



Jerrick Hernandez <jhernandez@guamopa.com>

OPA-PA-23-004, In the Matter of the Appeal of Dooik Eng, Co., Ltd.

Camarine Hopkins <camarine@camachotaitano.law>

Mon, Dec 4, 2023 at 5:00 PM

To: Jerrick Hernandez <jhernandez@guamopa.com>

Cc: Marianne Woloschuk <mwoloschuk@gpagwa.com>, "Theresa G. Rojas" <tgrojas@guamwaterworks.org>, Beatrice Lintiaco <tlintiaco@gpagwa.com>, Shannon Taitano <shannon@camachotaitano.law>

Hafa Adai Jerrick,

Camacho & Taitano LLP through Shannon Taitano, Esq., hereby submits this email filing regarding the above subject procurement appeal. This email consists of three (3) documents, as follows:

- Dooik Eng Co., Ltd's List of Issues (**2 pages**)
- Dooik Eng Co., Ltd's Admission of Facts (**6 pages**)
- Dooik Eng Co., Ltd.'s Witness List (**1 page**)

We are currently having issues with our network being slow, and our exhibit list is still uploading. With approval from everyone, will it be ok to submit our exhibit list as soon as it uploads, which should be in the next several minutes? We greatly appreciate your time and consideration.

Please let me know if you have any questions or concerns.

Thank you,
Camarine

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3 attachments

Dooik's List of Issues.pdf
107K

 **Dooik's Admission of Facts.pdf**
137K

 **Dooik's Witness List.pdf**
104K

1 **SHANNON TAITANO, Esq.**
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5 Telephone: (671) 989-2023

6 Attorneys for Appellant *Dooik Eng Co., Ltd.*

7 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**
8 **PROCUREMENT APPEAL**

9 IN THE MATTER OF THE APPEAL OF)	Docket No. OPA-PA-23-004
)	
10)	
11 DOOIK ENG CO., LTD.,)	DOOIK ENG CO., LTD.’S
)	LIST OF ISSUES
12)	
13 Appellant.)	

14 **COMES NOW**, Dooik Eng Co., Ltd., by and through its counsel, Shannon Taitano,
15 Esq., and hereby submits Dooik Eng Co., Ltd.’s List of Issues which are as follows:

- 16
- 17 1. Whether GPA properly justified its use of Multi-Step Sealed Bidding in this
18 procurement.
 - 19 2. Whether GPA complied with the procedures and requirements for using the
20 Multi-Step Sealed Bidding Process in this procurement. This includes, but is
21 not limited to the following:
 - 22 A. Whether GPA violated Procurement Law by failing to include
23 “potentially acceptable” as an evaluation category.
 - 24 B. Whether GPA violated the Procurement Law by allowing evaluators
25 to leave portions of the scoring worksheet blank.
26

1 C. Whether GPA’s scoring rubric itself violated the Procurement Law
2 because a “satisfactory” non-technical offer would be deemed
3 “unacceptable.”

4 3. Whether Guam Power Authority had the assistance of a designated or
5 appointed assistant attorney general at all phases of this procurement as
6 required by 5 GCA § 5150.

7
8 4. Whether Guam Power Authority acted arbitrarily when it determined
9 Dooik’s technical proposal was unacceptable to the Multi-Step Information
10 for Bids GPA-023-23 for Performance Management Contract Yigo Diesel
11 Generators and ineligible for Step Two of the multi-step IFB process.

12 Dated this 4th day of December 2023.

13
14 **CAMACHO & TAITANO LLP**
15 Attorneys for Appellant

16 By: 
17 **SHANNON TAITANO**