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FILE NO. OPA-PA: *10-010*

1 **DEPARTMENT OF EDUCATION**

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5 **IN THE OFFICE OF PUBLIC ACCOUNTABILITY**
6 **PROCUREMENT APPEAL**

7 **IN THE APPEAL OF:**

8 **TOWNHOUSE DEPARTMENT**

STORES, INC., dba

9 **ISLAND BUSINESS SYSTEMS**

10 **Xerox Corporation**

11 **Party in Interest**

)
) **APPEAL NO: OPA-PA 10-010**

) **Purchasing Agent, DOE's Reply**
) **to Xerox Corporation's Opposition**
) **to DOE's Motion**

12 Now comes DOE and for its reply to Xerox Corporation's Opposition to DOE's request to
13 proceed with an award in IFB 006-2010.

14 DOE has requested to be able to proceed with an awarding of bids in GDOE IFB 006-2010
15 pursuant to its authority under 5 GCA Chapter 5, Section 5425 (b) to resolve the protest brought
16 by IBSS, Appellant in OPA-PA 10-010. Xerox is a Party-In-Interest and does not have an
17 appeal or protest pending with DOE or the OPA with regard to IFB 006-2010. Xerox has all its
18 rights under the procurement laws and regulations with regard to any award made by DOE in
19 IFB 006-2010. At this time to Appeal in OPA-PA 10-010 is post bid opening on May 21, 2010
20 and pre-award. IBSS, has requested DOE to proceed with an award and DOE is requesting
21 permission to do so.

19 Dated this 18th day of January, 2011.

20 **DEPARTMENT OF EDUCATION**

21 *Laura J. Mooney*

22 **Laura J. Mooney**

23 **DOE Legal Counsel**