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OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

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Attorneys for Appellant
Morrico Equipment, LLC

THE OFFICE OF PUBLIC ACCOUNTABILITY

In the Procurement Appeal of)
)
MORRICO EQUIPMENT, LLC,)
)
Appellant.)
_____)

**NOTICE OF PROCUREMENT
APPEAL**

Docket No. OPA-PA 14-010

Appellant Information:

Morrico Equipment, LLC ("Morrico")
197 Ypao Road
Tamuning, Guam 96931

Tel: 649-1946
Fax: 649-1947

Appeal Information:

- A) Guam Solid Waste Authority ("GSWA"), Under the Management of Federal Receiver, Gershman, Brickner & Bratton, Inc.
- B) Invitation for Bid No. GSWA001-15; a procurement solicitation for refuse collection trucks.
- C) Decision being appealed is the GSWA Denial of Procurement Protest, dated October 22, 2014, and received by Morrico on October 24, 2014.
- D) Appeal is made from a decision on protest of method, solicitation or award.
- E) Names of competing bidders:

Mid-Pac Far East ("Mid-Pac") and Far East Equipment Company ("Far East").

ORIGINAL

Form and Filing:

1. On or about September 18, 2014, the GSWA let the subject Invitation for Bid ("IFB"), for two categories of refuse collection trucks. A copy of the pertinent IFB specifications is attached hereto as **Exhibit A**.

On September 25, 2014, Morrico submitted its pre-bid questions with respect to concerns it had with the IFB specifications. A copy of the Morrico pre-bid questions is attached hereto as **Exhibit B**. One of the questions submitted by Morrico requested an amendment of the IFB specification that restricted competition on the refuse collection trucks to only those vendors offering a cab forward model, in which the cab of the refuse collection truck sits forward and on top of the vehicle engine. Morrico's manufacturer, Freightliner, only offers a conventional cab model. The historical difference between the two cab models was that a cab forward model had a tighter turning radius that allowed the refuse collection truck to operate on narrow streets. However, the conventional cab refuse collection truck offered by Morrico's manufacturer, Freightliner, has a turning radius that meets the specifications of the IFB and is equal to that of a cab forward model.

On October 1, 2014, the GSWA issued Addendum No. 1 which amended the IFB specifications in response to vendor questions. A copy of the GSWA Addendum No. 1 is attached hereto as **Exhibit C**. However, the GSWA refused to amend the specification that restricted competition to vendors of cab forward models.

On October 9, 2014, Morrico, through counsel, submitted its protest with respect to the IFB specification that restricted competition to only those vendors able to bid a cab forward model. A copy of the Morrico protest is attached hereto as **Exhibit D**, which Morrico incorporates herein by reference.

In a letter dated October 22, 2014, and received by counsel for Morrico on October 24, 2014, the GSWA denied Morrico's protest. A copy of the GSWA protest denial is attached hereto as **Exhibit E**.

The GSWA denied the Morrico protest in part because it was not timely filed within 14 days of the issuance of the IFB. However, the IFB bid package specifications expressly state that the GSWA "reserves the right to accept and/or reject any and all bids, to waive any defects, irregularities, or specification discrepancies and to award the bid as council deems to be in the best interest of the government." Accordingly, Morrico could not know whether its specification discrepancy in offering a conventional cab model would be accepted or rejected until the GSWA spoke on that matter. In its Addendum No. 1, the GSWA did not accept Morrico's request to amend the specifications to allow a conventional cab model, nor did it expressly reject that request. Accordingly, Morrico still did not know whether the GSWA would waive the conventional cab specification discrepancy or reject a Morrico bid because the conventional cab did not conform to the specifications. Nonetheless, and even though Morrico still did not know whether its specification discrepancy would be accepted or rejected by the GSWA, it filed its protest out of an abundance of caution.

In addition, the GSWA maintained that only a cab forward model of refuse collection trucks could meet the needs of the GSWA, relying primarily on the turning radius requirement and a reference to Guam's narrow streets and roads. But, again, the conventional cab offered by Morrico and manufactured by Freightliner, meets the turning radius specification of the IFB.

The GSWA also stated that "[n]umerous manufacturers offer a cab forward design", to include FUSO, Hyundai and Freightliner represented on Guam by Morrico. However, FUSO does not offer a cab forward design in a model large enough to meet the IFB specifications. And, Morrico does not represent Hyundai trucks but, rather, Hyundai Construction Equipment. Further, while Morrico represents Freightliner on Guam, Freightliner does not offer a cab forward design in the United States market. Finally, to Morrico's knowledge, the other truck manufacturers referenced by GSWA, Mack, Peterbilt, Crane Carrier, Osh Kosh and Volvo, are not represented on Guam.

Although the GSWA also claimed that the cab forward design provides for easier and less expensive maintenance, Morrico demonstrated in its protest letter that this is inaccurate. As explained in Morrico's protest letter incorporated herein by reference, the conventional cab is less expensive to purchase and to maintain.

Attached hereto as **Exhibit F** is the Freightliner brochure discussing the specifications and capabilities of their Business Class M2 line of vocational trucks, including its refuse collection trucks, and which also refutes the points raised by GSWA in its denial of the Morrico protest.

2. Morrico requests that the Office of Public Accountability ("OPA") rule that the IFB specification restricting competition to only those vendors offering a cab forward model violates the Guam Procurement Code provisions governing specifications and that the refusal of the GSWA to amend the specifications to allow vendors to bid a conventional cab model was arbitrary, capricious and an abuse of discretion.

3. Morrico has attached all supporting documents as exhibits hereto, with the exception of a video comparison of the Freightliner Conventional Cab against a forward cab. Morrico expects to be able to provide a copy of the video to the OPA within a couple of business days.

Declaration regarding court action:

Morrigo confirms that an action in court has not been commenced.

Dated this 6th day of November, 2014.

DOOLEY ROBERTS & FOWLER LLP

By: _____

KEVIN J. FOWLER

Attorneys for Appellant Morrico Equipment, LLC

VERIFICATION

I, Torgun Smith, Executive Vice President for Appellant Morrico, hereby declare under penalty of perjury under the laws of Guam that I have read the foregoing Notice of Appeal and that it is true and correct of my own knowledge, except as to those matters alleged upon information and belief and as to those matters, I believe them to be true.

Dated this 6th day of November, 2014.



TORGUN SMITH

General:

These specifications have been written to describe the minimum equipment and performance requirements to be supplied by the equipment manufacture bidding. Reasonable test may be conducted upon delivery prior to acceptance of the delivery. The successful bidder shall furnish all necessary and desirable information with instructions for the proper operation of the equipment.

Contract:

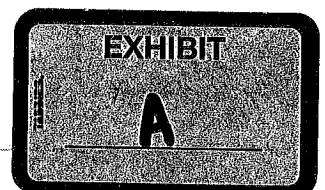
The Guam Solid Waste Authority (GSWA) reserves the right to accept and/or reject any and all bids, to waive any defects, irregularities, or specification discrepancies and to award the bid as council deems to be in the best interest of the government.

The contract that results from this procurement will be in effect for a period of three (3) years. The GSWA expects to purchase a minimum of two (2) vehicles with the possibility of purchasing others during the term of the contract upon need and availability of funding.

Yearly Maximum Escalation:

If the bidder intends to have a price escalator, bidder must provide the maximum percentage of annual escalation and cannot exceed five (5) percent each year. Please provide an explanation as to how the percentage price escalation was derived and supported.

	CATEGORY 1	Included Not Included
Number of trucks to purchase	3 each	
Size of Packer	25 CUBIC YARD	
Engine:	Comptible with diesel fuel on Guam 320HP @21000rpm / 1,150 ft.lbs of torque	
Electrical:	160 AMP alternator, brushless voltage regulator 12 volt starter 3 12V Dual purpose batteries @ 2250 CCA Standard auxillary outlet Battery disconnect switch, mounted on Battery Box	
Transmission:	Allison 4500 RDS Transmission 6 Speed Allison World Transmission Rugged Duty Service 1760 HD driveline Allison output function "s" - Neutral Indicator for PTO Allison transmission fluid test port with remote cuppler 70 Maximum Speed in Top Gear 60 Maximum Cruise Speed	
Axle Capacity:	Front - 20,000 lbs axle with 22,000 lbs springs Rear - Axle 46,000 lbs 46,000 lbs Hendrickson HMX 460 Suspension Aluminum Hubs	
Front Tires and Rims	Front Axle: 315 80R/22.5 tire 20 Ply 22.5" by 9" aluminum wheel with 3.12" inset using an Alcoa #893657 LV1 finish	
Rear Tires and Rims	Rear Axle: 11R 22.5 tires 16 Ply 22.5" by 8.25" aluminum wheel using an Alcoa #883677 LV1 finish	
Body:	Low Cab Forward Complete rust proofing including cab undercoating with a three year corrosion and 5 year structural guarantee	



Cab to be fully welded, two-sided Galvanized all Steel Structure for Maximum Strength,
Safety, and Corrosion resistance
Front windshield with curved corners having a minimum of 2033 square inches for maximum
visibility
Rear Corner Windows in B-Pillars Post for Maximum Visibility and Safety

Brakes:

Refuse Service Brakes, all rear axles
Rear Brake Camshaft Reinforcement
Brake warning system
Anti-lock braking system (ABS)
454 M Air Cam Rear Drum Breaks 16.5 X 8.6
Air cam front drum brakes 16.5 X 7
For air pressure 60 psi or less audible and visible
Air dryer manual, slack adjuster, air dryer, and 18.7 CFM (minimum) air compressor

Steering:

Power Steering
Left hand drive
180 inches wheel base and 157 inch cab to axle or other configuration with turning
radius of Turning radius 31 ft maximum.

Shock Absorbers:

Shall be equipped with front double acting shock absorbers compatible with
(cont) manufacturer's gross vehicle weight rating (GVWR)

Exhaust:

Exhaust - Right Hand Vertical

CAB:

Front Bumper to back of cab 62" Minimum
Cab Forward Fabric Air Ride Mid Back Driver Seat
Fabric Non-air ride low back passenger seat
Fresh air conditioner
Fixed Rear Window BOC STD Tint
Radio
Auto mute when Allison transmission in reverse

Rain Gutters over both doors
Engine Oil Pressure and Coolant Gauges
Oil Temp Gauge Trans Main
Battery Disconnect
Engine Radiator 1300 square inch dual core minimum for maximum cooling capacity

Bumper Front:

Bumper shall be of pressed steel channel or equivalent material at least 3/16ths of an inch
(cont) thick and 8" to 10" height with tow pin

Color:

Chassis, including wheels and front bumper shall be black
Cab, hood, and packer body shall be white
The inside of packer must be painted in finished white

Lamps & Signal:

Switch engaged (marker light)

(5) marker lights
Daytime Running Lights
Solid state HD flasher

Fuel Tank:

Alum 75 Gallon Fuel Tank LH Boc
Perforated Metal Anti Siphon Device(s)

Power Take Off:

High pressure gear type hydraulic pump, PTO to be air shifted with switch on dash with
(cont) switch on dash board with indicator light. (Cable operated PTO not acceptable)

Beacon Light:

Three (3) each Amber Strobe lights, 6" diameter in size, one (1)
on cab roof center mounted and two (2) on rear of packer body mounted below roof line
mounted on left and right side of packer body.

Mirrors:

Corrosion Resistant mirrors one (1) on driver side and one (1) on passenger side
8" convex mirrors center mounted under vertical
Corrosion Resistant mirrors
shall be motorized left and right side

Windshield Wipers/Washers:

Electric windshield wipers with intermittent feature and windshield liquid washer system

Control:

Two (2) Flashing Red Lights at rear vehicle.
Four (4) flood lights to be installed at rear
Two (2) to be mounted at the top of the tail gate
Two (2) to be mounted above rear packer controls and riding steps.
Controls to be mounted at rear by packer control.
These lights are to be grommet mount style for shock absorbance and ease of maintenance

Frame:

Frame full double channel or equivalent shall be of such design and strength characteristic
(cont) as to correspond to standard practice for trucks of same general load characteristics
(cont) which are used for highway service
Any secondary manufacturing process that modifies the original frame shall guarantee the
(cont) performance of workmanship and material resulting from such modification.
Any frame modification shall not be for the purpose of extending the wheel base
Holes in the top or bottom flanges of frame side shall not be permitted except as
(cont) provided in original chassis frame. There shall be no welding to frame side
(cont) rail except by chassis or body manufacturer

Packer Body

Refuse Body to be a minimum of 25 cubic yards capacity
Hopper capacity to be a minimum of 3.6 cubic yards capacity
Packer body shall meet ANSI standard Z-245.1.
The structural integrity of the body shall be designed to withstand load densities of up to
(cont) 1,000 lbs. per cubic yard of compaction

Body Construction:

Body Side: 10 ga-80,000 psi minimum
Body Roof: 10 ga-80,000 psi minimum
Body Floor: 3/16" -50,000 psi minimum

Packing Mechanism Construction

Total cycle time no more than: 20 seconds
Total re-load time no more than 3 seconds

Riding, non-skidding steps and grab handles on each side of the hopper will be supplied
Tailgate latches shall be hydraulically operated working in conjunction with the tailgate lift
cylinders

Ejection System:

(cont) Manual or auxiliary automated latch systems are not acceptable.
Unloading by full ejection method only. Dump style bodies are not acceptable.

Cylinder shall be mounted at an angle which protects the exposed cylinder rods from refuse
and/or
(cont) liquid contamination.

The ejector panel shall travel on urethane guide shoes. Rollers are not acceptable.
No portion of the ejector panel can extend beyond the rear body plane.

Hydraulic System:

The hydraulic pump shall be a fixed displacement rated at no less than 2,750 psi working
(cont) pressure and have sufficient capacity to equal 35-38 gpm flow at a reasonable engine
rpm

Hydraulic pump shall be a direct mount to a transmission driven clutch activated PTO (hot
shift)

Hydraulic reservoir shall be located inside the body at the front right hand side.

Hydraulic reservoir capacity shall be a minimum of 50 gallons

Suction line at reservoir outlet shall incorporate a ball style shut off valve.

Visual site gauge for monitoring the hydraulic oil level and temperature shall be furnished

100 mesh suction strainer and a 10 micron in-tank style return line filter shall be furnished.

(cont) Return filter will have a visual indicator to show when the element needs to be
changed.

All directional control valves must be of adequate flow capacity which keeps system back-
pressured

(cont) to a minimum.

The front eject and tailgate lift valve shall incorporate the main system relief valve set at a

(cont) maximum of 2,750 psi. The eject section of this valve shall be fitted with a hydraulic

(cont) resistance valve which controls the ejection cylinder movement during operation for

(cont) maximum load density.

The rear packing mechanism control valve shall be mounted at the upper portion of the
tailgate

(cont) right hand side for ease of maintenance and protection from refuse.

The packer sweep function shall incorporate a relief valve that controls excessive induced
pressure

(cont) during pack cycle.

A speed up switch will interface with the engine throttle advance so the recommended engine

(cont) speed is obtained when the packing mechanism is in engaged mode.

All control levers for the valves must conform to ANSI Z245-1

Lighting and Wiring

A tailgate warning alarm and dash mounted light shall be incorporated and activate when the

(cont) tailgate is raised.

Body wiring interface to chassis wiring must be plug-in weather proof connectors.

(Cont) Splicing into the chassis wiring is not acceptable.

A speed-up auxiliary button shall be located at the front tailgate/eject valve location.

All wiring must be encased in split case style loom.

Wiring harness connections shall be double seal automotive type.

Painting:

The entire tailgate area to be washed with a phosphorus based solution.

Two coats of automotive grade primer and enamel shall be applied.

Truck Body shall be painted white.

Automatic Alarm/Backup Device

Automatic backup audible alarm that sounds on backing and is capable of emitting sound audible
(cont) under normal conditions from a distance of not less than 100 feet.

Roll Cart Lift

2 each Roll cart lift(s) installed on rear hopper with controls on driver side and curbside side of body.

Standard Features

Mud Flaps (front and rear)

Tool Box

Gauges to include

Ammeter

Oil and dual air pressure gauges

Fuel gauge

Speedometer (MPH)

Odometer

Hour Meter

Sunshield Interior adjustable both sides

AM and FM radio

Air conditioning

Locking fuel cap

Roof mounted double air horn with Steering wheel horn dual electric under cab

Three(3) warning triangles

10 lbs fire extinguisher mounted in cab or two - 5lbs fire extinguishers one under each seat, both sides

First Aid kit

Required Accessories

Rear camera with 10 inch screen equipped with thermal/night vision for use when backing
(cont) automatically turns on when vehicle is in reverse.

Thermal insulator to shield cab from engine heat

Full tank of fuel and license plate mounting hardware

One (1) Operator's manual hardcopy

One (1) operator's manual on a CD

3 sets of key for ignition and cab

Two (2) complete illustrated parts book

Two (2) shop repair manuals

One (1) warranty manual

Warranty:

Minimum three (3) years/36,000 miles bumper to bumper vehicle warranty and five (5) years 60,000 mile limited power train warranty.

Preventive maintenance service for three (3) years/36,000 miles, all parts and labor shall be included at no extra cost to the GSWA.

CATEGORY 2

Included Not Included

Number of trucks to purchase

2

Size of Packer

1.0 CUBIC YARDS

Engine:

Compatible with diesel fuel on Guam
260HP @ 2600RPM / 660 Ft-lbs of torque

Transmission:

Allison 3500 series or equivalent, 6 speed
PTO transmission mounted PTO Prep -3,000/3,500 transmission with rear support
Allison Pushbutton
Oil fill tube/dipstick with level sensor

Axel Capacity:

Front: AXLE 12,000 LBS CAPACITY MINIMUM
REAR: AXLE 21,000 LBS CAPACITY MINIMUM

Front Tires and Rims

Front Axle: 11R 22.5 tires
22.5" by 8.25" steel painted wheel with 6.18" inset

Rear Tires and Rims

Rear Axle: 11R 22.5 tires
22.5" by 8.25" steel painted wheel

Body:

Cab Forward
Complete rust proofing with a three year corrosion guarantee

Brakes:

Refuse Service Brakes, all rear axels
Brake warning system
Anti-lock braking system (ABS)

Steering:

Power Steering
Left hand drive
186 inches wheel base, 135 inches Cab to Axle or other configuration with turning radius of
24 ft maximum

Shock Absorbers:

Shall be equipped with front and rear Heavy duty double acting shock absorbers compatible
with --
(cont) manufacturer's gross vehicle weight rating (GVWR)

Exhaust:

Exhaust - Muffler system horizontal DPS with left hand vertical SCR mount.
Exhaust Shield - Aluminum. Urea delivery system right hand over fender mounted 5 gal cap.
DPF style heat shield

CAB:

Cab Forward Air Ride High Back Driver Seat
Front Bumper to back of cab 107" Minimum
Fabric Non-air ride highback passenger seat/third man seat and lap belt center mounted
Fresh air conditioner
Fixed Rear Window BOC STD Tint
Radio

Auto mute when Allison transmission in reverse

Rain Gutters over both doors
Engine Oil Pressure and Coolant Gauges

Oil Temp Gauge Trans Main
Battery Disconnect w/Lockout and emergency jumper studs
Battery Disconnect
Engine Radiator 1050 square inch down flow minimum for maximum cooling capacity

Bumper Front:

Bumper shall be of pressed steel channel or equivalent material at least 3/16ths of an inch (cont) thick and 8" to 10" height with dual right and left tow pins

Color:

Chassis shall be black
Cab, hood, and packer body shall be white
Bumper and tires shall be white
The inside of packer must be painted in finished white

Lamps & Signal:

Switch engaged (marker light)
Daytime Running Lights
Solid state Hdfasher

Fuel Tank:

Aluminum Fuel Tank 75 gallon LH side

Beacon Light:

Three (3) each Amber Strobe lights, 6" diameter in size, one (1) on cab roof center mounted and two (2) on rear of packer body mounted below roof line mounted on left and right side of packer body.

Mirrors:

Corrosion Resistant mirrors one (1) on driver side and one (1) on passenger side
8" convex mirrors center mounted under vertical
Corrosion Resistant mirrors
shall be motorized left and right side

Windshield Wipers/Washers:

Electric windshield wipers with intermittent feature and windshield liquid washer system

Control:

Two (2) Flashing Red Lights at rear vehicle.
Four (4) flood lights to be installed at rear
Two (2) to be mounted at the top of the tail gate
Two (2) to be mounted above rear packer controls and riding steps.
Controls to be mounted at rear by packer control.
These lights are to be grommet mount style for shock absorbance and ease of maintenance

Frame:

Frame straight rail section 10" x 3" x 3/8" 120 KSI - 2.13m RBM Minimum

Packer Body

Refuse Body to be a minimum of 10 cubic yards capacity
The structural integrity of the body shall be designed to withstand load densities of up to (cont) 750 lbs. per cubic yard of compaction
Worklights, two (2) each, installed at rear of packer body above hopper

Packing Mechanism Construction

Rear Loader

A minimum of 750 pounds of compaction per cubic yard

Ejection System:

Unloading by full ejection method only. Dump style bodies are not acceptable.

Hydraulic System:

Meets all industry standards

Roll Cart Lift

1 each Roll cart lift installed on rear hopper with controls on curb side of body.

Lighting and Wiring

A tailgate warning alarm and dash mounted light shall be incorporated and activate when the
(cont) tailgate is raised.

Body wiring interface to chassis wiring must be plug-in weather proof connectors.

(Cont) Splicing into the chassis wiring is not acceptable.

A speed-up auxiliary button shall be located at the front tailgate/eject valve location.

All wiring must be encased in split case style loom.

Wiring harness connections shall be double seal automotive type.

Painting:

The entire tailgate are to be washed with a phosphorus based solution.

Two coats of automotive grade primer and enamel shall be applied.

Truck Body shall be painted white.

Automatic Alarm/Backup Device

Automatic backup audible alarm that sounds on backing and is capable of emitting sound
audible

(cont) under normal conditions from a distance of not less than 100 feet.

Standard Features

Mud Flaps (front and rear)

Gauges to include

Ammeter

Oil and dual air pressure gauges

Fuel gauge

Speedometer (MPH)

Odometer

Hour Meter

Sunshield interior adjustable both sides

AM and FM radio

Air conditioning

Locking fuel cap

Under cab mounted double air horn with steering wheel electric horn

Three(3) warning triangles

10 lbs fire extinguisher mounted in cab

First Aid kit

Required Accessories

Rear camera with 10 inch screen equipped with thermal/night vision for use when backing
(cont) automatically turns on when vehicle is in reverse.

Thermal Insulator to shield cab from engine heat

Full tank of fuel and license plate mounting hardware

One (1) Operator's manual hardcopy

One (1) operator's manual on a CD

3 sets of key for ignition and cab

Two (2) complete illustrated parts book

Two (2) shop repair manuals

One (1) warranty manual

Warranty:

Minimum three (3) years/36,000 miles bumper to bumper vehicle warranty and five (5) years
60,000 mile limited power train warranty.

Preventive maintenance service for three (3) years/36,000 miles, all parts and labor shall be
included at no extra cost to the GSWA.



Sales, Rental, Parts and Service



ADDRESS: 197 Ypao Road Tamuning GUAM 96913

OFFICE: Phone 1-671-649-1946
Fax 1-671-649-1947

SPARE: Phone 1-671-646-7914
PARTS: Fax 1-671-646-7900

WEB: www.morricequipment.com



25 September 2014

Dear Linda J. Ibanez
Guam Solid Waste Authority
542 N. Marine Corps Drive
Tamuning, Guam 96913

9/25/14 (1:37 pm)
rec'd
by:
Linda J. Ibanez
JG

Re: Pre-Bid Questions for Bid Invitation No : GSWA001-15
(3) Each 25 Cubic Yard Refuse Collection Trucks and (2) Each 10 Cubic Yard Refuse Collection Trucks

In general, only one particular manufacturer of both truck and refuse body has been produced in this bid specification. There are a number of significant poor component choices for the Guam application and climate at significantly higher prices.

Morrigo Equipment LLC is the exclusive and authorized dealer for Freightliner trucks, Mercedes engines and Leach Refuse Bodies on Guam. We invest significantly which is a benefit to the local Guam economy, to achieve the full certified dealership status on Guam with factory trained technicians. Our company completes long term planned investment in dealership status well in advance of this IFB. Morrigo Equipment LLC exists on this island to participate in invitation to bids like this one.

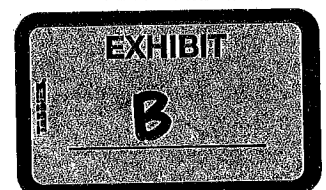
All we request is the ability to participate in this invitation to bid.

At this time, Morrigo Equipment LLC, Freightliner Trucks and Leach Refuse Bodies cannot participate in this bid invitation, as written.

The product we sell is a market leader in this application across the world and particularly in areas of high ambient temperature and corrosion.

We list the following specification choices that will allow our company along with Freightliner trucks and Leach Refuse Bodies to participate in this bid invitation.

ON-SITE DIESEL DELIVERY





Guam Solid Waste Authority
542 North Marine Drive
Tamuning, GU 96911
Under the management of
Federal Receiver:
Gershman, Brickner, & Bratton Inc.



ADDENDUM NO.:1

GSWA001-15

Category 1: 25 Cubic Yards

1. **Electrical:** 3 12V Dual Purpose batteries @2250 CCA
Amend to change to now read:
3 12 V Dual purpose batteries @ 2100 CCA is also acceptable
2. **Transmission:** Allison 4500 RDS Transmission
Amend to change to now read:
3500 Series RDS Transmission is also acceptable
3. **Transmission:** 6 Speed Allison World Transmission
Amend to change to now read:
5 Speed Allison Transmission is also acceptable
4. **Transmission:** 1760 HD Driveline
Amend to change to now read:
1810 Driveline is also acceptable
5. **Transmission:** 70 Maximum Speed in Top Gear
Amend to change to now read: 60 Maximum Speed in Top Gear is also acceptable
6. **Axle Capacity:** Rear – Axle 46,000 lbs., 46,000 lbs. Hendrickson HMX 460 Suspension
Amend to include: Or Equal to
7. **Body:** Rear Corner Windows in B-Pillars Post for Maximum Visibility and Safety
Amend to change to now read: No Rear Corner windows is also acceptable
8. **Cab:** Front Bumper to back of cab 62” Minimum
Amend to change to now read: 57.7” is also acceptable
9. **Required Accessories:** Rear Camera with 10 inch screen
Amend to change to now read: 7” standard in industry is also acceptable
10. **Fuel Tank:** Aluminum 75 Gallon Fuel Tank LH Boc
Amend to change to now read: RH Side is also acceptable

EXHIBIT

C

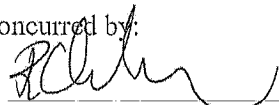
11. **Packer Body:** Hopper capacity to be a minimum of 3.6 cubic yards capacity
Amend to change to now read: 3.5 cubic yards is also acceptable
 12. **Controls:** These lights are to be grommet mount style for shock absorbance and ease of maintenance
Amend to include or Equal to
 13. **Steering:** 180 inches wheel base
Amend to now read: 186 inches wheel base is also acceptable
 14. **Power Take Off:** High Pressure gear type hydraulic pump, PTO to be air shifted with switch on dash with (cont) switch on dash board with indicator light (Cable operated PTO not acceptable)
Amend to include: Or Equal to
 15. **Packing Mechanism Construction:** Total cycle time no more than: 20 seconds Total re-load time no more than 3 seconds
Amend to change to now read: Total cycle time no more than: 22 seconds and total re-load time no more than 5 seconds is also acceptable
 16. **Packing Mechanism Construction:** Tailgate latches shall be hydraulically operated working in conjunction with the tailgate lift cylinders (cont) Manual or auxiliary automated latch systems are not acceptable.
Amend to include: Or Equal to
 17. **Painting:** The entire tailgate is to be washed with a phosphorus based solution. Two coats of automotive grade primer and enamel shall be applied. Truck Body shall be painted white.
Amend to change to now read: Grit blasted tailgate with polyurethane primer and paint is also acceptable
 18. **Question:** Please confirm what procurement authority is ultimately in charge of this bid?
Answer: Receiver. The Receiver shall follow the procedures required in Guam's statutes and regulations, unless, in the best judgment of the Receiver, such compliance would unreasonably delay the progress in meeting the mandates of the Consent Decree;
 19. **Question:** Price Escalator for a three (3) year purchase contract (Bid specs)
Answer: If bidder intends to have a price escalator, bidder would need to provide an explanation such as cost of steel, transportation from point A to B, freight cost etc.
 20. **Question:** Please confirm that a three (3) year equipment purchase order is legal for the Government of Guam to issue.
Answer: Yes in meeting the mandates of the Consent Decree
-

Category 2: 10 Cubic Yards

1. **Engine:** 260 HP
Amend to change to now read: 250 HP is also acceptable
2. **Transmission:** Allison 3500 series or equivalent, 6 speed
Amend to change to now read: 5 speed is also acceptable
3. **Brakes:** Brake warning system: A light telling you there is something wrong with your braking system, normally means it is low of brake fluid, pads are worn and need replacing.
4. **Steering:** 186 inches wheel base
Amend to change and now read: 146" inches wheel base is also acceptable
5. **Cab:** Front Bumper to back of cab 107" Minimum
Amend to change and now read: 63.2" is also acceptable
6. **Fuel Tank:** Aluminum Fuel Tank 75 Gallon LH Side
Amend to change and now read: 45 gallon is also acceptable
7. **Required Accessories:** Rear Camera with 10 inch screen
Amend to change and now read: 7" is also acceptable
8. **Painting:** The entire tailgate is to be washed with a phosphorus based solution. Two coats of automotive grade primer and enamel shall be applied. Truck Body shall be painted white.
Amend to change to now read: Grit blasted tailgate with polyurethane primer and paint is also acceptable
9. **Controls:** These lights are to be grommet mount style for shock absorbance and ease of maintenance
Amend to include or equal to

All others remain the same.

Concurred by:

 10/1/14

R. Chace Anderson, Receiver

DOOLEY ROBERTS & FOWLER LLP
ATTORNEYS AT LAW

DAVID W. DOOLEY
TIM ROBERTS
KEVIN J. FOWLER
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865 SOUTH MARINE CORPS DRIVE, SUITE 201
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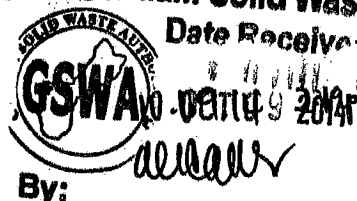
Of Counsel:
MELINDA C. SWAVELY

Writer's Direct Email:
Fowler@GuamLawOffice.com

October 9, 2014

PROCUREMENT PROTEST Guam Solid Waste Authority

VIA FACSIMILE TRANSMISSION
and HAND DELIVERY



David Manning
Head of Purchasing Agency
GUAM SOLID WASTE AUTHORITY
Under the Management of Federal Receiver:
Gershman, Brickner & Bratton, Inc.
542 North Marine Corps Drive
Tamuning, Guam 96911
Facsimile: (671) 649-3777

RE: GSWA001-15 – Refuse Collection Trucks

Dear Mr. Manning:

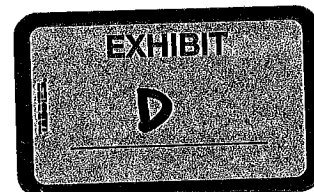
This office represents Morrigo Equipment, LLC (“Morrigo”), 197 Ypao Road, Tamuning, Guam 96913, with respect to GSWA001-15, a procurement solicitation for refuse collection trucks.

Morrigo hereby files its protest with respect to the above-referenced procurement.

The reasons for this protest are as follows:

The Guam Solid Waste Authority (“GSWA”), has refused to amend its specifications for a cab forward design for each of the refuse trucks it seeks to acquire, despite the request of Morrigo in its September 25, 2014, letter to the GSWA. In the GSWA’s Addendum No. 1 issued on October 1, 2014, the GSWA amended a number of other specifications for the procurement of the subject refuse trucks, but did not address or amend the cab forward specification.

The refusal to amend the cab forward specification is unreasonable, arbitrary, capricious and an abuse of discretion. The cab forward design as specified by the GSWA has no



David Manning
Head of Purchasing Agency
GUAM SOLID WASTE AUTHORITY
October 9, 2014

substantive basis as a specification necessary to carry out the purposes for which the refuse trucks are being acquired. Further, the cab forward design has several disadvantages to the conventional cab design that will be offered by Morrico.

A cab forward design reduces operator comfort as the operator is seated directly over the engine and front axle. The operator therefore absorbs much more of the impact from road bumps/defects than would an operator seated in a conventional cab. The cab forward design is also hotter.

A cab forward design is not necessary to comply with the specifications of the solicitation governing turning radius, and the conventional cab refuse trucks to be offered by Morrico will meet the turning radius specification of the solicitation.

A cab forward design requires a heavy duty 20,000 lb axle capacity which is more expensive to purchase, and more expensive and difficult to maintain/service. Because of the 20,000 lb axle and cab forward specifications, the specifications further require more expensive front wheels and front tires.

A cab forward design reduces windshield visibility compared to the conventional cab to be offered by Morrico.

The conventional cab offered by Morrico is aluminum, not steel. It does not have the same corrosion concerns as a steel cab. The Morrico conventional cab design is cheaper to purchase, run and maintain. It has a smaller engine, transmission, radiator, front axle and suspension, while meeting all other specifications of this solicitation. The Morrico conventional cab is also safer to enter and exit. Finally, the conventional cab offers instant engine access, while the cab forward design makes engine access more inefficient and dangerous.

The development of product specifications is statutorily geared toward increasing competition among potential vendors. *See*, 5 GCA § 5265 (“All specifications shall seek to promote overall economy for the purposes intended and encourage competition in satisfying the Territory’s needs, and shall not be unduly restrictive.”). The GSWA’s cab forward specification is unduly restrictive, is in fact designed to reduce competition, and will actually increase costs for the Territory.

In addition, the GSWA specification of a cab forward design violates the provisions of 5 GCA § 5268. For example, “[s]pecifications shall not include requirements, such as but not limited to restrictive dimensions, weights or materials, which unnecessarily restrict competition, and shall include only the essential physical characteristics and functions required to meet the Territory’s minimum needs.” *See*, 5 GCA § 5268(a). Similarly, “[p]urchase descriptions shall describe the salient technical requirements or desired performance characteristics of supplies or

David Manning
Head of Purchasing Agency
GUAM SOLID WASTE AUTHORITY
October 9, 2014


services to be procured without including restrictions which do not significantly affect the technical requirements or performance characteristics.” *See*, 5 GCA § 5268(c). The GSWA’s cab forward specification is a restriction that does not “significantly affect the technical requirements or performance characteristics” of the refuse trucks to be acquired.

Please be advised that pursuant to the Guam Procurement Law you are not to proceed further with the procurement or award of a procurement contract prior to resolution of this bid protest. *See*, 5 G.C.A. § 5425. Furthermore, a receiver appointed by a federal court must comply with local law. *See*, 29 USCS § 959.

I look forward to your resolution of this protest expeditiously.

Sincerely,

DOOLEY ROBERTS & FOWLER LLP

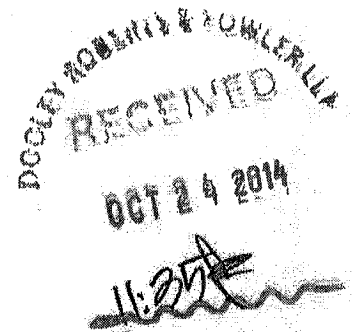


Kevin J. Fowler



**SOLID WASTE
MANAGEMENT
CONSULTANTS
RECEIVER**

October 22, 2014



Mr. Kevin J. Fowler
Attorney at Law
865 South Marine Corps Drive
Suite 201
Tamuning, Guam 96913

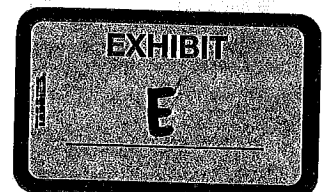
Dear Mr. Fowler:

We have reviewed the protest filed in your letter dated October 9, 2014 on behalf of your client Morrico Equipment, LLC ("Morrico"). You state the reason for this protest as GSWA's refusal to amend the cab forward specification; a specification you allege has no substantive basis as a specification necessary to carry out the purposes for which the refuse trucks are being acquired. You further allege that while Guam Law requires specifications to be geared toward increasing competition among potential vendors, "GSWA's cab forward specification is unduly restrictive, is in fact designed to reduce competition, and will actually increase costs for the Territory." You also indicate that the "The GSWA's cab forward specification is a restriction that does not 'significantly affect the technical requirements or performance characteristics' of the refuse trucks to be acquired."

As an initial matter, this protest is not timely. All protests are to be made in writing within 14 days of the time Morrico knew or should have known of the cab forward specification in IFB-GSWA001-15. The bid was issued on September 18, 2014. Morrico picked up the bid on September 19, 2014, and attended the Mandatory Pre-Bid conference on September 23, 2014. Therefore, at the very latest, Morrico's protest should have been filed no later than 14 days after September 23, 2014.

We take the concerns you have expressed very seriously. It is always the Receiver's goal to achieve maximum competition within the specifications required to meet GSWA's legitimate needs. It is in the spirit of that goal that GSWA will address the issues raised in the protest, notwithstanding Morrico's failure to timely file the protest. Since the subject bid for Refuse Collection Trucks includes two categories of trucks: 25 cubic yard refuse trucks and 10 cubic yard refuse trucks; we will assume that your protests applies to both categories.

The specification for the cab forward design is a substantive basis as a specification and is necessary to carry out the purposes for which the refuse trucks are being acquired. GSWA customers live in diverse areas that are often on narrow streets and roads requiring maximum maneuverability for GSWA's drivers to be able to safely and efficiently navigate these roadways and driveways to serve these customers. Based on GSWA's experience in Guam and the experience of other solid waste collection services in other areas, the cab forward design offers significantly better maneuverability and better visibility to the drivers. This enables more efficient use of the equipment to service routes and enhanced safety for GSWA personnel and the public.



Mr. Kevin J. Fowler
October 22, 2014
Page 2 of 2

The specification is also geared toward increasing competition among potential vendors. Numerous manufacturers offer a cab forward design. These include Mack, Peterbilt, Autocar, Crane Carrier, Oshkosh, Volvo, FUSO, Hyundai and Freightliner. FUSO, Hyundai and Freightliner are listed on your client's letterhead as products sold by your client's company. Given the numerous manufacturers of vehicles that will meet this specification, several of which are represented by dealers on Guam, the specification is not proprietary and is clearly geared toward increasing competition among potential vendors to meet the specifications required to provide GSWA with the equipment it needs.

The cab forward design has been used throughout the world by governments and private sector companies in many applications including refuse collection. It holds a significant market share in a highly competitive market. The governments and private sector companies purchasing these vehicles base their decisions on a body of experience that reflects their real world experience and their assessment of value received.

The cab forward specification will save GSWA in maintenance costs. GSWA has significant experience with both conventional and cab forward designs. From a maintenance perspective we find the ease of accessibility to most of the important engine components is an advantage for the cab forward design, helping reduce repair time and costs. Our research indicates that others using these vehicles have had a similar experience.

GSWA also values the input of its front-line workers when making purchasing decisions. Based on our discussions with these front-line workers who actually use the equipment, their overwhelming preference is for the cab forward design. Therefore, GSWA finds that Morrico's challenges to the cab forward specification based on comfort of the operators, access to the engine, and operator visibility to be unfounded.

For the reasons set out above, GSWA rejects your protest.

It is our hope that representatives of all of the manufacturers of these vehicles, including your client, will aggressively bid to provide these trucks to GSWA.

Thank you.

Sincerely,



David L. Manning
Receiver Representative

c.c. Vanessa Williams Ji, Esq.

FREIGHTLINER

Run Smart

FREIGHTLINER

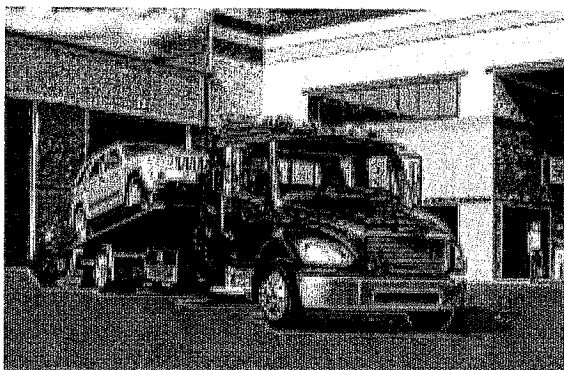
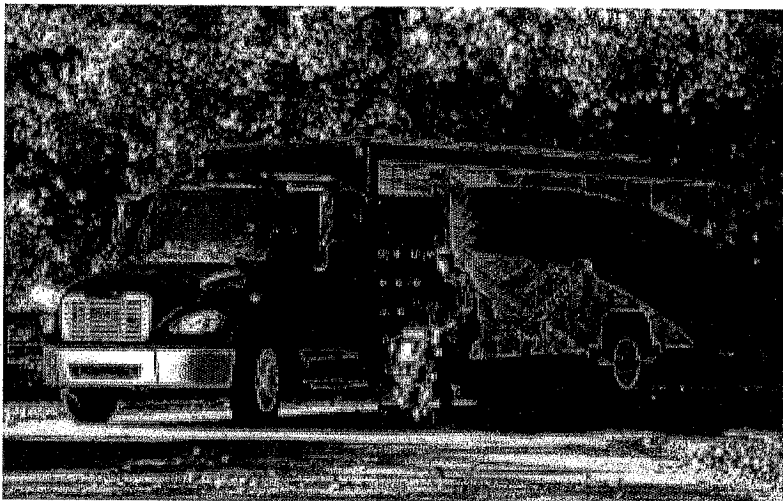
VOCATIONAL TRUCKS
BUSINESS CLASS® M2



EXHIBIT

F

**Built for durability.
Engineered for power.**

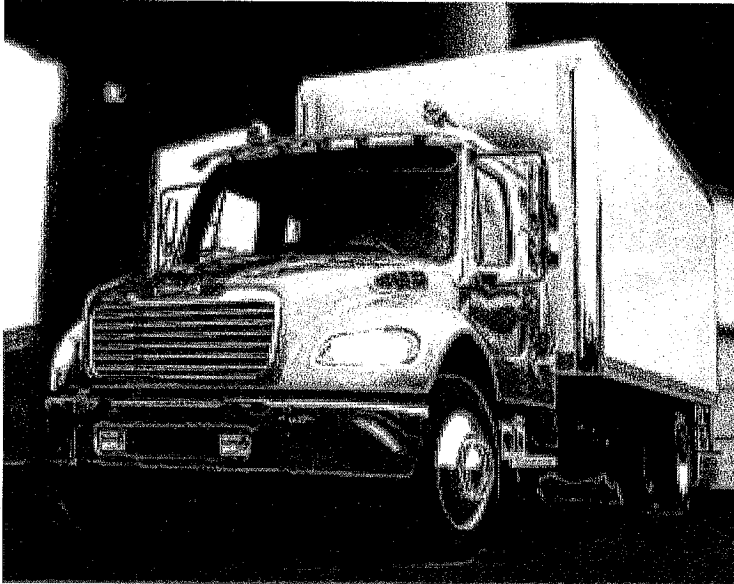


The Business Class® M2 line of trucks offers unparalleled benefits that help businesses increase productivity, performance and profitability. Available in 106- and 112-inch BBC platforms, the Business Class M2 supports a wide range of bodies and chassis-mounted equipment, making it the ideal solution for pickup and delivery, towing, food and beverage distribution, tanker and fire/emergency applications. Vocational models are available for specialized jobs such as refuse, construction, utility and government/municipality.

**Designed for the demands
of your business.**

Driving in a challenging environment requires a truck that's agile, comfortable and easy to drive. That's why the Business Class M2 delivers a tight turning radius, and its optional automatic transmission is easy on new and experienced drivers alike. And because driver comfort is key, this truck features a spacious cab with low step-in height, an advanced heating and cooling system and a smooth, quiet ride.

BUSINESS CLASS M2



Best overall value.

Increased efficiency leads to increased profits, so the Business Class M2 offers great fuel economy and easy maintenance for maximum productivity with minimum downtime. Adding to the value of ownership is Freightliner's legendary customer support, a network of more than 400 dealers across North America and a 24-hour assistance hotline that will keep you operating at peak efficiency day in and day out. The Business Class M2 is more than just a vehicle. It's a clear business advantage.



Versatility and efficiency to meet the demands of today's business.



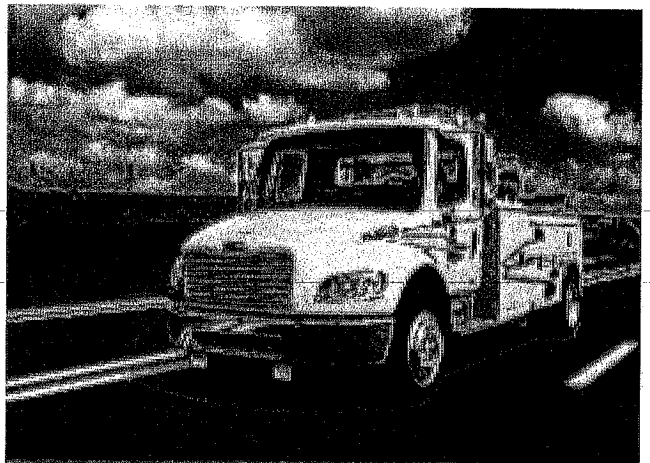
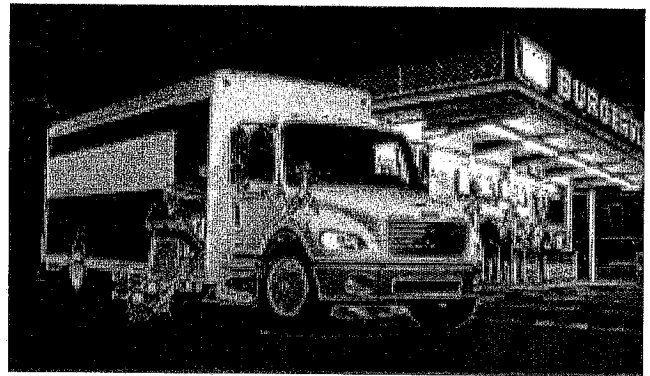
BUSINESS CLASS M2 106

The all-around performer.

The Business Class M2 106 is the true utility player of the family, offering the perfect platform for a variety of applications. Available as a truck or a tractor, it is extremely agile, featuring up to a 55-degree wheel cut, set-back front axle and swept-back bumper for excellent maneuverability in tight urban situations.

With a GVWR of up to 60,000 pounds, this medium-duty vehicle supports a wide range of bodies and chassis-mounted equipment. It comes standard with a powerful yet fuel efficient Cummins® ISB or ISC engine, with horsepower ratings from 200-380 hp. It's available with manual, automatic and automated transmissions from Eaton® Fuller® and Allison®, as well as Freightliner's SmartShift® option that offers hands-on-the-wheel shifting. For even greater efficiency, the M2 106 is available with a hybrid power system.

Stylish and practical, the Business Class M2 106 features an aerodynamic sloped hood, low profile dash and an expansive 2,500 square-inch windshield that gives drivers unparalleled visibility. With a multiplex wiring system, clear frame rails and a variety of exhaust packages, you can get the configuration you need for the job at hand.



BUSINESS CLASS M2 106V

For applications requiring a front engine PTO.

Freightliner's Business Class M2 106V is designed for vocational applications requiring a front engine PTO and front frame extensions, such as refuse collection, snow plowing, crane and utility operations and fire/emergency needs. Front frame rail extensions in 6" and 24" lengths come standard and give a solid mounting point for hydraulic pumps, winches, front stabilizers and snowplows.

Available with front suspension ratings up to 20,000 pounds and single or dual steering gears, the Business Class M2 106V will take on jobs previously unsuited for a truck this size. It comes standard with the Cummins ISC engine with 260-380 hp. But for all its power, it is amaz-



ingly agile. Like its sibling the Business Class M2 106, it features a tight wheel cut and a lightweight aluminum cab that maximizes payload. Its 1,200 square-inch radiator provides excellent cooling capacity, capable of handling up to 80,000 pounds GVW at the highest engine rating. Also featured is the PTO shaft running below the radiator. The Business Class 106V is a perfect solution for specialized applications.



Ready to take on heavy-duty assignments.

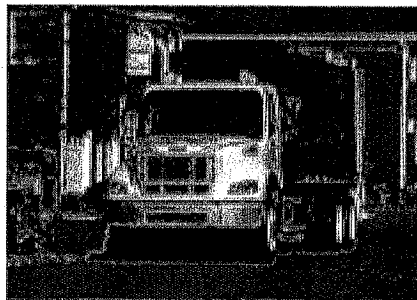
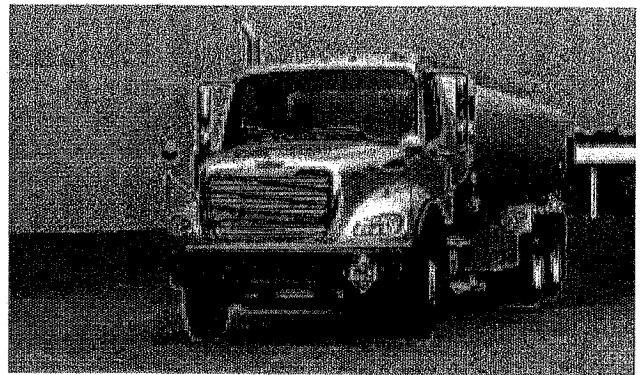


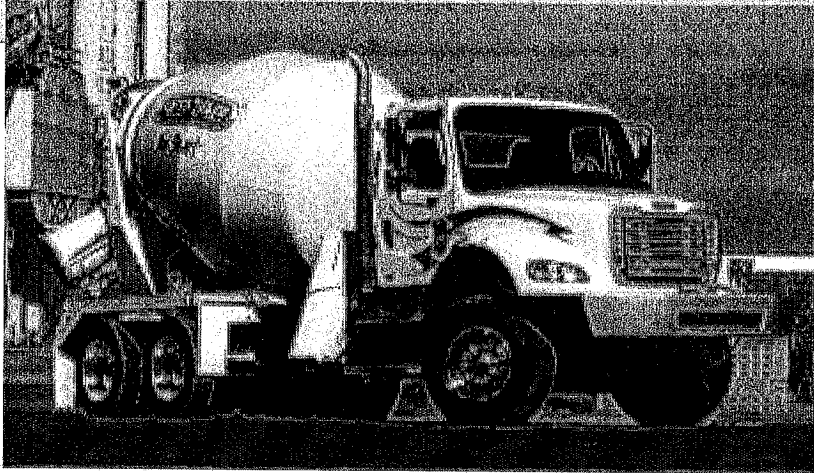
BUSINESS CLASS M2 112

Built for power and performance.

With a GVWR of up to 80,000 pounds, the Business Class M2 112 is the truck for the most demanding situations. It comes standard with a powerful Detroit Diesel DD13™ engine, with horsepower ratings from 350-450 hp and up to 1,650 ft.-lbs. of torque. Transmission options include manual, automatic and automated transmissions from Eaton Fuller and Allison, as well as Freightliner's SmartShift option that offers hands-on-the-wheel shifting.

The Business Class M2 112 has a lightweight aluminum cab that maximizes payload and resists corrosion. It's available as a truck, tractor or truck with end-of-frame connectors. With optional spring or air suspensions—including Freightliner's TuffTrac® and AirLiner® rear suspensions rated up to 52,000 pounds—this truck delivers a smooth, even ride under the most demanding conditions. In fact, with frames of up to 3.7 million RBM and 1,500 square-inch radiators, the Business Class M2 112 can tackle the toughest jobs. Consider our clean natural gas-powered truck, the M2 112 NG, and get even tougher on operating costs.

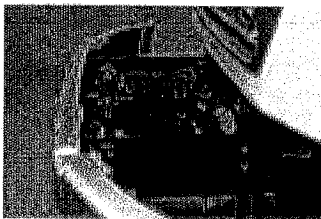




BUSINESS CLASS M2 112V

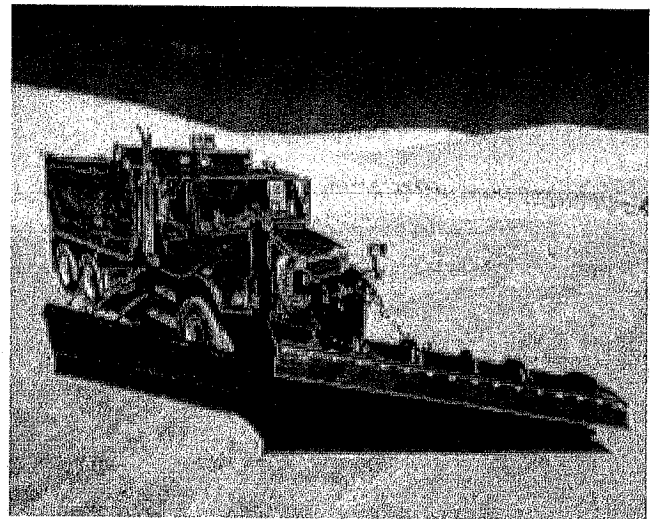
For vocational applications requiring a front engine PTO.

The Business Class M2 112V is designed for vocational applications requiring high horsepower and a front engine PTO, such as snow plows, refuse collection and mixers. The front engine PTO comes standard with front frame rail extensions in 12" or 24" lengths and optional dash-mounted controls.



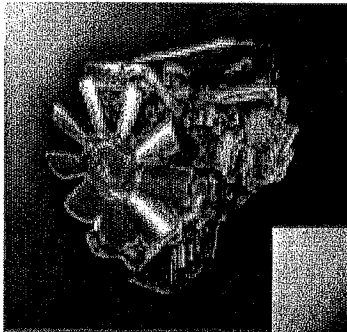
The standard engine is the Detroit Diesel DD13. With horsepower ratings from 350-450 hp and up to 1,650 ft.-lbs. of torque, you get the best combination of power, fuel efficiency and ease of service.

The Business Class M2 112V is all about choices. Select from a full range of transmissions, each with PTO capabilities. Choose from the easy-to-replace three-piece steel bumper that comes standard, or opt for the rigid one-piece bumper for severe applications. Standard is a wing dash that brings controls and gauges closer to the driver and an air-ride seat that assures a smooth, comfortable ride. For operating in adverse conditions, the cab features a precise HVAC system that keeps temperatures constant and an insulation package that protects against noise and temperature extremes. Whatever the job, the Business Class M2 112V is ready and willing to take on the assignment.

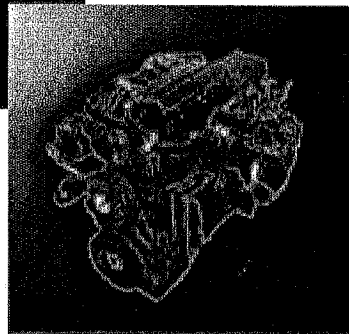


Powered for serious performance.

The Business Class M2 may look stylish on the outside, but underneath it's pure productivity. A broad range of engine and transmission choices allows the buyer to select the optimum combination to match virtually any business application.



Detroit Diesel DD13



Cummins ISC or ISB (shown here)

Optimized performance under the hood and on the road.

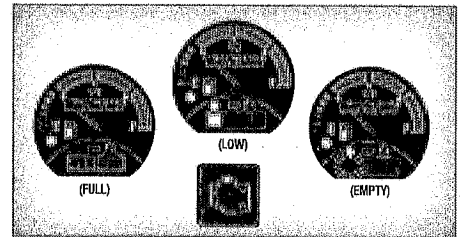
Since 1978, many different exhaust systems in Europe have incorporated SCR technology. Based on environmental advantages and payback to owners in less maintenance, increased fuel economy, better reliability and more uptime, it's clearly been proven the best EPA 2010 choice. Even so, Freightliner and the majority of the vocational trucking industry didn't take the decision to go with SCR lightly. We've driven more than 30 million SCR test miles in North America alone, including more than 2 million customer miles under real-world freight hauling conditions.

Different DEF Tanks

For ease of filling and increase of fill interval to standard maintenance intervals, Freightliner offers 6-, 13- and 23-gallon DEF tanks.

The DEF gauge is integrated into the diesel fuel gauge.

The gauge indicates the level of DEF in the tank and has a series of alerts when the tank is running low. A driver who ignores their DEF low level warnings will see de-rates and restrictions on their vehicle, but will never be stranded.



Just watch the gauge.
It's that simple!

ENGINES	
TYPE	RATINGS
Cummins ISB	200 - 360 hp / 520 - 800 ft.-lbs. torque
Cummins ISC	260 - 380 hp / 660 - 1,050 ft.-lbs. torque
Cummins ISL G (natural gas)	up to 320 hp / 1,000 ft.-lbs. torque
Detroit Diesel DD13	350 - 450 hp / 1,250 - 1,650 ft.-lbs. torque
	<i>Higher hp ratings are available for emergency service applications only.</i>
TRANSMISSIONS	
Eaton Fuller Manual	5-, 6-, 9-, 10-, 11- or 13-speed
Eaton Fuller AutoShift & UltraShift	10-speed
Allison	1000, 2000, 3000 and 4000 series
AXLES	
TYPE	CAPACITY (lbs.)
Steer	6k, 8k, 10k, 12k, 13k, 13.3k, 14k, 14.7k, 16k, 18k, 20k
Drive	10k, 12k, 13k, 15k, 17.5k, 19k, 20k, 21k, 23k, 26k, 30k
Tandem	34k, 40k, 44k, 46k, 52k, 58k

FAST FACTS ABOUT DEF

- DEF is non-toxic, biodegradable and non-flammable.
- Urea, a component of DEF, is a mild substance used in skin softening dish soap, tooth whitening formulas and as a pretzel browning agent.
- DEF has a shelf life of up to 18 months.
- DEF begins to freeze at 12° Fahrenheit.
- Start up and normal operation of vehicle is not inhibited if DEF freezes.
- The SCR system is designed to thaw DEF if it freezes.
- DEF is not damaged when frozen and is fully usable when thawed.
- If exposed to temperatures above 85° F for extended periods of time, DEF becomes less concentrated; it will still work in the SCR system, but may be consumed more rapidly than normal.
- If an improper fluid is placed in the DEF tank, shut down the engine immediately and contact your local service center.

Engineered for body builder flexibility.

Efficient placement of wiring and pneumatic lines.

Electrical, pneumatic and fuel lines are neatly organized inside the left-hand rail for most applications. This relieves congestion at the back of cab, making access easier for body builders and service technicians.

Wiring connectors eliminate splicing.

To assist body builders, Freightliner has pre-engineered standard interfaces for engine wiring and lighting. Vehicle Interface Wiring Connectors eliminate the need for splicing and provide an easy "plug and play" point for body builders to connect such things as brake lights, turn signals and tail lights. Interface connectors for the engine and transmission allow clean connections at convenient locations on the chassis for feature activation: no need to wire directly to engine or transmission control modules. The in-cab power net distribution block, available for body builder expansion, provides fused power for body controllers.

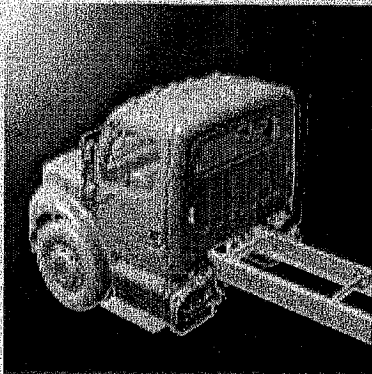
Adding switches is easy.

The Smart Switch system enables switches in the cab interior to be easily added or interchanged without removing the dashboard. Programming can be configured for specific vocational trucks, such as utility vehicles, refuse haulers, emergency vehicles and street sweepers.

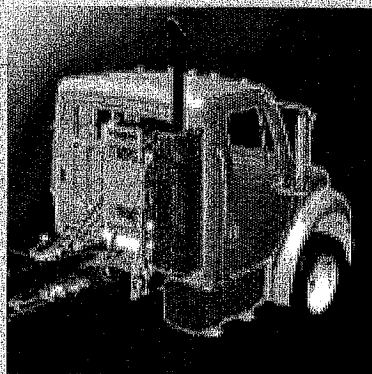


Order by vocational application.

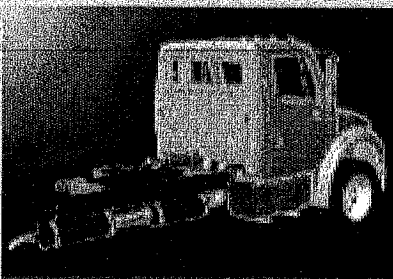
With the multiplex wiring system, body builders can modify PTO interlocks with software instead of having to design a new harness. And for new truck orders, the M2 Body Builder website, www.M2BodyBuilder.com, contains suggested data codes that allow ordering by vocational application. You can access the website 24 hours a day, without a password, for the most current information on the Business Class M2 including the M2 Body Builder Book and the M2 Electrical Reference Manual. Contact your sales professional to determine factory available data codes for your next order.



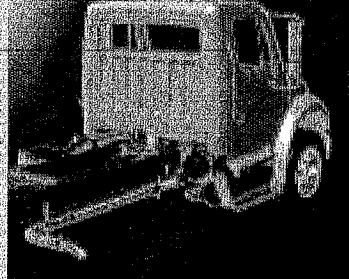
CLEAR BACK OF CAB TAILPIPE
Clear left-hand and right-hand transmission
PTO mounting locations



VERTICAL ATD TAILPIPE

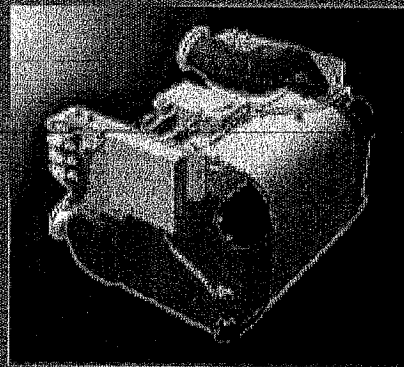


CLEAR UNDER CAB TAILPIPE



CURBSIDE EXIT TAILPIPE

Clear frame rails back of cab and a variety of EPA 2010 exhaust configurations suit most upfits. So whether you choose the Cummins SCR aftertreatment system or the DD13™ 1-Box, we have the perfect solution for you.



Detroit Diesel BlueTec® DD13 1-Box™

A cab that works with the driver.

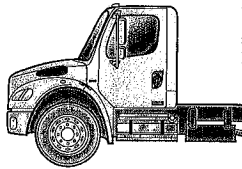
The Business Class M2 has an aerodynamic aluminum cab with a steel reinforced front wall, making it strong, lightweight and rust resistant. Every aspect of the cab was designed to make the driver's job less of a job, leading to increased productivity.

To reduce fatigue for drivers who make frequent stops, the cab features a low step-in height with slip-resistant dual steps, a large door opening

and strategically placed exterior and interior grab handles. For safety, the cab's hood slopes downward for better line-of-sight, and a 2,500 sq. in. windshield provides excellent visibility for spotting potential hazards. Optional down-view mirrors and an optional lower window in the passenger door provide greater visibility in hard-to-see areas.

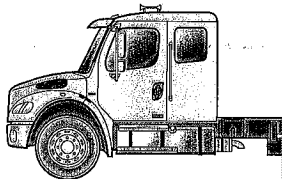
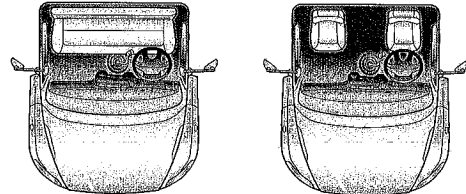
CAB CONFIGURATIONS / OPTIONS

The Business Class M2 has flexible seating options for any application. Front bench seats are available in day and crew cabs, while a rear bench seat is available in both the extended and the crew cab. Air-suspended and SCBA seats are available with most seating options. A few of the many seating configurations are shown here.



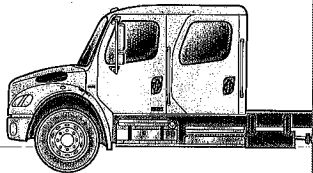
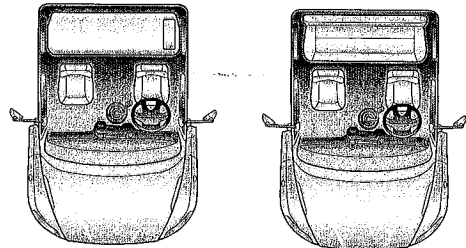
DAY CAB

- Full width bench seat
- Fixed or air suspension driver and passenger seats
- Passenger seats with SCBA, storage or locking safe provisions



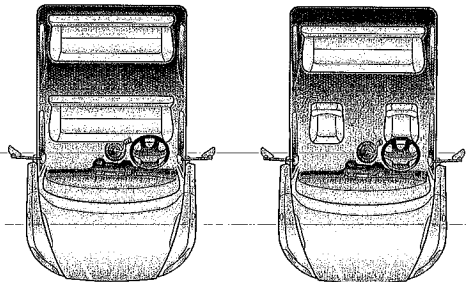
26" EXTENDED CAB

- 24" liftable bunk with storage
- Full-width rear bench seat or forward-facing rear jump seats
- Fixed or tip-out tinted side rear windows
- Cab privacy curtain



48" CREW CAB

- Rear bench or individual seats including air-suspended and SCBA
- Electric rear door windows



CAB FEATURES

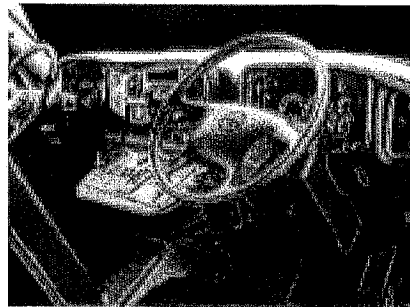
- Firewall and hood liner insulation
- Single or dual, electric or air horns
- LED marker lights
- Daytime running lights
- Swivel-mounted utility lights
- Mirror-mounted AM/FM/WB/CB antennas
- Aerodynamic airshield roof deflector or roof fairing
- Bonded or roped-in tinted windshield
- Painted or chrome exterior sun visor
- Black or chrome door mounted mirrors with heat or remote control
- Tinted door glass with operating or fixed wing windows
- Door-mounted down-view mirror
- Cab side extenders
- Exterior assist handles
- Fender- or hood-mounted auxiliary convex mirrors
- Heated door-mounted auxiliary convex mirrors
- Black plastic, painted steel or stainless steel quarter fenders
- Fender extensions
- Integral headlight/marker lights mounted in hood
- Painted or chrome front grille
- Painted or chrome three-piece bumpers, flexible plastic ends available
- Clear or amber fog lights, mounted in or under bumper
- Chrome air intake

Some features may be optional.

ALL-WHEEL DRIVE AND DUAL DRIVE OPTIONS

Selected Business Class M2 models can be ordered with an all-wheel drive option and several combinations of axles and suspension for optimized performance.

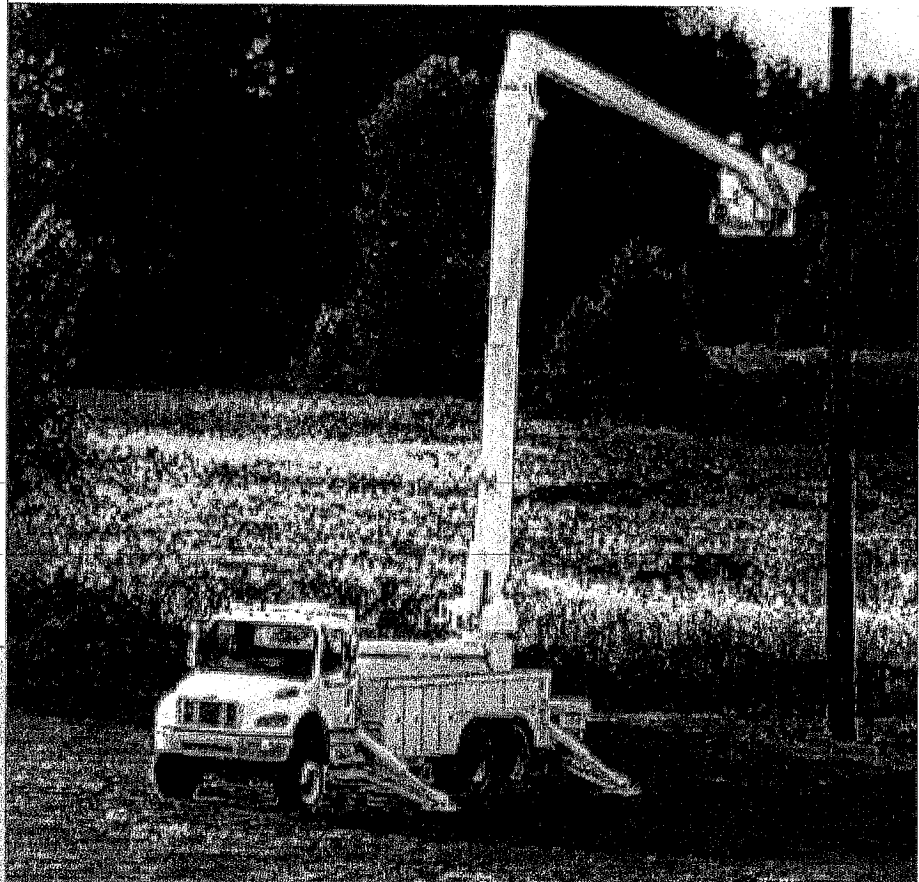
Sit-Down and Stand-Up Dual Drive options are available on the Business Class M2 106 and 106V truck models, is an easy-to-use feature that allows for smooth transitions from left-to-right-hand drive operations. Installed by Fontaine Modification, the right-



Interior of the Business Class M2 106 featuring the Sit-Down Dual Drive Option.

hand drive option is ideal for use in refuse collection, road striping, street sweeping and other applications where a right-hand drive option is advantageous.

The all-wheel drive option optimizes off-road performance.



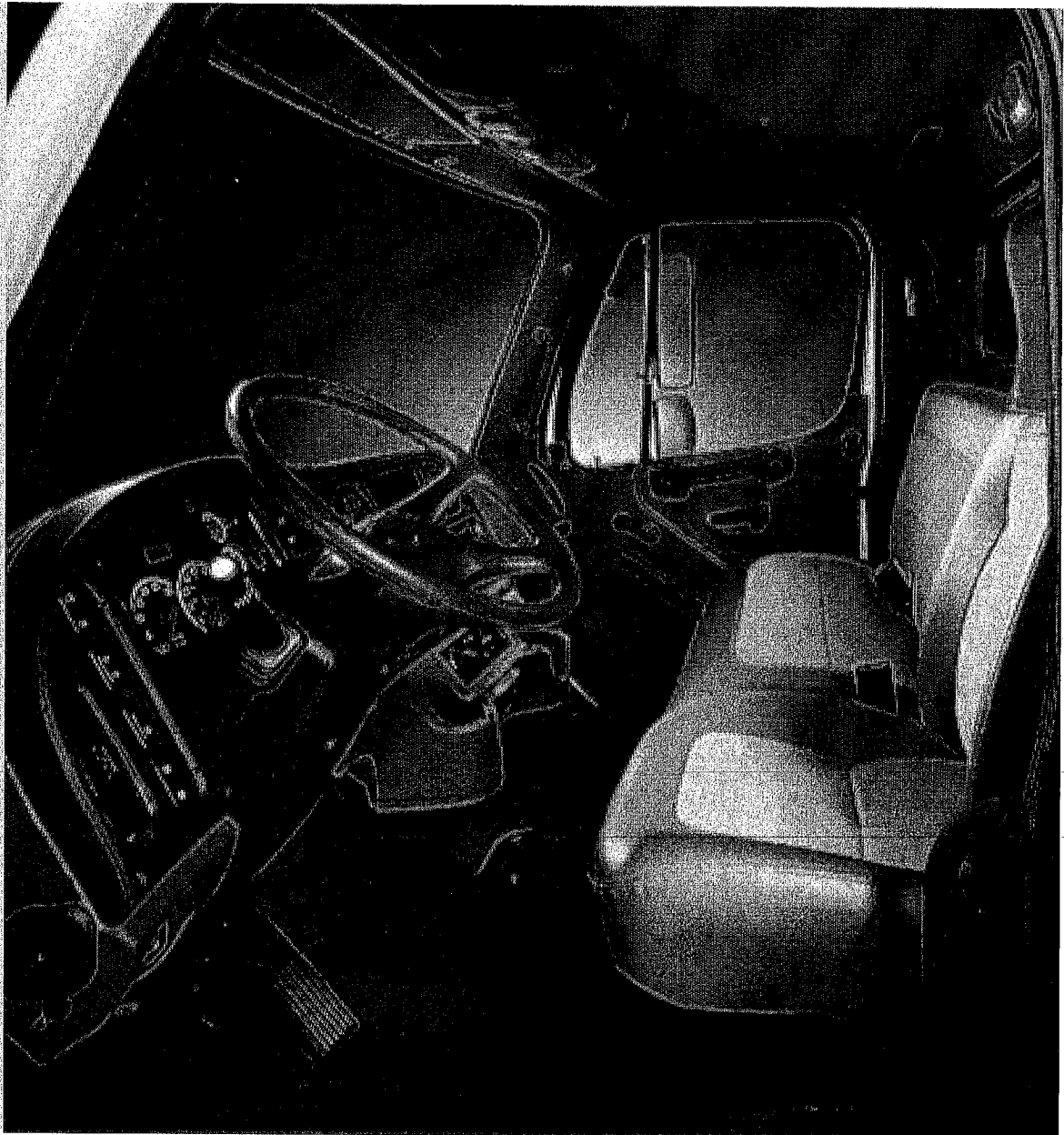
A productive place to spend the day.

Sure, a truck is a business on wheels, but it's also a driver's home for eight or more hours a day. That's why we've designed the Business Class M2 with the driver in mind.

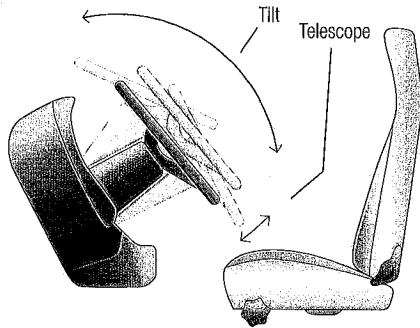
The cab is wide and deep, providing the driver much-appreciated elbow and leg room. The ergonomically designed driver's area features an automotive style dashboard, easy to read LED-backlit gauges and controls that are within easy reach. An advanced heating and air conditioning system provides excellent air flow for uniform temperature

control throughout the cab, and extensive interior insulation reduces noise and provides additional protection against the elements.

And for those who use their truck as an office, the Business Class M2 offers plenty of storage space. Items can be stored in the overhead console that comes standard or in the optional floor-mounted compartment that features a writing surface, printer provision and 12-volt power outlet.

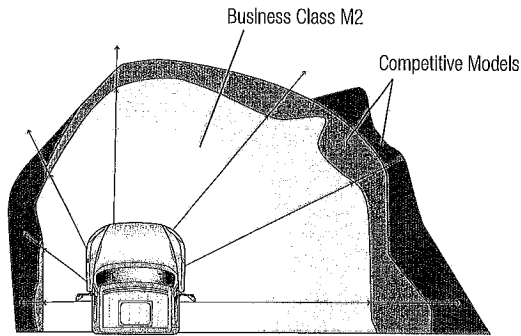


TILT AND TELESCOPE STEERING



The foot-controlled release on the adjustable steering column lets both hands stay on the wheel while providing an infinite number of adjustments.

VISIBILITY

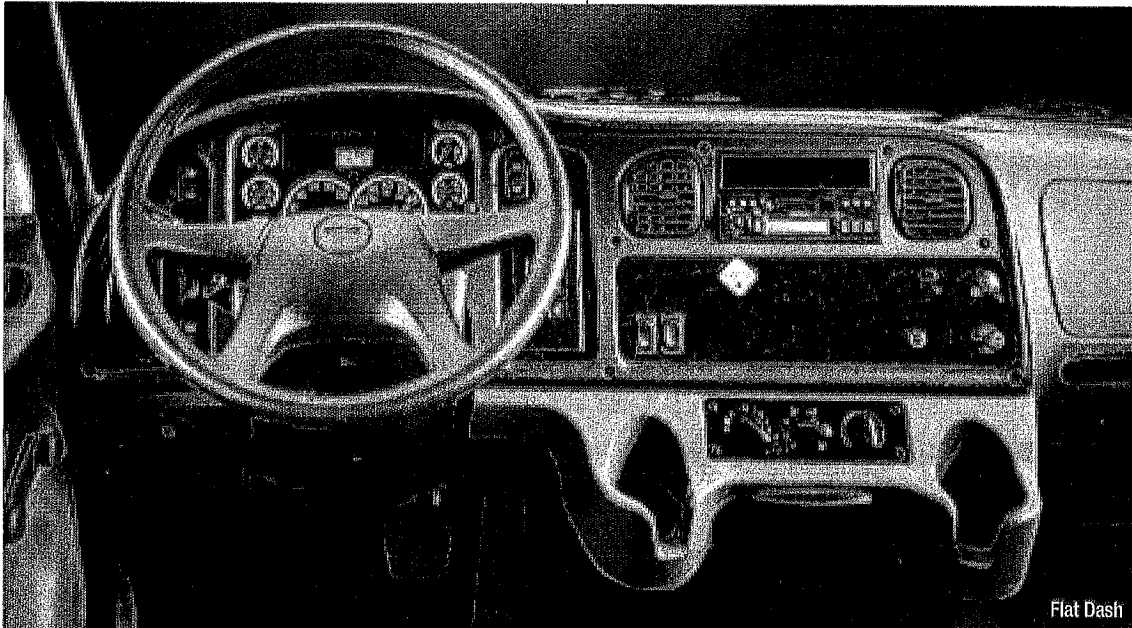


The Business Class M2's visibility zone starts closer than that of competitive truck models, to provide better visibility for maneuverability and safety.

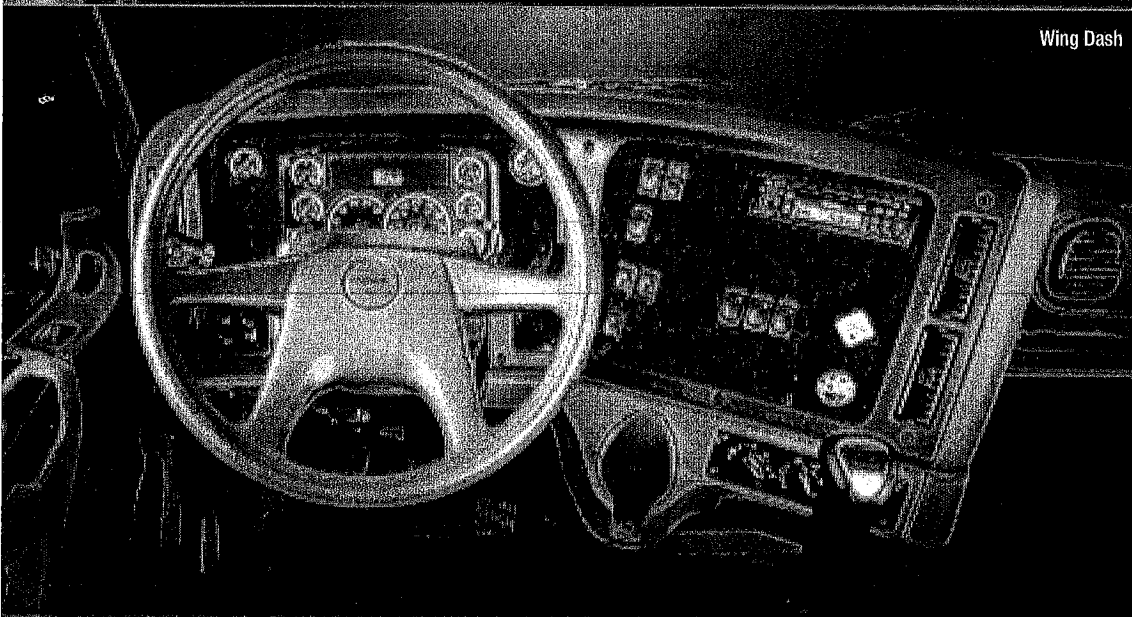
INTERIOR FEATURES

- Door-activated dome lights
- Overhead console with additional center storage
- Dual reading lights mounted in overhead console
- Multiple between-seat storage options including writing surface
- Electric powered door windows and door locks
- Door-mounted storage
- Two cupholders molded into lower dash
- Complete selection of driver and passenger seats including storage, safe and SCBA options
- Washer fluid level indicator
- Trip odometer, tachometer, transmission temperature and air pressure gauges
- Heater and defroster or heater, defroster and air conditioner
- AM/FM, Weatherband or Sirius Satellite radios with CD
- CB mounting provision conveniently located in overhead console
- Wing dash
 - Standard on M2 112/112V
 - Optional on M2 106/106V
- Interior convenience package
 - Woodgrain dash
 - Vinyl door trim
 - Extra overhead storage
 - Dual reading lights (day cab)

Some features may be optional.



Flat Dash



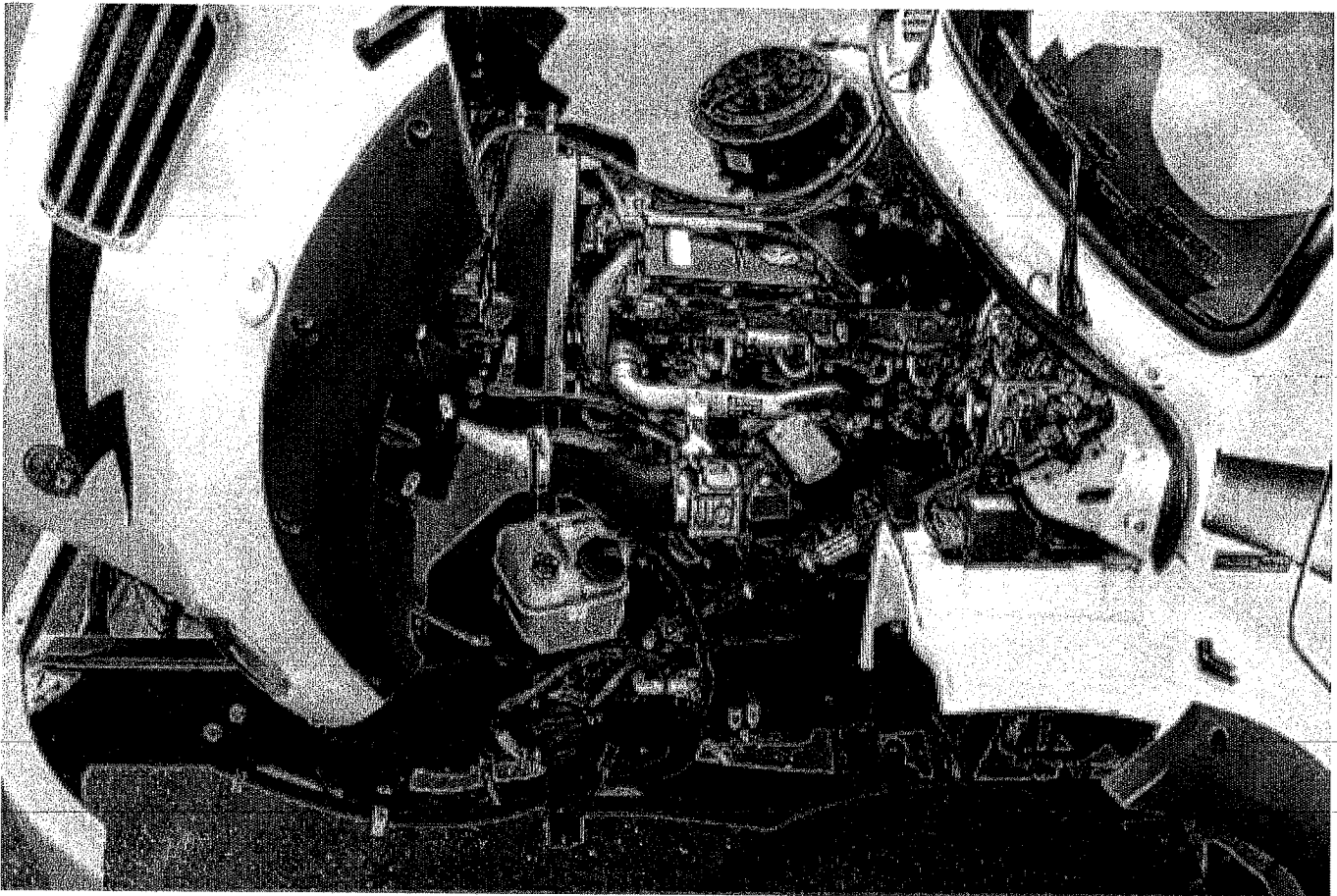
Wing Dash

Maintenance made easy.

We've designed the Business Class M2 to be easy to maintain, with quick access to critical maintenance points. The hood opens easily and features integrated splash shields that lift out of the way for better accessibility. Frequently inspected components are strategically placed, allowing for faster repairs and adjustments. See-through fluid reservoirs reduce the time spent checking fluid levels and a removable floor section allows access to the transmission without removing the floor covering.

The standard proprietary Donaldson PowerCore™ air cleaner is designed to go longer between replacements, yet still traps 99.85 percent of airborne particles before they reach the engine. The Business Class M2 features a lube-free steering shaft, a self-adjusting hydraulic clutch and suspensions that require no maintenance or lubrication.

The truck's multiplex electrical system has about half the wires of a traditional electrical system, which reduces possible failure points and allows technicians to more quickly pinpoint electrical problems. Even the three-piece bumper was designed to save repair costs by allowing partial replacement. The result is a vehicle that spends more time on the road.



Support that delivers peace of mind.

With more than 400 Freightliner dealer locations across North America, you're never far from the convenient service and support you have come to expect from the industry leader. In addition, over 200 Freightliner ServicePoint® facilities located at TravelCenters of America and Petro Stopping Centers offer certified repair and warranty work. When you need a factory-certified technician, Detroit Diesel offers more than 800 locations in North America. Freightliner also maintains strategically located parts distribution centers throughout North America, ensuring fast parts delivery to keep customers up and running.

Freightliner's Customer Assistance Center provides customers a hotline that's available 24 hours a day, seven days a week. Customers may call the toll-free number (1-800-FTL-HELP) for technical support, to arrange roadside assistance or towing services, or to locate the nearest dealer or service center.

A simple purchase process that's second to none.

Purchasing a truck is one of the most important decisions you make. Freightliner makes the buying process easy, with highly trained sales consultants and one of the largest dealer networks in the industry, so businesses don't have to look far for their next purchase. Trucking professionals count on Freightliner dealers for reliable product information, truck parts and service, and ongoing customer support.

Financing is easy.

Daimler Truck Financial (DTF) offers a variety of options, including loans and leases tailored to the trucking industry that make financing go smoothly. DTF has been meeting the financing challenges of owner-operator and vocational customers for over 30 years. It offers finance solutions including conventional retail financing at attractive and competitive rates, a variety of terms to match cash flow, and up to 100% financing for qualified customers.

Daimler Truck Financial

Financing that works for you.



Comprehensive warranties for added peace of mind.

Freightliner stands behind its trucks every step of the way. We offer one of the most comprehensive warranties in the business, as well as a variety of extended warranties.

Reliable, affordable parts.

Freightliner's private label products, sold under the Alliance Parts brand, offer quality parts at affordable prices. From starters and batteries to belts and brake drums, Alliance parts, accessories and components fit virtually all types of heavy-duty trucks. Alliance also offers an extensive line of remanufactured components such as engines, transmissions, clutches and more. Alliance parts are sold at Freightliner dealers throughout the U.S. and Canada.



SPECIFICATIONS AND OPTIONS

ENGINE AND POWERTRAIN ACCESSORIES

- Detroit Diesel DD13 engines
- Cummins ISB engines
- Cummins ISC engines
- Cummins ISL G Natural Gas engines
- Electronic engine management system
- Maintenance-free electrostatic breather system
- Engine brakes
- Emergency service application HP ratings available
- 160 amp alternator standard, with other options available
- Several clutch options from Eaton Fuller and Sachs
- Hydraulic and mechanical clutch control options
- Engine shut-down protection system
- Exhaust and compression brakes
- Electric engine coolant preheater
- Electric oil pan heater
- Eaton Fuller 5-, 6-, 9-, 10-, 11- or 13-speed manual transmissions
- Eaton Fuller 10-speed AutoShift & UltraShift transmissions
- Allison automatic transmissions
- Factory PTO provisions
- FEPTO & REPTO acceptability

CHASSIS

- Clear frame rail back of cab
- Towing provision at end of frame
- Battery shut-off switch
- Left-hand and right-hand exhaust (horizontal or vertical)
- Taper-leaf and flat-leaf front suspension capacity from 6,000 lbs. to 20,000 lbs.
- Front shock absorbers included with taper-leaf and available for flat-leaf suspensions
- Meritor rear axles, capacity from 10,000 lbs. to 58,000 lbs.
- Freightliner AirLiner, TufTrac, multi-leaf, taper-leaf and flat-leaf suspensions to 52,000 lbs.
- Hendrickson HN/RT/RTE suspensions up to 65,000 lbs.
- Wide family of frame rails available up to 7/16" x 11-1/8" with 1/4" c-channel inner reinforcement
- Integral front frame extensions
- Driver-controlled differential lock for traction control
- Painted or chrome three-piece bumpers with flexible plastic ends available

- Optional one-piece 1/4" rigid bumper
- Clear or amber fog lights, mounted in or under bumper
- InstaHeat fuel heaters
- Black plastic, painted steel or stainless steel quarter fenders
- Alliance or Davco fuel/water separators
- Back-up alarm
- Tire sizes up to 445/65 R22.5
- Left, right or dual 30- to 120-gallon aluminum fuel tanks (cylindrical on Business Class M2 112)
- 6-, 13- or 23-gallon DEF tanks

CAB

- 106" or 112" BBC aluminum cab
- 2-door, stand-up, right-hand drive available
- Sit-down, dual drive available
- Metal door kick plates
- Available wing dash or flat dash
- Aerodynamic airsheld roof deflector or roof fairing
- Cab side extenders
- Fender extensions
- Painted or chrome front grille
- Firewall and hood liner insulation
- Single or dual, electric or air horns
- Integral headlight/marker lights mounted in hood
- LED marker lights
- Daytime running lights
- Swivel-mounted utility lights
- Black or chrome door-mounted mirrors with heat or remote control
- Door-mounted down-view mirror
- Heated door-mounted auxiliary convex mirrors
- Fender- or hood-mounted auxiliary convex mirrors
- Painted or bright exterior sun visor
- Tinted door glass with operating or fixed wing windows
- Bonded or roped-in tinted windshield
- Mirror-mounted AM/FM/WB/CB antennas
- Windshield wiper motor with delay
- Hood access hatches on 106V and 112V
- Argent or bright engine air intake

DRIVER SAFETY AND COMFORT

- Driver convenience package
- Rubber, leaf spring or air cab mounts
- Exterior assist handles
- Electric powered door windows and electric door locks
- Washer fluid level indicator
- Lower right-hand door window
- Door-mounted storage
- Overhead console with additional center storage
- Heater and defroster, or heater, defroster and air conditioner
- Two cupholders molded into lower dash
- Multiple between-seat storage options including writing surface and 12-volt power supply
- Complete selection of driver and passenger seats including storage, safe and SCBA options
- Silencer package or extreme climate thermal insulation
- Door-activated dome lights
- Optional step lighting package
- Dual reading lights mounted in overhead console
- Adjustable tilt and telescoping steering column
- Trip odometer, tachometer, transmission temperature and air pressure gauges
- AM/FM, Weatherband or Sirius Satellite radios with CD
- CB mounting provision conveniently located in overhead console
- Cordura seat covers

Some options not available on all models.

Visit your local Freightliner dealer for complete specifications and options.



Competitive financing available through Daimler Truck Financial. For the Freightliner Trucks Dealer nearest you, call 1-800-FTL-HELP. www.freightlinertrucks.com. 10M, 2/10, FTL/MC-B-969. Specifications are subject to change without notice. Freightliner Trucks is registered to ISO9001:2000 and ISO 14001:2004. Copyright © 2010, Daimler Trucks North America LLC. All rights reserved. Freightliner Trucks is a division of Daimler Trucks North America LLC, a Daimler company.