



Jerrick Hernandez <jhernandez@guamopa.com>

In the Appeal of Guam Pacific Enterprise, Inc. re: Appeal Case No. OPA-PA-22-001

Abmer T. Brennan <atbrennan@gdoe.net>

Wed, Feb 9, 2022 at 4:33 PM

To: Jerrick Hernandez <jhernandez@guamopa.com>, Thyrsa Bagana <tbagana@guamopa.com>, vduenas@guamopa.com, GPE INC <guampacific@gmail.com>

Cc: Legal Admin <legal-admin@gdoe.net>

Hafa Adai All,

Please see attached *GDOE's Agency Statement and Agency Report* re: Appeal Case No. OPA-PA-22-001.

Kindly confirm receipt.

Thank you and stay safe.

Respectfully,

Abi T. Brennan

Office of the Superintendent, **Legal Div.**
Guam Department of Education

Guam Department of Education

2 attachments

 **Agency Report OPA-PA-22-001 (IFB 002-2022).pdf**
261K

 **Agency Statement OPA-PA-22-001 (IFB 002-2022).pdf**
586K

1 **GUAM DEPARTMENT OF EDUCATION**

2 James L.G. Stake, Legal Counsel
3 501 Mariner Avenue
4 Barrigada, Guam 96913
5 Telephone: (671) 300-1537
6 E-mail: legal-admin@gdoe.net
7 *Attorney for Guam Department of Education*

8 **OFFICE OF THE PUBLIC AUDITOR**
9 **PROCUREMENT APPEALS**

10 In the Appeal of

10 APPEAL CASE NO. OPA-PA-22-001

11 Guam Pacific Enterprises Inc.

11 **AGENCY REPORT**

12 Appellant.

13 Appellee Guam Department of Education (“GDOE”), by and through its attorney, James
14 L.G. Stake, hereby submits its Agency Report, pursuant to 2 GAR Div. 4 §12105:

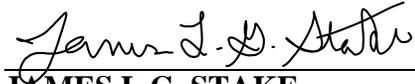
- 15
- 16 (a) A copy of the protest: **Submitted to the Office of the Public Auditor (“OPA”) on**
17 **February 2, 2022, by GDOE in its Procurement Record of OPA-PA-22-001.**
- 18 (b) A copy of the bid or offer submitted by the Appellant and a copy of the bid or offer that is
19 being considered for award or whose bid or offer is being protested, if any had been
20 submitted prior to the protest: **Not Applicable.**
- 21 (c) A copy of the solicitation, including the specifications or portions thereof relevant to the
22 protest: **Submitted to the Office of the Public Auditor (“OPA”) on February 2, 2022,**
23 **by GDOE in its Procurement Record of OPA-PA-22-001.**
- 24 (d) A copy of the abstract of bids or offers or relevant portions to the protest: **Not Applicable.**
- 25 (e) Any other documents which are relevant to the protest; including the contract, if one has
26 been awarded, pertinent amendments, and plans and drawings: **Not Applicable.**
- 27 (f) The decision from which the Appeal is taken, if different from the decision submitted by
28 Appellant: **Submitted to the Office of the Public Auditor (“OPA”) on February 2,**
2022, by GDOE in its Procurement Record of OPA-PA-22-001.

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- (g) A statement answering the allegation of the Appeal and setting forth findings, actions, and recommendations in the matter together with any additional evidence or information deemed necessary in determining the validity of the Appeal. The statement shall be fully responsive to the allegations of the Appeal: **Please see attached Agency Statement.**
- (h) If award made after receipt of the protest, the report will include the determination required under 2 GAR §9101(e): **Not applicable.**
- (i) A statement in substantially the same format as Appendix B to this Chapter, indicating whether the matter is the subject of a court proceeding: **Submitted to the Office of the Public Auditor (“OPA”) on February 2, 2022, by GDOE in its Procurement Record of OPA-PA-22-001.**

Dated: February 9, 2022

Respectfully submitted,
GUAM DEPARTMENT OF EDUCATION

By: 
JAMES L.G. STAKE
Legal Counsel