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 OFFICE OF PUBLIC ACCOUNTABILITY
 PROCUREMENT APPEALS

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Attorneys for General Services Agency, Department of Administration

**OFFICE OF PUBLIC ACCOUNTABILITY
 PROCUREMENT APPEAL**

In the Appeal of) Docket No. OPA-PA-13-001
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)
) **DECLARATION**
 MORRICO EQUIPMENT, LLC)
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 Appellant.)
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)

I, John Wusstig, do hereby declare that I am the Acting Fire Chief of the Guam Fire Department. I would like to take this opportunity to address two (2) items that were included in the findings that were issued in **“APPEAL NO: OPA-PA-13-001 DECISION”**.

One of the items I would like to reference is, specifically; page 3, line 4 - 6, item f. “The contractor shall include in the bid/quote price, two (2) factory inspection trips for two (2) representatives of GFD for the purpose of the pre-construction conferences for the fire apparatus and final inspection before delivery of the unit(s).”

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I am respectfully requesting for your reconsideration on this issue. Factory inspection trips are not something that is unheard of, nor unreasonable, nor extravagant, nor unnecessary in any way. Factory inspection trips are absolutely necessary and is actually an industry standard.

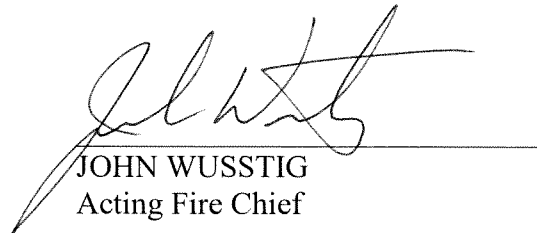
The importance of the pre-construction conference is to meet with the product specialists or engineers who are coordinating our order for the manufacturer to determine our needs, discuss any variations, and to clear up any questions. This is a good opportunity to tour the facility, examine construction methods more closely, and possibly get ideas from completed apparatus that might enhance our particular purchase. The preconstruction conference is our opportunity to ensure that the factory fully understands our requirements. This is the time when we use our specifications to guide the meeting. We will have the opportunity to read our specified requirements, and let the factory representatives find it in their documentation to be sure that the build instructions are correct and complete. If it is done in this manner, we are much more likely to receive the apparatus that we specified. Getting the proper sign off on our end at the pre construction conference ensures that the build will move smoothly to the next phase and without any doubt or gray areas.

The importance of the final inspection is to perform an operational test of all systems: operational items such as fire pump, discharge outlets, foam systems, electrical outlets/receptacles, generator, lights, siren, horns, and so on. The final inspection also allows us the opportunity to take the apparatus for a road test and monitor all gauges and systems. If there are any issues with the operational tests, it's easier to get it corrected at the factory before it is delivered than after it is shipped to Guam and in service.

The second item I would like to refer to is specifically; page 1, line 22 – 23 regarding the two-hundred-forty (240) day delivery time. The GFD did not intend to restrict competition, this

time line was in consideration of our funding source, which is Compact Impact Funds that required the equipment to be in our possession by September 30, 2013. Due to this protest and appeal, we have had to request for an extension from the federal grantor, and we are now given a deadline of September 30, 2014, for the apparatus to be in our possession. I am requesting for your advice on this issue, so that we can properly address your concerns about restricting competition. Based on our new timeline of September 30, 2014, we are requesting that we put this date in the bid specifications to meet the requirements of the grant, funding source. This new timeline will be in excess of three-hundred-sixty-five (365) days from this date, which should allow for open competition and this new timeline will not restrict competition. Again, I am requesting your advice on this issue to include September 30, 2014 in the bid specifications.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge and belief. Executed this 3rd day of May, 2013.



JOHN WUSSTIG
Acting Fire Chief