



# GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUÅHAN  
P.O.BOX 2977 • HAGÁTÑA, GUAM U.S.A. 96932-2977

March 17, 2020

## AMENDMENT NO.: III

TO

## INVITATION FOR BID NO.: GPA-032-20

### DEDEDO SUBSTATION POLYCHLORINATED BIPHENYL (PCB) QUANTIFIABLE TRANSFORMER OIL REMOVAL AND DISPOSAL

Prospective Bidders are hereby notified of the following changes and responses to inquiries received from Bidder No. 2 dated February 25, 2020:

#### CHANGES:

1. Bid Opening Date is changed **FROM:** 2:30 P.M., Wednesday, March 18, 2020 (CHamoru Standard Time) **TO NOW READ:** 2:30 P.M., Thursday, April 16, 2020 (CHamoru Standard Time).
2. **REMOVE** Page 3, 4 and 5 of 22 and **REPLACE** with Page 3a, 4a and 5a of 22. (See attached)

Under Sub Header verbiage is changed

#### **FROM:**

UNIT PRICE PER GALLON:

#### **TO NOW READ:**

TOTAL COST:

3. **REMOVE** Page 6 of 22 and **REPLACE** with Page 6a of 22 (See attached).

CONTRACT TERM is **DELETED** as it is no longer made a part of this bid invitation.

4. **REMOVE** Pages 1 and 17 of 22 and **REPLACE** with Pages 1a and 17a of 22. (See attached)

BID GUARANTEE is changed

**FROM:**

15% of total bid

**TO NOW READ:**

\$15,000.00

**QUESTION:**

1. Per Item No. A-Overview and Scope:

“GPA is in the process of disposing the used oil from various oil filled electrical equipment (ea. Transformers, Circuit Breakers, Oil storage tanks, etc.) that contains PCB levels above 2 ppm. The used oil from the electrical equipment were sampled and Analyzed for Polychlorinated Biphenyls (PCB).”

And,

Per Item No. B- Scope of Work

“The scope of work is the removal, disposal of the used oil and decontamination of various electrical equipment known to be contaminated with PCBs.”

**Clarification Requests:**

The IFB provides no specific information/inventory of items for the contractor to provide costs:

Number of 55-gallon drums containing oil with PCBs?

Concentration of PCBs with each drum?

Number and description of articles containing PCBs?

Potential volume of PCB oil in each article?

For articles that are now empty, last PCB test result per article?

Is an inventory available with the information needed above?

Or,

Is it GPA's intent that the Contractor provide unit pricing for activities associated with this type of scope and performance then will be on a unit basis?

**ANSWER:**

Kindly refer to the attached ledger of PCB quantifiable used oil for disposal. Used oil are still in transformers and not in drums.

**QUESTION:**

2. Per Item No. 1.0

“To provide Guam Power Authority Planning & Regulatory Division with Services to dispose used oil from various oil filled electrical equipment containing PCB levels 2 ppm and above. Located at the September 30, 2020 or upon exhaustion of funds, whichever occurs first.

And,

Per Page 6 CONTRACT TERM:

“Contract term is for three (3) years with GPA's option to renew for two (2) additional one (1) year term, not to exceed five (5) years with the mutual agreement of both parties, unless sooner terminated in accordance with the provisions hereof or cancelled due to unavailability of funds.”

**Clarification Request**

Is the contract performance period that as described in Item No. 1.0 expiring September 30, 2020

Or,

Is the contract performance period three (3) years with an option to renew for an additional two (2) years as described on Page 6 CONTRACT TERM?

**ANSWER:**

*Kindly refer to No. 3 of **CHANGES** above.*

**QUESTION:**

3. Per Item No. B.1 ANALYSIS:

“The project shall include a confirmatory PCB test upon completion of the oil removal and decontamination process. All electrical equipment will be left onsite once confirmatory test result is “none detected” from PCB and oil free.”

**Clarification Request**

Depending upon the existing/starting concentration of PCBs with electrical equipment for decontamination, multiple flushes of the items are anticipated to be required to obtain the “none detected” from PCBs. For example, a transformer which contains 500 gallons of oil with an existing/starting concentration of PCBs at 450 Parts Per Million, may require four flushes or 2,000 gallons of flushate to obtain the “none detected” from PCB requirement. This 2,000 gallons of flushate then will be contaminated with PCBs requiring off-island disposal.

Does GPA understand the decontamination requirement which will generate additional waste for disposal?

And,

As quantities for decontamination liquid are unknown, is the contractor to perform this work on a unit basis?

**ANSWER:**

Kindly refer to the attached ledger of PCB quantifiable used oil for disposal. The Authority doesn't have more than 50 ppm of PCB in the transformers.

**QUESTION:**

4. The IFB requires a 15% bid guarantee.

However, if the bid is a unit bases bid, calculation of the total amount for the bid guarantee will be unknown.

Accordingly, what is the dollar value to be used for calculation of the 15% bid bond?

**ANSWER:**

Kindly refer to No. 4 of **CHANGES** above.

All other Terms and Conditions in the bid package shall remain unchanged and in full force.

  
JOHN M. BENAVENTE, P.E.  
General Manager

**Transformers with PCB concentration above 2 ppm**

Number	Identification	Brand	Serial number	KVA	Manufacture Date	Volume (Gallons)	Test Result (ppm)	PCB Determination	Classification
1	BOH 1	TATUNG	726438	333	Nov-72	106	21	Quantifiable	Non-RCRA Hazardous
2	BOH 2	TATUNG	726440	333	Nov-72	106	21	Quantifiable	Non-RCRA Hazardous
3	BOH 3	TATUNG	726437	333	Nov-72	106	18	Quantifiable	Non-RCRA Hazardous
4	PH 1	GE	H358132P71AA	250	NO DATE	90	25	Quantifiable	Non-RCRA Hazardous
5	PH 2	GE	H323842P71AA	250	NO DATE	90	26	Quantifiable	Non-RCRA Hazardous
6	PH 3	GE	H323843P71AA	250	NO DATE	90	50	Contaminated	Non-RCRA Hazardous
				<b>Total</b>		<b>633</b>			<b>TSCA Regulated</b>



JOSEPH T. DUENAS  
Chairman



JOHN M. BENAVENTE, P.E.  
General Manager

Telephone Nos. (671) 648-3054/55 or Facsimile (671) 648-3165

**Accountability** · **Impartiality** · **Competence** · **Openness** · **Value**

INVITATION FOR BID (IFB) NO.: GPA-032-20  
DESCRIPTION: Dededo Substation Polychlorinated Biphenyl (PCB) Quantifiable Transformer Oil Removal and Disposal

**SPECIAL REMINDERS TO PROSPECTIVE BIDDERS**

Bidders are reminded to read the Sealed Bid Solicitation and Instructions, and General Terms and Conditions attached to the IFB to ascertain that all of the following requirements checked below are submitted in the bid envelope, **one (1) original, in duplicate**, at the date and time for bid opening.

- \* (XX) BID GUARANTEE (\$15,000.00) May be in the form of; Reference #11 on the General Terms and Conditions
  - a. Cashier's Check or Certified Check (**NOTE: Cashier's Check or Certified Check Refunds will be ONLY be made out to the name of the Bidder.**)
  - b. Letter of Credit or
  - c. Surety Bond – Valid only if accompanied by:
    1. Current Certificate of Authority issued by the Insurance Commissioner;
    2. Power of Attorney issued by the Surety to the Resident General Agent;
    3. Power of Attorney issued by two (2) major officers of the Surety to whomever is signing on their behalf.

( ) STATEMENT OF QUALIFICATION;

( ) SAMPLES;

(XX) BROCHURES/DESCRIPTIVE LITERATURE; (Shall provide detailed literature on items offered)

(XX) AFFIDAVIT OF DISCLOSURE OF MAJOR SHAREHOLDERS;

(XX) NON-COLLUSION AFFIDAVIT;

(XX) NO GRATUITIES OR KICKBACKS AFFIDAVIT;

(XX) ETHICAL STANDARDS AFFIDAVIT;

(XX) WAGE DETERMINATION AFFIDAVIT;

(XX) RESTRICTIONS AGAINST SEX OFFENDERS AFFIDAVIT;

**Note:** The above Affidavits must comply with the following requirements:

- a. The affidavit must be signed within 60 days of the date the bid is due;
- b. Date of signature of the person authorized to sign the bid and the notary date must be the same.
- c. First time affidavit **must** be an **original** – If copy, indicate Bid Number/Agency where original can be obtained.

(XX) OTHER REQUIREMENTS:

**A Guam Business License and/or Contractor's License with proof of Employer Identification Number (EIN) is not required in order to provide a proposal for this engagement, but is a pre-condition for entering into a contract with the Authority. Bidders MUST comply with PL 26-111 dated June 18, 2002, PL 28-165 dated January 04, 2007 and Wage Determination under the Service Contract Act (www.wdol.gov). Additionally, upon award the successful bidder must provide to GPA the most recently issued Wage Determination by the US Dept. of Labor.**

The reminder must be signed and returned in the bid envelope together with the bid. Failure to comply with the above requirements will mean a disqualification and rejection of the bid.

On this \_\_\_\_\_ day of \_\_\_\_\_ 2020, I, \_\_\_\_\_  
authorized representative of \_\_\_\_\_ acknowledge receipt of this  
special reminder to prospective bidders with the above referenced IFB.

\_\_\_\_\_  
Bidder Representative's Signature

INVITATION FOR BID NO.: GPA-032-20  
REQUISITION NO.: 33183

NO.	DESCRIPTION	UOM:	* TOTAL COST:
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1.0	To provide Guam Power Authority Planning & Regulatory Division with Services to dispose used oil from various oil filled electrical equipment containing PCB levels 2 ppm and above. Located at the Dededo Substation Warehouse. Commencement shall be upon receipt of purchase order and expires September 30, 2020 or upon exhaustion of funds, whichever Of funds, whichever occurs first.	Lot	\$ _____
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**COMPLY / NON-COMPLIANCE**

**A. OVERVIEW AND SCOPE:**

GPA is in the process of disposing the used oil from various oil filled electrical equipment (ea. Transformers, Circuit Breakers, Oil storage tanks etc.) that contains PCB levels above 2 ppm. The used oil from the electrical equipment were sampled and Analyzed for Polychlorinated Biphenyl (PCB).

**B. SCOPE OF WORK:**

The scope of work is the removal, disposal of the used oil and decontamination of various electrical equipment known to be contaminated with PCBs.

Should any factors require any deviations from the tasks as outlined in this Scope of Work, the Contractor shall provide notification in writing before proceeding with work.

**B.1 ANALYSIS:**

The project shall include a confirmatory PCB test upon completion of the oil removal and decontamination process.

\_\_\_\_\_

All electrical equipment will be left onsite once confirmatory test result is "none detected" from PCB and oil free.

\_\_\_\_\_

**Oil testing must be analyzed by Guam Environmental Protection Agency (GEPA) or United States Environmental Protection Agency (USEPA) approved laboratory.**

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**B.2 DELIVERABLES:**

**B.2.1- WORK SCHEDULE:**

The contractor shall submit to Guam Power Authority, for approval, a proposed work schedule, deliverables, and timelines. This work schedule shall be submitted no later than 1 week after issuance of the Notice Proceed.

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INVITATION FOR BID NO.: GPA-032-20  
REQUISITION NO.: 33183

NO.	DESCRIPTION	UOM:	*TOTAL COST:
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**B.2.2- PLANS, REPORTS AND OTHER DOCUMENTS:**

**COMPLY / NON-COMPLIANCE**

The contractor shall prepare and submit all plans, reports, and documents required by this Scope of Work to Guam Power Authority Planning and Regulator for comments and review prior to finalization and submittal to Guam Power Authority. Contractor must be aware of the specific schedule required for submittal of the reports. Ensure that Guam Power Authority Planning and Regulatory are given ample time for review and comments and still meet the due dates for submittal.

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The Contractor shall submit to Guam Power Authority the following for review and approval:

(A) Removal and Disposal Plan:

\_\_\_\_\_

(B) Site Health and Safety Plan:

\_\_\_\_\_

Plans and report must be written in a manner required by Guam Environmental Protection Agency (GEPA) or United States Environmental Protection Agency (USEPA) to ensure compliance with all applicable requirements and must be submitted to Guam Power Authority no later than one (1) week after issuance of the Notice to Proceed.

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**B.2.3 DELIVERABLE AND WORK PRODUCTS:**

The deliverables and work products are established above in Section B.2.2 and include the following:

- A. Work Schedule (Deliverable and Timelines)
- B. Removal Work, Handling and Disposal Plan
- C. Site Health and Safety Plan
- D. Removal, Handling and Disposal (Final Report)
- E. Waste Disposal Manifest
- F. Laboratory analytical report

The contractor is expected to prepare and submit the above documents or plans to Guam Power Authority in both hard copy and electronic file formats. Electric files will be made with Adobe Acrobat 2015 or later. Guam Power Authority may also request files formatted in Microsoft Office 2016 (or later) Applications (i.e. MS Word, Excel). Following submittal of these documents and plans, the contractor may be asked by Guam Power Authority to make certain revisions or otherwise edit these materials. Following revision of these documents or plans, if necessary, the contractor will be required to resubmit three (3) hard copies and two (2) soft copies (on CD or USB Flash Drive) of the Final Report to Guam Power Authority within 10 days to ensure submittal, if required, to Guam Environmental Protection Agency (GEPA) and United States Environmental Protection Agency (USEPA) within the required time frame. All deliverables must comply with applicable local, Federal, and permit requirements.

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INVITATION FOR BID NO.: GPA-032-20  
REQUISITION NO.: 33183

NO.	DESCRIPTION	UOM:	*TOTAL COST:
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**COMPLY / NON-COMPLIANCE**

**B.2.4 GENERAL REQUIREMENTS:**

**B.2.4.1- Permitting Requirements:**

The Contractor is responsible to provide Permits and Certifications for this Project as necessary i.e. Guam Environmental Protection Agency (GEPA), Department of Transportation (DOT).

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**B.2.4.2- Environmental Health & Safety Requirements:**

The Contractor shall comply with Safety and Health Regulations for Construction, promulgated by the Secretary of Labor under Section 107 of the Contract Work Hours and Safety Standards Act, as set forth in Title 29, Code of Federal Regulations (C.F.R) Copies of these regulations may be obtained from Labor Building, 14th and Constitution Avenue, NW, Washington, DC 20013. For these purposes, the Contractor shall comply with the provisions of the Federal Occupational Safety and Health Act, as amended.

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**B.2.4.3 - Work-Site Maintenance Requirements:**

Before working on the described scope, the contractor should place an oil absorbent boom downstream of flow direction to pick up any oil that may spill. Contractor must perform a regular cleanup in case of a spill. Place plastic sheeting around work area to Catch oil for easy cleanup. The Contractor shall remove from the work premises any rubbish, tools, equipment, and materials that are not property of Guam Power Authority. Upon completing the work, the Contractor shall leave the area clean, neat, and orderly.

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**B.2.4.4 Work-Site Security Requirements:**

Contractor should provide list of personnel who will enter Dededo Substation Warehouse. All personnel must have a valid ID to show before entering the premises.

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No Privately Owned Vehicle (POV's) are authorized inside the compound unless approved by the Authority.

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**INDEMNIFICATION CLAUSE:**

Contractor agrees to indemnify and hold harmless Guam Power Authority, its Directors, Officers, and Employees, from and against any liability, claims, judgments, costs and demands of whatever nature arising from any act, omission or negligence of the Contractor, Subcontractor, Licensees, Agents, or Employees, or arising from any accident, injury or damage whatsoever caused to any person, or to the property of any person, occurring during the term and performance of this contract.

**\* CONTRACT TERM:**

Delete

**NOTE:**


Notwithstanding the fact that this contract was written by one party, it will be construed that it was written by two parties.

**Specification Generated/Reviewed By:**

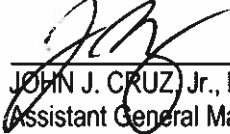
  
\_\_\_\_\_  
MARVIN C. POLIARCO                      8/13/20  
Engineer III                                      Date

  
\_\_\_\_\_  
NORBERT M. MADRAZO                      3/13/20  
Engineer **Supervisor**                      Date

**Specification Concurred BY:**

  
\_\_\_\_\_  
SYLVIA L. IPANAG                              2/13/2020  
Manager of P&R                                      Date

**SPECIFICATIONS APPROVED BY:**

  
\_\_\_\_\_  
JOHN J. CRUZ, Jr., P.E.                      3/13/2020  
Assistant General Manager of Operations                      Date

GOVERNMENT OF GUAM

GENERAL TERMS AND CONDITIONS

SEALED BID SOLICITATION AND AWARD

Only those Boxes checked below are applicable to this bid.

- [X] 1. **AUTHORITY:** This solicitation is issued subject to all the provision of the Guam Procurement Act (5GCA, Chapter 5) And the Guam Procurement Regulations (copies of both are available at the Office of the Complier of laws, Department of Law, copies available for inspection at the Guam Power Authority). It requires all parties involved in the Preparation, negotiation, performance, or administration of contracts to act in good faith.
- [X] 2. **GENERAL INTENTION:** Unless otherwise specified, it is the declared and acknowledged intention and meaning of these General Terms and conditions for the bidder to provide the Government of Guam (Government) with specified services or with materials, supplies or equipment completely assembled and ready for use.
- [X] 3. **TAXES:** Bidders 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.
- [X] 4. **LICENSING:** Bidders are cautioned that the Government will not consider for award any offer submitted by a bidder who has not complied with the Guam Licensing Law. Specific information on licenses may be obtained from the Director of Revenue and Taxation.
- [X] 5. **LOCAL PROCUREMENT PREFERENCE:** All procurement of supplies and services where possible, will be made from among businesses licensed to do business on Guam in accordance with section 5008 of the Guam Procurement Act (5GCA, Chapter 5) and Section 1-104 of the Guam Procurement Regulations.
- [X] 6. **COMPLIANCE WITH SPECIFICATIONS AND OTHER SOLICITATION REQUIREMENTS:** Bidders shall comply with all specifications and other requirements of the Solicitation.
- [ ] 7. **“ALL OR NONE” BIDS:** Unless otherwise allowed under this Solicitation. “all or none” bids may be deemed to be non-responsive. If the bid is so limited, the Government may reject part of such proposal and award on the remainder.

**NOTE:** By checking this item, the Government is requesting all of the bid items to be bid or none at all. **The Government will not award on an itemized basis.** Reference: Section 3-101.06 of the Guam Procurement Regulations.

- [X] 8. **INDEPENDENT PRICE DETERMINATION:** The bidder, upon signing the Invitation for Bid, certifies that the prices in his bid were derived at without collusion, and acknowledge that collusion and anti-competitive practices are prohibited by law. Violations will be subject to the provision of Section 5651 of that of the Guam Procurement Act. Other existing civil, criminal or administrative remedies are not impaired and may be in addition to the remedies in Section 5651 of the Government code.
- [X] 9. **BIDDER'S PRICE:** The Government will consider not more than two (2) (Basic and Alternate) item prices and the bidder shall explain fully each price if supplies, materials, equipment, and/or specified services offered comply with specifications and the products origin. Where basic or alternate bid meets the minimum required specification, cost and other factors will be considered. Failure to explain this requirement will result in rejection of the bid.
- [X] 10. **BID ENVELOPE:** Envelope shall be sealed and marked with the bidder's name, Bid number, time, date and place of Bid Opening.
- \* [X] 11. **BID GUARANTEE REQUIREMENT:** Bidder is required to submit a Bid Guarantee Bond or standby irrevocable Letter of Credit or Certified Check or Cashier's Check in the same bid envelope to be held by the Government pending award. The Bid Guarantee Bond, Letter of Credit, Certified Check or Cashier's Check must be issued by any local surety or banking institution licensed to do business on Guam and made payable to the Guam Power Authority in the amount of fifteen thousand (\$15,000.00). The Bid Bond must be submitted on Government Standard Form BB-1 (copy enclosed). Personal Checks will not be accepted as Bid Guarantee. If a successful Bidder (contractor) withdraws from the bid or fails to enter into contract within the prescribed time, such Bid guarantee will be forfeited to the Government of Guam. Bids will be disqualified if not accompanied by Bid Bond, Letter of Credit, Certified Check or Cashier's check. Bidder must include in his/her bid, valid copies of a Power of Attorney from the Surety and a Certificate of Authority from the Government of Guam to show proof that the surety company named on the bond instrument is authorized by the Government of Guam and qualified to do business on Guam. For detailed information on bonding matters, contact the Department of Revenue and Taxation. Failure to submit a valid Power of Attorney and Certificate of Authority on the surety is cause for rejection of bid. (GPR Section 3-202.03.3) **Pursuant to Public Law 27-127, all competitive sealed bidding for the procurement of supplies or services exceeding \$25,000.00 a 15% Bid Security of the total bid price must accompany the bid package.**
- [X] 12. **PERFORMANCE BOND REQUIREMENT:** The Bidder may be required to furnish a Performance Bond on Government Standard Form BB-1 or standby irrevocable Letter of Credit or Certified Check or Cashier's Check payable to the Guam Power Authority issued by any of the local Banks or Bonding Institution in the amount equal to **FIFTEEN PERCENT (15%)** of the contract prices as security for the faithful performance and proper fulfillment of the contract. In the event that any of the provisions of this contract are