MATERIALS MANAGEMENT OFFICE

REQUEST FOR PROPOSAL (RFP)

SERVICE AND MAINTENANCE OF AIR CONDITIONING UNITS
FOR ASPA OFFICES

AUGUST 5, 2013

RFP NO. FY13.1142.FSM

UTU ABE MALAE
Executive Officer
NOTICE TO OFFERORS

REQUEST FOR PROPOSAL (“RFP”)

ISSUANCE DATE: August 5, 2013

RFP #: FY13.1142.FSM

PROJECT: Service and Maintenance of Air Conditioning Units for ASPA Offices

CLOSING DATE/TIME: September 5, 2013 at 11:00 a.m. local time

The American Samoa Power Authority (ASPA) requests proposals to Service and Maintain Air Conditioning Units for specified ASPA Facilities. The selected Offeror must provide a proposal that specifically and completely addresses a plan for completion of the tasks which are specified in RFP packet - The Scope of Work.

A complete RFP package may be picked up from the ASPA Materials Management Office (Procurement) located in the ASPA Tafuna Compound. You may also view this online on the ASPA website: www.aspower.com. For more information about this RFP, please contact the following person(s):

Ms Jeanette Poasa
Procurement Specialist
Materials Management
tel. 684.699.3057
jeanette@aspower.com

The American Samoa Power Authority reserves the right to:

1. Reject all proposals and reissue a new or amended RFP;
2. Request additional information from any Offeror;
3. Select an Offeror for award based reasons on other than “least cost”;
4. Negotiate a contract with the Offeror that is selected for award; and/or
5. Waive any non-material violations of rules set up in this RFP at its sole discretion.

UTU ABE MALAE, Executive Director

Date
**PROPOSAL INVITATION**

AMERICAN SAMOA POWER AUTHORITY  
OFFICE OF PROCUREMENT  
P.O. BOX PPB  
PAGO PAGO, AS 96799  
(684) 699-3057

Jeanette Poasa  
Procurement Specialist  
jeanette@aspower.com

| DATED ISSUED: | August 5, 2013 |
| PROPOSAL INVITATION NO: | RFP No. FY13.1142.FSM – Service and Maintenance of Air Conditioning Units for ASPA Offices |

**INSTRUCTIONS:**

1) This REQUEST FOR PROPOSALS (RFP) shall require an original hard copy, one PDF electronic copy, and three (3) copies that must be received at the ASPA Materials Management Office no later than **11:00am on September 5, 2013**. The complete proposal to be submitted must be in a separate sealed envelope, box, or other enclosure and labeled **“RFP No. FY13.1142.FSM – Service and Maintenance of Air Conditioning Units for ASPA Offices”**. Late submittals will not be opened or considered and will be determined as non-responsive. All Offerors shall provide sufficient written and verifiable information that respond to the requirements set for herein, the contract documents, and in the Scope of Work (SOW).

2) Any and all pre-proposal questions and/or clarifications shall be submitted to jeanette@aspower.com or the Materials Management Manager in writing (through electronic mail or hard copy) no later than **August 16, 2013 by 2:00 p.m.** ASPA shall issue addenda to address questions and/or clarifications as necessary.

**NOTE TO OFFERORS:**

This proposal is subject to the attached General Terms and Conditionings of the RFP No. FY13.1142.FSM “Service and Maintenance of Air Conditioning Units for ASPA Offices”.

The undersigned Offeror agrees to furnish within the time specified, the articles and services at the price stated opposite the respective terms listed on the schedule provided, unless otherwise specified by Offeror. In consideration to the expense to the American Samoa Power Authority in opening, tabulating, and evaluating this and other proposals, and other considerations such as the schedule, the undersigned agrees that this proposal shall remain firm and irrevocable within **Sixty (60) calendar days** from the date opening to supply any or all of the items for which prices are proposed.

Signed:_______________________  
Date:______________________

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RFP No. FY13.1142.FSM  
Service and Maintenance of Air Conditioning Units for ASPA Offices  
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SPECIAL REMINDERS TO PROSPECTIVE OFFERORS

Offerors are reminded to read the Request for Proposal attached to the Proposal Invitation to ascertain that all of the following (see boxes checked) requirements of the proposal are submitted in the proposal envelope at the date and time for opening.

[x] 1. PROPOSAL FORMS
   a. Proposal Invitation Form (Page 3)
   b. Proposal Transmittal Form (Attachment A)

[x] 2. TECHNICAL PROPOSAL
   The Technical Proposal shall follow the Scope of Work – refer to Section 2. In addition, Offeror shall complete and submit the Offeror Qualification Sheet (Attachment D)

[x] 3. CONTRACT COST PROPOSAL
   The Offeror shall submit a contract price as stated in Section 6. The cost proposal shall be submitted on Attachment C.

This reminder must be signed and returned in the Technical proposal envelope. Failure to comply with requirements will mean disqualification and rejection of the proposal.

I, ________________________________________________________________ authorized representative of ___________________________________________________________; acknowledge receipt of this special reminder to prospective Offerors together with Proposal Invitation – RFP No. FY13.1142.FSM “Service and Maintenance of Air Conditioning Units for ASPA Offices” as of this date ________________, 2013.

________________________
Offeror’s Representative Signature
GENERAL TERMS AND CONDITIONS

RFP No.FY13.1142.FSM – Service and Maintenance of Air Conditioning Units for ASPA Offices

In accordance with the authority granted in the American Samoa Power Authority’s (ASPA) Procurement Code (Code), ASPA hereby issues a Request for Proposal (RFP) to evaluate, negotiate, and to contract Services and Maintenance of Air Conditioning (AC) Units for specified ASPA Facilities.

PROCUREMENT MANAGER & MATERIALS MANAGER

All references to the “Materials Manager” as stated in this document shall reflect and include the duties and responsibilities enumerated in the ASPA Procurement Code for the “Procurement Manager”.

EXPLANATION OF PROPOSAL

1. SCOPE OF WORK:
   a. General Information:
      The Scope of Work shall include, but is not limited to the following:
      Preventive maintenance of all ASPA AC Units as shown in Exhibit A. Contractor shall be responsible for preventive maintenance services for all ASPA AC Units except those AC Units under warranty by another company. Complete description of work is listed in Scope of Work, General Offeror Responsibilities. Contractor shall promptly inform the ASPA Facility Manager of any major repairs required to any AC Unit. Contractor shall repair any defect or malfunction on any AC units. If major repair exceeds total replacement, then ASPA reserves the right to find a suitable replacement that meets ASPA’s environmental objectives. Contractor shall then provide ASPA details of work to be done and estimated cost. Major repair may not begin unless authorization is provided by ASPA Facility Manager. After work is done, ASPA Facility Manager will inspect the air conditioners to ensure performance is satisfactory before certification of invoices for payment each month.

   b. General Offeror Responsibilities:
      Duties shall include, but is not limited to:
      A monthly report showing complete service record and a record of all temperatures, and electrical and pressure measurements as indicated below:

      INDOOR Air Handlers and Window AC UNITS (monthly unless otherwise indicated)
      - Check thermostat settings – if lower than 22 °C, re-set to 22 °C.
      - Record by measurement, room temperature and supply air temperature
      - Clean all air filters
      - Service grilles and cases
      - Clean drain and flush condensate
Check for correct operation of remote control and replace batteries if necessary
Clean work areas after completion of PM
Clean condenser coils with appropriate chemical and straighten fins (every 3 months)
Service and clean fan motors (every 3 months)
Check duct work for leaks and proper insulation. Repair as necessary (every 3 months)
Clean evaporator coils with appropriate chemical and straighten fins (every 3 months)

OUTDOOR AC UNITS

Check and service all insulation
Clean and tighten all electrical contacts and connections
Check and record gas pressures and temperatures
Check and record ambient temperature.
Record compressor amperage and voltage
Check all controls

c. **Service and Frequency.**
   Services and maintenance of the AC Units shall be carried out once a month unless otherwise specified.

d. **Safety and Health.**
   Contractor shall observe all applicable OSHA safety precautions and use the accepted trade practices throughout the performance of this contract.

e. **Indemnification and Liability**
   Contractor shall assume full responsibility and liability for compliance with all applicable regulations pertaining to the health and safety of personnel during the execution of work, and shall hold harmless ASPA for any action on its part or that of its employees that result in illness, injury, or death.

f. **Uniforms and Protective Clothing.**
   Contractor personnel working in or around buildings designated under this contract shall wear distinctive uniform clothing. Contractor shall determine and provide additional personal protective equipment required for the safe performance of work. Protective clothing, equipment, and devices shall conform to Occupational Safety and Health Administration (OSHA) standards for the products used.

2. **DATE/TIME/PLACE OF PROPOSAL SUBMISSION AND PROPOSAL OPENING**
   Each Offeror must submit their proposal in a sealed envelope addressed to the ASPA Materials Management. An original, one PDF electronic copy, and three (3) hard copies of the proposal must be received at the ASPA Materials
Management Office located in the ASPA Tafuna Compound, no later than 11:00 a.m. local time on September 5, 2013. Late submittals will not be opened or considered and will be determined as non-responsive. All Offerors shall provide sufficient written and verifiable information that respond to the specifications of the RFP, and in accordance with the Scope of Work (SOW).

3. PRE-PROPOSAL QUESTIONS
Any pre-proposal questions and/or clarifications shall be submitted to Jeanette Poasa in writing or emailed to jeanette@aspower.com no later than 2:00pm, on August 16, 2013.

4. ADDENDA
Pursuant to Procurement Rule §3-106, ASPA reserves the right to issue addenda for any changes to this RFP. Offerors shall send ASPA a signed form confirming receipt of each addendum.

5. PROPOSAL PREPARATION INSTRUCTIONS
The proposal must contain three (3) parts. Offerors shall prepare their proposals in detail accordingly.
   a. **Technical** Offeror must describe its approach in addressing duties outlined in the SOW. This includes delineation of specific actions the Offeror will undertake to achieve the goals and objectives outlined in the SOW.
   b. **Prior Related Experience/Past Performance** Pursuant to the objectives of Procurement Rule §3-111(1)(B) the proposal must contain a description of the firm’s related experience, background, past performance and credentials as stated on the attached Offeror Qualification Sheet, which is incorporated herein as part of this document. This part includes a dossier of personnel qualifications and notes those directly responsible for the maintenance. Offeror should provide references (2 or more) and a project history that verifies a minimum of three (3) years of specific or related experience. Offeror must hold appropriate and current business license for these services.
   c. **Contract Price** Offeror shall include a sum of certain price(s) for services and materials, including a breakdown of project costs (e.g. estimated cost of materials; cost of labor; etc.).

6. ATTACHMENTS
The following attachments are required to be submitted with the offer or proposal. Failure to submit these documents or attachments may result in the disqualification of your proposal or offer.
   Attachment A: Proposal Transmittal Form
   Attachment B: Locations for services
   Attachment C: Offer Price Proposal
   Attachment D: Offeror’s Qualification Sheet

7. CONTRACT TERM
The term for this contract is for one (1) year with the exclusive option to ASPA to renew for an additional year.

8. INDEPENDANT CONTRACTOR/NON-AGENT STATUS
The Accepted Offer shall operate as an independent contractor and not as an agent or employee of ASPA. Such Offeror shall furnish the necessary personnel, materials, insurances, licenses, equipment, grounds transportation to and from work areas, required materials or services, and otherwise do all things necessary to perform the work and services specified in the SOW. Such Offeror shall have full control over all their employees and equipment during performance of this Contract. Such Offeror shall maintain and pay all appropriate taxes, payroll and any other debts that they incur during performance of this contract.

9. MONTHLY REPORTS
Together with bi-weekly invoice, Offeror shall also provide a monthly report of services completed. ASPA will assist with providing a standard form for the submittal of the report. Report and invoices shall be submitted to the Facilities Services Management (FSM) Division for verification prior to routing to the Accounting Division.

10. BASIS OF SELECTION
In order to enforce the mandate of Procurement Rule §3-111, the Materials Manager requires that all proposal will be initially evaluated by a Source Evaluation Board (SEB). SEB members shall be chosen by Materials Management. The award will be made by ASPA in accordance with the evaluation criteria set forth herein and with ASPA's Procurement Rules.

A determination shall be made by the SEB of those responsible Offerors whose proposals have the potential of being selected for award. The determination shall be included in the contract file. Discussions may be conducted by SEB with those responsible Offerors whose proposals are determined to have a reasonable chance of being selected for award. These discussions shall only be conducted for obtaining clarification from the Offeror on its proposal to ensure full understanding of and responsiveness to the RFP requirements. Discussions shall be conducted individually with each Offeror. Integrity and Discretion shall be exercised to ensure that all information derived from competing Offeror’s proposals remain confidential. All Offerors with whom discussions are conducted shall be accorded an opportunity to revise their proposals in response to specific clarifications based on the discussions. Pursuant to Procurement Rule §3-114, unless the Materials Management Manager determines that satisfactory evidence exists that a “mistake” has been made., Offerors will not be permitted to revise their proposals after proposal opening.

The results of the evaluation will be documented, and a written recommendation by the SEB will be sent to the Materials Manager. The Materials Manager, upon receiving the SEB’s written recommendation, shall forward the recommendation to the ASPA Facilities Manager for routing to the Executive Director, or Chairman of the Board (if necessary), or Board of Directors (if necessary) for final approval.

ASPA reserves the right to make the award to the Offeror that submits the proposal, which meets the requirements set forth herein and is in the best interest of ASPA after taking into consideration the aforementioned factors.
ASPA also reserves the right to select portions of a proposal, or to reject any and all proposals.

11. EVALUATION CRITERIA
Offeror’s proposal will be evaluated and ranked by the Source Evaluation Board utilizing the following point system:

- Technical: 0-25 points
- Experience: 0-25 points
- Contract Price: 0-50 points
- Total: 100 points (best possible score)

12. QUALIFICATION OF OFFEROR
ASPA may make such investigations and research as it deems necessary to determine the Offerors’ legal ability to enter into the agreement, and the Offeror shall furnish to ASPA such information and data for this purpose as ASPA may request, or the Offeror may be deemed non-responsive.

13. MULTIPLE PROPOSALS – COLLUSION
If more than one proposal is offered by any one party or in the name of its clerk, partner or other person; all proposals submitted by said party may be rejected by ASPA. This shall not prevent an Offeror from submitting alternate proposals when called for. A party who has proposed prices on materials is not thereby disqualified from quoting prices to other Offerors or from submitting a proposal directly to ASPA. If ASPA believes that collusion exists among any Offerors, none of the participants in such collusion shall be considered. Proposals in which the contract prices are unbalanced or unrealistic may be rejected at ASPA’s sole discretion.

14. OFFEROR’S UNDERSTANDING
Each Offeror must understand and acknowledge the conditions relating to the execution of the work and it is assumed that it will make itself thoroughly familiar with all of the Contract Documents prior to execution of the written contract.

Each Offeror shall inform itself of, and shall comply with, federal and territorial statutes and ordinances relative to the executing of the work. This requirement includes, but is not limited to, applicable regulations concerning protection of public and employee safety and health, environmental protection, historic preservation, the protection of natural resources, fire protection, burning and non-burning requirements, permits, fees, and similar subjects.

15. WITHDRAWAL OF PROPOSAL
Any proposal may be withdrawn prior to the scheduled time for the opening of proposals by notifying ASPA in a written request. No proposal may be withdrawn after ASPA has made a good faith reliance upon said proposal.

16. OPENING AND EVALUATION OF PROPOSALS
In accordance with ASPA Procurement Rule §3-10, proposals will be opened and recorded as part of the record for the Source Evaluation Board on the assigned
date and at the time indicated above at the Materials Management Office in Tafuna or in another place designated by the ASPA Materials Management Manager in writing.

17. **RFP CONDITIONS**

This RFP does not commit ASPA to award a contract or to pay any cost incurred in the preparation of a proposal. ASPA reserves the right to:

a. Reject any Offeror for being non-responsive to proposal requirements contained in this RFP;

b. Reject all proposals and reissue an amended RFP;

c. Request additional information from any Offeror submitting a proposal;

d. Select an Offeror for award-based criteria other than "least cost" (e.g. capability to complete work in a timely fashion or evidence of good work experience);

e. Negotiate a contract with the Offeror selected for award, and/or

f. Waive any non-material violations of rules contained in this RFP.

ASPA reserves the right to issue any addenda to this RFP. Offerors shall send ASPA a signed form confirming receipt of any addenda, and shall submit supporting or additional information as required by any addenda. In the event that an Offeror fails to acknowledge receipt of any such Addendum in the space provided, his proposal shall be considered irregular and will be accepted by ASPA only if it is in ASPA's best interest. In the event that Addenda are not received until after the Offeror has submitted its proposal, a supplementary proposal may be submitted revising the original proposal. Such supplementary proposals must be received by ASPA prior to the scheduled time for opening of proposals.

18. **REPRESENTATION REGARDING ETHICS IN PUBLIC PROCUREMENTS**

The Offeror or Contractor represents that it has not knowingly influenced and promises that it will not knowingly influence an ASPA employee to breach any of the ethical standards and represents that it has not violated, it is not violating and promises that it will not violate the prohibition against gratuities and kickbacks set forth in §9-103 of the ASPA Procurement Rules.

19. **REPRESENTATION REGARDING CONTINGENT FEES**

The Offeror represents that it has not retained a person to solicit or secure an ASPA contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee; except for retention of bona fide employees or bona fide established commercial selling agencies for securing business.

20. **COMPLIANCE WITH LAWS**

Offerors awarded a contract under this solicitation shall comply with the applicable standards, provisions and stipulations of all pertinent Federal and/or local laws, rules and regulations relative to the performance of this contract and the furnishing of goods.

21. **AWARD, CANCELLATION, AND REJECTION**
AMERICAN SAMOA POWER AUTHORITY

Award shall be made to the lowest responsible Offeror and responsive Offer, whose proposal is determined to be the most advantageous to the American Samoa Power Authority, taking into consideration the evaluation factors set forth in this solicitation. No other factors or criteria shall be used in the evaluation. The right is reserved as the interest of ASPA may require waiving any minor irregularity in proposals, in whole or in part for any one or more items if she determines it is in the best public interest. The award issued to the lowest responsible and responsive Offeror/Offer results in a binding Contract without further action by either party. In case of an error in the extension of prices, unit price will govern. It is the policy of ASPA to award contracts to qualified Offerors. ASPA reserves the right to increase or decrease the quantity of the items for award and make additional awards for the same type items, the vendor agrees to such modifications; and additional awards based on the quotation prices for a period of thirty (30) days after the original award. No award shall be made under this solicitation that shall require advances payment. ASPA reserves the right to make the award to the Offeror that submits the proposal, which meets the requirements set forth herein and is in the best interest of ASPA after taking into consideration the aforementioned factors. ASPA also reserves the right to select portions of a proposal, or to reject any and all proposals.
ATTACHMENT A

PROPOSAL TRANSMITTAL FORM

Date: _________________

AMERICAN SAMOA POWER AUTHORITY

American Samoa Government

The undersigned (hereinafter called an Offeror), proposes and agrees to furnish all the necessary information to

RFP NO. FY13.1142.FSM

in accordance with the Scope of Work, General Terms and Conditions, and other procurement requirements specified in this document for the prices stated in the itemized proposal form(s) attached hereto, plus any and all sums to be added and/or deducted resulting from all extra and/or omitted work in accordance with the unit and/or lump sum prices stated in the itemized proposal form attached hereto.

The undersigned has read and understands the proposal requirements, and is familiar with and knowledgeable of the local conditions at the place where the work is to be performed. We have read the RFP Instructions and General Terms and Conditions attached to ascertain that all of the requirements of the proposal are submitted in the proposal envelope at the date and time for proposal opening.

______________________________    Seal

Signed

Date: __________________________
## ATTACHMENT B

LIST OF ASPA SITES/FACILITIES TO BE SERVICED AND MAINTAINED

<table>
<thead>
<tr>
<th>QTY</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td>9,000 BTU Air Conditioning Units</td>
</tr>
<tr>
<td>41</td>
<td>12,000 BTU Air Conditioning Units</td>
</tr>
<tr>
<td>7</td>
<td>18,000 BTU Air Conditioning Units</td>
</tr>
<tr>
<td>34</td>
<td>24,000 BTU Air Conditioning Units</td>
</tr>
<tr>
<td>2</td>
<td>26,000 BTU Air Conditioning Units</td>
</tr>
<tr>
<td>1</td>
<td>30,000 BTU Air Conditioning Units</td>
</tr>
</tbody>
</table>
ATTACHMENT C

PROPOSAL PRICE FORM

<table>
<thead>
<tr>
<th>Description</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Price shall include labor, transportation, chemicals, Supplies/materials, protective gear, and apparatus</td>
<td></td>
</tr>
</tbody>
</table>

Offeror shall propose a total cost as mentioned above.

Offeror Name: __________________________________________________________

Phone Number: _________________________________________________________

Fax Number: ___________________________________________________________

Email Address: _________________________________________________________

Business License Number: _____________________________________________
ATTACHMENT D
OFFEROR’S QUALIFICATION SHEET

1. NAME OF ORGANIZATION:

____________________________________________________________________________

2. ADDRESS:

____________________________________________________________________________

3. TELEPHONE:
   Home Office ___________________________________________________________________
   Business Telephone ___________________________________________________________________
   Email Address ___________________________________________________________________
   Fax Number ___________________________________________________________________
   Taxpayer ID Number ___________________________________________________________________

4. CONTACT PERSON:

____________________________________________________________________________

5. TYPE OF BUSINESS:
   _____ Corporation  _____ Partnership  _____ Proprietorship  _____ Joint Venture

Note: For Corporations – Articles of Incorporation Certification must be on record with the Treasurer of American Samoa. Copies of partnership agreements and articles of incorporation must be submitted to the revenue branch with application form and relevant documents. Aliens cannot operate sole ownership enterprises and partnerships with aliens are subject to immigration board review.

Place of Organization or State of Incorporation:

____________________________________________________________________________

Owner’s Names and Addresses (if not a Corporation):

____________________________________________________________________________

____________________________________________________________________________

____________________________________________________________________________

____________________________________________________________________________
For Corporations: Names and Addresses of Directors, Officers, and Stockholders with 20% or greater interest in the company

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Individual States and Territories of the United States where company is registered as a foreign corporation

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

6. List four major projects of a similar nature, which have been completed by the Offeror within the last three (3) years, the total dollar amount of each project and the owner/contract person as a reference.
   a. Name of Awarding Agency or Owner for which work was performed:

   Nature and Scope of Contract:
________________________________________________________________________

   Name, Address, and Phone Number of Agency Contact Person:
________________________________________________________________________

   Total Dollar Value:
________________________________________________________________________

   Date Completed _________________

   If not completed, why?
________________________________________________________________________

   Was the contract performed under joint venture, if so with whom and under what arrangement?
________________________________________________________________________

   b. Name of Awarding Agency or Owner for which work was performed:
Nature and Scope of Contract:

Name, Address, and Phone Number of Agency Contact Person:

Total Dollar Value:

Date Completed ______________
If not completed, why?

Was the contract performed under joint venture, if so with whom and under what arrangement?

c. Name of Awarding Agency or Owner for which work was performed:

Nature and Scope of Contract:

Name, Address, and Phone Number of Agency Contact Person:

Total Dollar Value:

Date Completed ______________
If not completed, why?

Was the contract performed under joint venture, if so with whom and under what arrangement?

d. Name of Awarding Agency or Owner for which work was performed:

Nature and Scope of Contract:
Name, Address, and Phone Number of Agency Contact Person:

________________________________________________________________________

Total Dollar Value:

________________________________________________________________________

Date Completed ______________
If not completed, why?

________________________________________________________________________

Was the contract performed under joint venture, if so with whom and under what arrangement?

________________________________________________________________________

7. List the name or names of supervisory personnel proposed to be employed on the work under this Contract, including the experience record for each that indicates the degree of responsibility and type of work supervised.

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

8. List the names and addresses of three (3) references, at least one of which should be a bank or other lending institution, governmental agency, or bonding company.

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________