

GUAM PUBLIC SCHOOL SYSTEM

GPSS RFP 001-2008

PROFESSIONAL CONSULTANT SERVICES FOR STATE AGENCY
CHILD NUTRITION PROGRAM

Issuing Office: OFFICE OF SUPPLY MANAGEMENT
GUAM DEPARTMENT OF EDUCATION
P.O. Box DE HAGATNA, GUAM

L/R

R/A

ROQUE A. ALCANTARA
Administrator, Supply Management

LUIS S.N. REYES
Superintendent of Education

REQUEST FOR PROPOSAL No: GPSS RFP 001-2008 **DATE ISSUED:** December 3, 2007

INTENT: THE GUAM PUBLIC SCHOOL SYSTEM IS SOLICITING PROPOSALS FROM QUALIFIED INSTITUTIONS OR FIRMS INTERESTED IN PROVIDING PROFESSIONAL AND CONSULTATION SERVICES TO ASSIST THE GUAM STATE AGENCY IN OBTAINING A HIGHER FEDERAL REIMBURSEMENT RATE AND INCOME GUIDELINE REQUIREMENTS UNDER THE FEDERAL SCHOOL MEALS PROGRAM.

FUNDING SOURCE: GPSS FOOD NUTRITION SERVICES

SUBMITTAL: This RFP solicitation requires all interested parties to be pre-qualified in order to be considered for award. You are instructed to submit your "**TECHNICAL PROPOSAL**" and *ONE separate sealed* "**Cost/Price Proposal.**" The determination to proceed with Cost/Price Proposal negotiations will be based on the rating results, at which time you will be notified.

CONTENT AND PACKAGING REQUIREMENTS: The Professional Services Proposal shall consist of and be identified as: One (1) Original and Five (5) Copies. A "Letter of Transmittal" signed by an officer or duly authorized representative of the company or firm, shall be attached to and serve as the cover of the Original Proposal. This letter shall be addressed to the "Superintendent of Education."

The Technical Proposal shall be a **single sealed package, envelope, or box** and bear the RFP Number, the name of the company or firm, the full name and title the point of contact for contract, telephone-fax-e mail numbers, and mailing address of the Offeror.

DEADLINE FOR SUBMISSION: Proposals must be delivered to and received by the Issuing Office no later than **5:00pm., Monday, December 24, 2007**. Proposals submitted after the time and date specified are late and shall be rejected.

AUTHORITY: This RFP is subject to the General Terms and Conditions of Request for Proposal 001-2008 as contained herein; the Guam Public School System Procurement Regulations (GPSSPR); Title 5, Chapter 5 - "Guam Procurement Law" of the Guam Code Annotated (GCA) and the laws of GUAM.

*In consideration of the expense to the Government in preparation, issuance, evaluating this RFP and other bids and considerations, the undersigned agrees that this Proposal remain firm and irrevocable for **One Hundred Twenty (120)** calendar days from the submission date.*

INDICATE WHETHER: INDIVIDUAL PARTNERSHIP CORPORATION as contained herein
INCORPORATED IN:
YEAR OF INCORPORATION:

NAME AND ADDRESS OF OFFERORS:

NAME, TITLE, AND SIGNATURE OF PERSON
AUTHORIZED TO SIGN THIS CONTRACT:

**GUAM PUBLIC SCHOOL SYSTEM
REQUEST FOR PROPOSAL
GENERAL TERMS AND CONDITIONS
GPSS RFP 001-2008**

SPECIAL REMINDER TO INDIVIDUAL (S) OR FIRMS BID PROPOSAL

Bidders are reminded to read the Sealed Bid Solicitation Instructions and General Terms and Conditions attached to a Request for Proposal to ascertain that all of the following (see boxes checked) requirements of the bid proposal are submitted in the bid envelope in the date and time for bid proposal submission.

- 1. Statement of Qualifications
 - 2. Copy of Current: Business License
 - 3. Affidavit of Disclosure of Major Shareholders (See attached: EXHIBIT A)
 - 4. Non-Collusion Affidavit (See attached: EXHIBIT B)
 - 5. OTHER:
-

This reminder must be signed and returned in the seal bid envelope with the bid proposals. Failure to comply with the requirements will mean disqualification and rejection of bid proposal.

I, _____, authorized representative of

_____ acknowledged receipt of this special reminder to prospective bid proposers together with Request for Proposal/Number **GPSS RFP 001-2008** this date of _____ 20 ____.

Representative's Signature

**GUAM PUBLIC SCHOOL SYSTEM
REQUEST FOR PROPOSAL
GPSS RFP 001-2008**

**PROFESSIONAL CONSULTANT SERVICES
FOR
STATE AGENCY CHILD NUTRITION PROGRAM**

1. **Services Required:**

The Guam Public School System (GPSS) is soliciting proposals from qualified institutions or firms interested in providing professional and consultation services to assist the Guam State Agency in obtaining a higher Federal Reimbursement Rate and Income Guideline Requirements under the Federal School Meals Program.

Addressing:

- **An increase in the Federal Reimbursement Rates and Income Guideline Requirements for Guam comparable to the states of Alaska or Hawaii To The USDA, Food Nutrition Services.**
- **A Feasibility and Cost Benefit Analysis, based on state legislation (Guam Public Law 27-32), the qualitative and quantitative aspect of current outsourced (privatized) cafeteria services versus a government-employee operated cafeteria.**

The Guam Public School System (GPSS) is issuing a Request for Proposal for consultant services to assist the State Agency for the Child Nutrition Program to increase Guam's Federal Reimbursement Rates and Income Eligibility Requirements for the National School Lunch Program (NSLP). The US Department of Agriculture (USDA), Food Nutrition Services Western Region Office (FNS WRO) responded with guidance that in order to consider an increase, the Guam Public School System (GPSS) must submit a formal request to the U.S. Secretary of Agriculture to include data which demonstrates the following:

- **The cost of producing a school meal on Guam exceeds the cost of producing a school meal as compared to the 48 contiguous states to the USDA FNS WRO.**
- **The cost of living on Guam exceeds the cost of living requirements in the 48 contiguous states to the USDA FNS WRO.**

Sub-contracting for services under the Scope of Services shall NOT be allowed. The Consultant, will be required to provide assistance to the Guam Public School System on the following:

Scope of Service 1:

- Collect and analyze data, prepare documentations, and explain the methodology used to collect and produce the meals required by USDA, FNS to substantiate the request for an increase in Federal Reimbursement rates for Guam.

Scope of Services 2:

- Collect and analyze data, prepare documentations, and explain the methodology used to collect the cost of living data regarding Guam's quest to have parity with the States of Hawaii or Alaska regarding the Child Nutrition Program's (CNP) Income Eligibility Guidelines.

Scope of Services 3:

- Prepare and analyze the feasibility and Cost Benefit Analysis, based on state legislation (Guam Public Law 27-32), the qualitative and quantitative aspect of current outsourced (privatized) cafeteria services versus a government-employee operated cafeteria.

Submission & Evaluation of Proposals

Prospective consultants should submit five (5) sets of proposals to be evaluated. The proposal should include:

1. Names and curriculum vitae of project director and coordinators to address the Scope of Services. **10 Points**
2. Background and listing of experience of consultant's work on similar projects performed based on the aforementioned Scope of Services. **50 Points**
3. Proposal and methodology in addressing the Scope of Services
 - a. Scope of Service 1: **20 Points**
 - b. Scope of Service 2: **10 Points**
 - c. Scope of Service 3: **10 Points**

2. Description of the Work Involved:

The successful individuals (s) or firms (s) will provide professional consultant services to the GPSS. The selected individual or entity will be responsible for working in collaboration with GPSS Food Nutrition Services to provide.

Services are at minimum:

- a Consultant shall agree to provide best efforts to the performance of duties and responsibilities as described below. In addition, the Consultant shall provide assistance to the Guam Public School System (GPSS) to prepare, respond to questions, and review program activities relating to the State Agency for the Child Nutrition Program to increase Guam's Federal Reimbursement Rate and Income Eligibility Requirements for National School Lunch Program (NSLP).
- b Consultant shall develop and implement an increase in the Federal Reimbursement Rates and Income Guideline Requirements for Guam to the USDA, Food Nutrition Services.
- c Prepare a pre-final report of the program.

A preliminary Scope of Services that describes the work to be accomplished is contained in Item C. Upon final selection of the entity or individual, the scope of services may be modified and refined during the fee negotiations with the GPSS.

3. Time, Fee and Duration of the Work Involved:

It is anticipated that this contract services contained in item "C" (*General Scope of Services*), will be on a yearly basis, commencing **January 7, 2008 and continue through January 7, 2009**, with the option to renew for additional one (1) year. Subject to availability of funds and certification from fiscal year to fiscal year.

4. Type of Contract:

A Professional Services agreement will be consummated between the most responsible entity or individual (s) and the GPSS. Time is of the essence. Inordinate delays, as determined by the GPSS, in obtaining information regarding the present status may result in the select to be determined as non-responsive.

5. **Submittal Date:**

Proposals, and the required number of copies, must be submitted in writing to the attention of the Administrator, Supply Management, and must be received before the closing of business, no later than **5:00 p.m., Monday, December 24, 2007.**

Telegraphic proposals or other electronic transmissions will not be considered

6. **Forms of Submittal:**

Interested entities or individual(s), in performing the scope of work outlined, must submit a written proposal and one (1) original and Five (5) copies are required.

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PROGRAM
“Technical Proposal”**

Only one separate sealed envelop shall be submitted with a schedule of proposed Budget plan for the type of services and a total all-inclusive maximum price for the service period. The sealed envelop shall be marked plainly:

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PROGRAM
“Cost/Price Proposal”**

Each of the sealed envelopes containing the respondent's proposal and fee shall also indicate the respondent's name, RFP number, date and time of proposal submission

7. **Trade Secrets and Proprietary Data:**

Offerors may designate those portions of their proposal that contain trade secrets or proprietary data, which are confidential.

8. **Content of the RFP:**

As a minimum, the proposal shall contain:

- a. The name of the offeror, the location of the offeror's principle place of business.
- b. The training and education experience related to State Agency Child Nutrition Program.
- c. Record of past performance and work related experience as a State Agency Child Nutrition Program.
- d. Qualifications and abilities of entity, individual and/or personnel proposed to be assigned to perform the scope of services.
- e. A written plan that the individual(s) or firms will undertake to accomplish the objectives of this project and the work described in the Scope of Services.
- f. Any additional information as contained in Item C (General Scope of Services).

9. **Selection and Evaluation Committee**

After the receipt of all RFPs the Selection Committee, established by the GPSS will evaluate and rank all proposals, and determine the most responsive and responsible offeror based on the criteria and point evaluation as reflected in Item F. All respondents will be notified in writing of the outcome of the evaluation.

Note: Offeror may be requested to be interviewed by the Selection Committee, if deemed necessary.

10. **Selection of the Best Qualified Offerors:**

After conclusion of validation of qualifications, evaluation, and discussion as provided in *Sections 3.9.20.5. (Discussions of Unpriced Technical Offers) and 3.14.9. (Discussions) of the Department of Education Procurement Regulations (DOEPR)*, a Selection Committee shall select, in the order of their respective qualification ranking, no fewer than three (3) acceptable firms (or such lesser number if less than three acceptable proposals were received) deemed to be the best qualified to provide the required services.

The final selection shall be approved by the Superintendent of Education. The Firm selected must show evidence that it is licensed to conduct business on Guam. Inordinate delays, as determined by the GPSS, in obtaining information regarding the present status may result in the selectee to be determined non-responsive.

11. **Submission of Cost or Pricing Data:**

The offeror determined to be best qualified shall be required to submit cost or pricing data to the Superintendent of Education or his designee at a time specified prior to the commencement of negotiations in accordance with DOEPR Section 3.18. (Cost or Pricing Data) of these Regulations.

12. **Failure to Negotiate Contract with Best Qualified Offeror:**

Upon failure to negotiate a contract with the best-qualified offeror, the Superintendent of Education or the designee of such officer may enter into negotiations with the next most qualified offeror.

**PROFESSIONAL CONSULTANT SERVICES FOR STATE AGENCY
CHILD NUTRITION PROGRAM**

A. **General Intent:**

The purpose of this Request for Proposal (RFP) is to solicit proposals from qualified institutions or firms interested in providing professional and consultant services to assist the Guam State Agency in obtaining a higher Federal Reimbursement Rate and Income Guideline Requirements under the Federal School Meals Program.

B. **Proposal Instructions:**

Issuing Agency

Communications throughout the duration of **GPSS RFP 001-2008** are to be directed to:

Mr. Roque A. Alcantara
Administrator, Supply Management
P. O. Box DE
Hagåtña, Guam 96910
Phone #475-0436-9/440
Fax #472-5001

All communications shall reference Request for Proposal number: **GPSS RFP 001-2008.** Communications directed elsewhere may result in the disqualification of the respondent. Only written communications from the Administrator, Supply Management or his designee may be relied upon.

Deadline for Proposals:

Proposal materials must be submitted in writing to the to the attention of the Administrator, Office of Supply Management and must be received before the closing of business, **no later than 5:00 p.m., Monday, December 24, 2007.**

Telegraphic RFP Proposals or other electronic transmissions will **not** be considered.

C. **General Scope of Services:**

The Guam Public School System (GPSS) is issuing a Request for Proposal for consultant services to assist the State Agency for the Child Nutrition Program to increase Guam's Federal Reimbursement Rates and Income Eligibility Requirements for the National School Lunch Program (NSLP). The US Department of Agriculture (USDA), Food Nutrition Services Western Region Office (FNS WRO) responded with guidance that in order to consider an increase, the Guam Public School System (GPSS) must submit a formal request to the U.S. Secretary of Agriculture to include data which demonstrates the following:

- The cost of producing a school meal on Guam exceeds the cost of producing a school meal as compared to the 48 contiguous states to the USDA FNS WRO.
- The cost of living on Guam exceeds the cost of living requirements in the 48 contiguous states to the USDA FNS WRO.

Sub-contracting for services under the Scope of Services shall NOT be allowed. The consultant, will be required to provide assistance to the Guam Public School System on the following:

Scope of Service 1:

- Collect and analyze data, prepare documentation, and explain the methodology used to

collect and produce the meals required by USDA, FNS to substantiate the request for an increase in Federal Reimbursement rate for Guam.

Scope of Service 2:

- Collect and analyze data, prepare documentation, and explain the methodology used to collect the cost of living data regarding Guam's quest to have parity with the States of Hawaii or Alaska regarding the Child Nutrition Program's (CNP) Income Eligibility Guidelines.

Scope of Service 3:

- Prepare and analyze the feasibility and Cost Benefit Analysis, based on state legislation (Guam Public Law 27-32), the qualitative and quantitative aspect of current outsourced (privatized) cafeteria services versus a government-employee operated cafeteria.

D. Amendments to Request for Proposals:

The GPSS reserves the right to revise or amend the specifications prior to the date set for opening proposals. Such revisions and amendments, if any, shall be announced by an amendment or amendments to this RFP and shall be identified as such and require that the respondents acknowledge the receipt of all amendments issued. The amendment shall refer to the portion of the RFP it amends. Amendments shall be sent to all prospective respondents known to have received an RFP. Amendments shall be distributed within a reasonable time to allow prospective respondents to consider the issue in preparing their proposals. If the time and date set for receipt of proposals will not permit such preparation, such time shall be increased to the extent possible in the amendment or, if necessary, by telegram or telephone and confirmed in the agreement.

E. Proposal Format and Content:

Interested entities or individual (s), in performing the scope of services outline, must submit a written proposal of one (1) original and five (5) copies consisting of the following information:

1. Name of Entity or individual (s) and the Principal place of business address.
2. Key Name List: By Name and Qualifications of individual (s) to perform the Scope of Services.
3. The ability, qualifications and experience of all persons who would be assigned to provide the required services.
4. A plan giving as much detail as is practical explaining how the services will be performed and;
5. The factor to be used in the evaluation and selection process and their importance.

F. Criteria For Evaluation Proposal:

A total of 100 points for the following evaluation criteria:

Prospective consultants should submit five (5) sets of proposals to be evaluated.

The proposals should include:

1. Names and curriculum vitae of project director and coordinators to address the Scope of Services. **10 Points**
2. Background and listing of experience of consultant's work on similar projects performed based on the aforementioned Scope of Services. **50 Points**
3. Proposal and methodology in addressing the Scope of Services
 - a. Scope of Service 1: **20 Points**
 - b. Scope of Service 2: **10 Points**

c. Scope of Service 3: **10 Points**

G. **Disclosure of Major Shareholders:**

As a condition of bidding, any partnership, sole proprietorship or corporation doing business with the Government of Guam shall submit an affidavit executed under oath that lists the name and address of any person who has held more than ten percent (10%) of the outstanding interest or shares in said partnership, sole proprietorship or corporation at any time during the 12 month period preceding submission of bid. The affidavit shall contain the number of shares or percentage of all assets of such held by each person during the 12 month period. In addition, the affidavit shall contain the name and address of any person who has received or is entitled to receive commission, gratuity, or other compensation. The affidavit shall be open and available to the public for inspection and copying.

H. **Withdrawal of Proposals:**

Proposals may be withdrawn by written or telegraphic notice received by the government at any time prior to award. Proposals may be withdrawn in person by a vendor or the vendor's authorized representative, provided that the identification or the representative is verified and receipt for the proposal is signed by the representative.

I. **Responsibility of the Consultant:**

The Consultant shall be responsible for the professional and technical accuracy of all work and materials furnished under the awarded contract. The Consultant shall without additional cost to the GPSS, correct or revise all errors or deficiencies in his/her work identified during the term of the contract.

The Government's review, approval, acceptance of any payment of fees for services required under the awarded contract, shall not be construed to operate as a waiver of any rights under the contract and the Consultant shall be and remain liable to the Government for all direct cost which may be incurred by the Government as a result of the Consultant's negligent performance of any of the services performed under the contract.

J. **General Compliance with Laws:**

The Consultant shall be required to comply with all Federal and Guam Laws and ordinances applicable to the work. Consultant shall attach a copy of appropriate business license or a statement of exemption pursuant to Section 16024 of the Government Code.

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REQUEST FOR PROPOSAL
GENERAL TERMS AND CONDITIONS
GPSS RFP 001-2008**

**PROFESSIONAL CONSULTANT SERVICES FOR STATE AGENCY
CHILD NUTRITION PROGRAM**

1. **AUTHORITY:**

This Request for Proposal (RFP) solicitation is issued subject to all the provisions of Title V, Chapter 5 - known as the Guam Procurement Act, Guam Code Annotated (5-GCA) and the Guam Public School System Procurement Regulations (GPSSPR Section 3.14.6 titled 'Request for Proposals') (copies are available for inspection at the Guam Public School System). The RFP requires all parties involved in the preparation, negotiation, performance, or administration of contracts to act in good faith.

2. **EXPLANATION TO OFFERORS:**

No oral explanation in regard to the meaning of the specification will be made and no oral instructions will be given before the award of the proposal. Discrepancies, omissions, or doubts as to the meaning of the specifications should be communicated in writing to the named contact individual of the requesting agency/department for interpretation. Offerors should act promptly and allow sufficient time for a replay to reach them before the submission of their proposals. Interpretation, if required, shall be made in the form of an amendment to the specifications which will be forwarded to all prospective offerors and its receipt by the offeror should be acknowledged on the proposal form.

3. **CONTRACT PROVISIONS:**

The Guam Public School System reserves the right to include any part or parts of the proposal in a final contract and shall be subject to conditions imposed by the GPSS.

4. **RIGHT TO AMEND OR CANCEL:**

The Guam Public School System reserves the right to amend, supplement or cancel the RFP as serves the best interest of the GPSS.

5. **RIGHT TO REJECT PROPOSALS:**

The GPSS reserves the right to reject any or all proposals in whole or in part and to waive informalities and minor irregularities in proposals if it is determined to be made in the public interest. The GPSS reserves the right to determine what constitutes informalities and minor irregularities in the proposals.

6. **RIGHT TO RE-ISSUE:**

The GPSS through the Office of Supply Management may, at its discretion, re-issue this RFP.

7. **TAXES:**

Offerors are cautioned that they are subject to Guam Income Taxes as well as all other taxes on Guam transactions. Specific information on taxes may be obtained from the Director of Revenue and Taxation. It is the policy of the Government to award proposals to offerors duly authorized and licensed to conduct business in Guam.

8. **LICENSING:**

Offerors are cautioned that the GPSS will not consider for award any offer submitted by a offeror who has not complied with the Guam Licensing Law. Specific information on licenses may be obtained from the Department of Revenue and Taxation.

9. **COVENANT AGAINST CONTINGENT FEES:**

The offeror warrants that he has not employed any person to solicit or secure any resultant contract upon agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the GPSS the right to terminate the consultant, or in its discretion to deduct from the contract price or consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commission payable by contractors upon contracts or sales secure or made through bonafide established commercial or selling agencies maintained by the contractor for the purpose of securing business.

10. **JUSTIFICATION OF DELAY:**

The offeror who is awarded the proposal guarantees that the service will be completed within the agreed upon completion date. If, however, the Entity or Individual(s) cannot comply to the completion requirement, it is the Entity or Individual(s) responsibility to advise the GPSS in writing explaining the cause and reasons of the delay.

11. **EQUAL EMPLOYMENT OPPORTUNITY:**

Section 3.01 of the Executive Order 10935 dated March 7, 1965, requires the offeror not to discriminate against any employee or applicant for employment because of race, creed, color or national origin. The offeror will take affirmative action to secure that applications are employed and that employees are treated equally during employment without regard to their race, creed, color or national origin.

12. **RESTRICTION ON SEX OFFENDERS: (Pursuant to the Public Law 28-98)**

The Offeror warrants that no person shall provide services on his behalf in relation to this contract who has been convicted of a sex offense under this provisions of Chapter 25 of Title 9 GCA or an offense as defined in Article 2 of Chapter 28, Title 9 GCA or an offense in another jurisdiction with, at a minimum, the same elements as such offenses, or who is listed in the Sex Offender Registry. Any such person who is discovered to have been convicted shall be immediately removed from working at the Guam Public School System and the Superintendent of Education shall be informed within twenty-four (24) hours. Failure to take corrective action after notice may result in the temporary suspension of the services at the discretion of the GPSS.

13. **ASSIGNMENT:**

Assignment will not be accepted without prior approval from the GPSS. Request for approval of assignment must be made with submission of proposal. No assignment will be accepted if request is not made with the proposal.

14. **DETERMINATION OF RESPONSIBILITY OF OFFEROR:**

The Department of Education reserves the right for securing from offerors information necessary to determine whether or not they are responsible and to determine the responsibility in accordance with Item no. 13 of the General Terms and Conditions.

15. **PROPRIETARY INFORMATION:**

Individuals may designate those portions of the proposal which contain trade secrets or proprietary data which are considered confidential and are not to be released.

16. **LIABILITY FOR COSTS OF THE PROPOSAL:**

The Guam Public School System is not liable for any costs incurred by individuals in connection with this RFP. By submitting a proposal, the Entity or Individual(s) specifically waives the right against the Guam Public School System for any expenses incurred in proposal preparation. Submitted proposals becomes the property of the GPSS. Entity or Individual(s) requests for the return of specific proprietary material will be honored.

17. **DISCLOSURE OF MAJOR SHAREHOLDERS AFFIDAVIT (Pursuant to Public Law 18-44)**

Public Law 18-44 requires all bidders to submit an affidavit of disclosure of major shareholders as a qualifying condition for participation in any Government of Guam bid. Failure to do so or failure to incorporate all the provisions required by Public Law 18-44 will mean disqualification and rejection of bid. In addition, the notarization of the affidavit shall be in accordance to current notary public law. Failure to comply with current notary public law will result in disqualification and rejection of bid.

Excerpt from PL 18-44:

Section 44. A new Section 6961.3 is added to the Government Code to read.

Section 6961.3. Disclosure of major shareholders. As a condition of bidding, any partnership, sole proprietorship or corporation doing business with the Government of Guam shall submit an affidavit executed under oath that lists the name and address of any person who has held more than ten percent (10%) of the outstanding interest or shares in said partnership, sole proprietorship or corporation at any time during the twelve (12) month period immediately preceding submission of a bid. The affidavit shall contain the name and address of any person who received or is entitled to receive commission, gratuity or other compensation for procuring or assisting in obtaining business related to the bid for the bidder and shall also contain the amounts of any such commission, gratuity or other compensation. The affidavit shall be open and available to the public for inspection and copying.

Failure to submit affidavit disclosing shareholders and the statement concerning commissions paid shall be deemed non-responsive and cause for rejection of the bid submission.

EXAMPLE:

1. A bidder intends to participate in bids schedule for October 5, 15, and 25, 2007. He has to prepare and submit a **NEW AFFIDAVIT ON OCTOBER 5** and may submit copies of affidavit on bids for October 15 and 25.
2. A bidder intends to participate in bid schedule for October 20 and November 5, 2007. He has to submit a **NEW NOTARIZED AFFIDAVIT** for **EACH BID**.

18. **BY SUBMITTING A PROPOSAL:**

The Entity or Individual(s) specifically understands and agrees that he/she has a duty to explain and clarify any and all conditions imposed on or included in the responses and questions in this RFP. The Entity or Individual(s) understands that it has an affirmative duty to inquire about and clarify any RFP question that the individual does not understand or that the individual believe may be susceptible to more than one interpretation.

EXHIBIT B
FORM OF NON-COLLUSION AFFIDAVIT

AFFIDAVIT

Hagåtña, Guam } }
 } ss
 } }

_____, being first duly sworn, deposes
and says:

That he is _____
(a partner or officer of the firm of etc.)

the party making the foregoing bid, that such bid is genuine and not collusive or sham, that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought by an agreement or collusion, or communication or conference, with any person to fix the bid price of affiant or of any other bidder, or to fix any overhead, profit or cost element of said bid price, or of that of any other bidder, or to secure any advantage against the Government of Guam or any other bidder, or to secure any advantage against the Government of Guam or any person interested in the proposed contract; and that all statements in bid are true.

Signature of individual, if bidder is a sole proprietorship:
Partner, if the bidder is a partnership; Officer, if the
bidder is a corporation.

Subscribed and sworn to before me this _____ day of _____, 20_____.

By: _____
Notary Public: _____
In and for the Island of Guam U.S.A.
My Commission expires on: _____

EXHIBIT A

MAJOR SHAREHOLDERS DISCLOSURE AFFIDAVIT

Hagåtña, Guam }
 } ss
 }

I, the undersigned, _____, being first
(a partner or officer of the company of etc.)

duly sworn, deposes and says:

1. That persons who have held more than ten percent (10%) of the company's shares during the past twelve months are as follows:

<u>Name</u>	<u>Address</u>	<u>Percentages of Address</u> <u>Percentages of Shares Held</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Total Number of Shares: _____

2. Persons who have received or are entitled to received a commission, gratuity or other compensation for procuring or assisting in obtaining business related to the bid for which this Affidavit is submitted are as follows:

<u>Name</u>	<u>Address</u>	<u>Amount of Commission</u> <u>Address</u> <u>Amount of Commission</u> <u>Gratuity or Other</u> <u>Compensation</u>
_____	_____	_____

Further, affiant sayeth naught.

Date: _____

Signature of individual, if bidder is a sole proprietorship: Partner, if the bidder is a partnership; Officer, if the bidder is a corporation.

Subscribed and sworn to before me this _____ day of _____, 20_____.

By:

Notary Public:
In and for the Island of Guam U.S.A.
My Commission expires on:

