



RESOLUTION NO. 02-FY2019

**RELATIVE TO APPROVING THE PROPOSED CONTRACT WITH EUROFINS
EATON ANALYTICAL INC. FOR LABORATORY TESTING SERVICES**

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, the Laboratory Services Contract GWA was looking to replace was competitively procured in 2013 with the contract going into effect on August 2, 2013 and after completing two extensions was set to expire on August 2, 2018; and

WHEREAS, on May 7, 2018, GWA put out an Invitation for Bid (IFB) for an Indefinite Quantity / Indefinite Delivery (ID/IQ) contract that was opened on May 23, 2018, soliciting bid proposals from experienced and responsive bidders for a US Environmental Protection Agency certified lab to analyze water and wastewater sample provided by the Guam Waterworks Authority (“GWA”) in a manner that meets the “Standardized Monitoring Requirements” established by the Guam Environmental Protection Agency as provided under the Safe Drinking Water Act and the Guam Primary and Secondary Safe Drinking Water Regulations; and

WHEREAS, after a thorough analysis of the two bids offered at that time, GWA determined that neither bidder was entirely responsive to the technical requirements set forth in the procurement and all bids were rejected; and

1 **WHEREAS**, the procurement documents were revised by GWA regulatory and
2 compliance personnel in preparation to re-bid the solicitation; and

3
4 **WHEREAS**, on September 10, 2018, GWA advertised by Invitation for Bid (IFB)
5 2018-33 soliciting ID/IQ bid proposals from experienced and responsive bidders for a US
6 Environmental Protection Agency certified lab to analyze water and wastewater sample
7 provided by the Guam Waterworks Authority (“GWA”) in a manner that meets the
8 “Standardized Monitoring Requirements” established by the Guam Environmental Protection
9 Agency as provided under the Safe Drinking Water Act and the Guam Primary and Secondary
10 Safe Drinking Water Regulations; and

11
12 **WHEREAS**, nine (9) firms pick up a bid package, and on October 9, 2018, GWA
13 received only one bid from Eurofins Eaton Analytical Inc. (“Eurofins”) meeting the
14 requirements of IFB 2018-33 (see Exhibit A); and

15
16 **WHEREAS**, on October 12, 2018, the IFB 2018-33 offers were evaluated by GWA’s
17 review committee and determined that the best offer was made by Eurofins (see Exhibit B);
18 and

19
20 **WHEREAS**, On October 19, 2018, GWA issued a Notice of Conditional Award to
21 Eurofins and received an acknowledgement of such from Eurofins on October 26, 2018 (see
22 Exhibit C); and

23
24 **WHEREAS**, GWA Management seeks CCU approval of the ID/IQ contract, with an
25 estimated total contract amount of One Million Two Hundred Sixteen Thousand Nine Hundred
26 Fourteen Dollars (\$1,216,914.00) for three (3) years, with the option to renew for an additional
27 two (2) one (1) year terms which, if there is no escalation in price, would be Four Hundred
28 Five Thousand Six Hundred Thirty-Eight Dollars (\$405,638.00) for each additional option
29 year; and

30
31 **WHEREAS**, the PUC review threshold is 120% of the total aggregate cost of the entire
32 5-year estimated contract term of Two Million Twenty-Eight Thousand One Hundred Ninety

1 Dollars (\$2,028,190.00) for a total amount including the contingency of Two Million Four
2 Hundred Thirty-Three Thousand Eight Hundred Twenty-Eight Dollars (\$2,433,828.00); and
3

4 **WHEREAS**, GWA further seeks CCU approval to petition the PUC for its approval
5 under the Contract Review Protocol to award the contract to Eurofins for three (3) years for the
6 total amount of One Million Two Hundred Sixteen Thousand Nine Hundred Fourteen Dollars
7 (\$1,216,914.00), with the option to renew for an additional two (2) one (1) year terms for a
8 total aggregate approval request of Two Million Four Hundred Thirty-Three Thousand Eight
9 Hundred Twenty-Eight Dollars (\$2,433,828.00); and
10

11 **WHEREAS**, the CCU has determined that GWA may use this Resolution as a
12 justification under Section 6 of the Contract Review Protocol since no other alternatives are
13 available, GWA received only one bid and the services sought are necessary for GWA to
14 comply with federal and local laws and testing with certified labs is required by the U.S.
15 Environmental Protection Agency.
16

17 **NOW BE IT THEREFORE RESOLVED**, the Consolidated Commission on Utilities
18 does hereby approve the following:
19

- 20 1. The recitals set forth above hereby constitute the findings of the CCU.
- 21 2. The CCU finds that the terms of the bid proposal submitted by Eurofin is
22 reasonable, prudent and necessary (Exhibit A).
- 23 3. The CCU hereby further authorizes the management of GWA to enter into a
24 contract with Eurofins, to analyze water and wastewater samples for the
25 initial contract term of three (3) years as specified in the IFB 2018-33
26 "Indefinite Quantity Bid", with the option to renew for an additional two (2)
27 one (1) year terms, subject to availability of funds and agreement between
28 parties.
- 29 4. The CCU hereby further approves the funding total of One Million Two
30 Hundred Sixteen Thousand Nine Hundred Fourteen Dollars (\$1,216,914.00)
31 and a total five-year funding approval not to exceed Two Million Four
32

1 Hundred Thirty-Three Thousand Eight Hundred Twenty-Eight Dollars
2 (\$2,433,828.00).

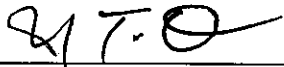
- 3 5. GWA Management is authorized to seek from the PUC its approval as
4 required under the Contract Review Protocol, to award the contract to
5 Eurofins for the three (3) year term in the amount of One Million Two
6 Hundred Sixteen Thousand Nine Hundred Fourteen Dollars (\$1,216,914.00)
7 with an option to renew for an additional two (2) one (1) year terms for a
8 total aggregate amount for approval of Two Million Four Hundred Thirty-
9 Three Thousand Eight Hundred Twenty-Eight Dollars (\$2,433,828.00).
10 6. The CCU further determines that GWA may use this Resolution as a
11 justification under Section 6 of the Contract Review Protocol.

12
13 **RESOLVED**, that the Chairman certified and the Board Secretary attests to the
14 adoption of this Resolution.

15
16 **DULY AND REGULARLY ADOPTED**, this 27th day of November, 2018.

17 Certified by:

Attested by:

18 

19 

20 **JOSEPH T. DUENAS**
21 Chairperson

22 **J. GEORGE BAMBA**
23 Secretary

24 //

25 //

26 //

27 //

28 //

SECRETARY'S CERTIFICATE

I, J. George Bamba, 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:	<u>4</u>
NAYS:	<u>0</u>
ABSTENTIONS:	<u>0</u>
ABSENT:	<u>1</u>

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EXHIBIT A



Eaton Analytical



Laboratory Services Guam Waterworks Authority

ITB # 2018-33
October 9, 2018

Prepared by Eurofins Eaton Analytical, LLC

www.EurofinsUS.com/Eaton

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Monrovia, CA 91016
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Fax | (866) 988-3757

South Bend Laboratory
110 South Hill Street
South Bend, IN 46617
Tel | (574) 233-4777
Fax | (574) 223-8207



Eaton Analytical

October 3, 2018

Guam Waterworks Authority
Procurement Office - 1st Floor
Gloria B. Nelson Public Services Building - 688 Route 15
Mangilao, GU 96913

Dear Members of the Selection Committee:

Eurofins Eaton Analytical, LLC (**Eurofins**) has served as Guam Waterworks Authority's (GWA's) contractor for laboratory services for more than 15 years. Our long-standing, successful track record of service and performance is testament to Eurofins' commitment to you, working together with Mr. Bordallo and his team to ensure safe and available water to the residents of Guam. To this end, we are very pleased to submit the enclosed bid in response to IFB #2018-33.

Meeting U.S. EPA regulatory drinking water and wastewater compliance requirements is no small undertaking. Through years of experience, Eurofins has established a **unique method to ensure your successful compliance** with these monitoring requirements.

- **Eurofins is familiar with the water quality of GWA's village wells, springs, surface water and treatment facilities.** We can anticipate expected constituent concentrations, understand any regulatory compliance implications and communicate relevant information to GWA staff in advance of final reporting to provide advanced notice for public or regulatory concerns.
- **Eurofins is established in the regulatory community,** where we have long-standing relationships with staff at EPA Headquarters, Region 9 and Guam EPA (GEPA). These relationships help us facilitate compliance solutions for GWA concerning analytical and data questions that inevitably arise as a result of complex delivery logistics and matrix concerns.
- **Eurofins is experienced in the deployment and management of supplies and samples to/from Guam** where the 3-day minimum delivery time requires certain controls and contingencies to ensure samples are received on time and within temperature.
- **Eurofins is sufficiently qualified and capable** to process the extensive sample locations and unique analytical requirements of GWA. Our facility is the largest water-only testing laboratory in the United States, accredited and approved by the EPA, TNI, ISO and GEPA.

Thank you very much for your continued confidence in Eurofins.

Respectfully Submitted,
EUROFINS EATON ANALYTICAL, LLC

Rick Zimmer
Senior Account Manager

Eurofins Eaton Analytical, LLC

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EXECUTIVE SUMMARY

A Long-Standing and Successful Partnership

- In the spring of 2000, Eurofins was contacted by the Mr. Angel Marquez and Ms. Carmen Sian-Denton of Guam EPA in response to a regulatory order by EPA Region 9 to complete Safe Drinking Water Phase 2/5 compliance testing. Subsequent conference calls and site visits by Eurofins with Mr. Bert Johnson established our credibility with GWA (at that time known as Public Utility Agency of Guam (PUAG) and our first work in support of your compliance requirements.
- In 2003, Eurofins mobilized in response to Dept. of Justice filing to mandate GWA's compliance with drinking water and wastewater regulations. We worked closely with GWA and EPA staff to facilitate timely and successful compliance with GWA's Unregulated Contaminants Monitoring Rule (UCMR) 1 regulation.
- In 2005, Eurofins worked with GWA on an extended payment plan to pay off its account past due balance of >\$50,000. Because we understand the unique cash flow and other competing priorities on Guam, our firm has always offered the utmost in flexibility to GWA to allow for a flexible payment schedule without disrupting the delivery of supplies and analysis/reporting of compliance samples as required by GEPA.
- In 2006, Eurofins worked closely with Ms. Denton and Mr. Paul Kemp to develop a schedule for upgrading GWA's in-house water quality laboratory so that more samples can be self-conducted by GWA rather than ship to Eurofins, thus, saving GWA thousands of dollars in analytical costs.
- In 2007, Eurofins collaborated with GWA and EPA on monitoring to satisfy GEPA's groundwater under the influence well evaluations. Testing included the analysis of well samples for Giardia/Cryptosporidium and Microscopic Particulate Analysis. That same year, we assisted GWA with the evaluation of sample shipping costs and facilitate transition from DHL to Federal Express which resulted in substantial freight cost savings for GWA.
- In 2009, Eurofins stepped in at the last minute to complete GWA's Lead and Copper Rule (LCR) monitoring when WERI's testing laboratory was unable to complete this task. In 2009, we also facilitated GWA's successful completion of the UCMR2 regulation.
- In 2011 Eurofins again extended flexible payment terms to GWA to facilitate the eventual pay off of >\$80,000 in past due analytical invoices without disrupting the supply and delivery of compliance reports to GWA.
- In 2012, Eurofins assisted GWA with development of analytical budgets and compliance scopes of work to complete UCMR3 regulations and court-ordered NPDES annual testing at all 5 wastewater plants as well as implementation of special monitoring projects at GIAA.

- In 2015, Eurofins worked with Ken Patton @Promium to develop an electronic data deliverable (EDD) compatible with GWA's new Element LIMS to eliminate data transcription and entry errors.
- In 2016, Eurofins helped facilitate GWA's monitoring response to the EPA's new 70 ppt combined Health Advisories for Perfluorooctane sulfonate (PFOS) and Perfluorooctanoic acid (PFOA). These contaminants were detected at certain GWA wells during UCMR3 and with the EPA action added heightened scrutiny and concern to this emerging contaminant issue.
- In 2017, Eurofins provided GWA with a detailed budget for compliance with UCMR4 which helped facilitate discussions between GWA and EPA Region 9 concerning a potential Groundwater Representative Monitoring Plan (GRMP).

A Contractor that meets the Required Laboratory Responsibilities

1. We provide location specific sample kits + 10% contingency at least 10 days in advance of the scheduled sample collection event. Our kits are pre-labeled (both cooler and containers) to minimize any unnecessary field time required of your operations/distribution staff.
2. We adhere to and utilize only EPA and/or GEPA approved test methods and procedures. For some methods (Perchlorate, Nitrosamines, Hexavalent Chromium, PFAS compounds) we actually assisted the regulatory develop/validate the final test procedures.
3. We designate a single, experienced point of contact to review and communicate results to GWA staff in advance of final reporting. We recognize that nobody knows GWA's system better than GWA, which is why we relay analytical detects to GWA in advance of final reporting to provide additional insight and context to the values that will eventually be submitted to EPA and/or GEPA and also to facilitate your management of plant operations and distribution water quality.
4. We maintain sufficient analytical capability and capacity to receive/process GWA samples for reporting within 5 days after completion of analysis. Eurofins maintains the largest analytical capacity for water testing in the U.S. As an added contingency, we also operate a 2nd, TNI-accredited, full-service lab in South Bend, Indiana available for back-up.
5. We provide Chain of Custody forms with instructions for ensuring proper sample collection which meets EPA and GEPA compliance requirements.
6. We generate electronic reports in formats compliance with EPA, GEPA and GWA information systems, including deliverables compatible with SIDWIS-State. Eurofins also offers GWA secure, web-based access to analytical documents plus an online data mining feature to help with Consumer Confidence Report (CCR) production.

Eurofins is very pleased and proud to have served and supported GWA over the years and we look forward to continuing our successful partnership well into the future.



Eaton Analytical

EXPERIENCE

Industry Resume

Eurofins provides water testing for almost 500 public agencies across the United States. Our resume of experience as a water testing leader includes work on many significant and high profile projects involving regulated and emerging contaminants at the Federal and State level:

- EPA contractor for the National Pesticide Survey (1987-88)
- California Association of Testing Labs founding member
- California ELTAC member (1990-present) and chair (2016-17)
- Standard Methods Joint Editorial Board chair/member (1992-present)
- Information Collection Rule accredited laboratory (1997-99)
- EPA contractor for UCMR Methods Validation (2000-Present)
- US Bureau of Reclamation contractor for Cal Delta surveillance program (2000-Present)
- EPA contractor for UCMR Database Beta Testing (2001-2009)
- EPA LT2 ESWTR laboratory stakeholder (2001-Present)
- EPA contractor for UCMR Small Systems (2001-Present)
- US Geological Survey contract laboratory supporting GAMA program (2004-2007)
- EPA method Co-Author for Perchlorate EPA 314 (2010)
- WaterRF 4167 Methods for PPCP analysis Co-Principal Investigator (2012)
- California Contaminants of Emerging Concern Blue Ribbon Panel participant (2013)
- EPA collaborator verifying Nitrosamines method alternatives (2014-Present)
- AWWA Technical Advisory Workgroup stakeholder for the CCL (2012-Present)

Eurofins is also routinely called upon by industry associations and instrumentation providers to provide technical expertise and input with new methods and to validate analytical alternatives to enhance existing EPA methods. Examples include:

- Ion Chromatography verification in both water & wastewater matrices (Dionex, 1984)
- Evaluation of Analytical Methods for Arsenic for Arsenic MCL (AWWARF, 1994)
- Gamma Spec analysis for Radium (Georgia Tech Research Institute, 2008)
- Luminescence technology for Assimilable Organic Carbon analysis (Suez, 2010)
- GC Triple Quad MS for Nitrosamines (Agilent, 2014)
- High Resolution Orbitrap Mass Spectrometry for PFCs and Hormones (Thermo, 2014)
- Evaluation of Radionuclide methods (AWWA, 2011 and 2015)



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Our client list also includes virtually every municipal agency in the Pacific region:

Guam Waterworks Authority	Honolulu BWS
Navy Guam	Maui Dept of Water
WERI	Hawaii BWS
Guam EPA	Kauai Water Dept
Commonwealth Utilities Corp	Hawaii American Water Company
CNMI BECQ	Hawaii DOH
American Samoa Power Authority	Palau EQPB
American Samoa EPA	U.S. Army CHPPM Japan

National References

In addition to our local clients, Eurofins also supports testing and compliance monitoring programs for some of the largest water systems across the United States, including New York City DEP, Miami Dade Water & Sewer, City of Tampa, Massachusetts Water Resources Authority, Minneapolis Waterworks, New Orleans Sewerage & Water Board, Kansas City BPU, Denver Water, Salt Lake City Corporation, City of Phoenix, City of San Diego, Orange County Water District, Los Angeles Department of Water & Power, San Francisco PUC and Portland Water Bureau. Our water quality testing services have also been utilized by municipal agencies and contractors in the Philippines, Australia, China, Japan, Singapore, Russia, Iraq, Israel, Great Britain, Canada, France, Mexico, India, Puerto Rico, Chile, Honduras, Columbia, and South Africa.

Regulatory Collaborations

Eurofins maintains longstanding and successful relationships with the following regulators:

Guam EPA - Mr. Angel Marquez, Ms. Carmencita Cortez, Mr. Jesse Cruz
U.S. EPA Region 9 - Ms. Anna Yen, Mr. Kevin Ryan, Mr. Bruce Macler, Mr. Tomas Torres
EPA/SIDWIS Implementation - Ms. Julie Mendoza

Client References

U.S. Navy Guam (2000-Present)

In 2000, U.S. Navy Guam contractor Raytheon selected Eurofins to assist with the completion of new EPA Phase 2/5 drinking water regulations. We have continued to serve and support Navy Guam throughout the years despite the changeover of water operations from Raytheon to Earth Tech to DZSP. We have assisted with routine drinking water, wastewater, UIC, landfill monitoring and new well development @Anderson AFB as well as lab methods development assistance for the Navy's own water quality laboratory.
Mr. Stacy Demaclicid (671-349-9157 or stacy.demaclicid.ctr@fe.navy.mil)



Commonwealth of the Northern Marianas islands (2000-Present)

Eurofins has been supporting CNMI DEQ's Private Water System testing program since its inception more than ten years ago. As the lead contractor for the program, Eurofins works closely with BECQ to identify each system's sample schedule, coordinate sample collection with our local partner, Quality Water, receive and process collected samples within the prescribed analytical holding times and report compliance data back to the system owner. A majority of the system owners are private foreign companies with little or no knowledge of the DEQ compliance and reporting process. Our "hands on" assistance to these system owners and willingness to maintain our analytical price points without change for more than ten years reflects our unique relationship with BCEQ and commitment to the fiscal stability and success of the local economy. In many instances, proactively identifying high levels of naturally occurring Arsenic, Gross Alpha and Nitrate in wells tested as well as excessive amounts of THMs or corrosion by-products in treated or distribution system samples so that our system owner customer can take action with BCEQ to protect public health and welfare for residents and visitors in the CNMI.

Mr. Joe Kaipat (670-664-8509 or josekaipat@becq.gov.mp)

American Samoa Power Authority (2003-Present)

In 2003, American Samoa EPA (ASEPA) relinquished management of American Samoa Power Authority's (ASPA's) safe drinking water compliance monitoring requirements, compelling ASPA to establish contracted laboratory services for the first time. Eurofins worked closed with Mr. Martin Fruean to develop a plan to bring ASPA into compliance with EPA regulations. Over the years, we have continued to support ASPA with testing and assistance in securing monitoring waivers to eliminate unnecessary testing and associated costs.

Ms. Danielle Mauga (684-699-1333 or danielle@aspower.com)



 eurofins

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QUALIFICATIONS

Certifications

Eurofins has been audited and accredited by EPA in support of special regulatory programs (ICR, UCMR and LT2) in each of the last 17 plus years. We strive to educate ourselves and obtain as much knowledge as our clients. We collaborate with EPA on analytical methods, detection limit feasibility relative to proposed regulatory thresholds, best practices and acceptable precision & accuracy. This firsthand collaboration and interaction directly with regulators helps us know the priority for future regulations and our testing capabilities reflect that. Eurofins is accredited by four primary organizations:

- Eurofins has held **GEPA accreditation (#15-003r)** since the commencement of the program more than 10 years ago. Our field of testing approval includes 100% of the regulated water testing requirements in the microbiology, inorganics, trace elements, volatile organics, semi-volatile organics and radiochemistry categories.
- Eurofins is also a **TNI-accredited** laboratory, hence our involvement and assistance to ELTAC and ELAP with integrating the 2012 TNI standards into the new State accreditation program. Of course, Eurofins already meets these anticipated new State standards. More than 90% of California laboratories do not qualify for TNI accreditation at the present time.
- Eurofins is **ISO-accredited** as well, according to the latest ISO quality standard (17025). As an ISO laboratory, Eurofins has established and maintains standard operating procedures for ethics, data integrity, health & safety, staff training & management, facilities integrity and the like. Less than 5% of California laboratories are ISO-accredited.
- Finally, Eurofins is **EPA-approved** to perform testing both the Unregulated Contaminants Monitoring Rule (UCMR) 1, 2, 3 and 4 and the Long-Term 2 (LT2) Enhanced Water Treatment Rule. Both of these accreditations require extensive and ongoing documentation of instrumentation, staff qualifications & experience and quality-specific project plans to support both regulatory program. Eurofins is presently EPA-approved for all UCMR4 methods and all LT2 methods. No other laboratory can claim such certification status and coverage.

Our extensive list of Federal and State accreditations reflects our commitment to quality, above and beyond the minimum requirements. These extensive accreditations and approvals also subject Eurofins to frequent on-site audits, blind proficiency testing and quality documentation through the year, in contrast to most laboratories that are audited or evaluated by the same regulatory agency every two or three years. On external **Proficiency Test (PT) studies**, Eurofins has scored more than 99% correct on EPA Water Supply PTs for over 15 years running. In addition to 3rd party PTs, we also use an internal blind performance evaluation sample program to monitor problems and to verify proficiency of all analysts.

Copies of our certifications are included with this bid submission for your review.



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Testing Capability and Resources

Eurofins is a \$1 billion environmental services corporation. The firm employs more than 2,000 professionals in 100+ locations worldwide, including offices in Hawaii, Australia and Asia. Our California laboratory is a full service facility with more than 30,000 square feet of space and over 100 full time scientists & technical professionals. We have been ranking as one of the top 20 commercial laboratories nationwide for the last 10 years. The financial backing and support of our parent company affords us the capital necessary to purchase and maintain modern, reliable, productive instrumentation and employ professional, experienced chemists & microbiologists. We employ two analysts and more than four instruments for every major analytical method we offer. This unprecedented analytical resource affords us the capability of processing large sample batch sizes or providing rapid analysis turnaround times for special projects without the need for subcontracting or major disruption to our operation.

Eurofins has among the largest sample capacity (for water analysis) of any single location commercial lab in the United States, in excess of 10,000 samples per month or over 40,000 tests per month. Eurofins' \$2,000,000 laboratory information management system (LIMS) provides improvements to all aspects of data management, sample tracking, QC and reporting.

Instrumentation and Capacity

Eurofins self-performs 100% of your compliance testing without subcontracting. Our extensive analytical capacity is more than sufficient to support GWA's sample orders.

<u>Testing Category</u>	<u>Analysts</u>	<u>Instruments</u>	<u>Monthly Sample Capacity</u>
Bacteriology	4	4	10,000 samples
Asbestos	2	1	400 samples
General Chemistry	8	8	1,000 samples
Nutrients	4	4	1,000 samples
Metals	6	7	1,500 samples
Perchlorate	2	3	800 samples
Radiochemistry	3	6	320 samples
TOC/TOX/UV	2	3	800 samples
Disinfection By-Products	8	8	2,000 samples
Volatile Organics	4	8	2,000 samples
Synthetic Organics	8	8	1,500 samples
Nitrosamines	2	2	600 samples
Emerging Contaminants	7	4	100 samples
Semi-volatiles	4	7	1,500 samples



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Quality Assurance

Eurofins maintains a Quality Assurance Program (QAP) based on the principals of accuracy, precision and timeliness. Our program is modeled after the EPA Lab Certification Manual for Drinking Water Laboratories, which follows a logical work sequence and employs a number of criteria to reflect our commitment to generating high quality, legally & scientifically defensible analytical data in user-friendly formats. Eurofins updates the QAP annual to reflect our current operation.

Components of the QAP include:

- Formalized, validated analytical and operational standard operating procedures.
- Ongoing checks to ensure the use of current and acceptance standards.
- Strict adherence to chain of custody procedures and sample documentation.
- Annual demonstrations of capability and method detection limits for all compliance tests.
- Reporting levels established at/above the lowest calibration standard and above the MDL
- Multiple data reviews at the peer, supervisor, validator and project management levels.
- Data storage, retrieval and control charts to predict instrument maintenance schedules
- Use of lab controls, matrix spikes and blanks to identify false positive results
- Identification of results inconsistent with sample history or exceeding regulatory thresholds
- Establishment of alternative resources for subcontracted and contingency analyses

To support our QA policies, Eurofins Labs has also established a comprehensive Ethics and Data Integrity Program. The program contains all of the features outlined in the 2012 TNI Standards.

Facility Audits & Proficiency

Because of our participation and support for high-profile projects & water system customers and commitment to quality above and beyond the minimum requirements, Eurofins is routinely audited and inspected by any one of a number of Federal or State regulators and industrial representatives. In contrast, most laboratories are audited by the same regulatory agency every two or three years. Eurofins also participates in a number of 3rd party PT programs for both regulated constituents and emerging contaminants. We have scored more than 99% correct on EPA Water Supply PTs for 10 years running. In addition to 3rd party PTs, we also use an internal blind performance evaluation sample program to monitor problems and to verify proficiency of all analysts. Eurofins has also served as a referee laboratory for commercial producers of external reference samples as well as for the EPA in the verification of their test methods.

STAFFING

Eurofins employs over 120 professionals dedicated to providing our clients with exceptional water quality testing services and expertise. We offer the largest and most experienced analytical resource in the United States. The combined expertise of our GWA-designated project team exceeds 230 years, including an average of 34 years industry experience and almost 20 years working at Eurofins. This incredible resource of knowledge and experience is unprecedented in the laboratory industry.

Key Eurofins Staff assigned to support GWA:

Staff Member	Role	Degree	Year Experience	Years w/Eurofins
Rick Zimmer	Senior Account Manager	BA/MBA	25	25
Jeff Lee	Analytical Service Manager	BA	11	2
Bosco Ramirez	President/Lab Director	BS/MS	32	1
Andrew Eaton	Vice President/Technical Director	PhD/BS	41	37
Linda Geddes	Client Services Manager	BA	46	20
Walter Hsieh	Operations Manager	BS	31	17
Nilda Cox	Quality Assurance Manager	BS	40	21

Mr. Rick Zimmer, Senior Account Manager – Mr. Zimmer holds a Bachelor's degree from San Diego State University and Master's degree from Long Beach State University. He has 25 years industry experience as an Account Manager and Project Manager. Mr. Zimmer is a member of the American Water Works Association, WaterReuse Association, Groundwater Resources Association and the Association of California Water Agencies. He has a thorough understanding of your monitoring and reporting requirements, are aware of pending EPA and GEPA regulations and successfully overseen compliance projects for all of our pacific islands customers.

Mr. Jeff Lee, Analytical Services Manager – Mr. Lee holds an Bachelor's degree and has 11 years industry experience as an Analytical Services Manager. Mr. Lee provides direct management of your project, include kit fulfillment, incoming sample logistics coordination, tracking work in progress and final review/sign-off of reports and invoices.

Mr. Bosco Ramirez, President & Lab Director - Mr. Ramirez has a Bachelor's degree in Chemistry from San Jose State University and has a Master's Degree in Analytical Chemistry from Governors State University. He has more than 30 years' experience in the analysis of water, wastewater, soil and food. As President, his ultimate responsibility is ensuring the operational efficiency and accuracy of laboratory procedures, cost analysis, overhead control, marketing, and project management across all lab facilities.

Dr. Andrew Eaton, Vice President & Technical Director – Dr. Eaton holds a Bachelor's degree in Earth Sciences from Antioch College, a Master's degree in Geology from Harvard University and a PhD in Geochemistry from Harvard University. He has over 40 years industry experience as a Technical Director, Project Manager, Laboratory Supervisor (Inorganics) and Researcher. Dr. Eaton is a member of the American Chemistry Society, Geochemical Society, American Water Works Association, International Bottled Water Association, International Society of Beverage Technologists, and the NELAC Institute (TNI). Dr. Eaton has also served as an industry expert representative for the U.S. EPA (MDCB FACA) workgroup, EPA BOSC Drinking Water Workgroup, AWWA representative on the Standard Methods Joint Editorial Board) and the State of California (ELTAC). He is on the Peer Review Editorial Board for the Journal of the American Water Works Association.

Ms. Linda Geddes, Client Services Manager – Ms. Geddes holds a BA in Chemistry from Humboldt State University and has over 30 years of experience as a Chemist, QA Officer and Project Manager. She has been a member of Eurofins since 1998. Ms. Geddes is responsible for ensuring that the service needs of our clients are met through the supervision of our project management staff and analytical staff. She serves as vice-chair of the AWWA Lab Practices committee.

Mr. Walter Hsieh, Operations Manager - Mr. Hsieh holds a BS in Chemistry from Loma Linda University and has over 27 years' experience in environmental testing. He has been with Eurofins for the past 13 years as Bench Chemist, Laboratory Supervisor and Operations Manager. In his present role, Mr. Hsieh coordinates and prioritizes the activities for the analytical operation, including instrument maintenance & upgrade, workload forecasting and staff scheduling.

Ms. Nilda Cox, Laboratory QA Officer – Ms. Cox holds a BS in Chemistry from the University Of Santo Tomas Philippines. She has over 30 years of analytical experience, including 15 years as the QA Manager at Eurofins. Ms. Cox helps ensure our adherence to Eurofins' Quality Assurance Plan and EPA/GEPA regulatory requirements. Ms. Cox currently serves on the Onsite Assessment Committee for TNI and is routinely involved with municipal & state agencies, assisting with analytical methods development and laboratory accreditation.



Eaton Analytical

SERVICES

Customized Sample Kits

GWA manages 2 separate water systems, over 100 compliance entry points and several distribution system locations requiring sample collection each week. With such an extensive system and limited sampling staff, Eurofins has developed customized sample kits to minimize field time and eliminate unnecessary data transcription or recording while in the field. Containers are pre-preserved and labeled with the site name or GEPA site ID. Containers are grouped in coolers based on the system (Northern, Central) and sample location. Each cooler include ice packs, custody form, kit inventory, packaging material and a pre-paid return shipping label. Separate coolers will be provided for annual Toxicity testing so that these samples may be shipped directly from Guam to the Toxicity laboratory for processing within the 3 days holding time for this test.

Kit Deliveries

Eurofins works off of GWA's annual sample schedule and checks in monthly to confirm work assignments for the following month. We then then proceed with packing each cooler with the containers required. Quarterly DBP and SOC kits are delivered by the first of the month in which the samples are scheduled for collection. Monthly NPDES kits are delivered within 5 working days prior to the 1st of each month. To ensure GWA staff have sufficient resources available for rapid response to operational concerns or customer requests, Eurofins provides a stock of containers for frequently required tests (Nitrate, Lead/Copper, Pesticide, Full Suite) plus coolers and ice packs.

Delivery Notifications and Login

Each time Eurofins ships out a sample kit, we enter the Federal Express tracking number for the shipment. This entry will prompt our system to automatically e-mail GWA with a notice of incoming shipment that includes links to the sample kit inventory and freight tracking information on the FedEx website. By receiving such information, GWA is able to schedule staff in advance to maximize the limited time they are afforded to collect samples.

Similarly, Eurofins requests return notification from GWA of all incoming sample shipments so that we too may track your samples and ensure that all holding times are adhered to resampling required due to a missed holding time is avoided. Upon receipt, each cooler is inspected immediately upon receipt. We contact GWA whenever samples are received with breakage, leakage, inverted septa or air bubbles (for Volatile samples), incorrect containers, wrong preservatives, missing container labels, incomplete paperwork or excessive temperature. Each

cooler temperature is measured and recorded on the sample custody form. Tracking numbers are then assigned to each sample and scheduled for analysis. Analytical departments are notified to retrieve any samples with short holding times or samples requiring rush turnaround times so processing can commence immediately. Remaining samples are stored at 4 degrees C in walk-in refrigerators. Temperatures in all cold storage areas are measured twice each day to ensure required temperature is maintained (TNI 5.5.3). Volatiles samples are segregated in separate refrigerators to prevent cross-contamination. A final Acknowledgement of sample receipt is subsequently e-mailed to GWA for reference.

Analytical Methods

The analytical methods performed at Eurofins are based primarily on U.S. Environmental Protection Agency and Standard Methods for the Examination of Water and Wastewater, approved regulatory editions. Non-standard methods for unregulated constituents like UCMR or other emerging contaminants are properly validated (TNI 5.5.4.5.2) and based on the EPA Laboratory Approval Requirements & Information Document and official UCMR Laboratory Guidance Document. Method validation includes an initial demonstration of capability (IDC), a method detection limit (MDL) study and limit of quantitation (LOQ) study. Once method validation is approved, method Standard Operating Procedures (SOPs) are finalized and updated annually. These detailed SOPs meet the requirements included in the mandated test method or regulation, even if the requirements are more stringent than the corresponding TNI standard.

Eurofins also applies the same conservative standard in establishing detection limits. We set the minimum reporting levels (MRLs), which are the reporting levels on reports, at or above the lowest standard associated with that analytical run. To verify the sensitivity and precision of the MRL, we analyze an MRL Check with every analytical run. This approach ensures that all data reported as "detected" will have a high degree of analytical precision.

Advance Notice of Preliminary Results

Every morning, Mr. Lee receives an e-mail from the Eurofins Laboratory Information Management System (LIMS) summarizing project hits from sample results entered the prior day. This daily notice prompts us to:

- Resubmit sample for reanalysis to confirm suspect hits
- Inform GWA of any unusual results exceeding the MCL or discharge thresholds.
- Advise GWA of the need for a data qualifier or sample recollect

Our goal is to assume ownership of your requirements, unique sample types and project history, so we will know when values are inconsistent with historical values, when results might be due to matrix interference or when certain detections are expected. Ultimately, we will always communicate with GWA and keep her aware of issues as they arise and resolve any concerns before data is submitted to GEPA or EPA Region 9.

Collaboration with Regulators

When results are identified which have regulatory implications, Eurofins is prepared to work with EPA and/or GEPA to collaborate and address any technical concerns to ensure fair, complete and correct compliance reporting. On several occasions, GWA samples were received or processed after the holding times stipulated by the method. However, because of our excellent relationship with GEPA and detailed report comments/explanations, data generated by Eurofins is never challenged and always acceptable for compliance reporting.

Similarly with EPA, Eurofins routinely meets with Region 9 staff to collaborate on GWUI and UCMR implementation strategies. For the first 3 UCMR monitoring events, Eurofins actively worked with Region 9 on behalf of GWA to develop a sample plan which employed representative sampling strategies and staggered sampling schedules to minimize unnecessary analytical cost and spread out the monitoring budget over several budget cycles.

Assistance with Budgeting and Planning

In collaboration with EPA and GEPA staff, Eurofins helped develop the very first GWA monitoring budget in 2001. Because Eurofins works frequently with EPA as a stakeholder and contractor, we're "in the know" concerning future regulations and their impact on our clients. In one recent example, we brought to GEPA's attention their need to implement the 2004 Radionuclides Rule update to the original Rule. The resulting baseline monitoring requirement for Radium 228 is now implemented at Guam water system entry points starting in 2012.

During our annual trip to visit Guam, we always set-aside time to review the coming year's monitoring requirements and provide suggestions and assistance with developing an accurate and comprehensive monitoring budget based on current and future regulations. These consulting services are afforded to GWA without charge and are considered part of our package of professional testing service.

Reporting of Results

Eurofins carefully reviews, approves and submits comprehensive analytical reports in PDF and (to eliminate your data transcription into Excel) CSV formats. Final deliverables will continue to be delivered within 5 working days of analysis completion and include all of the following:

- Signed Cover Page with Project Name and Title referenced
- Sample Acknowledgement
- Chain of Custody
- Hits Report Summary with comparison to EPA regulatory limits
- Sample Results with collection, receipt and analysis dates referenced
- Report Comments
- QC Summary
- QC Data (lab spikes, matrix spikes, MRL check, method blank, surrogates)

Eurofins notes any data not meeting the limits for any of the above parameters to highlight for the benefit of GWA and GEPA any instances of exceptions to quality control. In all cases Mr. Lee provides detailed explanation of all data qualifiers or prior report/sample references and confirms if test results are acceptable for compliance or will require resampling.

To ensure compliance with the UCMR4, Eurofins submits data to EPA's CDX database. For UCMR4, critical field and operation parameters will need to be uploaded by the laboratory with analytical data. Eurofins provides UCMR-specific custody forms to provide a user-friendly means for capturing and transferring this data into the CDX by the laboratory. With this approach, UCMR notices of non-compliance are avoided due to incomplete reporting.

Document Delivery and Archival

Eurofins maintains a secure, online Client Access Portal (CAP) account for GWA's access all project-related documents. Any designated representative may use project-specific or "master" ID and password to access our web site where PDF versions of the project documents can be accessed. All report documents are delivered electronically via PDF e-mail link within 20 working days of our sample receipt. Any one of a number of GWA or 3rd party staff may be designated to receive kit order inventories, custody forms, sample receipt acknowledgements, reports and/or invoices for specific projects. The CAP organizes GWA data by project (Entry Point, DBP, LCR, UCMR, Wastewater, etc.). This allows the option for project-specific reporting & billing and also facilitates data mining for project-specific analyze histories or regulatory reports.

Data Mining

The CAP also provides real time data queries by project, sample location, analytical parameter and/or data range. This feature is useful for summary data reporting (i.e. CCR) and source/system trending. Project status can also be tracked in real time to determine the progress of logins, analysis and reporting. Because Eurofins has served as GWA's contract laboratory for more than 15 years, our CAP contains data histories dating back to 2000 and can be configured to include data as far back as 2000 when we originally started assisting GWA.

GWA may utilize the Eurofins CAP as its own electronic file cabinet of data. The CAP access and features are afforded to GWA free of charge. However, if GWA desires to establish its own database (i.e. LIMS), Eurofins will work closely with GWA and/or its designated representative(s) to ensure that Eurofins data transfers are submitted and correctly uploaded. We're also willing to invest our time (additional fees may apply) to assist GWA develop a strategy and implement its own water quality database if it so wishes.

SIDWIS-State for GEPA

Eurofins is also standing by ready to generate EDTs compatible with GEPA SIDWIS database. We presently generate SIDWIS-compatible EDDs for CNMI BECQ and Hawaii DOH.

Invoicing and Payment Terms

Invoices for each order are submitted electronically (via PDF) with the final report and include the following essential data elements:

- Project and Sample Group reference
- Sample Identification
- Test(s) Completed
- Unit and Extended Cost
- Total Cost
- Contract or Purchase Order reference

Because we understand the cash flow priorities of GWA, we afford a minimum of 60 days (from date of invoice issuance) for payment. However, situations do arise and Eurofins continues to extend GWA sufficient time needed to make prompt payments as long as good faith is displayed in addressing any past due amounts.



Appendix A: Fee Schedule and Bid Bond

GUAM WATERWORKS AUTHORITY

Suite 200, Gloria B. Nelson Public Service Building
688 Route 15, Mangilao GU 96913-6203

Guam Waterworks Authority
Invitation for Bid Number: GWA 2018-33
For Laboratory Services Re-Bid

ALL OR NONE BID

I. BID ITEMS (*)

(1) WATER SAMPLES(*)

(A) MONTHLY TEST: (12 X / year)

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Monthly Total</u>
1.0	Volatile Organic Chemicals (VOC)	7	<u>\$150.00</u>	<u>\$1,050.00</u>
1.1	Nitrates	25	<u>\$15.00</u>	<u>\$375.00</u>
1.2	Total Organic Carbon (TOC)	4	<u>\$50.00</u>	<u>\$200.00</u>
Total Monthly Cost:				<u>\$1,625.00</u>
Total Annual Cost:				<u>\$19,500.00</u>

(B) QUARTERLY TEST: (4 X / year)

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Quarterly Total</u>
2.0	Pesticides	75	<u>\$150.00</u>	<u>\$11,250.00</u>
2.1	Volatile Organic Chemicals (VOC)	15	<u>\$150.00</u>	<u>\$2,250.00</u>
2.2	EDB and DBCP	1	<u>\$50.00</u>	<u>\$50.00</u>

2.3	Organic Chemicals EPA 515.4, EPA 531.2, EPA 547, EPA 548, EPA 549, EPA 1613, EPA 525.2	30	<u>\$1,165.00</u>	<u>\$34,950.00</u>
2.4	Inorganic Chemicals Sb, As, Ba, Be, Cd, Cr, Ni, Se, Tl, CN ⁻ , Hg, F, NO ₂ ⁻ , NO ₃ ⁻ , SO ₄ ⁼ and Na	30	<u>\$230.00</u>	<u>\$6,900.00</u>
2.5	Inorganic Chemicals Gross Alpha Gross Beta, Uranium, RA 226, and RA 228)	12	<u>\$450.00</u>	<u>\$5,400.00</u>
2.6	Nitrates	1	<u>\$15.00</u>	<u>\$15.00</u>
2.7	Trihalomethanes	12	<u>\$70.00</u>	<u>\$840.00</u>
2.8	Haloacetic Acids	12	<u>\$150.00</u>	<u>\$1,800.00</u>
			Quarterly Total Cost:	<u>\$63,455.00</u>
			<i>Total Annual Cost:</i>	<u>\$253,820.00</u>

(C) SEMIANNUAL TEST: (2 X / year)

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Total</u>
3.0	Inorganic Chemicals (IC): Sb, As, Ba, Be, Cd, Cr, Ni, Se, Tl, CN ⁻ , Hg, F, NO ₂ ⁻ , NO ₃ ⁻ , SO ₄ ⁼ , and Na	75	<u>\$230.00</u>	<u>\$17,250.00</u>
			Total Semi-annual Cost:	<u>\$17,250.00</u>
			<i>Total Annual Cost:</i>	<u>\$34,500.00</u>

(D) ANNUAL TESTS:

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Total</u>
4.0	Volatile Organic Chemicals (VOC)	124	<u>\$150.00</u>	<u>\$18,600.00</u>
4.1	Nitrates	60	<u>\$15.00</u>	<u>\$900.00</u>
4.2	Inorganic Chemicals: (IC) Sb, As, Ba, Be, Cd, Cr, Ni, Se, Tl, CN ⁻ , Hg, F, NO ₂ ⁻ , NO ₃ ⁻ , SO ₄ ⁻ and Na.	4	<u>\$230.00</u>	<u>\$920.00</u>

Total Annual Cost: \$20,420.00

(E) LEAD AND COPPER RULE (2 X per site every three years = 176 during this contract)

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Sample Set Total</u>
5.0	Lead and Copper	44 sites	<u>\$30.00</u>	<u>\$1,320.00</u>

Total Cost Under this Contract: \$232,320.00

(1/5 X Total cost for annualized allocation for price comparison) \$46,464.00

UCMR4 SAMPLES(*)

(F) TWO (2) ROUNDS 6 MONTHS APART:
(Expected to start in 2019 and can extend through 2024)

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Total</u>
6.0	<i>(per round)</i> - - 74 USEPA List 1, Assessment Monitoring (including HAA9, TOC and Bromide.)		<u>\$1,300.00</u>	<u>\$96,200.00</u>

Total UCMR4 Cost: \$96,200.00

(1/5 X Total cost for annualized allocation for price comparison) \$19,240.00

TOTAL DRINKING WATER ANNUALIZED COST

\$393,944.00

(2) WASTEWATER SAMPLES (*)

(A) QUARTERLY TEST: (4 X / year)

<u>I Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Quarterly Total</u>
7.0	Metals (Cu, Ni, Zn, Al) (Agat WWTP only)	1	<u>\$60.00</u>	<u>\$60.00</u>
Total Annual Cost:				<u>\$240.00</u>

(B) ANNUAL TEST:

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Total</u>
8.0	Whole Effluent Toxicity; (purple Sea Urchin Bioassay) <i>[NDWWTP, HWWTP & AWWTP only]</i>	3	<u>\$1,500.00</u>	<u>\$4,500.00</u>
8.1	Heavy Metals (As, Cd, Cr ³⁺ , Cr ⁶⁺ , Cu, Hg, Pb Ni, Ag, and Zn) <i>[all 4 WWTPs]</i>	4	<u>\$180.00</u>	<u>\$720.00</u>
8.2	Chlordane and Dieldrin <i>[Agat WWTP only]</i>	1	<u>\$150.00</u>	<u>\$150.00</u>
8.3	All Pesticides (organochlorines, carbamates, herbicides, fungicides, defoliants, and botanicals) <i>[see Guam Water Quality Standards-2001 Located in Appendix A] [all 4 WWTPs]</i>	4	<u>\$1,125.00</u>	<u>\$4,500.00</u>
8.4	TOC Calibration Reference Test (Ugum only. Not a regularly scheduled test. Unit price only in case it is called for). <i>[Do not include in Total Cost]</i>		<u>\$50.00</u>	
Total Annual Test Cost:				<u>\$9,870.00</u>

(C) NPDES PERMIT PERIOD TESTS:

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Total</u>
9.0	Whole Effluent Toxicity Umatac-Merizo WWTP (Fresh water) <i>[one time in 2019]</i>	1	<u>\$2,800.00</u>	<u>\$2,800.00</u>
9.1	Priority Pollutant Scan (a) <i>(a) once per NPDES permit cycle = one for each WWTP during the Period of this contract. [Appendix F, all GWA WWTP NPDES Permits]</i>	4	<u>\$1,275.00</u>	<u>\$5,100.00</u>
	Total for 5-year contract period			<u>\$7,900.00</u>
	<i>(1/5 of the total for annualized cost comparison)</i>			<u>\$1,580.00</u>
TOTAL WASTEWATER ANNUALIZED COST				\$11,690.00
GRAND TOTAL ANNUALIZED COST				\$405,634.00

(*) The quantities listed in this bid are based on current information which are specified for evaluation and budgeting purposes. The quantities may change during the period of the contract once awarded. Offerors should consider this as an *Indefinite Quantity, Indefinite Delivery* bid for contract award when preparing the offers.

GOVERNMENT OF GUAM
DEPARTMENT OF REVENUE AND TAXATION
OFFICE OF THE BANKING AND INSURANCE COMMISSIONER
CERTIFICATE OF AUTHORITY
RENEWAL 239

Know All Men By These Presents That:

Name **FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

Address **1400 AMERICAN LANE
SCHAUMBURG IL 60196 1056**

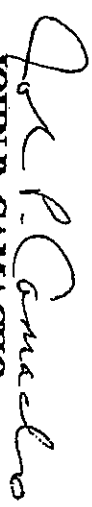
Classes of Insurance } ACCIDENT & HEALTH
Authorized } FIDELITY & SURETY
FIRE
MARINE } MISCELLANEOUS
PROP. DAMAGE & LIABILITY
WORKMENS COMP

Having complied with the Insurance Law of Guam, it is hereby authorized to transact as an insurer, the above named Classes of Insurance in Guam from the 01 day of July, 20 19, to the 01 day of July, 20 19, unless authority is revoked for failure to comply with the law.

General Agent(s):

TAKAGI & ASSOCIATES INC
CASSIDY'S ASSOCIATED INSURERS INC

In Witness Whereof, I have herunto subscribed my name officially and have hereon impressed my Seal of Office at the City of Hagåtña, Guam on this 23 day of May A.D. 20 18.


JOHN P. CAMACHO
Acting Banking and Insurance Commissioner

BID AND PERFORMANCE BOND FOR GOODS AND SERVICES
AS REQUIRED UNDER 5 G.C.A. § 5212

KNOW ALL MEN BY THESE PRESENTS, that

Euroflins Eaton Analytical, LLC

(Name of Contractor)

as Principal, herein after called the Principal and
Fidelity and Deposit Company of Maryland

(Name of Surety)

as duly admitted insurer under the laws of the Territory of Guam, as Surety, hereafter called the Surety, are held and firmly bound unto the Guam Waterworks Authority for the sum of ---Fifteen Percent of the Total Bid Price--- Dollars

(\$ ---15%---), for payment of which sum will and truly to be made, the said Principal and the said Surety bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents:

WHEREAS, the Principal has submitted a bid for and is anticipated to enter into a contract in the amount specified below,

Laboratory Services IFB No. 2018-33

NOW, THEREFORE, if the Guam Waterworks Authority shall accept the bid and the Principal shall not withdraw said bid within (120) calendar days after the opening of bids, and shall within twenty one (21) calendar days after the prescribed forms are presented to him for signature, enter into a Contract with the Guam Waterworks Authority in accordance with the terms of such bid. This bond shall also be held by the Guam Waterworks Authority to secure the faithful performance of such Contract and for the prompt payment of labor, goods, services and materials furnished in the prosecution thereof. In the event of the failure of the Principal to enter into such Contract, or if the Principals (Contractor) fails to perform in accordance with the requirements set out under the Bid or any other written instrument requirement performance thereunder, the Surety, on behalf of the Principals shall pay to the Guam Waterworks Authority the differences not to exceed the penalty hereof between the amounts specified in said bid and such larger amount for which the Guam Waterworks Authority may in good faith contract with another party to perform work covered by said bid or an appropriate liquidated amount as specified in the Invitation for Bids then this obligation shall be null and void, otherwise to remain in full force and effect.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION is such that, if the contractor shall promptly and faithfully perform said Contract, and shall promptly make payment to all claimants as hereinafter defined for all labor and material used or reasonably required for use in the performance of the Contract, then this obligation shall be void; otherwise it shall remain in full force and effect, subject, however, to the following conditions:

- A. The Surety hereby waives notice of any alteration or extension of the time made by the Authority provided the same is within the scope of the Contract or any modification thereto.
- B. Whenever the contractor shall be and is declared in default by the Authority to be in default under the Contract, the Authority having performed its obligations hereunder, the Surety may promptly remedy the default or shall promptly:

1. Complete the Contract in accordance with its terms and conditions; or
2. Obtain a bid or bids for completing the Contract in accordance with its terms and conditions, and upon determination by the Authority and the Surety of the lowest responsible bidder, arrange for a Contract between such bidder and the Authority, and make available as work progresses (even though there should be a default or a succession of defaults under the Contract or Contracts or completion arranged under this paragraph) sufficient funds to pay the cost of completion, less than balance of the Contract price, but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof. The term "balance of the Contract Price," as used in this paragraph shall mean the total amount payable by the Authority to Contractor under the Contract and any amendments thereto, less the amount properly paid by the Authority to Contractor. No right of action shall accrue on this bond to or for use of any person or corporation other than the Authority or successors of the Authority.

C. A claimant is defined as one having a direct contract with the Contractor or with a subcontractor of the Contractor for labor, material, or both, used or reasonably required for use in the performance of the Contract, labor and material being construed to include that part of water, gas, power, light, heat, oil, gasoline, telephone service or rental of equipment directly applicable to the Contract.

D. The above named Contractor and Surety hereby jointly and severally agree with the Authority that every claimant as herein defined, who has not been paid in full before the expiration of a period of ninety (90) days after the date of which the last of such claimant's work or labor was done or performed, or materials were furnished by such claimant, may sue on this bond for use of such claimant, prosecute the suit to final judgment for such sum or sums as may be justly due the claimant, and have execution thereon. The Authority shall not be liable for the payment of any costs or expenses of any such suit.

E. No suit or action shall be commenced hereunder by any claimant:

1. Unless claimant, other than one having a direct contract with the contractor, shall have given written notice to any two (2) of the following entities named below:

(a) the Contractor; (b) the Guam Waterworks Authority, or (c) the Surety above named, within ninety (90) days after such claimant did or performed the last of the work or labor, or furnished the last of the materials for which said claim is made, stating with substantial accuracy the amount claimed and the name of the party to whom the materials were furnished, or for whom the work or labor was done or performed. Such notice shall be personally served by mailing the same by registered mail or certified mail, postage prepaid, in an envelope addressed to the Contractor at any place the principal maintains an office or conducts its business.

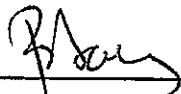
2. After the expiration of one (1) year following the date on which the last of the labor was performed or material was supplied by the party bringing suit.

3. Other than in a court of competent jurisdiction in and for the Territory of Guam.


F. The amount of the bond shall be reduced by and to the extent of any payment or payments made in good faith hereunder.

SIGNED AND SEALED THIS 1st day of October, 2018, A.D.

IN THE PRESENCE OF:
(Note: If the Principals are Partners, each must execute the Bond)



(WITNESS)



(TITLE)



(MAJOR OFFICER OF SURETY)

Dione R. Young, Attorney-in-Fact

(TITLE)

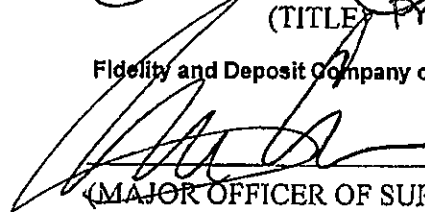
Eurofins Eaton Analytical, LLC

(CONTRACTOR) (SEAL)



(TITLE) President

Fidelity and Deposit Company of Maryland



(MAJOR OFFICER OF SURETY)

Anne Crowner, Attorney-in-Fact

(TITLE)

Countersigned by: 
Takagi & Associates, Inc.
Resident General Agent

(RESIDENT GENERAL AGENT)

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **THOMAS A. LITTLEFIELD**, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Craig E. HANSEN, Jay D. FREIERMUTH, Brian M. DEIMERLY, Anne CROWNER, Mark R. DEWITT, Stacy VENN, Cindy BENNETT, Jacqueline KIRK, Ginger HOKE and Dione R. YOUNG**, all of West Des Moines, Iowa, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: , each in a penalty not to exceed the sum of **ONE MILLION DOLLARS (\$1,000,000)** and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 5th day of August, A.D. 2016.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: *Eric D. Barnes*

Secretary
Eric D. Barnes

Thomas A. Littlefield

Vice President
Thomas A. Littlefield

State of Maryland
County of Baltimore

On this 5th day of August, A.D. 2016, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **THOMAS A. LITTLEFIELD**, Vice President, and **ERIC D. BARNES**, Secretary, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Maria D. Adamski

Maria D. Adamski, Notary Public
My Commission Expires: July 8, 2019



EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 1st day of October, 2018.



A handwritten signature in cursive script, appearing to read "Michael Bond".

Michael Bond, Vice President

EXHIBIT B

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 2018-33
Ref: Laboratory Services Re-bid
REF: Recommendation of Award
DATE: **October 18, 2018**

Invitation for Bid No: GWA 2018-33 officially announced and advertised on September 10, 2018 and posted in the Pacific Daily News, Guam Daily Post, and Guam Waterworks Authority Website. Schedule bid opening date is on October 09, 2018 @ 10:00 am. GWA received nine (09) of interest by acknowledgment thru GWA's website.

Bidders Register:

- | | |
|-------------------------|----------------------------------|
| 1. ARS Aleut Analytical | 6. M.D Wholesale |
| 2. TH Wilson Bonds | 7. Bid |
| 3. Shay Enterprise | 8. Schneider Laboratories Global |
| 4. 9 | 9. Eurofins Eaton Analytical |
| 5. Light Source | |

Of the Nine (09) one (1) submitted a proposal, namely:

- Eurofins Eaton Analytical

An evaluation committee was formally assembled and met on October 12, 2018 @ 10:00 am, based on the outcome, the committee member determined, Eurofins Eaton Analytical bid proposal is deemed responsive and have complied with all terms & conditions and bid requirements specified in the IFB. Therefore, the committee recommend to move forward with the award for the following Item No's.

ALL OR NONE BID
Indefinite Quantity Bid

I. BID ITEMS (*)

(1) WATER SAMPLES(*)

(A) MONTHLY TEST: (12 X / year)

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Monthly Total</u>
1.0	Volatile Organic Chemicals (VOC)	7	<u>\$150.00</u>	<u>\$1,050.00</u>
1.1	Nitrates	25	<u>\$15.00</u>	<u>\$375.00</u>
1.2	Total Organic Carbon (TOC)	4	<u>\$50.00</u>	<u>\$200.00</u>
Total Monthly Cost:				<u>\$1,625.00</u>
Total Annual Cost:				<u>\$19,500.00</u>

(B) QUARTERLY TEST: (4 X / year)

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Quarterly Total</u>
2.0	Pesticides	75	<u>\$150.00</u>	<u>\$11,250.00</u>
2.1	Volatile Organic Chemicals (VOC)	15	<u>\$150.00</u>	<u>\$2,250.00</u>
2.2	EDB and DBCP	1	<u>\$50.00</u>	<u>\$50.00</u>
2.3	Organic Chemicals EPA 515.4, EPA 531.2, EPA 547, EPA 548, EPA 549, EPA 1613, EPA 525.2	30	<u>\$1,165.00</u>	<u>\$34,950.00</u>
2.4	Inorganic Chemicals Sb, As, Ba, Be, Cd, Cr, Ni, Se, Tl, CN ⁻ , Hg, F, NO ₂ ⁻ , NO ₃ ⁻ ,	30	<u>\$230.00</u>	<u>\$6,900.00</u>

SO ₄ ⁼ and Na				
2.5	Inorganic Chemicals Gross Alpha Gross Beta, Uranium, RA 226, and RA 228)	12	<u>\$450.00</u>	<u>\$5,400.00</u>
2.6	Nitrates	1	<u>\$15.00</u>	<u>\$15.00</u>
2.7	Trihalomethanes	12	<u>\$70.00</u>	<u>\$840.00</u>
2.8	Haloacetic Acids	12	<u>\$150.00</u>	<u>\$1,800.00</u>
Quarterly Total Cost:				<u>\$63,455.00</u>
<i>Total Annual Cost:</i>				<u><i>\$253,820.00</i></u>

(C) SEMIANNUAL TEST: (2 X / year)

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Total</u>
3.0	Inorganic Chemicals (IC): Sb, As, Ba, Be, Cd, Cr, Ni, Se, Tl, CN ⁻ , Hg, F, NO ₂ ⁻ , NO ₃ ⁻ , SO ₄ ⁼ , and Na	75	<u>\$230.00</u>	<u>\$17,250.00</u>
Total Semi-annual Cost:				<u>\$17,250.00</u>
<i>Total Annual Cost:</i>				<u><i>\$34,500.00</i></u>

(D) ANNUAL TESTS:

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Total</u>
4.0	Volatile Organic Chemicals (VOC)	124	<u>\$150.00</u>	<u>\$18,600.00</u>
4.1	Nitrates	60	<u>\$15.00</u>	<u>\$900.00</u>
4.2	Inorganic Chemicals: (IC) Sb, As, Ba, Be, Cd, Cr, Ni, Se, Tl, CN ⁻ , Hg, F, NO ₂ ⁻ , NO ₃ ⁻ , SO ₄ ⁼ and Na.	4	<u>\$230.00</u>	<u>\$920.00</u>
<i>Total Annual Cost:</i>				<u><i>\$20,420.00</i></u>

(E) LEAD AND COPPER RULE (2 X per site every three years = 176 during this contract)

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Sample Set Total</u>
5.0	Lead and Copper	44 sites	<u>\$30.00</u>	<u>\$1,320.00</u>
Total Cost Under this Contract:				<u>\$232,320.00</u>
<i>(1/5 X Total cost for annualized allocation for price comparison)</i>				<u>\$46,464.00</u>

UCMR4 SAMPLES(*)

(F) TWO (2) ROUNDS 6 MONTHS APART:
 (Expected to start in 2019 and can extend through 2024)

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Total</u>
6.0	<i>(per round)</i> - USEPA List 1, Assessment Monitoring (including HAA9, TOC and Bromide.)	- 74	<u>\$1,300.00</u>	<u>\$96,200.00</u>
Total UCMR4 Cost:				<u>\$96,200.00</u>
<i>(1/5 X Total cost for annualized allocation for price comparison)</i>				<u>\$19,240.00</u>

TOTAL DRINKING WATER ANNUALIZED COST: **\$393,944.00**

(2) WASTEWATER SAMPLES (*)

(A) QUARTERLY TEST: (4 X / year)

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Quarterly Total</u>
7.0	Metals (Cu, Ni, Zn, Al) (Agat WWTP only)	1	<u>\$60.00</u>	<u>\$60.00</u>
Total Annual Cost:				<u>\$240.00</u>

(B) ANNUAL TEST:

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Total</u>
8.0	Whole Effluent Toxicity; (purple Sea Urchin Bioassay) <i>[NDWWTP, HWWTP & AWWTP only]</i>	3	<u>\$1,500.00</u>	<u>\$4,500.00</u>

8.1	Heavy Metals (As, Cd, Cr ³⁺ , Cr ⁶⁺ , Cu, Hg, Pb Ni, Ag, and Zn) [all 4 WWTPs]	4	<u>\$180.00</u>	<u>\$720.00</u>
8.2	Chlordane and Dieldrin [Agat WWTP only]	1	<u>\$150.00</u>	<u>\$150.00</u>
8.3	All Pesticides (organochlorines, carbamates, herbicides, fungicides, defoliants, and botanicals) [see Guam Water Quality Standards-2001 Located in Appendix A] [all 4 WWTPs]	4	<u>\$1,125.00</u>	<u>\$4,500.00</u>
8.4	TOC Calibration Reference Test (Ugum only. Not a regularly scheduled test. Unit price only in case it is called for). [Do not include in Total Cost]		<u>\$50.00</u>	

Total Annual Test Cost: \$9,870.00

(C) NPDES PERMIT PERIOD TESTS:

<u>Item No</u>	<u>Description</u>	<u>Est. QTY</u>	<u>Cost Per Test</u>	<u>Total</u>
9.0	Whole Effluent Toxicity Umatac-Merizo WWTP (Fresh water) [one time in 2019]	1	<u>\$2,800.00</u>	<u>\$2,800.00</u>
9.1	Priority Pollutant Scan (a) (a) once per NPDES permit cycle = one for each WWTP during the Period of this contract. [Appendix F, all GWA WWTP NPDES Permits]	4	<u>\$1,275.00</u>	<u>\$5,100.00</u>
	Total for 5-year contract period			<u>\$7,900.00</u>
	(1/5 of the total for annualized cost comparison)			<u>\$1,580.00</u>

TOTAL WASTEWATER ANNUALIZED COST **\$11,690.00**

GRAND TOTAL ANNUALIZED COST **\$405,634.00**

Summary:

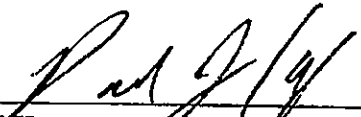
(*) The quantities listed in this bid are based on current information which are specified for evaluation and budgeting purposes. The quantities may change during the period of the contract once awarded. Offerors should consider this as an Indefinite Quantity, Indefinite Delivery bid for contract award when preparing the offers.

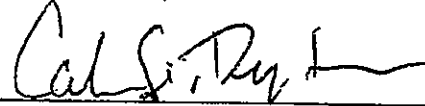
Contract Terms:

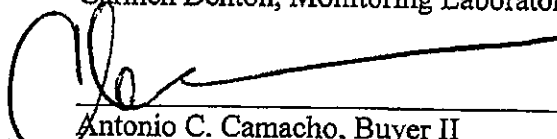
GWA may enter into a contract on terms acceptable to GWA which shall commence upon vendor's acknowledged receipt of a Notice to Proceed from GWA. The initial term of the contract shall be for a period of three (3) years with an option to renew annually for two additional years. The basis for the multiple year contract is to enhance efficiency, consistency in testing and overall value. The contracts and any extensions thereto are subject to the availability of funds.


Reviewed by: 
Legal Counsel

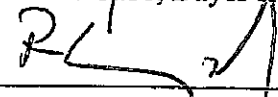
Concurred and accepted by the committee members:


Paul Kemp, AGM Compliance and Safety


Carmen Denton, Monitoring Laboratory Services Administrator


Antonio C. Camacho, Buyer II


Nicolas Cabo, Buyer II


Roland Lumongsud, Buyer II

Your approval is greatly appreciated.

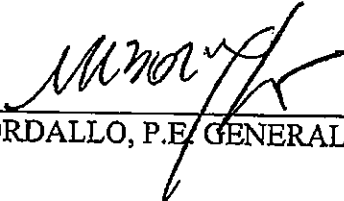
In consideration of the foregoing, please indicate your approval of this recommendation by your signature below.

CONCURRED UNCONCURRED




VINCENT ED. GUERRERO, SMA

APPROVED DISAPPROVED

 10-24-18

MIGUEL C. BORDALLO, P.E. GENERAL MANAGER

EXHIBIT C



GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building
688 Route 15, Mangilao GU, 96913
Tel: (671) 300-6027 Fax: (671) 649-3750

NOTICE OF CONDITIONAL AWARD

Date: October 19, 2018

Rick Zimmer
Eurofins Eaton Analytical, LLC
750 Royal Oaks Drive, Suite 100
Monrovia CA. 91016
Phone #671-300-6027
Office: +1 949 716 7180

Re: Invitation for Bid Number: IFB 2018-33 Laboratory Services

Hafa Adai Mr. Zimmer,

The Guam Waterworks Authority ("GWA") has considered the bid submitted by Eurofins Eaton Analytical for the above described reference in response to its Advertisement for bid dated September 10, 2018 and you are hereby notified that the Bid Item (s) submitted has been accepted by GWA. Please be advised the Performance and Payment Bond (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.

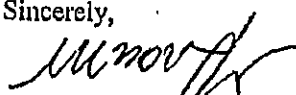
Please note this Notice of Award is conditional on obtaining the approval of the Guam Consolidated Commission on Utilities for any award over \$250,000 and the approval of the Guam Public Utilities Commission where the total value over the life of the contract could exceed \$1M. Also, award is conditional 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.

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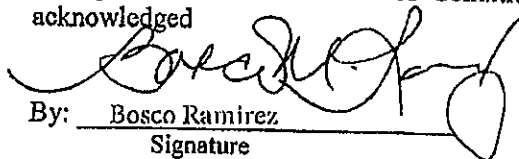
You are required to return an acknowledged copy of this Conditional Notice of Award to the Procurement Administrator.

Sincerely,


Miguel C. Borjallo, P.E.
General Manager

ACCEPTANCE OF CONDITIONAL NOTICE OF AWARD

Receipt of the above Notice of Conditional Award for GWA Bid No. 2018-33 is hereby acknowledged



By: Bosco Ramirez
Signature

Title: President
(please print)

Dated this 26 day of October, 2018.

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