

1 **BERMAN O'CONNOR & MANN**
2 Suite 503, Bank of Guam Bldg.
3 111 Chalan Santo Papa
4 Hagåtña, Guam 96910
5 Telephone No.: (671) 477-2778
6 Facsimile No.: (671) 477-4366

7 Attorneys for Appellant:
8 *PACIFIC DATA SYSTEMS, INC.*

OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

SEP 08 2011

FILE NO. OPA-PA-10-005 BY MAV

9 **OFFICE OF PUBLIC ACCOUNTABILITY**
10 **PROCUREMENT APPEALS**

11 In the Appeal of
12 *PACIFIC DATA SYSTEMS, INC.,*
13 Appellant.

) Docket No. OPA-PA-10-005

) **MOTION OF PACIFIC DATA SYSTEMS,
INC. FOR ENTRY OF AWARD
AGAINST GUAM COMMUNITY
COLLEGE**

14 COMES NOW Pacific Data Systems, Inc. ("PDS") and moves the Public Auditor
15 to enter an award in the amount of \$21,299.17 in favor of PDS and against Guam
16 Community College ("GCC"), and as grounds therefore states:

17 1. In the Decision of January 12, 2011, the Public Auditor awarded
18 PDS its "... reasonable costs incurred in connection with the solicitation in its August 3,
19 2010 protest, including PDS' reasonable bid preparation costs, excluding PDS'
20 attorneys' fees ..." See Decision of January 12, 2011 at ¶ 7 on p. 20.

21 2. Thereafter, PDS submitted its invoice to GCC in the amount of
22 \$21,299.17 to GCC. GCC did not file any timely objection to PDS' cost demand.

23 3. Thereafter, on August 2, 2011, PDS filed its Motion of Pacific Data
24 Systems, Inc. to Enforce Public Auditor's Decision Regarding Award of Costs.

25 4. That Motion was served upon the attorneys for GCC on August 2,
26 2011, but despite the passage of over thirty days, no response to said Motion has been
27 filed by GCC.


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WHEREFORE, PDS requests that the Public Auditor now enter its Order requiring GCC to immediately pay \$21,299.17 to PDS.

DATED this 8th day of September, 2011.

Respectfully submitted,

BERMAN O'CONNOR & MANN
Attorneys for *PACIFIC DATA SYSTEMS, INC.*

By: 
BILL R. MANN