



624 North Marine Corps Dr.
Tamuning Guam 96913

Website: www.gta.net
Telephone: (671) 644 4482

**Invitation for Bid No: GTA-IFB-2023-001
15-Year Term Indefeasible Right to Use (IRU) Capital Lease of 100 Gbps of an
Asia Pacific Cable System between a Guam Cable Landing Station and Peering
Location in Tokyo, Japan**

Amendment #6

1. **Invitation for Bid Package, Page 1, Description** to now read:

Description	15-year term Indefeasible Right to Use (IRU) Capital Lease of 100 Gbps of an Asia Pacific cable system between a Guam Cable Landing Station and Peering Location in Tokyo, Japan
--------------------	--

2. **Invitation for Bid Package, Page 1, Date of Release of Invitation for Bid** to now read:

Date of Release of Invitation for Bid	December 4, 2023 ChST
--	-----------------------

3. **Invitation for Bid Package, Page 1, Submission Deadline** to now read:

Submission Deadline	December 29, 2023 at 4:00 p.m. ChST
----------------------------	-------------------------------------

4. **Invitation for Bid Package, Page 1, Deadline for Question Submission** to now read:

Deadline for Question Submission	December 20, 2023 ChST
---	------------------------

5. **Invitation for Bid Package, Page 3, I. Instruction to Bidders, 1.** to now read:

Bids and modifications shall be enclosed in sealed envelopes and addressed to the office specified in the Solicitation. The Bidder must bring four copies of their bids. One copy must be

unbound and three copies must be separately bound. The Bidder shall submit the proposal on the hour and dates specified in the Solicitation for receipt, the Solicitation number, and the name and address of the bidder on the face of the envelope.

6. Invitation for Bid Package, Page 3, I. Instruction to Bidders, 5. to now read:

Questions/Communications of Bidders Prior to Bid Submission and Single Point of Contact

All communications and any questions concerning possible discrepancies, omissions, or doubts as to the meaning of this IFB shall be communicated in writing on or before December 20, 2023 ChST to the Single Point of Contact, Arlie Bonto.

7. Invitation For Bid Package, Page 6, IV. Background to now read:

TeleGuam Holdings, LLC dba GTA is seeking to acquire a 15-year term Indefeasible Right to Use (IRU) Capital Lease of 100 Gbps of optical capacity on an Asia Pacific cable system between a Guam Cable Landing Station and Peering Location in Tokyo, Japan. The cable will be a direct route between Guam and Tokyo reducing latency over 200 ms to below 40 ms. This project is funded by the National Institute of Standards and Technology (NIST), servicing for the National Telecommunications and Information Administration (NTIA) Broadband Infrastructure Program, Federal Award number 66-08-I2208, authorized by the Consolidated Appropriations Act, 2021, Division N, Title IX, Section 905, Public Law 116-260, 134 Stat. 1182 (December 27, 2020) (Act), administered by the Bureau of Statistics and Plans, Government of Guam, and subawarded to TeleGuam Holdings, LLC dba GTA. The aim is to deliver low latency service (~40ms) to GovGuam, anchor institutions, and GTA's customers to significantly improve critical access to telemedicine, remote work, education, outside world via news and critical weather updates, and enable the local government to embark on availing of cloud infrastructure and services and creating an optimal environment for economic development.

8. Invitation for Bid Package, Pages 6-7, V. Specifications, A. Cable System Specifications, e. Cable Expiration to now read:

Expiration Criteria: Must provide service for full 15-year IRU term

GTA is aware that cables between Guam and Japan may be coming to end of life, bidders can propose a solution that offers continuity of service upon cable system end of life. Offer must explain Bidder's approach to provide contiguous service through the life of the term. Any offer unable to provide full term of 15-year IRU will be deemed non-compliant.

9. Invitation for Bid Checklist, Description to now read as:

15-year term Indefeasible Right to Use (IRU) Capital Lease of 100 Gbps of an Asia Pacific cable system between a Guam Cable Landing Station and Peering Location in Tokyo, Japan

Bidders are reminded to read the Sealed Bid Solicitation Instructions, General Terms and Conditions attached to the IFB to ascertain that all of the following requirements checked below are submitted in the bid envelope, four copies: one unbound copy and three copies separately bound, at the date and time for bid opening.

10. Procurement Forms 001-008, U.S. Department of Labor Wage and Benefit Determination (SCA) to replace page 10 with the correct page:

7/28/23, 12:55 PM

SAM.gov

Conformance Process:

The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination (See 29 CFR 4.6(b)(2)(i)). Such conforming procedures shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees (See 29 CFR 4.6(b)(2)(ii)). The Wage and Hour Division shall make a final determination of conformed classification, wage rate, and/or fringe benefits which shall be paid to all employees performing in the classification from the first day of work on which contract work is performed by them in the classification. Failure to pay such unlisted employees the compensation agreed upon by the interested parties and/or fully determined by the Wage and Hour Division retroactive to the date such class of employees commenced contract work shall be a violation of the Act and this contract. (See 29 CFR 4.6(b)(2)(v)). When multiple wage determinations are included in a contract, a separate SF-1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

- 1) When preparing the bid, the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).
- 2) After contract award, the contractor prepares a written report listing in order the proposed classification title(s), a Federal grade equivalency (FGE) for each proposed classification(s), job description(s), and rationale for proposed wage rate(s), including information regarding the agreement or disagreement of the authorized representative of the employees involved, or where there is no authorized representative, the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.
- 3) The contracting officer reviews the proposed action and promptly submits a report of the action, together with the agency's recommendations and pertinent information including the position of the contractor and the employees, to the U.S. Department of Labor, Wage and Hour Division, for review (See 29 CFR 4.6(b)(2)(ii)).
- 4) Within 30 days of receipt, the Wage and Hour Division approves, modifies, or disapproves the action via transmittal to the agency contracting officer, or notifies the contracting officer that additional time will be required to process the request.
- 5) The contracting officer transmits the Wage and Hour Division's decision to the contractor.
- 6) Each affected employee shall be furnished by the contractor with a written copy of such determination or it shall be posted as a part of the wage determination (See 29 CFR 4.6(b)(2)(iii)).

Information required by the Regulations must be submitted on SF-1444 or bond paper.

When preparing a conformance request, the "Service Contract Act Directory of Occupations" should be used to compare job definitions to ensure that duties requested are not performed by a classification already listed in the wage determination. Remember, it is not the job title, but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split, combine, or subdivide classifications listed in the wage determination (See 29 CFR 4.152(c)(1))."