



**REQUEST FOR PROPOSALS  
FOR  
INDEPENDENT ENGINEER SERVICES  
FOR  
POST CLOSURE CARE AT ORDOT CLOSURE FACILITY**

**PROJECT NO.: RECEIVER-RFP001-19**

**ADDENDUM NO. 2**

**JANUARY 7, 2019**

**ALL BIDDERS MUST ACKNOWLEDGE RECEIPT OF THIS ADDENDUM ON  
THE SPACE PROVIDED BELOW, AND RETURN TO GSWA BY  
EITHER E-MAIL, [alicia.gswa@gmail.com](mailto:alicia.gswa@gmail.com), OR BY FAX, 671-649-3777.**

NAME OF PROPOSER: \_\_\_\_\_

AUTHORIZED SIGNATURE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

## POST CLOSURE CARE AT ORDOT CLOSURE FACILITY

Project No.: RECEIVERRFP001-19

January 7, 2019

### ADDENDUM NO. 2

This addendum shall form part of the Contract Documents. Failure by any proposer to acknowledge receipt of this addendum in its proposal may be, as determined exclusively by the Receiver, grounds for disqualification of its proposal.

**NOTICE TO BIDDERS:** The Bid Documents of the above project are hereby amended as follows:

#### I. RESPONSES TO BIDDER'S QUESTIONS

**Question No. 1:** Can GBB please review the Proposal forms in Section B? It appears some of these are specific to the Operator solicitation and not the Independent Engineer solicitation. Specifically Form B-2 uses "Operator" where EA believes the "Independent Engineer" or "Consultant" is appropriate.

**RESPONSE:** Form B-2 is revised to replace the term 'Operator' with 'Independent Engineer'. See attached revised FORM B-2 (AD-2).

**Question No. 2:** Bid bonds are most often required for construction projects to ensure the project owner receives valid bids from reputable companies. The professional services required of the Independent Engineer are selected by the Receiver on best value. This process examines multiple criteria including; financial/insurance information, past performance, resumes, project understanding, etc.. Therefore, is it reasonable the selected company should be reputable and able to perform the services required of the Trustee/Receiver. In addition, the inclusion of the bid bond increases the costs of the project. Can the bid bond requirements be removed from Request for Proposal?

**RESPONSE:** The Proposal Security requirement is hereby removed from the requirements specified in Form B-1 of the proposal submittal requirements. See attached revised FORM B-1 (AD-2).

**-END OF ADDENDUM No. 2-**

**PROPOSAL FORM B-2**

**CERTIFICATION OF NONDISCRIMINATION IN EMPLOYMENT  
THIS FORM SHALL BE EXECUTED BY AN OFFICIAL**

**AUTHORIZED TO BIND THE OFFEROR, DETACHED,  
AND MADE A PART OF ITS PROPOSAL**

During the performance of the Agreement, the Proposer, agrees as follows:

1. The Proposer shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, disability, or national origin. The Proposer agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
2. The Proposer, in all solicitations or advertisements for employees placed by or on behalf of the Agreement, shall state that such Proposer is an equal opportunity employer.
3. Notices, advertisements, and solicitations placed in accordance with federal law, rule or regulations shall be deemed sufficient for the purpose of meeting the requirements of this section.
4. The Proposer shall include the provisions of the foregoing Paragraphs 1, 2, and 3 above in every subcontract or purchase order so that the provisions shall be binding upon each subcontractor or vendor.

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Authorized Signature

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Title:

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Date:

**ATTACHMENT B – PROPOSAL FORMS**  
**PROPOSAL FORM B-1**  
**PROPOSER INFORMATION FORM**

**TO:**

**The undersigned, as Proposer, by his/her signature represents that he/she is authorized to bind the Proposer for the amount(s) shown on the accompanying cost and compensation forms and hereby certifies full compliance with the terms and conditions, specifications and special provisions of the Request for Proposals Number RECEIVER- RFP001-19 and hereby declares that this proposal is made in good faith and without fraud or collusion with any person or persons proposing on the same Agreement; that Proposer has carefully read and examined the entire document including all Appendices and understands all the same and that the Proposer or representative has made such personal investigation at the Ordot Closure Facility and its facilities operations, and conditions, as is necessary to determine the character and requirements attending the execution of the proposed services for operation of the Ordot Closure Facility and related assets as described in RFP Number RECEIVER-RFP001-19. The Proposer warrants that no person in its employment who has been convicted of a sex offense under the provisions of Chapter 25 of Title 9 of the Guam Code Annotated, or convicted of an offense defined in Article 2 of Chapter 28 of Title 9 of the Guam Code Annotated regardless of the jurisdiction in which the conviction obtained, shall provide services on behalf of the Proposer relative to this procurement. If a Proposer is awarded a contract, and any person employed by the Proposer providing services under the resulting contract is subsequently convicted, then the Proposer warrants that it will notify the Government of the conviction within twenty-four hours of the conviction, and will immediately remove such convicted person from providing services under the resulting contract. If the Proposer is found to be in violation of any of the provisions of this paragraph, then the Government shall give notice to the Proposer to take corrective action. The Proposer shall take corrective action within twenty-four hours of notice from the Government, and the Proposer shall notify the Government when action has been taken. If the Proposer fails to take corrective steps within twenty-four hours of notice from the Government, then the Government in its sole discretion may suspend temporarily any resulting contract.**

The Proposer acknowledges that Proposer has not received or relied upon any representations or warranties of any nature whatsoever from the RECEIVER/TRUSTEE, the Government of Guam, its agents or employees, as to any conditions to be encountered in accomplishing the work specified in RECEIVER-RFP001-19 and that this proposal is based solely upon the

Proposer's own

independent business judgment.

The Proposer recognizes that Proposer will not be entitled to any additional compensation by reason of conditions being different from those anticipated, or by reason of failing to be fully acquainted with the Ordot Closure Facility site, facilities, design, permits, construction, plans and specifications, and the conditions and the work now in place or on account of interference by the RECEIVER/TRUSTEE's activities or by any other activities which affect the proposed work.

The undersigned hereby proposes and agrees that if this proposal is accepted for award of an Agreement, Proposer will contract with the RECEIVER/TRUSTEE to furnish all necessary labor, materials, equipment, machinery, tools, apparatus, supplies and other means for

**PROPOSAL FORM B-1 PROPOSER  
INFORMATION  
FORM**

**(Continued)**

performing, and do all the work required to perform, the services herein specified in complete conformity with RFP Number RECEIVER- 001-19 and the Operation Agreement to Operate The Ordot Closure Facility for the unit prices and for the calendar periods listed in this Proposal.

The undersigned also agrees that if the foregoing proposal shall be selected by the RECEIVER/TRUSTEE, Proposer will meet with the RECEIVER/TRUSTEE within such time as the RECEIVER/TRUSTEE shall designate, to negotiate the final points of the Operation Agreement to Operate the Ordot Closure Facility, and within thirty (30) Days (Sundays and legal holidays excepted) after receiving notice of such selection, use best efforts to complete negotiation on outstanding issues, if any, so as to enter into the form of Agreement attached to RECEIVER-RFP001-19 for performing the services proposed herein, at the prices and for the time stated in this proposal and that Proposer will furnish the RECEIVER/TRUSTEE satisfactory financial security and certificates of insurance for coverage as stated in RECEIVER- RFP001-19.

The undersigned agrees that if awarded the Operation Agreement, Proposer will start work January 31, 2019, or on such other date as the RECEIVER/TRUSTEE and Proposer shall agree.

In submitting this proposal, it is understood that the right is reserved by the RECEIVER/TRUSTEE to reject any or all proposals, to award the Operation Agreement for the work proposed by the Proposer to other than the low-price Proposer, to waive irregularities and/or formalities, and in general, to make award in any manner deemed by it, in its sole discretion, to be in the best interest of the Solid Waste Management Division.

The undersigned acknowledges receipt of addenda to RECEIVER-RFP001-19 and has indicated the date such addenda were received below.

RFP Addenda Acknowledgement:

No. 1	Date	Received
No. 2	Date	Received
No. 3	Date	Received
No. 4	Date	Received
No. 5	Date	Received

**PROPOSAL FORM B-1 PROPOSER  
INFORMATION FORM  
(Continued)**

**A. General Information**

Proposer Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Contact:

Federal ID Number (TIN):

Type of organization (corporation, joint venture, partnership, individual):

If a corporation, list the names of all officers, directors, and shareholders possessing five percent or more of outstanding stock in the corporation. If a partnership, list the names of all general and limited partners. Attach additional sheets as necessary.

**B. Business Information**

1. Describe the nature of your current business:
2. State the length of time you have been in that business under your present name:
3. With what other lines of business are you directly or indirectly affiliated?

**PROPOSAL FORM B-1 PROPOSER  
INFORMATION FORM  
(Continued)**

4. Have you ever failed to complete any contract awarded to you?

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If so, where and why?

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5. Has any officer or partner of your organization ever been an officer or partner of some other organization that failed to complete a contract?

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If so, state name of individual, other organization, reason therefore, and bonding company:

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6. Has any officer or partner of your organization ever failed to complete a contract handled in his or her own name?

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If so, state name of individual, name of owner, reason therefore, and bonding company:

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**PROPOSAL FORM B-1 PROPOSER**

**INFORMATION FORM**

**(Continued)**

7. With what individuals or entities have you been associated as partner or otherwise during the last seven (7) years? Attach additional sheets as necessary.

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8. Has any Disposal Facility that you operated been the subject of administrative or judicial action for alleged violation of environmental or public health laws or regulations? If so, state the details and disposition. Attach additional sheets as necessary.

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9. Have you, your partners, members, joint venturers, parent corporation, or subsidiaries been a party to any lawsuits, including any current investigations, indictments, or pending litigation, within the last seven (7) years? If so, list these lawsuits. Attach additional sheets as necessary.

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10. List any and all actions occurring within the last seven (7) years which have resulted in revocation or suspension of any permit or authority to do business in any federal, state or local jurisdiction, recorded by Proposer, any officer or director thereof or any affiliate or related company.



**PROPOSAL FORM B-1 PROPOSER  
INFORMATIONFORM**

**(Continued)**

11. List any and all actions occurring in the last seven (7) years that have resulted in the barring from public bidding recorded by Proposer, any officer or director thereof or any affiliate or related company.

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12. List any bankruptcy proceedings in the last seven (7) years recorded by Proposer, any affiliate or related company.

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**C. Place of Direction and Main Office**

Following are the name and location of the main office of the Proposer and the place of business from which the services in the Operation Agreement will be directed.

Main Office: Name of Company

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City and State

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Place of Business for Direction of Services under the Operation Agreement:  
Name of Company

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City and State

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**PROPOSAL FORM B-1 PROPOSER  
INFORMATIONFORM**

**(Continued)**

**D. Ambiguity**

In case of ambiguity or lack of clarity in stating prices in the proposal, the RECEIVER/TRUSTEE shall have the right to construe such prices in a manner most advantageous to the Solid Waste Management Division or to reject the proposal.

**Company's Authorized Agent:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title (Typed or Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone No.

\_\_\_\_\_  
Fax No.

\_\_\_\_\_  
Email address