

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE
A.B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM
Thursday, March 11, 2020, 3:00 p.m.
GIAA TERMINAL CONFERENCE ROOM #3**

1. CALL TO ORDER AND ATTENDANCE

The March 11, 2020 special meeting of the Board of Directors of the A.B. Won Pat International Airport Authority, Guam ("GIAA" or the "Authority") was called to order by Chairman Bamba at 3:08 p.m. at the GIAA Terminal Conference Room #3, 355 Chalan Pasaheru, Tamuning, Guam, 96913.

Directors Present:

Brian J. Bamba
Gurvinder Sobti
Donald I. Weakley
Lucy M. Alcorn*
Zenon E. Belanger
Doyon A. Morato
Rosie R. Tainatongo

Offices or positions:

Chairman
Vice Chairman
Board Secretary

Directors Absent:

None

GIAA Officials:

Thomas C. Ada
John M. Quinata
John A. Rios
Jean M. Arriola
Vince Naputi
Ken McDonald
Joseph Javellana
Victor Cruz
Rolenda Faasuamalie
Henry Cruz

Executive Manager
Deputy Executive Manager
Comptroller
Airport Services Manager
Chief, Airport Police
P&F Superintendent
Program Coordinator IV
Engineering Supervisor
Airport Marketing
GIAA Procurement

Janalynn A. Damian, Esq.
Frank R. Santos

GIAA Legal Counsel
GIAA Consultant

Chairman Bamba welcomed Airport tenants, stakeholders, and members of the public who are noted in a sign-in sheet attached to these minutes.

2. APPROVAL OF AGENDA

Motion to approve the agenda as presented duly made by Director Weakley, seconded by Director Belanger; motion unanimously passed.

3. NEW BUSINESS

A. Rebate of Landing and Apron Fees

The first item discussed was the rebate of landing and apron fees. Executive Manager Ada asked that Mr. Frank Santos present the item to the Board via powerpoint presentation. Mr. Santos informed the Board that to date, 400 flights have been suspended, representing a loss of approximately 78,000 seats, with an economic impact to GIAA of approximately \$7.9M. Carriers have consideration for relief. It is in GIAA's best interest to assist its primary customers, who are guarantors of GIAA's financial bottom line.

*Director Alcorn arrived at the Board meeting.

Aircraft operators pay approximately \$274.00 per landing and \$123.00 per apron use. Airport landing and apron fees represent approximately \$4.6M or 15% of total signatory airline revenues. Significance if the fees are directly correlated to frequency of landings. Total estimated savings to airlines from April to June 2020:

- A. 50% rebate: \$370,000.00
- B. 100% rebate: \$740,000.00

GIAA's cost impact:

Suspension of 400 flights	\$7.90M
Cost of Rebate at 100%	<u>\$.74M</u>
Total Cost Impact	\$8.64M

Mr. Santos provided the revenue source for cost mitigation totaling \$8.64M.

Management is seeking approval of 100% rebate of landing fees and 100% rebate of apron parking charges for the period of April to June 2020. The impact will be reviewed on a monthly basis.

Chairman Bamba inquired on the period of the rebate. Executive Manager informed the Board that after June, Management will come back to the Board for additional guidance should it be required, and that Management is looking at other relief options for concessions. Discussion followed relative to what carriers are included.

Director Morato inquired if there is a forecast of impacts should this issue go past three months. Executive Manager Ada announced that Management is not there yet. Relief options for concessions are being reviewed, and will be brought before the Board at the next regular Board meeting.

Director Belanger inquired if the rebate will affect operational costs for the Airport. Executive Manager Ada replied no. Discussion followed relative to the funding to cover the costs of the rebate.

Director Belanger shared his concern with giving 100% rebate.

Director Alcorn inquired on rebates for all tenants. Chairman Bamba announced that because this is a special meeting and the fact that the Board limited to agenda items, but assured the Board that there are discussions for relief options for concessionaires, which will be discussed at a later meeting.

Executive Manager Ada reminded the Board that it is in GIAA's best interest to assist its primary customers, the signatory airlines, who are guarantors of GIAA's financial bottom line.

After further discussion, on motion duly made by Director Weakley, seconded by Director Tainatongo, the following resolution was approved, with Director Belanger voting against the motion:

Resolution No. 20-25

The Board hereby approves the 100% rebate of landing fees and 100% rebate of apron parking charges for signatory airlines for the period of April to June 2020, at which time the need for a rebate will be reassessed.

B. Approval of Award for Legal Services - RFP No. RFP-001-FY20

At this time Legal Counsel recused herself, and removed herself from the conference room table.

The next item requiring Board action was the award for Legal Services, under Request for Proposal - RFP No. RFP-001-FY20. Mr. Henry Cruz, GIAA Procurement, provided background information to the Board on the referenced RFP including the scope of services, contract term, dates of advertisement of the RFP, proposal submission deadline, and the number of interested proposers. A total of eight (8) firms showed their interest by obtaining the RFP package. An evaluation committee was established to evaluate the two (2) proposals that were submitted before the established deadline, based on the evaluation criteria set forth in the RFP. As a result of the committee's evaluation, the selected firms were found to be responsible and responsive and the firms in order of their ranking are as follows:

1. Offeror B

2. Offeror A

The term of the contract is for a period of two (2) years with additional three (3) one (1) year option years to be exercised at the sole discretion of GIAA, not to exceed a total contract period of five (5) years and subject to the availability of funding. The said contract will be funded under the Administration Division's O&M Budget.

Management recommends that the Board approve the ranking results and the contract award to Offeror A and Offeror B for the Legal Services contract, subject to negotiation of fair and reasonable fees to be submitted by the Offeror at a time and in a format determined by GIAA.

Executive Manager Ada announced that the recommendation for the Board to award the contract to both offerors. The Manager pointed out that the firms scored very similar in their evaluations. The incumbent is heavily involved in current litigation proceedings, and Management believes there is enough work to justify both law firms.

Director Belanger inquired if there is anything in Procurement Law that prevents GIAA from hiring two law firms, or to put together a scope of work for two, or do they compete for work. The Executive Manager replied no, they will not compete, there is enough work for two.

Chairman Bamba inquired if GIAA has ever done this before, one RFP and more than one awardee. Mr. Frank Santos replied yes, with an IDIQ, where multiple firms were awarded. Based on what work was needed, the firms would provide a fee proposal.

Executive Manager added that the incumbent currently does not have a retainer fee, the Board approved an hourly rate. Director Belanger added that the current legal counsel went over the cap in the amount of \$60,000 in January, and expressed his concern. Discussion followed relative to Procurement Law, the process of the RFP and fees.

Director Tainatongo announced that she would like the Attorney General's opinion on the referenced RFP before making a decision. Chairman Bamba agreed, and suggested that the Board get legal opinion before proceeding.

Director Belanger inquired if GIAA is at the exposure of have no legal counsel. Executive Manager informed the Board that legal counsel's term expires March 22, 2020, however conflicts counsel Phil Torres will oversee this RFP.

Executive Manager Ada suggested that the Board recess and reconvene the meeting so that conflicts counsel, Phil Torres may be able to attend the meeting and address the referenced RFP.

After further discussion, on motion duly made by Director Tainatongo, seconded by Director Alcorn, the following resolution was unanimously approved:

Resolution No. 20-26

The March 11, 2020 Special Meeting of the Board of Directors of A.B. Won Pat International Airport Authority, Guam is hereby adjourned until Monday, March 16, 2020 at 11:00 a.m., to reconvene at the GIAA conference room, 355 Chalan Pasaheru, Tamuning, Guam 96913.

The meeting recessed at 4:24 p.m.

Dated this 8TH, day of MAY, 2020.

A blue ink signature consisting of a large, stylized 'B' followed by a few loops.

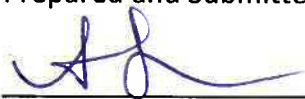
Brian J. Bamba
Chairman

Attest:

A blue ink signature consisting of a series of connected, wavy loops.

Donald I. Weakley
Board Secretary

Prepared and Submitted By:

A blue ink signature consisting of a stylized 'A' followed by a long, horizontal flourish.

Amanda O'Brien-Rios
Corresponding Secretary

ORDER OF ADJOURNMENT

By Resolution of the Board of Directors of the A.B. Won Pat International Airport Authority, Guam ("GIAA"), the March 11, 2020 Special Meeting of the Board of Directors of GIAA is hereby adjourned until Monday, March 16, 2020 at 11:00 a.m., to reconvene at the GIAA Conference Room 355 Chalan Pasaheru, Tamuning, Guam, 96913.

Dated this 11th day of March, 2020.



Brian J. Bamba
Chairman of the Board

BOARD OF DIRECTORS SPECIAL MEETING

3:00 p.m., Wednesday, March 11, 2020

GIAA TERMINAL CONFERENCE ROOM #3

Public Notice

First Notice:

The Daily Post – March 4, 2020

Notice to Media – March 4, 2020

Second Notice:

The Daily Post – March 9, 2020

Notice to Media – March 9, 2020

AGENDA

- 1. Call to Order and Attendance**
- 2. Approval of Agenda**
- 3. New Business**
 - A. Rebate of Landing and Apron Fees**
 - B. Approval of Award for Legal Services - RFP No. RFP-001-FY20**
- 4. Adjournment**

A.B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM

Board of Directors Special Meeting

3:00 p.m., Wednesday, March 11, 2020

GIAA Terminal Conference Room #3

SIGN-IN SHEET

	<u>PRINT NAME</u>	<u>COMPANY/AGENCY</u>
1.	Nancy Kwan	China Airlines
2.	JERRY MARIUA	ELMA
3.	J. G. Juvellana	GIAA
4.	FRANK SAUTOS	TMG
5.	VINCE MARIUA	APD
6.	Ken McDonald	PTF
7.	Daeuung Chen	Lotte
8.	Letitia Law-Byerly	Lotte DF
9.	AND BAPTISTA	GIAA
10.	Michael Min	Lotte
11.		
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Indian lawmakers scuffle over deadly riots

NEW DELHI (Reuters) - Indian lawmakers pushed and shoved each other in parliament on Monday after opposition parties demanded the resignation of Interior Minister Amit Shah over the handling of deadly riots triggered by a citizenship law that excludes Muslims.

Police said on Monday that at least 41 people had died in two days of Hindu-Muslim clashes in New Delhi last week, the worst communal riots in the capital in decades.

Prime Minister Narendra Modi's Hindu nationalist Bharatiya Janata Party says the law, which grants refuge to non-Muslim minorities from across south Asia, is required to protect those groups from persecution. Critics say it is discriminatory and contravenes the spirit of India's secular constitution.

Hundreds of thousands of people - led by students and Muslim groups - have been demonstrating for more than two months, amid fears that the government will also launch a population register that could leave many Muslims stateless.

A week ago, a mob of several hundred people chanting Hindu nationalist slogans torched two mosques and dozens of Muslim houses, eyewitnesses said, while nearby houses carrying Hindu symbols were left untouched.

In parliament on Monday, opposition legislators shouted slogans and waved posters demanding that Shah, who controls Delhi's police and is an key ally of Modi's, step down.

Wuhan closes coronavirus hospital as China officials hail drop in cases

BEIJING/SHANGHAI (Reuters) - The Chinese city at the center of the coronavirus epidemic has closed the first of 16 specially built hospitals, hurriedly put up to treat people with the virus, after it discharged its last recovered patients, state broadcaster CCTV said on Monday.

News of the closure coincided with a sharp fall in new cases in Hubei province and its capital of Wuhan, but China remained on alert for people returning home with the virus from other countries where it has spread.

"The rapid rising trend of virus cases in Wuhan has been controlled," Mi Feng, a spokesman for China's National Health Commission, told a briefing.

"Outbreaks in Hubei outside of Wuhan are curbed and provinces outside of Hubei are showing a



SHANGHAI: A woman wearing a face mask is seen on a subway in Shanghai, China, on March 2. Aly Song/Reuters

positive trend."

The virus emerged in Wuhan late last year and has since infected more than 86,500 people, the majority in China, with most in Hubei.

Outside China, it has in recent days spread rapidly, now to 53 countries, with more than 6,500 cases and more than 100 deaths. In all, the illness has killed nearly 3,000 people.

Hubei on Sunday reported 196 new infections, the first time since January it has reported fewer than 200 in a day, the National Health Commission said on Monday.

After what some critics said was an initially hesitant response to the new virus, China imposed sweeping restrictions to try to stop it, including widespread suspensions of transport and extending a Lunar New Year holiday across the country.

Mi said authorities would transition from "overall containment to targeted containment" measures, with a focus on containment within communities, and medical treatment.

NKorea marks year of failed Trump talks with missiles

By Jihye Lee
Bloomberg

North Korea launched two unidentified projectiles off its eastern coast, South Korea's defense ministry said, a move that comes just after the year anniversary of the failed Hanoi summit between leader Kim Jong Un and President Donald Trump.

The projectiles were launched Monday from an area near the North

Korean coastal city of Wonsan, the South Korean defense ministry said, adding that it was "monitoring relevant movements and in a state of preparedness." North Korea's most recent missile test was on Nov. 28, 2019, one of numerous volleys of short-range ballistic missiles launched by the regime last year.

"It can be viewed as a symbolic gesture marking the one-year anniversary of the Trump-Kim Hanoi summit ending in a no-deal," said Choi Soon-mi, who researches North Korean social and economic affairs at Ajou University's Institute of Unification. "And they

could be using this day as a platform to nudge for either Washington or Seoul to take actions for their demands, such as sanctions relief."

The projectiles flew about 240 kilometers (150 miles), reaching an altitude of 35 kilometers, South Korea's defense ministry said, which would be similar to some short-range ballistic missiles fired off in 2019. The office of South Korean President Moon Jae-in expressed "strong concern" about the launches after a special meeting of security ministers Monday, saying the tests were likely conducted as part of military drills.



The Honorable
Lourdes A. Leon Guerrero
Governor

The Honorable
Joshua F. Tenorio
Lt. Governor



PUBLIC NOTICE

The Board of Directors of the A.B. Won Pat International Airport Authority, Guam (GIAA) will hold a Special Board Meeting on **Wednesday, March 11, 2020 at 3:00 p.m.**, in Terminal Conference Room No.3, to discuss the Rebate of Landing and Apron Fees; and Approval of Award for Legal Services - RFP No. RFP-001-FY20. Parking is available in the Public Parking Lot.

For special accommodations or agenda items, please call the Board Office at 642-4717/18.
(This ad paid for by GIAA)

GUAM VISITOR INDUSTRY EDUCATION COUNCIL (A NOT-FOR-PROFIT ORGANIZATION)

Statement of Financial Position

	As of September 30, 2019	As of December 31, 2018
Assets		
Cash	\$ 9,039.70	\$ 6,008.74
Accounts receivable	50,000.00	0.00
Total assets	\$ 59,039.70	\$ 6,008.74
Liabilities and net assets		
Accrued professional fees	7,122.63	3,441.15
Deferred income - GVB appropriation	50,000.00	0.00
Total liabilities	57,122.63	3,441.15
Net assets - unrestricted	1,917.07	2,567.59
Total liabilities and net assets	\$ 59,039.70	\$ 6,008.74



REQUEST FOR PROPOSAL

GVB RFP 2020-006

COMPENSATION AND CLASSIFICATION STUDY

The Guam Visitors Bureau (GVB), a public, non-stock, non-profit membership corporation, issues this Request for Proposal ("RFP") soliciting proposals from a qualified firm for a **COMPENSATION AND CLASSIFICATION STUDY** and to provide recommendations to ensure the bureau's classifications and compensation system support the bureau's mission and strategic objectives, subject to the availability and certification of funds from fiscal year to fiscal year. Specific duties are outlined in the Scope of Work.

RFP packages can also be downloaded at no cost from GVB's website at <https://www.guamvisitorsbureau.com/news/rfps> or obtained (in USB format) at the GVB Office, 401 Pale San Vitores Road, Tumon, Guam, 8:00 AM - 5:00 PM, Monday - Friday, excluding Guam holidays. A non-refundable \$25.00 fee is required for each packet picked up at the GVB office payable in US\$ cash, bank wire transfer or major credit card (Visa, MasterCard, Discover, JCB).

Questions, if any, should be made in writing to the President and CEO, which can be dropped off at the GVB office; emailed to procurement@visitguam.com; or sent by fax to 671-646-8861 according to the timeline provided in the RFP.

GVB hereby notifies all offerors that it will affirmatively ensure that minority business enterprises will be afforded full opportunity to submit a response to this request for proposal and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.

GVB reserves the right to reject any or all proposals, waive any imperfection in the proposal, or cancel this solicitation all according to law in the interest of the bureau. Direct or indirect contact with the GVB Management or Staff, Board Member, or any person participating in the selection process is prohibited.

If you are interested in submitting a proposal, please note the deadline for submission is no later than 5:00 PM (Chamorro Standard Time) on Monday, March 23, 2020.

/s/ ROBERT C. ALVAREZ
Acting President and CEO

This advertisement was paid for by the Tourist Attraction Fund.

GUAM VISITORS BUREAU | SETSIBION BISITAN GUÅHAN
401 Pale San Vitores Road | Tumon, Guam 96913 | (671) 646-5278 | (671) 646-8861 fax
guamvisitorsbureau.com | visitguam.com | info@visitguam.com



PUBLIC NOTICE

The Guam Developmental Disabilities Council (GDDC) will hold its General Membership Meeting on Wednesday, March 11, 2020, from 11:00 am to 2:00 pm at the Holiday Resort Chief Kepuha Room. All Council members are urged to attend. The meeting is open to the public. For persons requiring special accommodations, please contact 735-9127 to make arrangements with the hotel.



The Honorable
Lourdes A. Leon Guerrero
Governor

The Honorable
Joshua F. Tenorio
Lt. Governor



PUBLIC NOTICE

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For special accommodations or agenda items, please call the Board Office at 642-4717/18.
(This ad paid for by GIAA)



**DEPARTMENT OF
ADMINISTRATION**
DIPATTAMONTON ATMENESTRASION
GENERAL SERVICES AGENCY
(Ahensian Setbisoin Hinirat)



LOURDES A. LEON GUERRERO
Governor (Maga'hága)

EDITH C. PANGELINAN
Deputy Director (Sigundo Direktor)

Tel. (Telefon): (671) 475-1707/1729 • Fax (Faks): (671) 472-4217/1727

JOSHUA F. TENORIO
Lt. Governor (Sigundo Maga'hága)

**THIS ADVERTISEMENT WAS PAID WITH GOVERNMENT FUNDS BY:
DEPARTMENT OF ADMINISTRATION/GENERAL SERVICES AGENCY**

A non-refundable fee of \$10.00 per bid package will be assessed.
Certified Check, Cashier's Check, Cash will be accepted. No personal or Company check.
Payment for bid package picked up after 3:00 pm will not be accepted.

INVITATION FOR BID

BID NO.: GSA-014-20
FOR: ELECTRIC REACH TRUCK/FORKLIFT
OPENING DATE: March 24, 2020 **TIME:** 10:00 AM
PLACE: GENERAL SERVICES AGENCY, PITI GUAM

Note: IFB packages could be picked up at the General Services Agency located at 148 Route 1, Marine Corps drive, Piti, Guam or may be acquired in the GSA Website: gsa.doa.guam.gov; please follow the Instructions once downloaded.

The IFB package will be available at GSA in Piti Guam commencing on date of advertisement up to the opening date and time stated above or can be downloaded from the GSA website: gsa.doa.guam.gov from the date of advertisement.

GSA recommends that prospective bidders register current contact information with GSA to ensure they receive any notices regarding any changes or updates to the IFB. The procuring agency and GSA will not be liable for failure to provide notice to any party who did not register current contact information.

/s/ CLAUDIA S. ACFALLE
Chief Procurement Officer



**DEPARTMENT OF
ADMINISTRATION**
DIPATTAMONTON ATMENESTRASION
GENERAL SERVICES AGENCY
(Ahensian Setbisoin Hinirat)



LOURDES A. LEON GUERRERO
Governor (Maga'hága)

EDITH C. PANGELINAN
Deputy Director (Sigundo Direktor)

Tel. (Telefon): (671) 475-1707/1729 • Fax (Faks): (671) 472-4217/1727

JOSHUA F. TENORIO
Lt. Governor (Sigundo Maga'hága)

**THIS ADVERTISEMENT WAS PAID WITH GOVERNMENT FUNDS BY:
DEPARTMENT OF MILITARY AFFAIRS**

A non-refundable fee of \$10.00 per bid package will be assessed.
Certified Check, Cashier's Check, Cash will be accepted. No personal or Company check.
Payment for bid package picked up after 3:00 pm will not be accepted.

INVITATION FOR BID

BID NO.: GSA-015-20
FOR: GROUNDS MAINTENANCE FOR: GUAM ARMY NATIONAL GUARD
OPENING DATE: March 24, 2020 **TIME:** 11:00 AM
PLACE: GENERAL SERVICES AGENCY, TAMUNING GUAM

Note: IFB packages could be picked up at the General Services Agency located at 148 Route 1, Marine Corps drive, Piti, Guam or may be acquired in the GSA Website: gsa.doa.guam.gov; please follow the Instructions once downloaded.

The IFB package will be available at GSA in Piti Guam commencing on date of advertisement up to the opening date and time stated above or can be downloaded from the GSA website: gsa.doa.guam.gov from the date of advertisement.

GSA recommends that prospective bidders register current contact information with GSA to ensure they receive any notices regarding any changes or updates to the IFB. The procuring agency and GSA will not be liable for failure to provide notice to any party who did not register current contact information.

/s/ CLAUDIA S. ACFALLE
Chief Procurement Officer

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A.B. WON PAT INTERNATIONAL
AIRPORT GUAM



COVID-19 RELIEF PACKAGE

GIAA Special Board of Directors Meeting
March 11, 2020



Discussion Points

- Justification for Proposed Rebate
- Flight Cancellations and Economic Impact of Cancellations
- Proposed Rebate and Cost Impact
- Rebate Mitigation Plan
- Relief Package Decision Points



Justification For Rebate:

1. Decrease in travel demand due to COVID-19 concerns.
 - 400 flights have been suspended to date (*3% of total flights scheduled for FY'20*)
 - Suspended flights represent loss of approximately 78K seats
 - Economic impact to GIAA approx. \$7.9M



Justification For Rebate

(continued)

2. Carriers have requested consideration for relief.
3. It is in GIAA's interest to assist its primary customers, the signatory airlines, who are guarantors of GIAA's financial bottom line.



Fees Paid to Land at GIAA

- On average, aircraft operators pay approx. \$274 per landing and \$123 per apron use.
- Airport landing and apron fees represent about \$4.6M or 15%, of total signatory airline revenues



Rebate and the Potential Savings to Airline Industry

- Significance of the fees are directly correlated to frequency of landings.
- Total estimated savings to airlines from April-June '20:
 - i. @ 50% rebate: \$370K
 - ii. @ 100% rebate: \$740K

Mitigation of Revenue Loss and Rebate

○ Cost impact of	
Suspension of 400 flights:	\$ 7.90M
Cost of Rebate (@100%) :	<u>\$.74M</u>
Total Cost Impact	\$ 8.64M
○ Revenue Source for Cost Mitigation:	
Carry Forward of Budget Savings	
Oct '19 – Jan '20	\$ 3.10M
15% Budget Reduction	
Apr '20 – Jan '20	\$ 3.90M
Early Drawdown from 2019	
Bond Refi	<u>\$ 1.64M</u>
Total Revenues Available	\$ 8.64M



COVID-19 RELIEF PACKAGE: Decision Points

Rebate of following Fees/Charges for the period
April '20-Jun '20:

- 100% Rebate of Landing Fees

- 100% Rebate of Apron Parking Charges

*** The COVID-19 impact will be reviewed on a monthly basis*

**ANTONIO B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM
BOARD OF DIRECTORS**

EXECUTIVE SUMMARY

**REQUEST FOR PROPOSAL NO. RFP-001-FY20
LEGAL SERVICES**

March 11, 2020

Purpose

Board action is requested to approve the ranking results and award for Request for Proposal No. RFP-001-FY20 for Legal Services ("RFP").

Background

The referenced RFP solicits proposals from professional firms and/or individuals to provide professional expertise in all legal activities and representations such as, but not limited to, litigations, provide professional opinions, legal interpretations, research, for and on behalf of GIAA Management and its Board of Directors.

Procurement Background

The RFP was advertised in the local newspapers on February 18, 21, and 26, 2020. The established deadline to submit the proposals was March 4, 2020, 4 p.m.

A total of eight (8) firms showed their interest by obtaining the RFP package and two (2) firms responded by submitting their proposal before the submission deadline.

Proposal Analysis and Evaluation

The Evaluation Committee appointed by me completed their evaluations of the two (2) proposals based on the evaluation criteria set forth in the RFP. The score sheets were gathered and tabulated by the Procurement Office and the evaluation results in the order of ranking are as follows:

1. **Offeror B**
2. **Offeror A**

Legal Review

Upon Board approval, a contract will be forwarded to Legal Counsel for review and approval as to form. The term of the contract is for a period of two (2) years with additional three (3) one (1) year option years to be exercised at the sole discretion of GIAA, not to exceed a total contract period of five (5) years and subject to the availability of funding.

Financial Review

The *Legal Services* contract will be funded under the Administration Division's O&M Budget.

Recommendation

I recommend the Board approve the ranking results and the contract award to **Offeror A** and **Offeror B** for the *Legal Services* contract, subject to negotiation of fair and reasonable fees to be submitted by the offeror at a time and in a format determined by GIAA.

March 9, 2019

MEMORANDUM

TO: THOMAS C. ADA
EXECUTIVE MANAGER

FROM: SUPPLY MANAGEMENT ADMINISTRATOR

SUBJECT: EVALUATION AND RECOMMENDATION - REQUEST FOR PROPOSAL (RFP)
LEGAL SERVICES, RFP No. RFP-001-FY20

The referenced Request for Proposal ("RFP") solicits proposals from firms and/or individuals to provide professional legal services for the Antonio B. Won Pat International Airport Authority, Guam ("GIAA"). The RFP was advertised in the local newspapers on February 18, 21, and 26, 2020. The deadline to submit proposals was established for March 4, 2020.

A total of eight (8) firms and/or individuals downloaded the RFP package and two (2) firms submitted proposals before the submission deadline.

Proposal Review for Responsiveness

The two (2) proposals were reviewed to determine responsiveness, that is, whether or not the offerors submitted all the documents required by the RFP.

Offeror A:

With regard to Addendum A, it was determined that Offeror A failed to submit a copy of the Acknowledgement of Receipt form for the addendum with their proposal as instructed by the RFP. Offeror A did acknowledge receipt of Addendum A upon receipt via email dated February 27, 2020. Said email correspondence indicating acknowledgement is included in the procurement record.

As this mistake is immaterial, a waiver of this mistake is justified pursuant to 2 GAR § 3109 (m) as such omission is insignificant and does not prejudice the other offeror and has a negligible effect on price, quantity, delivery or contractual conditions. Furthermore, there is no doubt that Offeror A received said addendum and intended to be bound by it.

Offeror B:

Offeror B's proposal was determined to be responsive.

Evaluation and Selection

Pursuant to Section 8: Selection of Best Qualified Offeror and Proposal of *Basic Information* of the RFP documents, after receipt of all proposals, the GIAA Evaluation Committee established by the Executive Manager shall conduct an independent evaluation of the proposals based on the evaluation criteria set forth in the RFP for the purpose of determining if the offerors have met the standards of responsibility outlined in the Guam Procurement Law & Regulations.

The evaluation committee established by management was comprised of the following individuals:



AMERICAN ASSOCIATION
OF AIRPORT EXECUTIVES



AIRPORTS COUNCIL
INTERNATIONAL



NASAO
National Association of State Aviation Officials



THE INTERNATIONAL AIR CARGO ASSOCIATION

1. John M. Quinata, Deputy Executive Manager
2. Victor J. Cruz, Engineering Supervisor
3. Ralph W. Guitierrez, II, Management Analyst IV

The committee completed their evaluations of the two (2) proposals based on the evaluation criteria set forth in the RFP. The scores were tabulated as reflected on the attached summary worksheet. As a result of our tabulation, the firms selected in the order of their ranking are as follows:

1. **Offeror B**
2. **Offeror A**

Attached for your reference is the summary of the committee's evaluation scores based on the evaluation criteria set forth in the RFP.

Recommendation

As a result of our review of the submitted required documents, all offerors have been deemed to have met the standards of responsibility outlined in the Guam Procurement Law & Regulations.

Therefore, if the minor informality found in Offeror A's proposal is waived, it is recommended to approve the ranking results and the contract award to **Offerors A and Offeror B** for *Legal Services*, subject to negotiation of fair and reasonable fees. The term of the contract to be awarded is for a period of two (2) years with additional three (3) one (1) year option years to be exercised at the sole discretion of GIAA, not to exceed a total contract term of five (5) years and subject to the availability of funding.

Should you have any questions or would like to discuss this matter further, I am available at your request.



HENRY M. CRUZ

APPROVED:



THOMAS C. ADA
EXECUTIVE MANAGER

Attachments

cc: Evaluation Committee / Procurement File



Antonio B. Won Pat International Airport Authority, Guam

Evaluation Score Tally Sheet

RFP No. RFP-001-FY20

LEGAL SERVICES

OFFEROR DESIGNATION	Evaluator 1		Evaluator 2		Evaluator 3		Final Ranking
	Score	Rank	Score	Rank	Score	Rank	
OFFEROR A	98	1	85	2	72	2	2
OFFEROR B	95	2	94	1	90	1	1

Evaluators:
No. 1: John M. Quinata, Deputy Executive Manager
No. 2: Victor J. Cruz, Engineering Supervisor
No. 3: Ralph W. Gutierrez, II, Management Analyst IV