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DEPARTMENT OF ADMINISTRATION
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Edward M. Birn
Director
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May 13, 2019

JMI-Edison
Attn: Romeo Oriondo
130 Siket Street
Harmon Industrial Park
Tamuning Gu 96913
Tel: 646-6400/ Fax 649-5685
Email: romeooriondo@jmiguam.com

Dear Mr. Oriondo:

We are in receipt of your "Procurement Protest for IFB No. GSA/PAG-002-19: Split Air Conditioners and Installation" dated May 2nd, in which was delivered to GSA and acknowledge receipt on May 2, 2019 at 3:01 pm.

Concern raised:

- 1.) Type of Business License "Sale of Industrial Medical Hemodialysis Hotel/Rest Equip Materials & Supplies" – Non-Compliant

You indicated the business license submitted satisfies the requirement in order to sell HVAC equipment, since it is considered a type of Industrial Equipment. You also stated it is not normal practice to list all types of products and services in the business license due to space limitations.

Response:

In discussion with Revenue and Taxation the type of license submitted #30-000861643-011 is a retail license for "Sale of Industrial Medical Hemodialysis, Air Conditioning, Hotel and Restaurant Equipment Materials & Supplies." And that retailers cannot sale to Government /Federal Agencies or any Entity in bulk. A Wholesale License is required.

Therefore, the type of business license submitted GSA/PAG-002-19 is Non-Compliant.

Concern raised:

- 2.) Non-compliant of Contractor's License as required on page 1 of 38 on the Special Reminder.

You mentioned JMI Edison has a specialty classification C-51 license under the Guam Contractors Licensing Board.

Response:

On page 1 of 38 in the bid packet states the "requirements" that must be submitted at the date and time of the bid opening. A current business license/contractor's license/specialty license in reference to supplies or services for this bid must be submitted on February 15, 2019.

A Contractor's License in references to service of this bid was not submitted at the time of bid opening on February 15, 2019. The bid submission was Non-Compliant.

Therefore, your protest has been deemed without merit. Upon receipt of this letter, you are, therefore notified of our determination and that you have a right to seek administrative or judicial review as authorized by law.

 5/13/19

CLAUDIA S. ACFALLE
Chief Procurement Officer

COMMITTED TO EXCELLENCE