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RECEIVED
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PROCUREMENT APPEALS

SEP 24 2007

TIME: 1:35p
BY: Yuka
FILE No. OPA-PA 07-008

PROCUREMENT APPEAL

5
6 In the Appeal of) **AGENCY REPORT**
7 **ADVANCE MANAGEMENT, INC.**)
8 Appellant.) Docket No. OPA-PA-07-008

9 Pursuant to 2 GAR, 12105, the Guam Public School System hereby submits the Agency
10 Report.

11 (a) No protest filed at Guam Public School System. A Notice of Appeal by Advance
12 Management, Inc., Appellant, dated September 6, 2007 was filed at the Office of the Public
13 Auditor on September 6, 2007, which GPSS received on September 7, 2007.

14 (b) See attached "Number 1".

15 (c) Submitted on September 14, 2007, see Tab B.

16 (d) Submitted on September 14, 2007, see Tab H.

17 (e) Submitted on September 14, 2007, see Tab B.


18 (f) No Protest filed with Guam Public School System.

19 (g) See GPSS Legal Counsel's statement, see attached "Number 2".

20 (h) Submitted on September 14, 2007, see Tab L.

21 (i) Appendix B, see attached "Number 3".

22 Respectfully submitted this 24th day of September, 2007.

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25 
FRED NISHIHIRA
GPSS Legal Counsel

ORIGINAL

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<u>Number</u>	<u>Document</u>
1	Offer submitted by Appellant and a copy of JRN's offer
2	GPSS Legal Counsel's Statement
3	GPSS' Declaration Re Court Action

Number 1
Offer submitted by Appellant and a copy of JRN's

ATTACHMENT - A

GPSS IFB 006-2007

REGION I

BIDDER'S NAME: ADVANCE MANAGEMENT, INC.

GPSS IFB 006-2007

SCHOOL	LOCATION	REGION	NO. OF SPLIT A/C
Merizo Elementary	Merizo	1	58
Inarajan Elementary	Inarajan	1	51
F.Q. Sanchez Elementary	Umatac	1	22
J.P. Torres Elementary/Alternative	Santa Rita	1	26
Harry S. Truman Elementary	Santa Rita	1	61
M.U. Lujan Elementary	Yona	1	94
Marcial Sablan Elementary	Agat	1	77
Talofoyo Elementary	Talofoyo	1	63
Inarajan Middle	Inarajan	1	74
Oceanview Middle	Agat	1	139
Southern High	Agat	1	20
No. of Split A/C:			685

The number of Split A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region I - Split A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ 18.00 hourly rate X total units 685 X *2.25 MH p/unit X 4 Qtrs.	\$110,970.00
2. Minor Repair	\$ 18.00 hourly rate X *793 hrs =	\$14,274.00
3. Major Repair	\$ 21.00 hourly rate X *922 hrs =	\$19,362.00
4. *Part Expense Account:		\$38,400.00
TOTAL REGION I:		\$ 183,006.00

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - B

GPSS IFB 006-2007

REGION II

BIDDER'S NAME: ADVANCE MANAGEMENT, INC.
GPSS IFB 006-2007

SCHOOL	LOCATION	REGION	NO. OF SPLIT A/C
Chief Brodie Elementary	Upper Tumon	2	111
L.B. Johnson Elementary	Tamuning	2	35
Tamuning Elementary	Tamuning	2	2
Astumbo Elementary	NCS Dededo	2	5
Finegayan Elementary	NCS Dededo	2	113
Maria A. Uiloa Elementary	Dededo	2	113
Wettengei Elementary	Dededo	2	102
Vicente S.A. Benavente Middle	Dededo	2	133
John F. Kennedy High	Upper Tumon	2	187
No. of Split A/C:			801

The number of Split A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region II - Split A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ <u>18.00</u> hourly rate X total units 801 X *2.25 MH p/unit X 4 Qtrs.	\$129,762.00
2. Minor Repair	\$ <u>18.00</u> hourly rate X *917 hrs =	\$16,506.00
3. Major Repair	\$ <u>21.00</u> hourly rate X *1,066 hrs =	\$22,386.00
4. *Parts Expense Account:		\$44,400.00
TOTAL REGION II:		\$ 213,054.00

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - C

GPSS IFB 006-2007

REGION III

BIDDER'S NAME: ADVANCE MANAGEMENT, INC.

GPSS IFB 006-2007

SCHOOL	LOCATION	REGION	NO. OF SPLIT A/C
Agana Heights Elementary	Agana Hts.	3	64
B.P. Carbullido Elementary	Barrigada	3	68
C.L. Taitano Elementary	Sinajana	3	24
Capt. H.B. Price Elementary	Mangilao	3	109
J.Q. San Miguel Elementary	Mong-Mong Toto	3	70
Ordot Chalan Pago Elementary	Ordot Chn Pago	3	43
P.C. Lujan Elementary	Radio Barrigada	3	103
Juan M. Guerrero Elementary	Harmon	3	94
Jose L.G. Rios Middle	Piti	3	57
Agueda I. Johnston Middle	Ordot	3	62
Luis P. Untalan Middle	Barrigada	3	121
George Washington High	Mangilao	3	263
No. of Split A/C:			1,078

The number of Split A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region III - Split A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ 18.00 hourly rate X total units 1,078 X *2.25 MH p/unit X 4 Qtrs.	\$174,636.00
2. Minor Repair	\$ 18.00 hourly rate X *1,238 hrs =	\$22,284.00
3. Major Repair	\$ 21.00 hourly rate X *1,440 hrs =	\$30,240.00
4. *Part Expense Account:		\$60,000.00
TOTAL REGION III:		\$287,160.00

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - D

GPSS IFB 006-2007

REGION IV

BIDDER'S NAME: ADVANCE MANAGEMENT, INC.

GPSS IFB 006-2007

SCHOOL	LOCATION	REGION	NO. OF SPLIT A/C
Daniel L. Perez Elementary	Yigo	4	114
Machananao Elementary	Yigo	4	18
UPI Elementary	Yigo	4	75
F. B. Leon Guerrero Middle	Yigo	4	113
Simon Sanchez High	Yigo	4	23
No. of Split A/C:			343

The number of Split A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region IV - Split A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ <u>18.00</u> hourly rate X total units 343 X *2.25 MH p/unit X4 Qtrs.	\$55,566.00
2. Minor Repair	\$ <u>18.00</u> hourly rate X *396 hrs =	\$7,128.00
3. Major Repair	\$ <u>21.00</u> hourly rate X *460 hrs =	\$9,660.00
4. *Parts Expense Account:		\$19,200.00
TOTAL REGION IV:		\$91,554.00

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - E

GPSS IFB 006-2007

SUPPORT FACILITIES

BIDDER'S NAME: ADVANCE MANAGEMENT, INC.

GPSS IFB 006-2007

DIVISION	LOCATION	REGION	NO. OF SPLIT A/C
Superintendent Office	Hagatna		8
GEPB Office	Hagatna		3
Certification Office	Hagatna		2
Chamorro Studies Office	Hagatna		5
Curriculum & Instructions - Oceanview Middle School	Agat		22
Federal Programs Office	Hagatna		6
Financial Affairs - Business Office/Payroll	Hagatna		8
Food Services Office	Piti		6
Head Start Office	Hagatna		8
Safety Office	Hagatna		2
Personnel Services Office	Hagatna		6
Supply Management Office	Hagatna		3
Research, Planning & Evaluation Office/Auditor's Office	Hagatna		6
Special Education Office	Tiyan		15
Gate Office	Tiyan		6
Student Support Services	Hagatna		5
GPSS Central Receiving Warehouse	Piti		2
No. of Split A/C:			113

The number of Split A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Support Facilities - Split A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ 18.00 hourly rate X total units 113 X *2.25 MH p/unit X 4 Qtrs.	\$18,306.00
2. Minor Repair	\$ 18.00 hourly rate X *124 hrs =	\$2,232.00
3. Major Repair	\$ 21.00 hourly rate X *144 hrs =	\$3,024.00
4. *Parts Expense Account:		\$48,030.00
TOTAL SUPPORT FACILITIES:		\$ 71,592.00

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - A-2

GPSS IFB 006-2007

REGION I

BIDDER'S NAME: ADVANCE MANAGEMENT, INC.

GPSS IFB 006-2007

SCHOOL	LOCATION	REGION	NO. OF CENTRAL A/C
Merizo Elementary	Merizo	1	0
Inarajan Elementary	Inarajan	1	33
F.Q. Sanchez Elementary	Umatac	1	2
J.P. Torres Elementary/Alternative	Santa Rita	1	1
Harry S. Truman Elementary	Santa Rita	1	7
M.U. Lujan Elementary	Yona	1	2
Marcial Sablan Elementary	Agat	1	18
Talofoto Elementary	Talofoto	1	1
Inarajan Middle	Inarajan	1	15
Oceanview Middle	Agat	1	15
Pace Program	Santa Rita	1	0
Southern High	Agat	1	0
No. of Central A/C			94

The number of Central A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region I - Central A/C Units		
1. Preventive Maintenance (Fixed Price)	$\$ 18.00$ hourly rate X total units 94 X 3.75 MH p/unit X 4 Qtrs.	\$25,380.00
2. Minor Repair	$\$ 18.00$ hourly rate X 380 hrs =	\$6,840.00
3. Major Repair	$\$ 21.00$ hourly rate X 460 hrs =	\$9,660.00
4. *Part Expense Account:		\$44,000.00
TOTAL REGION I		\$85,880.00

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - B-2

GPSS IFB 006-2007

REGION II

BIDDER'S NAME: ADVANCE MANAGEMENT, INC.

GPSS IFB 006-2007

SCHOOL	LOCATION	REGION	NO. OF Central A/C
Chief Brodie Elementary	Upper Tumon	2	0
L.B. Johnson Elementary	Tamuning	2	0
Tamuning Elementary	Tamuning	2	0
Astumbo Elementary	NCS Dededo	2	36
Finegayan Elementary	NCS Dededo	2	23
María A. Ulloa Elementary	Dededo	2	47
Wettengel Elementary	Dededo	2	13
Vicente S.A. Benavente Middle	Dededo	2	34
John F. Kennedy High	Upper Tumon	2	89
No. of Central A/C:			242

The number of Central A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region II - Central A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ 18.00 hourly rate X total units 242 X 3.75-MHP/unit X 4 Qtrs.	\$65,340.00
2. Minor Repair	\$ 18.00 hourly rate X 950 hrs =	\$17,100.00
3. Major Repair	\$ 21.00 hourly rate X 1,180 hrs =	\$24,780.00
4. *Parts Expense Account:		\$112,000.00
TOTAL REGION II:		\$ 219,220.00

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - C-2

GPSS IFB 006-2007

REGION III
 BIDDER'S NAME: ADVANCE MANAGEMENT, INC.
GPSS IFB 006-2007

SCHOOL	LOCATION	REGION	NO. OF Central A/C
Agana Heights Elementary	Agana Hts.	3	4
B.P. Carbullido Elementary	Barrigada	3	0
C.L. Taitano Elementary	Sinajana	3	12
Capt. H.B. Price Elementary	Mangilao	3	19
J.Q. San Miguel Elementary	Mong-Mong Toto	3	2
Ordot Chalan Pago Elementary	Ordot Chn Pago	3	34
P.C. Lujan Elementary	Radio Barrigada	3	36
Juan M. Guerrero Elementary	Harmon	3	2
Jose L.G. Rios Middle	Piti	3	42
Agueda I. Johnston Middle	Ordot	3	10
Luis P. Untalan Middle	Barrigada	3	19
George Washington High	Mangilao	3	26
No. of Central A/C:			206

The number of Central A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region III - Central A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ 18.00 hourly rate X total units 206 X 3.75 MH p/unit X 4 Qtrs.	\$55,620.00
2. Minor Repair	\$ 18.00 hourly rate X *750 hrs =	\$13,500.00
3. Major Repair	\$ 21.00 hourly rate X *920 hrs =	\$19,320.00
4. *Part Expense Account:		\$92,000.00
TOTAL REGION III:		\$180,440.00

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - D-2

GPSS IFB 006-2007

REGION IV

BIDDER'S NAME: ADVANCE MANAGEMENT, INC.
GPSS IFB 006-2007

SCHOOL	LOCATION	REGION	NO. OF Central A/C
Daniel L. Perez Elementary	Yigo	4	16
Machananao Elementary	Yigo	4	22
UPI Elementary	Yigo	4	33
F. B. Leon Guerrero Middle	Yigo	4	6
Simon Sanchez High	Yigo	4	26
GPSS Support Facilities		4	6
No. of Central A/C:			109

The number of Central A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region IV - Central A/C Units:		
1. Preventive Maintenance (Fixed Price)	\$ 18.00 hourly rate X total units 109 X *3.75 MH p/unit X4 Qtrs:	\$29,430.00
2. Minor Repair	\$ 18.00 hourly rate X *430 hrs =	\$7,740.00
3. Major Repair	\$ 21.00 hourly rate X *520 hrs =	\$10,920.00
4. *Parts Expense Account:		\$50,000.00
TOTAL REGION IV:		\$ 98,090.00

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - A

GPSS IFB 006-2007

REGION I

BIDDER'S NAME: JRN AIR-CONDITIONING AND REFRIGERATION, INC.

SCHOOL	LOCATION	REGION	NO. OF SPLIT A/C
Merizo Elementary	Merizo	1	58
Inarajan Elementary	Inarajan	1	51
F.Q. Sanchez Elementary	Umatac	1	22
J.P. Torres Elementary/Alternative	Santa Rita	1	26
Harry S. Truman Elementary	Santa Rita	1	61
M.U. Lujan Elementary	Yona	1	94
Marcial Sablan Elementary	Agat	1	77
Talofoto Elementary	Talofoto	1	63
Inarajan Middle	Inarajan	1	74
Oceanview Middle	Agat	1	139
Southern High	Agat	1	20
No. of Split A/C:			685

The number of Split A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region I - Split A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ <u>7.50</u> hourly rate X total units 685 X *2.25 MH p/unit X 4 Qtrs.	\$ 46,237.50 ✓
2. Minor Repair	\$ <u>11.50</u> hourly rate X *793 hrs =	9,119.50 ✓
3. Major Repair	\$ <u>11.50</u> hourly rate X *922 hrs =	10,603.00 ✓
4. *Part Expense Account:		\$38,400.00
TOTAL REGION I:		\$ 104,360.00 ✓

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - B

GPSS IFB 006-2007

REGION II

BIDDER'S NAME: JRN Air-Conditioning and Refrigeration, Inc.

SCHOOL	LOCATION	REGION	NO. OF SPLIT A/C
Chief Brodie Elementary	Upper Tumon	2	111
L.B. Johnson Elementary	Tamuning	2	35
Tamuning Elementary	Tamuning	2	2
Astumbo Elementary	NCS Dededo	2	5
Finegayan Elementary	NCS Dededo	2	113
Maria A. Uloa Elementary	Dededo	2	113
Wettengel Elementary	Dededo	2	102
Vicente S.A. Benavente Middle	Dededo	2	133
John F. Kennedy High	Upper Tumon	2	187
No. of Split A/C:			801

The number of Split A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region II - Split A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ <u>7.50</u> hourly rate X total units 801 X *2.25 MH p/unit X 4 Qtrs.	\$ <u>57,067.50</u> ✓
2. Minor Repair	\$ <u>11.50</u> hourly rate X *917 hrs =	<u>10,545.50</u> ✓
3. Major Repair	\$ <u>11.50</u> hourly rate X *1,066 hrs =	<u>12,259.00</u> ✓
4. *Parts Expense Account:		\$44,400.00
TOTAL REGION II:		\$ <u>121,272.00</u> ✓

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - C

GPSS IFB 006-2007

REGION III

BIDDER'S NAME: JRN Air-Conditioning and Refrigeration, Inc.

SCHOOL	LOCATION	REGION	NO. OF SPLIT A/C
Agana Heights Elementary	Agana Hts.	3	64
B.P. Carbullido Elementary	Barrigada	3	68
C.L. Taitano Elementary	Sinajana	3	24
Capt. H.B. Price Elementary	Mangilao	3	109
J.Q. San Miguel Elementary	Mong-Mong Toto	3	70
Ordot Chalan Pago Elementary	Ordot Chn Pago	3	43
P.C. Lujan Elementary	Radio Barrigada	3	103
Juan M. Guerrero Elementary	Harmon	3	94
Jose L.G. Rios Middle	Piti	3	57
Agueda I. Johnston Middle	Ordot	3	62
Luis P. Untalan Middle	Barrigada	3	121
George Washington High	Mangilao	3	263
No. of Split A/C:			1,078

The number of Split A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region III - Split A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ <u>7.50</u> hourly rate X total units 1,078 X *2.25 MH p/unit X 4 Qtrs.	\$ 72,765.00 ✓
2. Minor Repair	\$ <u>11.50</u> hourly rate X *1,238 hrs =	14,237.00 ✓
3. Major Repair	\$ <u>11.50</u> hourly rate X *1,440 hrs =	\$ 16,560.00 ✓
4. *Part Expense Account:		\$60,000.00
TOTAL REGION III:		\$ 163,562.00 ✓

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - D

GPSS IFB 006-2007

REGION IV

BIDDER'S NAME: JRN Air-Conditioning and Refrigeration, Inc.

SCHOOL	LOCATION	REGION	NO. OF SPLIT A/C
Daniel L. Perez Elementary	Yigo	4	114
Machananao Elementary	Yigo	4	18
UPI Elementary	Yigo	4	75
F. B. Leon Guerrero Middle	Yigo	4	113
Simon Sanchez High	Yigo	4	23
No. of Split A/C:			343

The number of Split A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region IV - Split A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ <u>7.50</u> hourly rate X total units 343 X *2.25 MH p/unit X4 Qtrs.	\$ 23,152.50 ✓
2. Minor Repair	\$ <u>11.50</u> hourly rate X *396 hrs =	4,554.00 ✓
3. Major Repair	\$ <u>11.50</u> hourly rate X *460 hrs =	5,290.00 ✓
4. *Parts Expense Account:		\$19,200.00 ✓
TOTAL REGION IV:		\$ 52,196.50 ✓

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - E

GPSS IFB 006-2007

SUPPORT FACILITIES

BIDDER'S NAME: JRN Air-Conditioning and Refrigeration, Inc.

DIVISION	LOCATION	REGION	NO. OF SPLIT A/C
Superintendent Office	Hagatna		8
GEPB Office	Hagatna		3
Certification Office	Hagatna		2
Chamorro Studies Office	Hagatna		5
Curriculum & Instructions - Oceanview Middle School	Agat		22
Federal Programs Office	Hagatna		6
Financial Affairs - Business Office/Payroll	Hagatna		8
Food Services Office	Piti		6
Head Start Office	Hagatna		8
Safety Office	Hagatna		2
Personnel Services Office	Hagatna		6
Supply Management Office	Hagatna		3
Research, Planning & Evaluation Office/Auditor's Office	Hagatna		6
Special Education Office	Tiyan		15
Gate Office	Tiyan		6
Student Support Services	Hagatna		5
GPSS Central Receiving Warehouse	Piti		2
No. of Split A/C:			113

The number of Split A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Support Facilities - Split A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ <u>7.50</u> hourly rate X total units 113 X *2.25 MH p/unit X 4 Qtrs.	\$ 7,627.50 ✓
2. Minor Repair	\$ <u>11.50</u> hourly rate X *124 hrs =	1,420.00 ✓
3. Major Repair	\$ <u>11.50</u> hourly rate X *144 hrs =	1,656.00 ✓
4. *Parts Expense Account:		\$48,030.00
TOTAL SUPPORT FACILITIES:		\$ 58,739.50 ✓

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - B-2

GPSS IFB-006-2007

REGION II

BIDDER'S NAME: JAN AIR CONDITIONING AND REFRIGERATION, INC.

SCHOOL	LOCATION	REGION	NO. OF Central A/C
Chief Brodie Elementary	Upper Tumon	2	0
L.B. Johnson Elementary	Tamuning	2	0
Tamuning Elementary	Tamuning	2	0
Astumbo Elementary	NCS Dededo	2	36
Finegayan Elementary	NCS Dededo	2	23
María A. Ulloa Elementary	Dededo	2	47
Wettengel Elementary	Dededo	2	13
Vicente S.A. Benavente Middle	Dededo	2	34
John F. Kennedy High	Upper Tumon	2	89
No. of Central A/C:			242

The number of Central A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region II - Central A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ 7.50 hourly rate X total units-242 X 3.75 MH p/unit X 4 Qtrs:	\$ 27,225.00 ✓
2. Minor Repair	\$ 11.50 hourly rate X 950 hrs =	10,925.00 ✓
3. Major Repair	\$ 11.50 hourly rate X 1,180 hrs =	13,570.00 ✓
4. *Parts Expense Account:		\$112,000.00
TOTAL REGION II:		\$ 163,720.00 ✓

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - A-2
GPSS IFB 006-2007

REGION I

BIDDER'S NAME: UNION CONDITIONING CO.
REFRIGERATION INC.

SCHOOL	LOCATION	REGION	NO. OF CENTRAL A/C
Merizo Elementary	Merizo	1	0
Inarajan Elementary	Inarajan	1	33
F.Q. Sanchez Elementary	Umatac	1	2
J.P. Torres Elementary/Alternative	Santa Rita	1	1
Harry S. Truman Elementary	Santa Rita	1	7
M.U. Lujan Elementary	Yona	1	2
Marcial Sablan Elementary	Agat	1	18
Talofoto Elementary	Talofoto	1	1
Inarajan Middle	Inarajan	1	15
Oceanview Middle	Agat	1	15
Pace Program	Santa Rita	1	0
Southern High	Agat	1	0
No. of Central A/C:			94

The number of Central A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region I - Central A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ 7.50 hourly rate X total units 94 X *3.75 MH p/unit X 4 Qtrs.	\$ 10,575.00
2. Minor Repair	\$ 11.50 hourly rate X *380 hrs =	4,370.00
3. Major Repair	\$ 11.50 hourly rate X *460 hrs =	5,290.00
4. *Part Expense Account:		\$44,000.00
TOTAL REGION I:		\$ 64,235.00

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - C-2

GPSS IFB 006-2007

REGION III

BIDDER'S NAME: J.R.A. AIR CONDITIONING, INC.
REFRIGERATION, INC.

SCHOOL	LOCATION	REGION	NO. OF Central A/C
Agana Heights Elementary	Agana Hts.	3	4
B.P. Carbullido Elementary	Barrigada	3	0
C.L. Taitano Elementary	Sinajana	3	12
Capt. H.B. Price Elementary	Mangilao	3	19
J.Q. San Miguel Elementary	Mong-Mong Toto	3	2
Ordot Chalan Pago Elementary	Ordot Chn Pago	3	34
P.C. Lujan Elementary	Radio Barrigada	3	36
Juan M. Guerrero Elementary	Harmon	3	2
Jose L.G. Rios Middle	Piti	3	42
Agueda I. Johnston Middle	Ordot	3	10
Luis P. Untalan Middle	Barrigada	3	19
George Washington High	Mangilao	3	26
No. of Central A/C:			206

The number of Central A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region III - Central A/C Units		
1. Preventive Maintenance (Fixed Price)	\$ 7.50 hourly rate X total units 206 X *3.75 MH p/unit X 4 Qtrs.	\$ 23,175.00 ✓
2. Minor Repair	\$ 4.50 hourly rate X *750 hrs =	\$ 3,375.00 ✓
3. Major Repair	\$ 11.50 hourly rate X *920 hrs =	\$ 10,580.00 ✓
4. *Part Expense Account:		\$92,000.00
TOTAL REGION III:		\$ 134,380.00 ✓

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

ATTACHMENT - D-2

GPSS IFB 006-2007

REGION IV

BIDDER'S NAME: JRM AIR-CONDITIONING AND REFRIGERATION, INC.

SCHOOL	LOCATION	REGION	NO. OF Central A/C
Daniel L. Perez Elementary	Yigo	4	16
Machananao Elementary	Yigo	4	22
UPI Elementary	Yigo	4	33
F. B. Leon Guerrero Middle	Yigo	4	6
Simon Sanchez High	Yigo	4	26
GPSS Support Facilities		4	6
No. of Central A/C:			109

The number of Central A/C units are subject to increase or decrease.

BIDDER'S OFFER

TYPE OF WORK	FORMULA	TOTAL
Region IV - Central A/C Units:		
1. Preventive Maintenance (Fixed Price)	\$ 7.50 hourly rate X total units 109 X *3.75 MH p/unit X4 Qtrs:	\$ 12,262.50 ✓
2. Minor Repair	\$ 11.50 hourly rate X *430 hrs =	4,945.00 ✓
3. Major Repair	\$ 11.50 hourly rate X *520 hrs =	5,980.00 ✓
4. *Parts Expense Account:		\$50,000.00
TOTAL REGION IV:		\$ 73,187.50 ✓

* Labor hours and Part Expense Account requirement are estimates only. Subject to availability of funds.

Number 2
GPSS Legal Counsel's Statement

1 Guam Public School System
Fred Nishihira
2 Legal Counsel
P.O. Box DE
3 Hagåtña, Guam 96932
(671) 475-0658 • (671) 472-5003 (Fax)

4
5 **PROCUREMENT APPEAL**

6 In the Appeal of) **AGENCY REPORT**
7)
8 **ADVANCE MANAGEMENT, INC.**)
9 Appellant.) Docket No. OPA-PA-07-008

10 **GPSS LEGAL COUNSEL'S STATEMENT**

11 The Advance Management, Inc. (AMI) alleges that the Guam Public School System
12 (GPSS) failed to comply P.L. 26-111 of Article 13 of the Title 5 of the Guam Code Annotated.
13 As a result of the alleged violation AMI seeks either a re-bid or an award to the lowest bidder
14 providing evidence of wage compliance with the aforementioned laws.

15 **JURISDICTION**

16 GPSS moves for immediate dismissal of this appeal due to the Office of the Public
17 Auditor's (OPA) lack of jurisdiction in this matter. The Guam Department of Labor (DOL) is
18 the agency tasked by statute to monitor for compliance with P.L. 26-111. If allegations arise
19 regarding the violation of wages 5 GCA § 5803 states:

20 **§ 5803. Department of Labor Monitoring and Penalizing Authority.**

21 The Guam Department of Labor, or its successor, shall monitor
22 compliance with the provisions of this Article. The Director of the Department of
23 Labor, or that person's successor, shall investigate possible or reported
24 violations of the provisions of this Article, and shall forward such findings to
the Chief Procurement Officer of the General Services Agency, or that
person's successor.

25 The Department of Labor, or its successor, shall promulgate rules and
regulations, pursuant to the Administrative Adjudication Law, as needed to ensure

1 the equitable investigation of violations and the maintenance of due process, as
2 well as the assessment of monetary penalties in the event of a violation,
3 providing that such monetary penalties shall be limited to the assessment of
4 daily penalties of no less than One Hundred Dollars (\$100.00) per day, and
5 no more than One Thousand Dollars (\$1,000.00) per day, until such time as a
6 violation has been corrected, as well as the payment of all back wages and
7 benefits due. (Emphasis added.)

8 If the DOL finds a violation, the remedy is not the cancellation of a contract. Rather, the
9 winning company is made to pay the labor cost or penalized or both.

10 The bottom line is that GPSS receives the benefit of the bargain. It is GPSS' duty to
11 award a bid to the lowest bidder, it is the lowest bidders' duty to comply with the law.

12 Based on the aforementioned this matter should be immediately dismissed and the award
13 for air conditioning repairs should be granted so GPSS can move forward with meeting the
14 mandates of the Every Child is Entitled to an Adequate Education Act.

15 Dated this 24th day of September, 2007.

16 

17 FRED NISHIHIRA
18 GPSS Legal Counsel

Number 3
GPSS' Declaration Re Court Action



OFFICE OF THE PUBLIC AUDITOR

**Appendix B: Declaration Form
PROCUREMENT APPEAL**

In the Appeal of)	
)	
ADVANCE MANAGEMENT, INC.)	
(Name of Company), APPELLANT)	Docket No. OPA-PA-07-008
)	
_____)	

DECLARATION RE COURT ACTION
(To be signed by the Government Purchasing Agency.)

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

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

Submitted this 24 day of Sept, 20 07.

By: 
DECLARANT

FRED NISHIHIRA, Legal Counsel
Print Declarant's Name

APPENDIX B