Kelly O. Clark
General Counsel
Guam Waterworks Authority
Gloria B. Nelson Public Service Building
688 Route 15
Mangilao, Guam 96913
Telephone No.: (671) 300-6853
Facsimile No.: (671) 648-3290

BEFORE THE GUAM PUBLIC UTILITIES COMMISSION

IN RE: REQUEST BY THE GUAM
WATERWORKS AUTHORITY
FOR APPROVAL OF GWA'S
WASTEWATER TREATMENT
CHEMICALS BID UNDER THE
CONTRACT REVIEW PROTOCOL

RESOURCES, INC. FOR THE
PURCHASE OF WASTEWATER
CHEMICALS FOR WASTEWATER
TREATMENT PLANTS

Comes now, by and through Kelly O. Clark, Attorney for Petitioner Guam Waterworks Authority ("GWA"), does hereby file this Petition for Approval of the Contracts with JMI-Edison and Total Chemical Resources, Inc. for the purchase of wastewater chemicals for the Northern District, Hagatña and Agat Santa Rita Wastewater Treatment Plants under the Guam Public Utility Commission's ("PUC") Contract Review Protocol.

I. INTRODUCTION

GWA is required to use Chemically Enhanced Primary Treatment at its Wastewater Treatment Plants ("WWTP") and must purchase the chemicals for the application of the treatment process in order to remain in compliance with the November 11, 2011 Court Order for Preliminary Relief for Guam Waterworks Authority's Outstanding Projects Under the Amended Stipulated Order ("2011 Court Order").

On April 17, 2017 GWA issued Bid Number ("IFB") 2019-17 soliciting bid proposals from experienced and responsive bidders to provide wastewater chemicals needed to continue

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day to day operations of the WWTP's in compliance with the 2011 Court Order. A total of nineteen (19) prospective bidders responded and of the nineteen (19), two (2) submitted their bid packages which were evaluated by GWA's review committee who determined that the best offer for Cationic Polymer and Anionic Polymer was made by JMI-Edison ("JMI") and the best offer for Inorganic Coagulant ("ACH") was made by Total Chemical Resources, Inc. ("Total Chemical").

GWA accepted JMI Edison's bid proposals for Cationic Polymer at \$1.63 price per pound for the option term which, at an estimated consumption of 138,061 pounds per year, comes to Two Hundred Twenty-Five Thousand Thirty-Nine Dollars and Forty-Three Cents (\$225,039.43), and for a three (3) year contract in the amount of Six Hundred Seventy-Five Thousand One Hundred Eighteen Dollars and Twenty-Nine Cents (\$675,118.29), and Anionic Polymer at \$1.16 price per pound for an estimated consumption of 125,789 pounds per year, comes to One Hundred Twenty-Nine Thousand Six Hundred Forty-Five Dollars and Eight Cents (\$129,645.08), for a three (3) year contract in the amount of Three Hundred Eighty-Eight Thousand Nine Hundred Thirty-Five Dollars and Twenty-Four Cents (\$388,935.24), bringing the total authorized funding, plus a ten percent (10%) contingency, to One Million One Hundred Seventy Thousand Four Hundred Fifty-Eight Dollars and Eighty-Eight Cents (\$1,170,458.88).

GWA also accepted Total Chemical's bid proposal of \$1.09 price per pound to supply Inorganic Coagulant for an estimated consumption of 803,528 pounds per year at an annual cost of Eight Hundred Seventy-Five Thousand Eight Hundred Forty-Five Dollars and Fifty-Two Cents (\$875,845.52), and for a three (3) year contract term plus a ten percent (10%) contingency which brings the total authorized funding to Two Million Eight Hundred Ninety Hundred Two Hundred Ninety Dollars and Twenty-Two Cents (\$2,890,290.22).

On July 23, 2019, the CCU in Resolution 39-FY2019 (Exhibit A) authorized GWA to petition the PUC for its approval of the three (3) year contracts with JMI Edison and Total Chemical Resources, Inc. for an amount not to exceed Four Million Sixty Thousand Seven Hundred Fifty Dollars (\$4,060,750.00), with the options to renew for an additional two (2) one (1) year terms.

II. JUSTIFICATION FOR GRANTING THE PETITION

GWA sought and received CCU approval of the three (3) year contract with JMI Edison for Cationic Polymer and Anionic Polymer, and Total Chemicals for Inorganic Coagulant on the grounds GWA is required to provide wastewater treatment chemicals to the Northern District and Hagåtña WWTPs for chemically enhanced primary treatment as required by USEPA and specified in § II A Paragraphs 2 and 5 of the 2011 Court Order, and to the Agat-Santa Rita Wastewater Treatment Plant for secondary treatment to ensure the reduction of solids and the discharge of effluent complying with permits for those facilities.

III. CONCLUSION

GWA has filed a detailed and appropriately supported Petition seeking the approval of the PUC to grant the three (3) year contract term with JMI Edison and Total Chemical Resource, Inc. to supply Cationic Polymer, Anionic Polymer and Inorganic Coagulant (ACH) for the total authorized funding amount not to exceed Four Million Sixty Thousand Seven Hundred Fifty Dollars (\$4,060,750.00). Based upon the foregoing, GWA respectfully requests approval from the PUC to authorize the three (3) year contracts with JMI-Edison and Total Chemicals, with the two (2) one (1) year options to renew.

Respectfully submitted this 29th day of July, 2019.

 Kelly O. Clark

GWA General Counsel

EXHIBIT A



CONSOLIDATED COMMISSION ON UTILITIES

Guam Power Authority | Guam Waterworks Authority P.O. Box 2977 Hagatna, Guam 96932 | (671)649-3002 | guamccu.org

RESOLUTION NO. 39-FY2019

RELATIVE TO APPROVAL OF THE CONTRACT WITH TOTAL CHEMICAL RESOURCES, INC. AND JMI-EDISON FOR THE PURCHASE OF WASTEWATER CHEMICALS FOR WASTEWATER TREATMENT PLANTS

WHEREAS, under 12 G.C.A. § 14105, the Consolidated Commission on Utilities ("CCU") has plenary authority over financial, contractual, and policy matters relative to the Guam Waterworks Authority ("GWA"); and

WHEREAS, the Guam Waterworks Authority ("GWA") is a Guam Public Corporation established and existing under the laws of Guam; and

WHEREAS, GWA currently has a number of critical 2011 Court Order ("CO") Projects, including system upgrades at the Northern District Wastewater Treatment Plant (NDWWTP) and the Hagåtña Wastewater Treatment Plant (HWWTP) to use Chemically Enhanced Primary Treatment as specified in § II A Paragraphs 2 and 5 of the CO; and

WHEREAS, GWA has completed the system upgrades of both WWTPs to use Chemical Enhanced Primary Treatment and is now operating the plants as specified in the CO; and

WHEREAS, the Chemically Enhanced Primary Treatment requires the purchase of chemicals for the application of the treatment process at the NDWWTP, and the HWWTP; and

WHEREAS, the secondary treatment process employed at GWA's newest treatment plant, the Agat-Santa Rita Wastewater Treatment Plant (ASRWWTP), will also require the use of these chemicals; and

 WHEREAS, GWA issued Bid Number 2019-17 to solicit bid proposals from experienced and responsive bidders to provide chemicals necessary to continue to operate the Northern District WWTP, the Hagåtña WWTP and the Agat-Santa Rita WWTP in compliance with the Court Order; and

WHEREAS, there were two responsive and responsible bidders who offered chemicals meeting the requirements in IFB 2019-17 (see Exhibit A); and

WHEREAS, the IFB 2019-17 offers were evaluated by GWA's review committee who determined that the best offer for Inorganic Coagulant ("ACH") (for sludge dewatering) was made by Total Chemical Resources, Inc. ("Total Chemicals"); and

WHEREAS, the committee also determined that the best offer for Anionic and Cationic Polymer was made by JMI-Edison ("JMI"); and

WHEREAS, GWA accepted Total Chemical's bid proposal (see Exhibit B) of \$1.09/lb. to supply Inorganic Coagulant for an estimated annual cost of Eight Hundred Seventy-Five Thousand Eight Hundred Forty-Five Dollars and Fifty-Two Cents (\$875,845.52), and for a three (3) year contract totaling Two Million Six Hundred Twenty-Seven Thousand Five Hundred Thirty-Six Dollars and Fifty-Six Cents (\$2,627,536.56);

WHEREAS, GWA also accepted JMI Edison's bid proposal (see Exhibit C) of \$1.16/lb. for Anionic Polymer at an estimated annual cost of One Hundred Twenty-Nine Thousand Six Hundred Forty-Five Dollars and Eight Cents (\$129,645.08), and for a three (3) year contract in the amount of Three Hundred Eighty-Eight Thousand Nine Hundred Thirty-Five Dollars and Twenty-Four Cents (\$388,935.24), and Cationic Polymer at 1.63/lb. for an estimated annual cost of Two Hundred Twenty-Five Thousand Thirty-Nine Dollars and Forty-Three Cents (\$225,039.43), for a three (3) year contract in the amount of Six Hundred Seventy-Five Thousand One Hundred Eighteen Dollars and Twenty-Nine Cents (\$675,118.29), which brings the grand total to One Million Sixty-Four Thousand Fifty-Three Dollars and Fifty-Three Cents (\$1,064,053.53); and

WHEREAS, GWA Management seeks CCU approval of Total Chemical's Contract in the amount of Two Million Six Hundred Twenty-Seven Thousand Five Hundred Thirty-Six Dollars and Fifty-Six Cents (\$2,627,536.56) for the purchase of Inorganic Coagulant ("ACH"), plus a ten percent (10%) contingency totaling Two Million Eight Hundred Ninety Thousand Two Hundred Ninety Dollars and Twenty-Two Cents (\$2,890,290.22) for three (3) years, with the option to renew an additional two (2) one (1) year term; and

WHEREAS, GWA Management further seeks CCU approval of JMI Edison's Contract in the amount of One Million Sixty-Four Thousand Fifty-Three Dollars and Fifty-Three Cents (\$1,064,053.53) for the purchase of Anionic Polymer and Cationic Polymer, plus a ten percent (10%) contingency with a total cost of One Million One Hundred Seventy Thousand Four Hundred Fifty-Eight Dollars and Eighty-Eight Cents (\$1,170,458.88) for a three (3) year contract, with the option to renew for an additional two (2) one (1) year term; and

WHEREAS, the source of funding for the purchase of wastewater chemicals will be from the GWA Operations and Maintenance Budget (revenue funds).

NOW BE IT THEREFORE RESOLVED, the Consolidated Commission on Utilities does hereby approve the following:

- 1. The recitals set forth above hereby constitute the findings of the CCU.
- 2. The CCU hereby finds that the terms of the bid proposals submitted by Total Chemical Resources, Inc and JMI Edison are fair and reasonable.
- 3. The CCU hereby authorizes the management of GWA to proceed based on the notice of award to Total Chemical Resources, Inc. attached hereto as Exhibit D, and the notice of award to JMI Edison attached hereto as Exhibit E both of which are incorporated into this Resolution in its entirety.
- 4. The CCU hereby further authorizes the management of GWA to enter into a contract with Total Chemical Resources, Inc. to purchase chemicals in the amount of Two Million Eight Hundred Ninety Thousand Two Hundred Ninety Dollars and Twenty-Two Cents (\$2,890,290.22) for three (3) years, with the option to renew an additional two (2) one (1) year terms.

- 5. The CCU hereby further authorizes the management of GWA to enter into a Contract with JMI Edison to purchase chemicals in the amount of One Million One Hundred Seventy Thousand Four Hundred Fifty-Eight Dollars and Eighty-Eight Cents (\$1,170,458.88) for three (3) years, with the option to renew an additional two (2) one (1) year terms.
- 6. GWA Management is hereby authorized to seek PUC approval as required by Docket No. 00-04.

RESOLVED, that the Chairman certified and the Board Secretary attests to the adoption of this Resolution.

DULY AND REGULARLY ADOPTED, this 23rd day of July, 2019.

Certified by:

JÓSÈPH T. DUENAS

Chairperson

Attested by:

MICHAEL T. LIMTIACO

Secretary

SECRETARY'S CERTIFICATE

I, Michael T. Limtiaco, Board Secretary of the Consolidated Commission on Utilities as evidenced by my signature above do hereby certify as follows:

The foregoing is a full, true and accurate copy of the resolution duly adopted at a regular meeting by the members of the Guam Consolidated Commission on Utilities, duly and legally held at a place properly noticed and advertised at which meeting a quorum was present and the members who were present voted as follows:

AYES: 5

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NAYS: ______0

ABSTENTIONS:

ABSENT:





GUAM WATERWORKS AUTHORITY

"Better Water. Better Lives." Gloria B. Nelson Public Services Building 688 Route 15, Mangilao, Guam 96913

MEMORANDUM

TO:

General Manager

VIA:

Supply Management Administrator

FROM:

Evaluation Committee Members

SUBJECT:

Invitation to Bid No. GWA 2019-17

Ref: Wastewater Treatment Chemicals (IDO)

REF:

Recommendation of Award

DATE:

July 3, 2019

Invitation for Bid No: GWA 2019-17 was officially announced and advertised in the Pacific Daily News, Guam Daily Post and Guam Waterworks Authority Website on April 17, 2019, subject bid opened as scheduled on June 11, 2019 @ 2:00 pm. Nineteen (19) prospective bidder expressed interest, namely:

Bidders Register:

- 1. Guam Pacific Enterprise
- 2. JMI Edison
- 3. Frontier Supply Company
- 4. Total Chemical Resources
- 5. Gulbrandsen Technologies India PVT LTD
- 6. Jacobs Engineering Group
- 7. Indigo Piping System
- 8. EOSI
- 9. Thatcher Company Inc
- 10. Evoqua Water Technologies
- 11. Shay Enterprises
- 12. Dubois Chemicals Inc
- 13. Deltek Inc
- 14. MD Wholesale
- 15. Megha
- 16. BIB
- 17. Pryzm Consulting
- 18. Light Source
- 19. Carbon Activated Corporation

Of the Nineteen (19) only Two (2) submitted their bid package, namely:

- JMI Edison Guam
- Total Chemical Resources

An evaluation committee convene on June 21, 2019 @ 10:00, thereby determined JMI Edison Guam and Total Chemical Resources bid proposal deemed responsive and complied with all requirements set for in the IFB cost proposals as follows:

JMI Edison, submitted the lowest cost on Line Item Nos: 2 and 3

Total Chemical Resources, submitted the lowest cost Line Item No: 1

BID FORM FOR CHEMICALS FOR GWA'S NDWWTP, HWWTP & ASRWWTP

JMI Edison cost submittal

Item No. 2: Coagulant Aid (e.g. anionic polymer)

Price per pound delivered CIF: \$1.16

Product Label Name: <u>Hydrex 6104 Anionic Emulsion Polymer</u>

\$1.16 x 125,789 lbs. = \$145,915.24 (Annual Cost) \$145,915.24 x 3 years = \$437,745.72

Item No. 3: Cationic Polymer

Price per pound delivered CIF: \$1.63

Product Label Name: <u>Hydrex 6402 Cationic Emulsion Polymers</u>

\$1.63 x 138,061 lbs. = \$225,039.43 (Annual Cost) \$225,039.43 x 3 years = \$675,118.29

Total Chemical Resources cost submittal:

Item No. 1: Inorganic Coagulant

Product <u>ACH Powder (ACHIEVE D1012)</u>
Price per pound delivered CIF: <u>\$1.09</u>

Product Label Name: ACHIEVE D1012 ACH POWDER

\$1.09 x 803,528 lbs. = <u>\$875,845.52 (Annual Cost)</u> \$875,845.52 x 3 years = \$2,627,536.56

Grand Total: \$1,246,800.19 (Annually)

Three (3) Year Contract: \$3,740,400.57

End of Evaluation:

NOTE: Subject for CCU and PUC approval.

Concurred and accepted by the committee members:
Paul Kemp, Assistant General Manager
Dave Fletcher, Wastewater Treatment Manager
Dans 18/19
Daniel Aguon, Wastewater Treatment Supervisor
Antonio C. Camacho, Buyer II
Roland F. Lumongsud, Buyer II
Your approval is greatly appreciated.

Reviewed by legal:

In consideration of the foregoing, please indicate your approval of this recommendation by your signature below.

[] CONCURRED [] UNCONCURRED

VINCENT ED. GUERRERO, SMA

[] APPROVED [] DISAPPROVED

MIGUEL C. BORDALLO, P.E. GENERAL MANAGER

EXHIBIT B

GWA IFB 2019-17

BID FORM FOR CHEMICALS FOR GWA'S NDWWTP AND HWWTP (TO BE PLACED IN A SEALED ENVELOPE AND DELIVERED WITH TECHNICAL PROPOSAL)

1. Inorganic Coagulant,			
Product ACH Powder (ACHIEVE D1012) Price per pound deliver	red CIF_ \$ 1.09 per pound		
Manufacturer: GULBRANDSEN Technologies (India) Pvt. Inc.	Estimated Annual Consumption:		
Product Label Name: ACHIEVE D1012 ACH POWDER	803,528 lbs x \$ 1.09 = \$ 875,845.52		
Place of Origin: Gujarat, India			
Time of first Delivery: 60 days After Receipt of Purchase Order (days)			
Reorder lead time: 30 days (days) Upon Receipt of Purchase Order			
2. Coagulant Aid (e. g. anionic polymer) Price per pound deliver	red CIF_ \$ 2.26 per pound		
Manufacturer: NALCO An Ecolab Company Product Label Name: NALCLEAR 7767 Anionic Flocculant	Estmated Annual Consumption: 111,763 lbs x \$ 2.26 = \$ 252,584.38		
Place of Origin: Naperville, IllinoisI U.S.A>			
Time of first Delivery: 45 days After Receipt of Purchase Order			
Reorder lead time: 30 days (days) Upon Receipt of Purchase Order			
3. Cationic Polymer Price per pound delivered CIF	\$ 3.10 per pound		
Manufacturer: NALCO An Ecolab Company	Estimated Annual Consumption: 138,061 lbs x \$ 3.10 =		
Product Label Name: OPTIMER 7194 Cationic Flocculant	\$ 427,989.10		
Place of Origin: Naperville, Illinois U.S.A. Time of first Delivery: 45 days (days) After Receipt of Purchase Order			
Reorder lead time: 30 days (days) Upon Receipt of Purchase Order			

derry A. Flores Chief Financial Officer

Total Chemical Resources, Inc.

assay.

Place of Origin: Korea

Time of first Delivery: As per GWA requirements (days)

After Receipt of Purchase Order

- 6. Products must be compatible with GWA's installed chemical handling equipment.
- 7. Award may be made on a line by line basis. Each item in this bid will be evaluated individually and may be awarded accordingly.
- 8. Bidder shall provide documentation verifying compliance with the above specifications for each chemical.
- 9. Purchase Orders under this Procurement will not be issued for delivery of chemical prior to January 1, 2020.

BID FORM FOR CHEMICALS FOR GWA'S NDWWTP, HWWTP & ASRWWTP (TO BE PLACED IN A SEALED ENVELOPE AND DELIVERED WITH TECHNICAL PROPOSAL)

Reorder lead time: As per GWA requirements (days) Upon Receipt of Purchase Order 3. Cationic Polymer Price per pound delivered CIF_\$1.63 per lb. Manufacturer: Veolia Water Solutions & Technologies Product Label Name: Hydrex 6402 Cationic Emulsion Polymer Place of Origin: Korea Time of first Delivery: As per GWA requirements (days) After Receipt of Purchase Order Reorder lead time: As per GWA requirements (days) Upon Receipt of Purchase Order

II. GENERAL SPECIFICATIONS:

This is an "Indefinite Quantity Bid" created pursuant to the Guam Procurement Regulations. The quantities computed in the bid are estimated requirements only and not guaranteed minimums. The amounts computed in this bid are GWA's best estimate of its annual needs and such estimates do not relate to chemicals not yet tested or used by GWA. Quantities may increase or decrease thru the duration of the contract because of variable flow rates through the NDWWTP, HWWTP & ASRWWTP and continued purchase is subject to the availability of funds. No commitment is made to vendors in terms of purchasing quantity.

A. AUTHORITY.

This Invitation for Bids is issued subject to all of the provisions of the Guam Procurement Act and the Guam Procurement Regulations. The bid requires all parties involved in the preparation, negotiation, performance, or administration of contracts to act in good faith. Failure on the part of any bidder to act in good faith shall serve as a basis for voiding a bid or shall constitute a material breach of any contract entered into between GWA and any bidder which shall allow GWA to immediately terminate the contract.

B. EXPLANATION TO BIDDERS.

Except as otherwise provided herein, no oral explanation in regard to the meaning of any provision of this Bid will be made and no oral instructions will be given before the award of



Gloria B. Nelson Public Service Building 688 Route 15, Mangilao GU, 96913

NOTICE OF CONDITIONAL AWARD

Date:

JUL 1 2 2019

Total Chemical Resources
P.O. Box 20730
GMF, Barrigada, Guam 96921-0730
Phone-#671-646.4742
Fax-#671-649.0447

Re: Invitation for Bid Number: GWA IFB-2019-17

For: Wastewater Treatment Chemicals

Hafa Adai Mr. Glenn Canovas,

The Guam Waterworks Authority ("GWA") has considered the bid submitted by Total Chemical Resources, for the above described reference in response to its Advertisement for Bids dated April 17, 2019 you are hereby notified of your bid offer on Item Number 1 been accepted by GWA. Please be advised that you must now deliver all other documents required by the bid, including, but not limited to:

- Proof of Insurance: (if applicable/required part of the bid requirements.)
- Performance and Payment Bond: (if applicable/required part of the bid requirements.)

(Which must remain in full force and effect until all performance has ended, which includes all warranty periods).

You are also advised that any obligation incurred by your firm prior to execution of the contract is entirely at your own risk and GWA shall have no obligation to reimburse costs incurred prior to execution of the contract.

Please note this Notice of Award is conditional on obtaining the approval of the Guam Consolidated Commission on Utilities for any award over \$750,000 and the approval of the Guam Public Utilities Commission where the total value over the life of the contract could exceed \$1M. Also, award is conditional upon providing any documents such as proof of licensure, proof of insurance or other documents required to be submitted to GWA under the Bid or Guam law.

You are required to return an acknowledged copy of this Conditional Notice of Award to GWA Procurement Office.

Miguel C. Bordaño. P.E. General Manager

ACCEPTANCE OF CONDITIONAL NOTICE OF AWARD

Receipt of the al	bove Notice of	Conditional .	Award for (GWA IFB N	o. GWA 2	2019-17 is he	ereby
acknowledged	A 4						

Dated this 15 day of 111, 2019.

***** END OF CONDITIONAL NOTICE OF AWARD ******



GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building 688 Route 15, Mangilao GU 96913 "Better Water. Better Lives." Gloria B. Nelson Public Services Building 688 Route 15, Mangilao, Guam 96913

BID STATUS

Date: JUL 1 2 2019

RECEIVED 7-15-19

Total Chemical Resources P.O. Box 20730 GMF, Barrigada, Guam 96921-0730

Tel: 671-646-4742 Fax: 671-649-0447

Bid Invitation No. GWA IFB 2019-17
Description: Wastewater Treatment Chemicals
The following is the result of the above-mentioned bid. Refer to the items checked below. Cancelled (in its entirety), or partially cancelled due to:
Insufficient funds Change of specifications Insufficient number of bidders Not Awarded base on the following:
 Late submission of bid No bid security or insufficient bid security amount submitted as required by Section 11 of the General Terms and Conditions Not meeting the delivery requirement as stated in the IFB Non-conformance with the specifications Inability to provide future maintenance and services to the equipment High price
X Bid is recommended for award to:
JMI Edison: for Line Items 2.0, 3.0
Remarks: Thank you for your participation.
E-G/ENN (MNOVINS General Maliager





GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building 688 Route 15, Mangilao GU, 96913

NOTICE OF CONDITIONAL AWARD

Date: JUL 1 2 2019

JMI Edison 125 North Marine Drive P.O. Box 6577 Tamuning, Guam 96931 Phone- #671-646.6400 Fax- #671-649.4835

Re: Invitation for Bid Number: GWA IFB-2019-17

For: Wastewater Treatment Chemicals

Hafa Adai Mr. Romeo Oriondo,

The Guam Waterworks Authority ("GWA") has considered the bid submitted by JMI Edison, for the above described reference in response to its Advertisement for Bids dated April 17, 2019 you are hereby notified of your bid offer on Item Number (s) 2 and 3 been accepted by GWA. Please be advised that you must now deliver all other documents required by the bid, including, but not limited to:

- Proof of Insurance: (if applicable/required part of the bid requirements.)
- Performance and Payment Bond: (if applicable/required part of the bid requirements.)

(Which must remain in full force and effect until all performance has ended, which includes all warranty periods).

You are also advised that any obligation incurred by your firm prior to execution of the contract is entirely at your own risk and GWA shall have no obligation to reimburse costs incurred prior to execution of the contract.

Please note this Notice of Award is conditional on obtaining the approval of the Guam Consolidated Commission on Utilities for any award over \$750,000 and the approval of the Guam Public Utilities Commission where the total value over the life of the contract could exceed \$1M. Also, award is conditional upon providing any documents such as proof of licensure, proof of insurance or other documents required to be submitted to GWA under the Bid or Guam law.

You are required to return an acknowledged copy of this Conditional Notice of Award to GWA Procurement Office.

Sincerely,

Miguel C. Bordallo. P.E.

General Manager

ACCEPTANCE OF CONDITIONAL NOTICE OF AWARD

Receipt of the above Notice of Conditional Award for GWA IFB No. GWA 2019-17 is hereby acknowledged

By: Title: Operations Mag. (Please Print)

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