are optional and are not part of the requirements:

GCC Only Offices/Classrooms at Simon Sanchez High School GCC Only Offices/Classrooms at Southern High School

GCC Only Offices/Classrooms at Okoodo High School

GCC Only Offices/Classrooms at George Washington High School

GCC Only Offices/Classrooms at John F. Kennedy High School

Page 2 "Project Description" States

"The system installation will be for the main Mangilao campus. At a later time and not required for this bid, the college may optionally deploy the services, over the internet, to GCC's remote satellite classrooms and employee offices."

"Configuration of phone systems must be for all main campus employees at their designated office space"

GTA Question #1: Bid specification state that phone system is to be deployed at Main campus and outlying classrooms off campus and then further states that phone system is not required to outer campus. Clarification needs to be made on where phone system is required for this bid?

GCC Response:

The phone system installation for this bid is only required for the Mangilao GCC campus. GCC's offices and classrooms located on the listed public high schools are optional and not part of the bid requirements and its evaluation criteria. It has been clarified, more than once, throughout the bid specification document that GCC offices and classrooms located in the public high schools are optional. Again, vendors are not required to respond or address configuration of the phone system, or its installation, for GCC's offices and classrooms at the local public high schools. The purpose of including GCC's remote offices and classrooms in this bid is purely informational and will not be part of the evaluation. Note, however, that "capacity", "scalability" and "installation" are separate items and concepts. Although, vendors are not required to respond, install, configure, or even address anything related to GCC's offices and classrooms located at the local public high schools, the proposed system's "capacity" and level or ease of "scalability" to support remote offices or in multisite deployments will still be part of the evaluation.

2. Page 2 states:

"Proposal must include in the bid all necessary items."

GTA Question #2: What are the necessary items to include into this proposal?

GCC Response:

Necessary items are all the things the vendor must include in order for the system to be fully functional at an acceptable optimum level, less what GCC currently has in place that can be used and can work with the vendor-proposed system solution. For additional information, please see GCC Response to MCV Question #2: Inside Wiring.

3. Page 4 Fail Over states:

"In the event of total system failure or power failure, the proposed system must provide for limited analog phone service at designated location"

GTA Question #3.1.: How is fail over to be provided?

GCC Response:

GCC is not to limiting vendors on how to provide failover solutions for their proposed VoIP system, but the college expects vendors to at least address VoIP failover, VoIP and public data network failover, and VoIP and private data network failover. Multiple failover solutions are required and favored over limited, or single one, for GCC's overall VoIP and unified communications systems. As stated in the specifications, the failover system must not have a single point of failure and must have multiple automatic failover switching or server systems for optimum continuous use and operation. Also as stated in the bid specifications, in the event of a limited analog phone service at designated locations. This limited operation must be automatically provided by the system and not require GCC or vendor staff to make any configuration changes to the system or to endpoints instruments to allow for this capability to work. System must be able to automatically provide at least 22 IP-to-Analog lines for the main Mangilao campus in the event of a total system failure.

In the event of a voice access disruption on the network, the VoIP failover solution should redirect voice traffic to a separate data access line, without active calls dropping. With either the VoIP and public data failover or the VoIP and private data failover, if the primary data access (such as the Internet connection or wide area network) goes down, traffic is expected to be rapidly rerouted through the VoIP network. The setup must include a VoIP failover component, so if an interruption occurs on either the VoIP or data network, the proposed solution should automatically reroute traffic to the active network. Again, the failover system should provide at least 99.999% availability and local site survivability with no single point of failure, and automatically detects potential faults and self-corrects by having in place redundant devices to ensure maximum availability of communications. As stated also in the specifications, this system must be redundant and fully fault-tolerant and be able to provide 99.999% uptime with zero to very minimum loss of business operations.

GTA Question #3.2.: Is this reference to power failure, system failure, IP handset or transport failure?

GCC Response:

Failure in this case are all three (1) Power Failure, 2) System Failure, and 3) Transport Failure) except the IP handset.

GTA Question #3.3.: Define the failure. Failure is defined as the entire VoIP system being rendered useless for reasons related to, or caused by, total power shutdown and outages (whether intentional/planned, or unintentional/unscheduled), total system crashes, and incapacitated transport systems, etc.. Failure is further defined as the entire VoIP system being rendered useless or cannot be used for reasons related to, or caused by, the absence, interruptions, or the inability of critical mechanisms or components to keep the VoIP system functional. These critical mechanisms or components may include the breakdown, disabled, or prolonged malfunctioning of failover solutions and related devices, completely down or drained Uninterruptible Power Sources (UPS) to critical points or system components, total local, private, or public network outages or major cabling line breaks.

Unless it is impacting the majority of end-point devices at the same time and rendering the entire VoIP system useless, failure here does not include single or individually isolated problems with IP handsets or instruments, end-user PC malfunctions, or broken switch ports for single drop lines, etc. Continuing with the previous statement, failure in this case also does not include isolated scenarios that are easily resolvable by vendor customer

service, or first line vendor technical support, and does not impact the rest of the VoIP system.

4. Page 5/6 Support for Variety of Telephone Instruments and Unified Messaging/Communications:

IP Hard Phones IP Soft phones

GTA Question #4.1: GTA would like to acquire the following information: GTA Question #4.1.a.What is the total amount of IP Phones in each building required?
GTA Question #4.1.b.What is the total amount of analog handsets are required and in which building?
GTA Question #4.1.c.: How many WIFI handsets are required?
GTA Question #4.1.d.: How many total trunks does GCC require for PSTN connection (i.e. PRI, CO Lines, etc)?
GTA Question #4.1.e.: How many video conferencing units are Required?
GTA Question #4.1.f.: Do all handsets require to have VC capabilities?

GCC Response:
Please see GCC Response to MCV Question #1 for responses to GTA questions
#4.1.a. to #4.1.f.
For additional information to GTA Question #4.1.d., please see GCC Response
to Dimension Systems Inc. Question #1.2. Are the lines Telco trunk lines?

"Any special phones sets or telephony arrangement that supports such features as automatic voip fail-over" to pots".

GTA Question #4.2: Is this in reference to IP phone Failure? Please elaborate

GCC Response: It is in regards to the IP Hard Phone instrument automatically falling back, switching, or failing over to a POTS line in case of a total VoIP system failure. In this specific question, the focus is for the vendor to provide choices or options of IP Hard phone instruments with the capability to automatically fail over to POTS line in case of a total VoIP system failure. For more details please see GCC Response to GTA Question #3.1.: How is fail over to be provided?

"GCC will select from this list the most appropriate instrument for the specific GCC Location:

GTA Question #4.3: Is the bid for instruments to be evaluated on appropriateness or based on bid regulations on price?

GCC Response: Understanding that this bid, in its entirety and as an "ALL OR NONE", calls for a system solution that includes services, communications and computing infrastructure hardware, software licenses, etc., and not just instruments, the proposed instrument or instruments, together with the entire VoIP system solution will be based on bid regulations according to the overall price offering of the entire VoIP system. This bid is not just for instruments for a VoIP solution and it will not be completely evaluated or determined in isolation, or without consideration, of the overall total price to be calculated. In other words and for example, say Vendor A and Vendor B both meet all procurement requirements and vendor qualifications, and each proposes a VoIP solution that meets all bid specifications requirements and all services, communications and computing infrastructure hardware, software licenses, etc., exclusive of the instruments, end up with exactly the same price. If Vendor A proposes instruments totaling less than those comparable instruments proposed by Vendor B, and both sets of instruments meet the

minimum specifications, then objectively, GCC's choice will be in favor of Vendor A's proposal over Vendor B's.

Additionally, in submitting proposals, note that it is in the best interest of both the vendor and the college to be certain that choices of instruments being provided along with prices of each is as compatible and appropriate to the vendor's VoIP system. It will be irresponsible, irresponsive, and outright incomprehensible of any vendor proposing instruments that do not work or are not compatible to the vendor's own proposed VoIP system. As for the appropriateness of what instruments, additional phone features, and/or services such as voicemail, GCC finally procures from the awarded vendor and distributes to its employees, this call is reserved to GCC as the customer. For more on this, please see GCC Response to MCV Question #1.

5. Page 5, Vendor Support for Open System Standards, Interoperability, Gateways,

GTA Question #5: Is H.323 an acceptable standard for call signaling and call control?

GCC Response:

Although GCC is not limiting itself to H.323 (ITU) or SIP (IETF) only protocols, the college will accept either as acceptable standards for call signaling and call control. Other call signaling and call control protocols for transmitting multimedia (voice, video, fax and data) traffic across a network that GCC will accept are also MGCP (level 3, Bellcore, Cisco, Nortel), G.729, 802.1p and 802.1q, RTP, TAPI, JTAPI, etc.

6. Page 10 Inside wiring states:

"Vendor is responsible for doing a feasibility assessment of the current network and inside wiring for the potential linking or integration of the new VoIP system"

GTA Question #6.1.: On what date would GTA be able to perform assessment detail and inspection of the current network and the inside wiring?

### GCC Response:

Prospective vendors can call GCC to schedule to perform the feasibility assessment of the current network and inside wiring anytime before and at least finish any and all required activities 3 days prior to bid opening date. Of course, the earlier the schedule is made, the more time will be afforded for the vendor to do its feasibility assessment. Any and all vendor network and inside wiring assessment activities must not hamper GCC's network operations in any way. Only for the purposes of this bid and if requested, any and all type of vendor-owned network analysis systems tools will be allowed to temporarily run on and throughout GCC's network as long as it does not hamper network activities or risk jeopardizing installed networked systems and resources. The phone numbers to call for scheduling these activities are 735-5619, or 777-5595. Request for either Christopher Camacho or Joel Ridgell. Both can also be e-mailed at christopher.camacho@guamcc.edu and joel.ridgell@guamcc.edu, respectively. When e-mailing, please do a courtesy copy (CC) to francisco.camacho@guamcc.edu and francisco.c.camacho@gmail.com. If the aforementioned phones are too busy, you can call Francisco Camacho at 734-0540, or 777-5596.

"If new inside wiring needs to be installed to support the Vendor's requirements, it will be the vendor's responsibility to install any wiring".

GTA Question #6.2.: If it is discovered after the contract is awarded that the existing cabling infrastructure is "bad" unusable, whose responsibility is it to fix the cable?

GCC Response:

If it is discovered after the contract is awarded that the cabling infrastructure is "bad" unusable, the following will be GCC's position: If cabling infrastructure is referring to those areas installed and owned by GTA, then those will be GTA's responsibility. If cabling infrastructure is referring to those areas installed and owned by MCV, then those will be MCV's responsibility. All other cabling installed and owned by GCC will be GCC's responsibility. However, all vendors must note that the intended purpose of their network and inside wiring feasibility assessment of GCC's Mangilao campus network should have previously "discovered" and confirmed both actual and potential issues. It will be considered irresponsible and irresponsive of vendors if they do not report or address both actual and potential issues findings within their proposal, inclusive of providing in the bid's price template associated costs to resolve those findings or raised issues. In relation to this it was also stated in the specifications that if new wiring needs to be installed to support the Vendor's recommendation, it will be the vendor's responsibility to install any wiring to support the Vendor's VoIP system recommendation. Since it is stated in the bid specifications and it is known prior to award that Quality of Service (QoS) must not require network infrastructure upgrades, all vendors must also be aware that if one vendor's bid proposal does not indicate issues with existing cabling infrastructure, and its overall proposed cost is also less than those with issues, then it will be in the best interest of GCC to favor the bid from the vendor without issues. This simply means that the vendor without issues is submitting a solution that is more compatible and responsive to GCC's best interest than the vendor with issues. the vendor reporting the issues show the company can resolve all raised issues without requiring network infrastructure upgrades, and its overall cost of its resolution and the proposed VoIP solution happens to be the lowest cost; and meets all other bid requirements, then vendor will be considered more favorably.

7. Page 14 Add-On Options and Subsystems

"Voice Recognition (ASR) Text-to-Speech (TTS)

GTA Question #7: Elaborate on details that are required.

### GCC Response:

On this part of the bid specifications the college requires for the vendor to summarize on their bid proposal the options and subsystems offered that employ advanced speech technologies, including, as stated on the specifications, Voice Recognition (ASR, or automatic speech recognition) subsystem to voice-enable (front-end) auto-attendant, directory, conference set-up, and so on, and the different languages supported. Similarly for Text-To-Speech (TTS), the college requires for the vendor to summarize on their bid proposal options such voice read-out of email, etc. what text languages can be auto-detected and then read-out. In other words, for both ASR and TTS, the college requires a summary only of what add-on options and subsystems provided.

### 8. Page 15 Security

GTA Question #8: On the proposed system, is the vendor expected to provide information in detail?

### GCC Response:

The detail required to be provided is basically on what security system the vendor is going to include on the proposed system to address the security aspect of the VoIP system. Any Firewall device or Session border controller (SBC) system offered must be accompanied with the requested information as pointed in the bid specifications in order to allow the college to evaluate level, type and features of security.

9. Page 24, Evaluation Criteria Summary

GTA Question #9.1.: What are the weighted scores given to each item as specified on "Evaluation Criteria Summary"?

GCC Response:

Weighted scoring on each item of the evaluation criteria is not the intended evaluation approach of this bid or for this summarized list. Objective overall comparison and analysis between and of all listed items in the summary and from all submitted proposals will be used by GCC's review committee to determine the lowest price offering and most responsible and responsive bidder. The evaluation criteria summary is simply a list with no particular order or weighted scores, and will only be used by the review committee as a way to focus on what the college has determined and specified to be the most important items for its potential VoIP system.

GTA Question #9.2.: It states on item no. 10, "that the Capacity to support remote offices in multisite deployments". However, the requirement to have off-site installation of the VOIP phone system is "Optional". Therefore, how can it be an Evaluation Criteria?

GCC Response:

Please see GCC Response to GTA Question #1.

GTA Question #10.: Does GCC require any "Call Center" capabilities?

GCC Response:

Yes, if the "Call Center" capabilities, being referred to here is the vendor's support/service capabilities. As stated in the specifications, remote serviceability, technical support of the entire system and applications must be provided as a part of the Vendor's proposal. Vendors must include with their proposal the cost to support the system for the first year (12 months) inclusive of providing on-site service and software updates when available. The Vendor must also provide the cost for continuing support and maintenance for additional years. Timeframes shall be included for response time for customer service and troubleshooting purposes.

If the "Call Center" capabilities, being referred to here is for the VoIP system itself, then no. The college just requires for the vendor to summarize on their bid proposal the Contact Center options and subsystems offered by addressing different Call Center offerings and system capacities, if available.

GTA Question #11.: At what level, does GCC expect the vendor to provide support and assistance?

GCC Response:

For the purposes of clarifying level of support and assistance, all vendors must provide a clear and detailed breakdown of all available and necessary services and their associated costs to implement, install, and maintain the VoIP system. Vendors must indicate hourly, monthly recurring, and non-recurring charges for all types of services to implement, install, and maintain the VoIP system. Cost of technical and end-user support services for 24 hours x 7 days, 365 days a year, with on demand service response time, must also be provided.

GTA Question #12.: How many voicemail accounts should be established for this project?

GCC Response:

Please see GCC Response to GTA Question #4.3.

GTA Question #13.1.: Does GCC have an 802.11 in place?

GCC Response:

GCC does have 802.11 in place but limited right now to wireless Internet only access at Hotspots throughout the campus.

GTA Question #13.2.: Who is manufacturer?

GCC Response:

Manufactures include Apple, CISCO, TrendNet, LinkSys, and NetGear.

GTA Question #13.3.: How many access points are there?

GCC Response:

GCC's MIS manages only a certain number of known access points, but there are also unknown rogue access points that come and go. The following are the known access points at their general location:

- · OPEN ACCESS WIFI Networks
- 1. Admin, Rotunda DSL based.
- 2. Foundation BLDG, Library DSL based.
- 3. D-Wing, Courtyard DSL based.
- 4. ABC-Wing, Courtyard DSL based.
- · Campus Network (wired) Based WIFI Networks
- 1. Tech Center, Office Use Only
- 2. Project AIM, Office Use Only
- 3. Adult Education, Office Use Only
- 4. Criminal Justice, Office Use Only
- 5. C-01, Portable Classroom, Controlled WIFI Access
- 6. C-23, Portable Classroom, Controlled WIFI Access
- 7. A-28, Experimental Open Access WIFI Network

GTA Question #14.: What type of wiring is in each classroom? Cat 3, Cat 5 or Cat 6

GCC Response:

Cat5, Cat5e, and Cat 6 category cabling make up the wiring in classrooms.

GTA Question #15 : GTA would like Guam Community College to disclose any employees, family members, or any other persons that may have a potential conflict of interest in the preparation, decision making or evaluation of this bid. GTA reference's "The Guam Code Annotated Title No. 5: Government Operations, Chapter 5 Guam Procurement Law, Article 11, Ethics In Public Contracting, Part B, Standards of Conduct "more particular the following sections:

§ 5628. Employee Conflict of Interest

§ 5629. Employee Disclosure Requirements

GTA is requesting a Full Disclosure of all those participating in the preparation, selection or decision making or evaluation of GCC FB-10-015.

Those who participated in the preparation and recommendation of specifications were: Members of the GCC College Technology Committee, namely:

Francisco Camacho, Patrick Clymer, Michelle Santos, Terry Kuper, John Limtiaco, Troy Lizama, Marlena Montague, Josephine Arceo, and Brian San Nicolas

GCC's Materials Management employees, namely: Joleen Evangelista, Priscilla Rideb, and Marina Aguilar

Management Information Systems employees, namely: Joel Ridgell and Christopher Camacho

Those participating in the technical review, evaluation, selection, and recommendation's committee are:
Joleen Evangelista, Francisco Camacho, Patrick Clymer, Marlena Montague, Joel Ridgell, Christopher Camacho, and Josephine Arceo

Those participating in the decision making and approval: Mary  $A.Y.\ Okada$ 

GCC is hereby requesting, prior to bid opening, that any vendor who finds a possible conflict of interest of any of the names provided above, especially for the technical review, evaluation, selection, and recommendation's committee, MUST provide the college with a written and delivered, to the Materials Management Office, a Removal Request of any of the participants, and MUST provide factual evidence of possible conflict of interest of the individual or individuals being asked to be removed. Failure to submit the Removal Request by the vendor will be considered full acceptance of the list and satisfies the requirements for local Procurement Rules and Regulations pertaining to employee conflict of interest and disclosure requirements.

End of GTA Submission

IT&E Submission

IT&E Question #1.: Must the bid include VoIP phone system, fax lines and internet access together as a whole?

GCC Response: Yes.

IT&E Question #2: Will complete floor plans be provided to show all existing telephone locations and types? If no, will we be afforded another opportunity for a detail physical assessment of each office to determine location and types?

GCC Response:

Critical project-related floor plans were provided during the walkthrough as well as on softcopies via e-mailing of amendments.

Yes, vendors will be afforded another opportunity for a detail physical assessment of each office to determine location and types. For more details on this, please see GCC Response to GTA Question #6.1.

IT&E Question #3.: Are existing switches POE?

GCC Response:

IT&E Question #4.: Are existing switches QoS capable?

GCC Response:

Not all existing switches are QoS capable. Please see also see GCC Response to Dimension Systems Inc. Question #5.

IT&E Question #5.: Will QoS be implemented by GCC for the voice/data network?

GCC Response:

Please see GCC Response to Dimension Systems Inc. Question #5. Please also see GCC Response to GTA Question #6.2.

IT&E Question #6.: What is the total number of IP phones required?

GCC Response:

Please see GCC Response to MCV Question #1.

IT&E Question #7.: What is the total number of analog phones required?

GCC Response:

Please see GCC Response to MCV Question #1.

IT&E Question #8.: Do all current phones have a LAN connection?

GCC Response:

None of the current phones have a LAN connection, but all desktop computers do.

Please also see GCC Response to MCV Question #2.

IT&E Question #9.: Will GCC provide make and model of all switches and routers?

GCC Response:

Please see GCC Response to Dimension Systems Inc. Question #5.

IT&E Question #10.: Are all switches a minimum layer 2 switch?

GCC Response:

Managed switches are at a minimum Layer 2 (L2) capacity.

IT&E Question #11.: Do all LAN connections support 100 mbps?

GCC Response:

Yes.

IT&E Question #12.: Will GCC provide Fire Evacuation maps for each building, and per floor?

GCC Response:

The following document provided is from GCC's Safety Administrator, Mr. Greg Manglona.

Campus Evacuation Map.PDF

Document Object:

IT&E Question #13.: Does GCC have a telecommunications layout for the entire campus, showing inter-building copper telephone cables and cable sizes (number of pairs)?

GCC Response:

No.

IT&E Question #14.: GTA invoice provided on May 13, 2010 appears incomplete in the summary page. Can we be advise total number of pages for the invoice and provided complete invoice?

GCC Response:

The latest GTA billing that was sent out is complete. There is a total of 23 pages. (The 24<sup>th</sup> page on the PDF file is originally blank.)

IT&E Question #15.: Where will the VoIP telephone system be located if we provide a centrally located system?

GCC Response:

If vendor is proposing a centrally located system, then the VoIP telephone system will be located in the GCC Server Room.

IT&E Question #16.: Will logical diagrams be provided for all buildings?

GCC Response:

Logical diagrams important for this bid were provided during the walkthrough and in softcopies via e-mailing of amendments. For more details, see also GCC Response to MCV Question #2: Inside Wiring and also GCC Response to Dimension Systems Inc. Question #2.

Currently we were only provided diagrams for Foundation, Allied Health, West Wing Admin Offices, and Staff and Faculty Office?

IT&E Question #17.: Will switch layouts be provided showing types of ports and available ports for the buildings not provided in the walk thru on May 13, 2010?

### GCC Response:

All edge network switch ports are 100 mbps copper ethernet RJ-45 based. Uplink ports on most switches may utilize 100 mbps or 1000 mbps copper ethernet RJ-45 ports & cabling.

Campus Area Network (CAN) connectivity is provided by multi-mode 62.5 micron core/125 micron cladding fiber optic cables. This network operates at 1 Gbps ethernet exclusively, auto-negotiation is not used. Connections are made with various form factors including but not limited to LC, SC, & MT-RJ.

Please see GCC Response to MCV Question #2: Inside Wiring, and also GCC Response to Dimension Systems Inc. Question #2.

IT&E Question #18.: Will an IP scheme/network layout be provided?

GCC Response:

No.

Please see GCC Response to MCV Question #2: Inside Wiring, and also GCC Response to Dimension Systems Inc. Question #2.

End of IT&E Submission



### **EXHIBIT F**

### **Revised PDS Bid Form and Worksheet** (qty changes to meet funding)

Pacific Data Systems
185 Illpog Drive, HBC Sulte 204A, Tamuning, GU 96913
Main: (671) 300-0200 | Fax: (671) 300-0265 | www.pdsguam.com

# GCC-FB-10-019 BID FORM

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## GCC-FB-10-019 BID FORM

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Н	1		ğ	+	2,000.00		30 00	5,000,00	2 Testing of VoiP calls at each building location to insure proper network configuration/QOS.
Network Fix 1.1	Building MDF Cleanup	1,140.00	Each	11	12,540.00	1 1 10 00 00 1	12 840 00 1	11 12 540 00	
Abatanini	7		-	$\vdash$			1-3		The state of the s
Materials	Was March & Chart	90.25	each	Z ,	1,263,50		إينها	14 1,263,50	3. Split Mount hardware shelf for new 1UxHalf platform equipment
┿	1	375.25	each	**	DE / SE				
Materials J.4	┯~	655.50	each deach	<u>.</u>	3,233,30				
Malerials J.5		¥ 50	Each	- 00	2 728 40. *8		ne dea	4	
Materials J.6		28.50	T	124	3 534 00 11 24	101 100 E	+	24 25 24 20	Jinstall new fiber parch panels at various locations
-+							_		I re-terminate all existing fiber strands to new fiber plant patch panels
+			each	$\vdash$	18,572.50   #6		18,972,50 46	6 18,572.50	Proset 24-Port (2 10/10) Smart Switch & 4 Caratris Ports with 13 and 10-1
AN Suece X		2,442,45	each	+	34,194.30	71. QS 700 W	-	Ļ.,	
+-	CE SED IN THE CAME T	498.75	1	7	987.50	4	967,540 2	997.50	
┿-	Т	27075	each	¥, •	16,150.00   84   1	16,150,090,34	16,150,00 34	16,	
⊣	П	2 7 7 7		<del> </del> -	Zinio Fall		270.75	270.75	
Server L1	7	2,707.50	per server	2	440000	541500 2	5.415.00 2	5.415.00	
server L.2	DoubleTake Server Backup		per server	2	14,250.00	14,250,00 0	+-	1	
The same property and a second support to the same support to the				1				+-	Server Danwy System Supports Standby Server Configuration
						***************************************	-	_	

Pacif 'a Systems

- Indy

GCC Invitation to Bid GCC-FB-10-015 Bid Worksheet - GCC Campus

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	_								•		
Туре	Item	Description	Net Unit		Base	Config +1	TINA Lisery	200 Users *	300   Jeore	ald old	
	1	The state of the s	FRICE	or Measure	qty	ext total	the feet tales of wat total	the ext total	45	Section 1	Comment
Koulei	*	Cisco Router 2911	2,425.50	each	2	4,851.00	0000000	2 485100	;	200	
Controller	2	income control of the				11			4	3	4,631,UU CISCO rouler to provide VolP packet routing within the GCC network
		מאמר רב הוא נכן האפנים	05.788,5	each	7	13,775.00	2.3 819,875,00	ø	2 13,7	75.00 R	13,775.00 Required to support SIP frunks support up to 150 concerned collections
Backup power	0	Backup Power System	275 50		1						The second of th
			2000	280	1	1,928.50	09876	53 14,601.50	7 1.87	28.50 15	1,928.50 1500VA Rackmount or tower UPS with AVR, up to 15 minute runtime
Voice Service	ď,	POTS	03.50	One time per	T					+	
	1		OC. 30		_	37,50		90 808 08		<u>-</u>	
Voice Service	2.7	POTS	32.93	Monthly per	-			_	_	3 3	oca. W Une time cost for gly of POTS lines shown
				all Size	+	32.83		724.35	22 72	4.35 To	724.35 Total monthly recurring charge for oly shown
Voice Service	ö	DID Tel block	18.75		<del> </del>			2662		7	
	1	-		DID Block	-	18.75	2 C C C C C C C C C C C C C C C C C C C	93.75		00.00	150 DO One line cost for on of DO North about
Voice Service	20	DID Tel block	15.00	Monthly per	······································				_		and the day of the blocks stipwi
				W1000	+	15.00		<b>6</b> 75.00	8 42	5 00.0	120.00 Total monthly recurring charge for qty shown
Voice Service	à	VolP SIP Trunk	28.00	One time per	<del> </del>						
			3.5	Trunk		18,00			100	S	The second secon
Voice Service	R.2	VoiP SIP Trunk	18 75	2	-				1	3	Location for time cost for thy of Voip SIP Trunks shown
				trunk	+	18.75			100 1.87	5.00 To	1.875.00 Total monthly recurring charge for the ethnism
Other Eres	,			†	+	ŀ			-	-	
	-1-1	CAL FLOO MUSIC & Messaging System	228.00	each (c)	(43)	684.00		8 684.DD	8 8	684.80	OHS 6000 with programmative missir and magazining outside to the
Voice Service	1	a 200		One time ner	t					7	A THE STATE OF THE
			562.50	PRI	-	562,50		1 287 60			
Voice Service	1.2	ISDN PRI	944	Monthly per	-				-	3	ACT OF THE WING COST OF QUY OF IS UN PPR Shown
				PR	-	444.00		1,832.00	1 44	444.00 Tol	Total monthly recurring charge for qry shown
				1	2	214,900.78		282,671,10	344,485,50		

This is our recommended Yolf System and Service configuration based as our analysis of the GCC user population (approx 191 total users).

: ABOT M ANTANONA LLP

### Attorneys at Law

Cesar C., Cabot, Esa, Rawlen M.L. Mantanona, Ea. David P. Ledger, Etc. Helkel S. Hemminger, Erg. Screen A. Strock, Esc.

June 15, 2011

### TA FACSIMILE (671 477-4366

III R. Mann, Esq. lerman O'Connor & Mann luite 503, Bank of Guarn Building 111 Chalan Santo Papa

Denial of Protest of GCC Rejection of Bids in IFB GCC-FB-615

Dear Mr. Menn:

This letter is a formal denial of your April 21, 2011 protest and you have the right o pursue all administrative and judicial remedies. Please be advised that I am addressing this letter to you pursuant to the representations of your office that you are epresenting PDS in this matter.

GCC rejected the remaining bids in the IFB pursuant to 2 G.A.R. Div. 4 3115 (h)(A)(iv) because prices of the remaining bids exceed available funds and it would not be appropriate to adjust qualities to come within funds and because the supplies and services are no longer required.

After reviewing the concerns detailed in the April 21, 2011 letter from PDS President John Day, here is the final response to your protest:

1. GCC rejected the PDS bid because the bids' price exceeded the available amount of ARRA funding. The PDS bld of \$307,880.50 exceeded the available funds by over \$22,000.00. Therefore, it is in the best interest of the territory to reject the PDS bid.

In response to GCC's position that rejecting this bid which exceeds the available funds is in the best interest of the territory, PDS submits in their April 21, 2011 protest a revised bid based upon their assertion that GCC should have modified the bid quantities to conform to the available funds.

As stated in the April 7, 2011 letter, GCC reviewed the remaining bids and determined that modifying quantities would not be appropriate. PDS submits a reconfiguration of their bid in order to come within the funding limitations. As authority to

(WED) JUN 18 2011 2:42/ST. 2:41/No.7589924549 p : 3

PDS Denial of Protest 6/7/2011 Page 2 of 2

present this downward deviation, PDS cites GCC response to MCV Question #1 in

The GCC response to Question #1 in Amendment #3 states that "GCC reserves the right to increase or decrease quantity of Items anywhere from 0 to 300 according to availability of funds". As stated in the April 7, 2011 rejection of all bids, GCC reviewed the bids and determined that modifying the quantities would not be appropriate.

Amendment 3 reserves GCC's right to make this judgment call regarding modification of quantities. The type of ex post facto unliateral revision sought by PDS in their protest is not addressed by Amendment 3.

2. Pursuant to 2 G.A.R. Div. 4 3115 (d)(2)(A)(I) GCC has decided to reject all bids because the supplies and services are no longer required. As stated in the April 7, 2011 letter, GCC has received notice from GSA of a new IFB which would render IFB GCC-FB-015 redundant.

Therefore, rejecting this bid is in the best interest of the territory. GCC is requesting that the ARRA funds be reprogrammed to other procurement projects that were underfunded and of a higher priority to GCC.

In light of the protest by PDS of the GCC Rejection of Bide in IFB GCC-FB-015 GCC will be exercising its right of delegation of the procurement authority over this matter to the General Service Agency.

GCC has authority to delegate this matter to the GSA according to the GCC Board of Trustees Procurement Policy which states that GCC may, upon the Board of Trustee's approval, delegate its procurement authority of services and supplies contracts to the General Services Agency. I have attached a copy of the GCC Procurement Policy for your review and consideration.

Accordingly, PDS's April 21, 2011 protest is denied and you have the right to pursue all administrative and judicial remedies. Please let me know if you have any questions regarding this matter.

Regards,

CABOT MANTANONA LLP
Attorney for Guern Community College

Bv:

CATRINA M. CAMPANA

Enclosure

Policy 228

### GUAM COMMUNITY COLLEGE Beard of Treates

### PROCUREMENT POLICY

WHEREAS, Guam Community College (hereinsfler GCC) is authorized to promulgate its own pervices, and construction procurement regulations pursuant to 5 G.C.A. § 5125, 5131, 5030(k) and (q), 5126, 5302(b) and (o), 5304(b), 5306(d), and 5307, and

WHEREAS, the Board of Trusteen winhes to productly exercise the authority given to the college.

NOW, THEREFORE, BE IT RESOLVED, that the procurement laws and regulations established in Guam's Procurement law, found in 5 G.C.A. Chapter 5, and 2 G.A.R. Division 4 shall be used by GCC in the procurement of its services, supplies, and construction procurement contracts. GCC hereby adopts the laws and regulations crisblished in 5 G.C.A. Chapter 5 and 2 G.A.R. Division 4 as its own regulations.

BE IT FURTHER RESOLVED, that GCC will employ in own Chief Procurement Officer, who will serve as the procurement officer for all supplies, services, and construction contracts for GCC.

BE IT FURTHER RESOLVED, that GCC may, upon the Beant of Truston's approval, delegans in procurement authority of construction contracts to the Department of Public Works.

BE IT FURTHER RESOLVED, that GCC may, upon the Board of Trustee's approval, delegate its procurement authority of services and supplies contracts to the General Services Agency.

HE IT FURTHER RESOLVED, that GCC may, upon the Board of Trustee's approval, promulgan additional rules and regulations, in addition to those established by 5 G.C.A. Chapter 5, and 2 G.A.R. Division 4.

Amended & Adopted: August 2, 1818 Resolution 9-2018

Amended & Adapted: Navamber 17, 2008 Resolution 45-2008 Adapted: March 16, 1994 Resolution 15-94

### STATEMENT ANSWERING ALLEGATIONS OF APPEAL Pursuant to 2 G.A.R. § 12105(g)

Appellant Pacific Data Systems (hereinafter "PDS") filed this Appeal, which stems out of a previous Appeal to the OPA: OPA-PA-10-005. The OPA-PA-10-005 decision ordered GCC to cancel an award that GCC had made to Teleguam Holdings, LLC (GTA) since the bidder should have been rejected due to deficiencies in its bid submissions. PDS argues that GCC was also ordered to make an award to one of the two remaining bidders; PDS or IT&E. See "Grounds for Appeal" in Appellant's Notice of Appeal filed June 30, 2011.

GCC asserts that as per the OPA decision in OPA-PA-10-005 issued on January 12, 2011, GCC considered the IFB's remaining bidders in accordance with Guam Procurement Law and Regulations. In accordance with the OPA decision, GCC reconsidered the remaining bidders and made the determination that it is in the best interest of the territory to reject the remaining bids in the IFB pursuant to 2 G.A.R. Div. 4 3115 (h)(A)(iv) because prices of the remaining bids exceed available funds, it would not be appropriate to adjust qualities to come within funds and because the supplies and services are no longer required.

### **ANALYSIS**

### 1. The price of the remaining bids exceed available funds:

GCC rejected the PDS bid because the bids' price exceeded the available amount of ARRA funding. The PDS bid of \$307,880.50 exceeded the available funds by over \$22,000.00. Pursuant to 2 G.A.R. Div. 4 § 3115 (d)(2)(A)(v) the remaining proposal of PDS exceeded the available funds and if PDS was awarded the contract the cost of



switching to the new VoIP system would not be worth the cost. Therefore, it is in the best interest of the territory to reject the PDS bid.

PDS asserts that the PDS bid of \$307,880.50 does not exceed the available funds of \$285,000.00 because the cost of the new system should be considered in combination with the funding used by GCC for its existing telephone services. GCC rejects the assertion that the total funding available for the new telephone system should be considered a sum that equals the total of the current funding for the existing telephone services in combination with the cost of existing telephone services. The new telephone system would inherently replace the existing telephone services. The available funds for the new system should be considered independently of the cost of the current system.

### 2. It is not appropriate to modify quantities in order to bring the PDS bid within available funds:

As stated in the April 7, 2011 letter and June 15, 2011 Denial of Protest, GCC reviewed the remaining bids and determined that modifying quantities would not be appropriate.

In the present appeal, PDS again submits a reconfiguration of their bid in order to come within the funding limitations. As authority to modify the quantities in order to bring their bid within the available funds, PDS cites GCC response to MCV Question #1 in Amendment #3. The GCC response to Question #1 in Amendment #3 states that "GCC reserves the right to increase or decrease quantity of items anywhere from 0 to 300 according to availability of funds". As stated in the April 7, 2011 rejection of all bids,

GCC reviewed the bids and determined that modifying the quantities would not be appropriate.

While GCC reserves the right to increase or decrease the quantity of items according to availability of funds, Amendment 3 does not grant PDS authority to unilaterally revise their bid nor does Amendment 3 grant PDS the right to force GCC to accept the unilaterally revised bid figures it its consideration of whether or not the PDS bid complied with available funds.

### 3. The supplies and services are no longer required:

Pursuant to 2 G.A.R. Div. 4 3115 (d)(2)(A)(i) GCC has decided to reject all bids because the supplies and services are no longer required. As stated in the April 7, 2011 letter, GCC received notice from GSA of a new IFB which would render IFB GCC-FB-015 redundant.

PDS speculates as to the operational savings which could be provided by a future GSA telephone service and states that the savings provided by the PDS would be significantly less. There is no concrete justification for this assertion. Therefore, rejecting this bid is in the best interest of the territory.

In response to GCC's statement that the telephone system and services are no longer required, PDS cites a memo from the Attorney General's office dated February 16, 2011 as proof that "GCC was in violation of Guam law for its failure to competitively procure telephone services." (See PDS Appeal Exhibit 7). The February 16, 2011 memorandum, which was addressed to all department and agency heads, requests that each agency review their telecommunication contracts or purchase orders to ensure they were issued as result of an invitation to bid within the last four years. The GCC

In the Matter of Pacific Data Systems. Docket Number OPA-PA-11-011 Agency Report Exhibit C

Page 4 of 4

rejection does not perpetuate a violation of the competitive procurement requirement,

on the contrary, the rejection of the PDS bid is necessary to bring GCC in compliance

with Guam Procurement law. The PDS bid is not in the best interest of the territory

because it exceeds available funds, it is not appropriate to modify the quantities in order

to bring the bid within available funds, and because the supplies and services are no

longer needed.

CONCLUSION

This Appeal should be dismissed. Therefore, GCC respectfully requests that the

Public Auditor dismiss this Appeal and award all legal and equitable remedies that GCC

may be entitled to as a result.

Respectfully submitted this 18th day of July, 2011

**CABOT MANTANONA LLP** 

Attorney for Guam Community College

By:

CATRINA M. CAMPANA