



Office of the Attorney General of Guam

590 S. Marine Corps Dr., Ste. 706, Tamuning, Guam 96913



Amendment IV

Independent Prosecutor (Special Assistant Attorney General)

Professional Services

Request for Proposal No. 001-2016

This is in reference to the Office of the Attorney General of Guam's Request for Proposal No. 001-2016 (RFP) issued on February 19, 2016.

This is to amend the following page of the aforementioned RFP, as amended: Page 4, 8, 9, 10, 25.

1. Page 4: 2.1.3 – BACKGROUND/TRAINING/EXPERIENCE; the first paragraph under this title is amended to read as follows:

Attorney or Law Firm must be licensed to practice law on Guam or seek admission pro hac vice pursuant to Rule 8 of the Guam Rules Governing Admission to the Practice of Law. Attorneys must be in good standing with the attorney's respective state, territory, or district licensing entity. Attorneys must furnish such licenses described above in RFP submission.

Attorneys seeking admission pro hac vice must attach the following to the RFP submission:

- (1) Completed application for admission to appear as counsel pro hac vice;
- (2) The name, address, and telephone number of a local firm or local attorney in good standing of the bar of Guam who will sponsor the attorney's pro hac vice request;
- (3) Proof or confirmation from the local firm or local attorney verifying such sponsorship of the attorney's pro hac vice application;

Attorney or Law Firm must have a minimum of ten (10) years of criminal prosecution and or criminal defense experience.

Attorney or Law Firm must have a minimum of five (5) years of prosecuting and or defending property, financial, white collar, and or government corruption offenses.

Attorney or Law Firm must have prosecuted or defended a criminal case within the last three (3) years.

Attorney or Law Firm must have experience with presenting evidence to the grand jury. Attorney or Law Firm must have experience working with law enforcement officers or investigators, accountants, auditors, bank or finance institution officers or employees, government personnel specialist or human resource officers, and government payroll employees.

Note: All remaining language in 2.1.3 remains unchanged.

2. Page 8-9: 2.3.3 – PRE-PROPOSAL CONFLICTS CHECK; the first paragraph under this title is amended to read as follows:

A confidential information packet of potential names will be made available to Potential Offerors beginning March 11, 2016. Each potential Offeror **and, if applicable, the local firm or local**

attorney sponsoring an attorney's pro hac vice application, is ethically responsible to review the confidential information packet and to determine if a conflict exists. Failure to pick up the confidential information packet and sign the Offeror Confidentiality and Non-Disclosure Agreement by April 22, 2016 will deem proposals non-responsive.

Note: All remaining language in 2.3.3 remains unchanged.

3. Page 9: 2.4.1 – EVALUATION FACTORS FOR AWARD; the second paragraph under this title is amended to read as follows:

An Evaluation Committee comprised of one (1) Senior Prosecutor or Attorney and two (2) active members of the Guam Bar Association shall conduct the evaluations of the Proposals and interview each of the Offerors, including determining the responsiveness, responsibility and ranking of each Offeror. The Chief Prosecutor shall negotiate with the highest ranked Offeror and if necessary; with the next ranked Offeror pursuant to 2 GAR §3114(k). **If the Evaluation Committee determines that the highest ranked Offeror is an attorney who must seek admission pro hac vice, that attorney must show proof of submission of an application and payment of the application fee for admission pro hac vice within ten (10) days after a notice of award has been issued.**

Note: All remaining language in 2.4.1 remains unchanged.

4. Page 10: 2.4.3 - NOTICE AND EXECUTION OF AWARD; the first paragraph under this title is amended to read as follows:

Any award pursuant to this RFP will not be complete until an agreement for the scope of work and the project is fully executed by the selected Offeror, OAG, and other required parties. **Any contract pursuant to this RFP is conditional upon an attorney's successful grant of admission pro hac vice, if applicable.** A sample agreement is included in this RFP as ATTACHMENT 1. OAG reserves the right to alter the sample agreement as allowed by applicable law or regulation.

Note: All remaining language in 2.4.3 remains unchanged.

5. Page 25: ATTACHMENT 1: Section 3 - ATTORNEY'S COMPENSATION FOR SERVICES; a new section under this title is added to read as follows:

3.6 For attorneys seeking admission pro hac vice, payment is conditional upon the attorney's successful grant of admission pro hac vice and that the respective court does not revoke that attorney's admission to appear as counsel pro hac vice for the duration of the contract term.

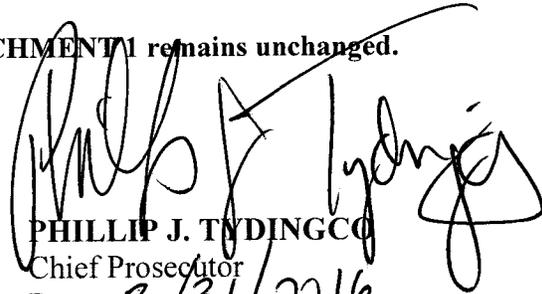
Note: All remaining language in Section 3 of ATTACHMENT 1 remains unchanged.

6. Page 26: ATTACHMENT 1: Section 4 – ATTORNEY AGREES; a new section under this title is added to read as follows:

4.4 To seek admission pro hac vice, if applicable, pursuant to Rule 8 of the Guam Rules Governing Admission to the Practice of Law. Attorney will show proof of submission of

application for admission pro hac vice and payment of the application fees within ten (10) days after a notice of award has been issued, and failure to meet such conditions will render this contract void.

Note: All remaining language in Section 4 of ATTACHMENT 1 remains unchanged.



PHILLIP J. TYDINGCO
Chief Prosecutor
Date: 3/31/2016