



**PORT OF GUAM**  
 ATURIDAT / PUETTON GUAHAN  
 Jose D. Leon Guerrero Commercial Port  
 1026 Cabras Highway, Suite 201, Piti, Guam 96915  
 Telephone: 671-477-5931/35 Facsimile: 671-477-2689/4445  
 Website: [www.portguam.com](http://www.portguam.com)



Lourdes A. Leon Guerrero  
 Governor of Guam  
 Joshua F. Tenorio  
 Lieutenant Governor

**INVITATION FOR BID No.: IFB/PAG-009-24**

**DESCRIPTION:**

**RE-BID 11,000 LBS. FORKLIFT TRUCKS**

**AMENDMENT NO. 1**

DATE: Wednesday, April 3, 2024

ALL PROPOSERS MUST ACKNOWLEDGE RECEIPT OF THIS AMENDMENT ON AREA PROVIDED BELOW AND RETURN COPY TO PAG PROCUREMENT OFFICE: Fax: (671) 472-1439 or Email: Denise Calvo at [dicalvo@portofguam.com](mailto:dicalvo@portofguam.com) and Mark Cabrera at [macabrera@portofguam.com](mailto:macabrera@portofguam.com).

NOTICE TO OFFERORS: The IFB Documents of the above-referenced project are to be included as part of the bid packet:

1. **Amend to replace pages:**

- Page 1 of 65 with Revised 4/1/2024 Page 1 of 65
- Page 3 of 65 with Revised 4/1/2024 Page 3 of 65
- Page 22 of 65 with Revised 4/1/2024 Page 22 of 65
- Page 27 of 65 with Revised 4/1/2024 Page 27 of 65

Changes in pages are to reflect the acceptance of bids through e-mail to include instructions for electronic bid IFB submissions via e-mail.

\*\*\* END OF AMENDMENT NO. 1 \*\*\*

Issued By:

**RORY J. RESPICIO**  
 General Manager

NAME OF PROPOSER: \_\_\_\_\_  
 AUTHORIZED SIGNATURE: \_\_\_\_\_  
 PRINT NAME: \_\_\_\_\_  
 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_



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Accountability \* Impartiality \* Competence \* Openness \* Value

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**INVITATION FOR BID No.: IFB/PAG-009-24**

**DESCRIPTION:**

**RE-BID FOR 11,000 LBS FORKLIFT TRUCK'S**

**SPECIAL REMINDER 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. If hard copies are submitted, One (1) original, one (1) copy, and one (1) CD or USB containing electronic file copy (in PDF format) of the complete bid proposal shall be enclosed in a sealed package or envelope at the date and time for bid opening; or bid may be submitted electronically via e-mail before the deadline, see instructions below. No award will be made until bid security is confirmed.

- [X] **BID GUARANTEE (15% of Bid Amount) may be in the form of;**  
**Reference #11 on the General Terms and Conditions**
  - a. Cashier's Check or Certified Check
  - b. Letter of Credit
  - 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 whoever is signing on their behalf.
  
- [X] **BROCHURES/DESCRIPTIVE LITERATURE;**
- [X] **AFFIDAVIT DISCLOSING OWNERSHIP and COMMISSION**
  - a. Date of signature of the person authorized to sign the bid and the notary date must be the same.
  
- [X] **OTHER REQUIREMENTS:**  
Non-Collusion Affidavit, D.O.L. Wage Determination Affidavit, Restriction against Sexual Offenders Affidavit, No Kickbacks or Gratuities Affidavit and Ethical Standards Affidavit, and Affidavit re Contingent Fees, and Current Business License at the time of the award.

**This reminder must be signed and returned together with the bid. Failure to comply with the above requirements may be cause for disqualification and rejection of the bid.**

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, I, \_\_\_\_\_, an authorized representative of \_\_\_\_\_ acknowledge receipt of this special reminder to prospective bidders with the above-referenced IFB.

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

**INVITATION FOR BID**

**ISSUING OFFICE:**

PORT AUTHORITY OF GUAM  
Government of Guam  
1026 Cabras Highway, Ste. 201,  
Piti, Guam 96915

\_\_\_\_\_  
**RORY J. RESPICIO**  
General Manager

**DATE ISSUED:** March 26, 2024

**INVITATION FOR BID No.:** IFB/PAG-009-24

**BID FOR:** **RE-BID FOR 11,000 LBS FORKLIFT TRUCK'S**

**SPECIFICATIONS:** **SEE ATTACHED**

**DESTINATION:** **PORT AUTHORITY OF GUAM**

REQUIRED DELIVERY DATE: 150 Days Upon Receipt of Purchase Order. Delivery schedule time and quantity will be coordinated between the successful bidder and the requesting department in accordance with the schedules contained in MARAD FY2022 American Marine Highway (AMH) Grant No.: 693JF72340007, and in accordance with the expiration date of this grant, currently set to expire on May 1, 2026. *This project is funded by the MARAD FY2022 American Marine Highway (AMH) Grant No.: 693JF72340007.*

**INSTRUCTION TO BIDDERS:**

INDICATE WHETHER: \_\_\_\_\_ INDIVIDUAL \_\_\_\_\_ PARTNERSHIP \_\_\_\_\_ CORPORATION

INCORPORATED IN: \_\_\_\_\_

**THIS BID SHALL BE SUBMITTED** in duplicate with one (1) electronic copy and sealed to the issuing office above before or until **Monday, April 15, 2024, at 2:00 p.m., Chamorro Standard Time (Guam Time)** and shall be publicly opened. Alternatively, bids may be submitted via e-mail prior to the due date and time above; please refer to the instructions below. Any Bid submitted after the time and date specified above shall be rejected. See attached General Terms and Conditions, and Sealed Bid Solicitation for details.

The undersigned offers and agrees to furnish within the time specified, the articles and services at the price stated opposite the respective items listed on the schedule provided unless otherwise specified by the bidder. In consideration of the expense of the Government in the opening, tabulating, and evaluating this and other bid considerations, the undersigned agrees that this bid remains firm and irrevocable within **90** calendar days from the date of opening to supply any or all the items for which prices are quoted.

**NAME AND ADDRESS OF BIDDER:**

**SIGNATURE AND TITLE OF PERSON  
AUTHORIZED TO SIGN THIS BID:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

**AWARD: CONTRACT NO.:** \_\_\_\_\_ **AMOUNT:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ITEM NO(S). AWARDED:** \_\_\_\_\_

**NAME AND ADDRESS OF CONTRACTOR:**

**CONTRACTING OFFICER:**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**RORY J. RESPICIO**  
General Manager

**SIGNATURE AND TITLE OF PERSON  
AUTHORIZED TO SIGN THIS CONTRACT:**

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

Title: \_\_\_\_\_ 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 provisions of the Guam Procurement Act (5GCA, Chapter 5) and the Guam Procurement Regulations (copies of both are available at the Office of the Comptroller of Laws, Department of Law, copies available for inspection at THE PORT AUTHORITY OF GUAM). 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 must comply with all applicable portions of Guam Licensing Law. Specific information on licenses may be obtained from the Director of Revenue and Taxation.
- [X] 5. **NO LOCAL PROCUREMENT PREFERENCE:** There is no geographical preference for this IFB in compliance with 2 CFR § 200.319(c) and the terms and conditions of MARAD FY2022 American Marine Highway (AMH) Grant No.: 693JF72340007; however, no specification, term, condition, or qualification of this RFP shall exclude any Offeror from consideration on the basis of Guam-only experience provided that the experience of such Offeror is otherwise responsive to the solicitation, in accordance with the requirements of 5 GCA § 5008(e).
- [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:** NOTE: By checking this item, the Government is requesting all of the bid items to be bided or none at all.

**The Government will not award on an itemized basis.**

- [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, if hard copies are submitted instead of electronic submission.
- [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 Treasury of Guam in the amount of fifteen percent (15%) of his highest total bid offer. 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. Pursuant to 5 GCA § 5212, 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. The bid bond, Letter of Credit, Certified Check or Cashier's Check will serve as Bid Security for this procurement. No award shall be given until security has been confirmed. No award will be given until bid security is confirmed.
- [X] 12. **PERFORMANCE GUARANTEE:** Bidders who are awarded a contract under this solicitation, guarantee that goods will be delivered or required services performed within the time specified. Failure to perform the contract in a satisfactory manner may be cause for suspension or debarment from doing business with the Government of Guam. In addition, the Government will hold the Vendor liable and will enforce the requirements as set forth in Section 40 of these General Terms and Conditions.

**GOVERNMENT OF GUAM**  
**SEALED BID SOLICITATION INSTRUCTIONS**

1. **BID FORMS:** Each bidder shall be provided with one (1) sets of Solicitation forms. Additional copies may be provided upon request. Bidders requesting additional copies of said forms will be charged per page in accordance with 5 GCA § 10203 of the Government Code of Guam. All payments for this purpose shall be by cash, certified check or money order and shall be made payable to the PORT AUTHORITY OF GUAM (EO 86-24).
2. **PREPARATIONS OF BIDS:**
  - 2.0 Bidders are required to examine the drawings, specifications, schedule, and all instructions. Failure to do so will be at bidder's risk.
  - 2.1 Each bidder shall furnish the information required by the Solicitation. The bidder shall sign the Solicitation and print or type his name on the Schedule. Erasures or other changes must be initialed by the person signing the bid. Bids signed by an agent are to be accompanied by evidence of this authority unless such evidence has been previously furnished to the issuing office.
  - 2.2 Unit price for each unit offered shall be shown and such price shall include packing unless otherwise specified. A total shall be entered in the amount column of the Schedule for each item offered. In case of discrepancies between a unit price and extended price, the unit price will be presumed to be correct.
  - 2.3 Bids for supplies or services other than those specified will not be considered. Time, if stated as a number of days, means calendar days and will include Saturdays, Sundays, and holidays beginning the day after the issuance of a Notice to Proceed. Time stated ending on a Saturday, Sunday or Government of Guam legal holiday will end at the close of the next business day.
  - 2.4 No Entitlement to Preparation Costs – the bidder expressly waives any right it may have against the government for any expenses incurred in connection with the preparation of its bid.
3. **EXPLANATION TO BIDDERS:** Any explanation desired by a bidder regarding the meaning or interpretation of the Solicitation, drawings, specifications, etc., must be submitted in writing and with sufficient time allowed for a written reply to reach all bidders before the submission of their bids. Oral explanations or instructions given before the award of the contract will not be binding. Any information given to a prospective bidder concerning a Solicitation will be furnished to all prospective bidders in writing as an amendment to the Solicitation if such information would be prejudicial to informed bidders.
4. **ACKNOWLEDGEMENT OF AMENDMENTS TO SOLICITATIONS:** Receipt of an amendment to a Solicitation by a bidder must be acknowledged by signing an acknowledgement of receipt of the amendment. Such acknowledgement must be received prior to the hour and date specified for receipt of bids.
5. **BID SUBMISSIONS:**
  - a) All Bids and bid documents must be submitted in writing. Bids and modifications thereof shall be enclosed in sealed envelopes if submitting in hardcopy, and addressed to the office specified in the Solicitation. Sealed hard copy bids shall be submitted in a sealed envelope to include one (1) fully executed original and one (1) copy. The outer envelope shall be marked in bold letters, Re-bid for 11,000 lbs. forklift trucks (IFB-PAG-009-24). The bidder shall show the hour and date specified in the Solicitation for receipt, the Solicitation number, and the name and address of the bidder or authorized representative on the face of the envelope if submitting in hard copy.
  - b) E-mail submissions of written bids will be accepted. PAG will accept timely electronic submission of Bids by e-mail to the single Point of Contact, Denise J. Calvo, at [ifb.pag.009.24@gmail.com](mailto:ifb.pag.009.24@gmail.com) before the time and date for the opening of bids. Bids electronically submitted to any other person through any other method of electronic transmission will not be accepted. If submitting a Bid by e-mail, the subject line of the e-mail transmission shall contain the Bidder's name and the name of the Bidder's authorized representative, along with the following caption: Re-bid for 11,000 lbs. Forklift Trucks (IFB-PAG-009-24). Bids may be modified or withdrawn by written notice, provided such notice is received prior to the hour and date specified for receipt, pursuant to the Guam Procurement Rules & Regulations.
  - c) Bids and Bid Documents may be signed by the Bidder electronically, and in any number of counterparts, each of which shall be deemed an original, but all of which together shall be submitted with the Bid and shall constitute the Bid. Failure to submit the required forms in the number or format required may be cause for rejection of Bids due to non-responsiveness.
  - d) Samples of items, when required, must be submitted within the time specified, unless otherwise specified by the Government, at no expense to the Government. If not destroyed by testing, samples will be returned at bidder's request and expense, unless otherwise specified by the Solicitation.
  - e) Samples or descriptive literature should not be submitted unless it is required on this solicitation. Regardless of any attempt by a bidder to condition the bid, unsolicited samples or descriptive literature will not be examined or tested at the bidder's risk, and will not be deemed to vary any of the provisions of this Solicitation.
6. **FAILURE TO SUBMIT BID:** If no bid is to be submitted, do not return the solicitation unless otherwise specified. A letter or postcard shall be sent to the issuing office advising whether future Solicitations for the type of supplies or services covered by this Solicitation are desired.
7. **LATE BID, LATE WITHDRAWALS, AND LATE MODIFICATIONS:**
  - a) Definition: Any bid received after the time and date set for receipt of bids is late. Any withdrawal or modification of a bid received after the time and date set for opening of bids at the place designated for opening is late (Guam Procurement Regulations 2 GAR, Div.4 §3109(k)).
  - b) Treatment: No late bid, late modification, or late withdrawal will be considered unless received before contract award, and the bid, modification, or withdrawal would have been timely but for the action or inaction of territorial personnel directly serving the procurement activity.