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RECEIVED
 OFFICE OF THE PUBLIC AUDITOR
 PROCUREMENT APPEALS

SEP 18 2009

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 FILE No. OPA-PA 09-005

Attorneys for the Department of Public Works

BEFORE THE GUAM PUBLIC AUDITOR
Procurement Appeal

IN THE APPEAL OF:)	DOCKET NO. OPA-PA 09-005
)	
)	
)	MOTION FOR PROTECTIVE
GUAM COMMUNITY IMPROVEMENT)	ORDER; SUPPORTING
FOUNDATION, INC.)	MEMORANDUM OF POINTS &
)	AUTHORITIES
Appellant.)	
)	

MOTION FOR PROTECTIVE ORDER

This motion is made pursuant to direction by the Hearing Officer in this Appeal during the Status Hearing on 15 September 2009. Accordingly, the Department of Public Works, Government of Guam ("DPW") hereby moves for a protective order precluding third party disclosure of the proposals and attendant negotiations occurring in this matter prior to the award of a contract. This motion is based on Procurement Regulations, 2 GAR, §§3114(h)(1), and 3116(b) which clearly prohibit disclosure of proposals until an award of a contract has been made.

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An award of the contract has not yet been made in this procurement. Negotiations leading to an award were in-progress at the time Appellant filed its 11 August 2009 protest. Accordingly, a protective order precluding disclosure of either of the three bid proposals is entirely consistent with Guam procurement law.

**MEMORANDUM OF POINTS AND AUTHORITIES
SUPPORTING MOTION FOR PROTECTIVE ORDER**

A. 2 GAR § 3116(b) Prohibits Pre-Award Proposal Disclosure.

As previously pointed out and argued in the Government's responses to Items 3 and 4 in the protest contained in DPW's "Appeal Response," Exhibit G-1 to the Agency Report, Bates Numbers 000187-000188, no proposal is subject to disclosure *prior* to an award of the contract for the JFK High School re-build. In this procurement, DPW was in negotiations with IBC for the financing, construction, lease and lease back of the JFK High School at the time of the Guam Community Improvement Foundation, Inc. ("GCIF"), 11 August 2009 protest resulting in freezing these negotiations and the procurement process generally.

Essentially, at this stage in the procurement, GCIF is protesting *the selection of* IBC as the best qualified proposer; it is not protesting an actual award. Consequently, release of information prior to an actual award would be improper.

As DPW pointed out in the Appeal Response, 2 GAR § 3114(h)(1) directs that:

Proposals and modifications shall be time-stamped upon receipt and held in a secure place until the established due date. Proposals shall not be opened publicly nor disclosed to unauthorized persons, but shall be opened in the presence of two or more procurement officials. A Register of Proposals shall be established which shall include for all proposals. . . . The Register of Proposals shall be opened to public inspection only after award of the contract.

Proposals of offerors who are not awarded the contract shall not be opened to public inspection. (emphasis added).

The proscription against the pre-award disclosure of proposals is further evident in 2 GAR § 3116(b), which directs that “Information furnished by a bidder or offeror pursuant to this Section shall not be disclosed outside of the General Service Agency, Director of Public Works, or the head of a Purchasing Agency without prior written consent by the bidder or offeror.” It is almost universally the case that prior to an award in a solicitation based on a request for proposals, proposals will not be disclosed until some sort of final decision or award has been issued. See, generally Michaelis, Montanari & Johnson v. Superior Court, 136 P.3d 194, 44 Cal.Rptr.3d 663 (Cal. 2006) (holding that under California’s Public Records Act there was a preponderant governmental interest in not disclosing proposals prior to the completion of negotiations, canvassing both state and federal precedent and noting the requirements of the Model Procurement Code with respect to Registrations of Proposals).

IBC’s proposal is covered by 2 GAR § 3116(b), and because IBC has not consented to the disclosure of its proposal, IBC’s Proposal cannot be disclosed until the contract is awarded.

B. 2 GAR § 3114(h)(2) Prohibits the Disclosure of Trade Secrets and Other Proprietary Data.

Title 2 GAR §3114(h)(2) provides that:

If the offeror selected for award has requested in writing the nondisclosure of trade secrets and other proprietary data so identified, the head of the agency conducting the procurement or a designee of such office shall examine the request in the proposal to determine its validity prior to entering negotiations. If the parties do not agree as to the disclosure of data in the contract, the head of the agency conducting the procurement or a designee of such officer shall inform the offeror in writing what portion of the proposal will be disclosed and that, unless the offeror withdraws the proposals or protests under 5 GCA Chapter 5

Article 9 (Legal and Contractual Remedies) of the Guam Procurement Act, the proposal will be so disclosed.

IBC's proposal states on the second page of its proposal in a "Legend" as follows:

LEGEND: This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed – in whole or in part – for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of – or in conjunction with – the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the Government's right to use information contained in this date if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets [ALL].

The regulations are perfectly clear: before the contract is awarded, the disclosure of any proprietary information or trade secrets contained in IBC's Proposal is expressly prohibited by 2 GAR § 3114(h)(2). When the OPA requested DPW to transfer all three proposals submitted by offerors, this Office designated the proposals as proprietary by filing a "*Supplemental Procurement Record (Proprietary) Transmittal Cover Sheet (Filed Under Seal)*" and requested that the proposals "submitted exclusively to the Office of the Auditor ("OPA") under seal herewith, [be kept] strictly confidential . . ." Supplemental Procurement Record (Proprietary) Transmittal Cover Sheet filed 8 September 2009.

Based upon the foregoing authority DPW, hereby requests that a protective order be issued, sealing the proposals and attendant negotiations prior to contract award.

Dated this 18th day of September 2009.

OFFICE OF THE ATTORNEY GENERAL
Alicia G. Limtiaco, Attorney General

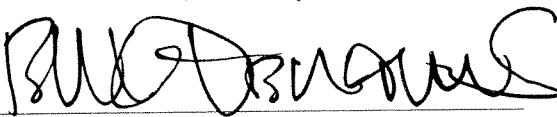
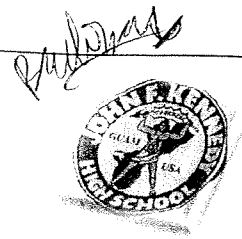
By: 
Benjamin M. Abrams
Assistant Attorney General

EXHIBIT A

To the Guam Public Auditor of the Territory of Guam:



The John F. Kennedy High School community has come together to express our support of the JFK re-build project that was mandated by PL 29-114, and which has been supported by your administration through the efforts of the Department of Public Works, and the Guam Economic Development Authority.







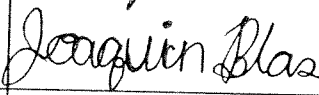
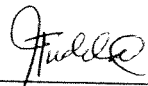
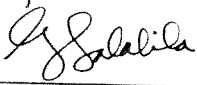
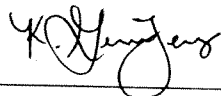


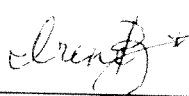
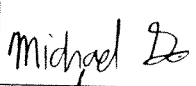
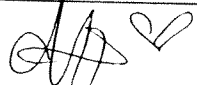
As parents, teachers and students who are affected by the educational crisis created by the closure of the JFK campus, we are acutely aware of the hardships that are caused by every single day of delay in getting our Islanders back to their home. A major portion of the JFK High School Community has suffered enough already while we stood by and waited for the Government to follow through with re-building our Campus. We have been supportive and patient. We have endured the trials of the situation and have done so with heavy hearts, but still holding out hope that in the end, the Government would come through for us. With all of the difficulties that we have had to overcome just to get the education to which each and every one of us are entitled, it has been much like walking through a tunnel.

And just when there appeared to be light at the end of the tunnel, we learned of the protests that were filed against the selection of the winning bidder, International Bridge Corporation. But rather than causing us to despair, these protests have strengthened our resolve to see our Islander Home re-built. It inspired us to confront the Senators who would try to impose a change on the procurement process that would further delay the work needed to get us home. Our Islander spirit remains high, and we call upon you, as the Chief Public Auditor of our Island, to concur with the Declarations of Substantial Government Interests for the People of Guam, and for the good of the JFK Community; and to please declare the protest did not cite any direct or indirect violation of the law relating to the procurement process. **Consequently, we request the appeal herein should be rejected and denied allowing the process to move forward.**

Chief Public Auditor please help the Islanders get back home to our Upper Tumon campus again.

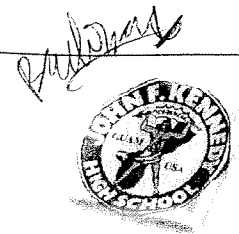
Your petitioners therefore request the Guam Public Auditor to exercise your authority and concur with the Declaration of Substantial Interests for the Territory of Guam; that reaffirms and validates our full support to address the immediate need to rebuild the John F. Kennedy High School facility in Upper Tumon, Guam; be built in time for SY 2010-2011; and which is specifically mandated by Public Law 29-114 that was unanimously voted by the 29th Guam Legislature.

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	Emmie Echon	483-0703	<i>[Signature]</i>	<input checked="" type="checkbox"/>
2	Jesse Noja de ra	888-8220	<i>[Signature]</i>	<input checked="" type="checkbox"/>
3	Cariza Solano	carizasolano@hotmail.com	<i>[Signature]</i>	<input checked="" type="checkbox"/>

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
4	Darrin Guerrero	565-3995		✓
5				
6	Noel Redila	632-7991		✓
7				
8	Janir Cruz	632-6160		✓
9	Rafael Taitano	683-2666		✓
10	Steven Mendiola	637-0236		✓
11	Rachel Cabrera	687-7701/868-0240		✓
12	Joaquin Blas	878-3120		✓
13	Jaesha Tudela	633-2420/987-7252		✓
14	SALALILA, LARISSA	678-1294/929-1882		✓
15	Kimberly Reyes	633 8413 / 929 1045		✓
16	Meranda Solomon	969-6391		✓
17	Eileen Liffang	969-7591 / 777-7582		✓
18	Erene Bomy	632-0653 / 678-2785		✓
19	Michael Ealiendes	632-4580 / 929-9513		✓
20	MELEINA SORIM	646-7865 / 878-9834		✓

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
21	Robert Natividad	637-6265	Robert Natividad	✓
22	Charles Navarrete	969-9197	Charles Navarrete	✓
23	Joseph Argueta	632-1116	Joseph Argueta	✓
24	Armando Vance	969-7839	Armando Vance	
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To the Guam Public Auditor of the Territory of Guam:



The John F. Kennedy High School community has come together to express our support of the JFK re-build project that was mandated by PL 29-114, and which has been supported by your administration through the efforts of the Department of Public Works, and the Guam Economic Development Authority.

As parents, teachers and students who are affected by the educational crisis created by the closure of the JFK campus, we are acutely aware of the hardships that are caused by every single day of delay in getting our Islanders back to their home. A major portion of the JFK High School Community has suffered enough already while we stood by and waited for the Government to follow through with re-building our Campus. We have been supportive and patient. We have endured the trials of the situation and have done so with heavy hearts, but still holding out hope that in the end, the Government would come through for us. With all of the difficulties that we have had to overcome just to get the education to which each and every one of us are entitled, it has been much like walking through a tunnel.

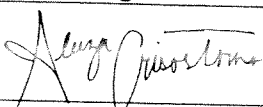
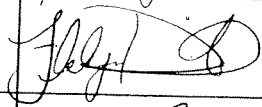

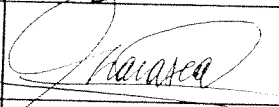

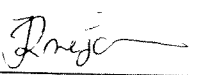


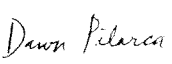
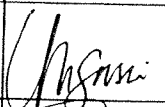
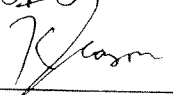
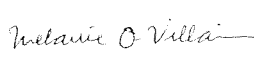
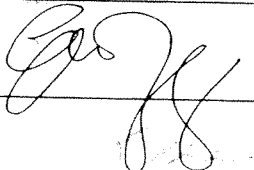
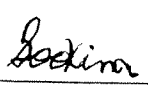
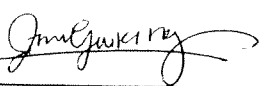
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	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	JARED ANDRADA	637-0502	<i>Jared Andrada</i>	<input checked="" type="checkbox"/>
2	Camille Castro	632-5595	<i>Camille Castro</i>	<input checked="" type="checkbox"/>
3	Bohnie Macario	637-0398	<i>B. Macario</i>	<input checked="" type="checkbox"/>

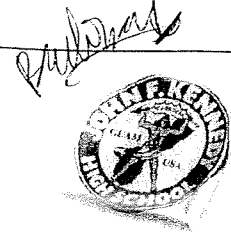
	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
4	Alfred Lau	969-8253	Alfred Lau	✓
5	EDWARD PEREZ	653-2327	Edward Perez	✓
6	Alexanne Maniclat	482-2081	Alexanne Maniclat	✓
7	Joseph Villagomez	646-6340	Joe Villagomez	✓
8	LIVIZOL DELA CRUZ	637-5805	Lizol Dela Cruz	✓
9	MOSES MANIBUSAN	488-8013	Moses Manibusan	✓
10	Hatsuki Recella	782-9349	Hatsuki Recella	✓
11	Braulio J. Bermudez	456 8740	Braulio J. Bermudez	✓
12	Emmanuel Escalera	637-7181	Emmanuel Escalera	✓
13	Amando Betanzo III	637-7102 - a.mil.com	Amando Betanzo III	✓
14	Joan Nonesan	637-6525	Joan Nonesan	✓
15	Brianna Smith	488-4685	Brianna Smith	✓
16	Anelyn Lagrimas	633-6032	Anelyn Lagrimas	✓
17	Aida Kristina Alba	637-8485	Aida Kristina Alba	✓
18	Bryce Eldrich Bienes	637-3513 / bruce-lee911@hotmail.com	Bryce Eldrich Bienes	✓
19	Edmaric Callasan	637-0449 snoopy baby ²⁷ @ hotmail.com	Edmaric Callasan	✓
20	Rez Dagonbay	637-8976 / huhv21@ yahoo.com	Rez Dagonbay	✓

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
21	Aleeza Crisostomo	787-0025		<input checked="" type="checkbox"/>
22	Floralyn David	787-4367		<input checked="" type="checkbox"/>
23	Geena Alyanna Nogue	637-9414		<input checked="" type="checkbox"/>
24	Jessie Parasca	969-3064		<input checked="" type="checkbox"/>
25	Mia Mira	787-3385		<input checked="" type="checkbox"/>
26	Richel Mejares	929-1000		<input checked="" type="checkbox"/>
27	Demeliz Judan	944-9240		<input checked="" type="checkbox"/>
28	Jena Perez	888-704 4519		<input checked="" type="checkbox"/>
29	Dawn Pilarco	632-8176		<input checked="" type="checkbox"/>
30	Michie Ana Sasai	687-4942		<input checked="" type="checkbox"/>
31	Kesmie Jane Tuzon	6404146		<input checked="" type="checkbox"/>
32	Melanie O. Villarin	649-9218		<input checked="" type="checkbox"/>
33				
34	ERANI ZUNIGA	788-0025		<input checked="" type="checkbox"/>
35				
36	Soo Kim	929-6961		
37	Jonah May V. Gumpang	632-6191		

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
38	ROBERT PASIPICE	632-7612		<input checked="" type="checkbox"/>
39	Niel Romero	sinnursandsaints@live.com	Niel Romero	<input checked="" type="checkbox"/>
40	John Duran	Supa-john@hotmail.com		<input checked="" type="checkbox"/>
41	Johnnie Adams	699-0226		<input checked="" type="checkbox"/>
42	Trey Vaughn	649-1404		<input checked="" type="checkbox"/>
43	Aan Torres	788-0731 / 789-5966 whydra-94@yahoo.com		<input checked="" type="checkbox"/>
44	Relita Tudela	909-7414		<input checked="" type="checkbox"/>
45	Jennifer Tens	477-8948 Justyours01@yahoo.com		<input checked="" type="checkbox"/>
46	Norene Torres	788-7072 Norene.johnelle@yahoo.com		<input checked="" type="checkbox"/>
47	Anelyn Lagimar Anelyn Lagri	7873616		<input checked="" type="checkbox"/>
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	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	Maria Rosa	639-8341 maria.rosa@yahoo	<i>Maria Rosa</i>	<input checked="" type="checkbox"/>
2	Kaeleem Cruz	808-4252 KK-611@yahoo.com	<i>Kaeleem Cruz</i>	<input checked="" type="checkbox"/>
3	Jennielyn Barroga	929 3846 preciousjenny@yahoo.com	<i>Jennielyn Barroga</i>	<input checked="" type="checkbox"/>

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
4	Rocilio Mendoza Jr.	632-1230 filipinofire@aim.com	Rocilio Mendoza Jr.	✓
5	Hanimita-Katzuda	707-0923 Bubbyflirt-0191@yahoo.com	H Katzuda	✓
6	Hannah Toves	808-1612 not-hannah-montana@hotmail.com	Hannah Toves	✓
7	Abequil Castaneda	637-1610 Hawendising@yahoo.com	Abequil Castaneda	✓
8	Anthony Ferlaja	472-4660 anthony_ferlaja2012@yahoo.com	Anthony Ferlaja	✓
9	Renz HL Velasco	632-3443 short_brocker94@hotmail.com	R. Velasco	✓
10	Narciso Simion	446-1759 N-rez@hotmail.com	Narciso Simion	✓
11	Aldrich Garcia	787-2706 dizfokai@hotmail.com	Aldrich Garcia	✓
12	Yaminick Anriola	488-8846 dem-aero94@yahoo.com	Yaminick Anriola	✓
13	Lizette Belle Trapan	446-4146 antuma-leaf09@yahoo.com	Lizette Belle Trapan	✓
14	Marc Ervin Espiritu	632-6862 simple.777@hotmail.com	Marc Ervin Espiritu	✓
15	A. Mangiliman	627-2636 Bulugan Jr. 123@yahoo.com	A. Mangiliman	✓
16	Alexandra Tom	477-2448 alce.halc@lvc.com	Alexandra Tom	✓
17	Judith Caofeng	6320044 judith-zecaocheng@yahoo.com	Judith Caofeng	✓
18	Justin Cruz	787-11241 Justin Cruz 29@yahoo.com	Justin Cruz	✓
19	Ma. Kamille Castillo	632-4457 xxlove_03@yahoo.com	Ma. Kamille Castillo	✓
20				

Public Works



To the Guam Public Auditor of the Territory of Guam:

The John F. Kennedy High School community has come together to express our support of the JFK re-build project that was mandated by PL 29-114, and which has been supported by your administration through the efforts of the Department of Public Works, and the Guam Economic Development Authority.

As parents, teachers and students who are affected by the educational crisis created by the closure of the JFK campus, we are acutely aware of the hardships that are caused by every single day of delay in getting our Islanders back to their home. A major portion of the JFK High School Community has suffered enough already while we stood by and waited for the Government to follow through with re-building our Campus. We have been supportive and patient. We have endured the trials of the situation and have done so with heavy hearts, but still holding out hope that in the end, the Government would come through for us. With all of the difficulties that we have had to overcome just to get the education to which each and every one of us are entitled, it has been much like walking through a tunnel.

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	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	Lilime Mikhel	646-4273-kellymikhel@yahoo.com	<i>Lilime Mikhel</i>	<input checked="" type="checkbox"/>
2	Charmaine Elamparo	637-1909 lovecharmaine28@yahoo.com	<i>Charmaine Elamparo</i>	<input checked="" type="checkbox"/>
3	Zhane Peralta	646-1937/xhayne06@gmail.com	<i>Zhane Peralta</i>	<input checked="" type="checkbox"/>

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
4	Xiameng, Zhi	zhi-jennifer-320794@hotmail.com	Xiameng Zhi	✓
5	WEICH, Samantha	Rehner-Sam@yahoo.com	Samy:11/14	✓
6	Kimson Samuel DO (Sam)	elemental_sam@hotmail.com	Sam	✓
7	Almaru, Bridgett	482-2703 bridgettalmaru@live.com	Almaru	✓
8	Calvin Gaston	644-9340 novak-car-digit@hotmail.com	Gaston	✓
9	Rhea Sakiya	787-7734 shinbaiyun@hotmail.com	Shes	✓
10	Leah Chen	646-0653 leah_jhe1/1/14@yahoo.com	Leah	✓
11	Daniel David	646-4411 daniel-is-daniel@hotmail.com	Daniel David	✓
12	Marc Abdon	646-7811 Pt-Larios506@yahoo.com	MA	✓
13	Lainas P.E	646-7811 Pt-Larios506@yahoo.com	Lainas	✓
14	RACHELLE A.S. BORJA	9699373 yourmaster.chuuchi@hotmail.com	Rachelle	✓
15	ERIO ORLANDO	eruo-joshua@hotmail.com	erio orlando	✓
16	Mark Mendez	mark.mendez@hotmail.com	Mark Mendez	✓
17	Van Andrew Boat 16	632-6036 lauren.sui.ev095@yahoo.com	Van Andrew	✓
18	Kristopher Dimadanta	649-1527 / furyan00@htnl.com	Kristopher Dimadanta	✓
19	Thomas Adams	788-5181 t-chura@yahoo.com	Thomas Adams	✓
20				

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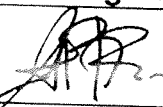
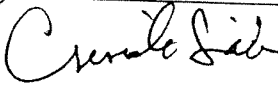
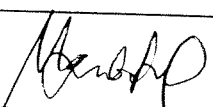



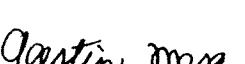
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	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	Mark Anthony M. Mangrove Jr.	markmangrove@yahoo.com	Mark Jr.	<input checked="" type="checkbox"/>
2	Denise Richards	denisesnr61@gmail.com	DR	<input checked="" type="checkbox"/>
3	Charlayne Espinosa	char_gaystake@live.com	CE	<input checked="" type="checkbox"/>

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
4	Joke G. Boyja	paperplanes_cities@yahoo.com		<input checked="" type="checkbox"/>
5	Cressida Sido	cico93@hotmail.com 700-3150		<input checked="" type="checkbox"/>
6	Mancel Gubatan.	mancel-xo@tntolive.com		<input checked="" type="checkbox"/>
7	Hardy Jemyn	188-9295		<input checked="" type="checkbox"/>
8	Paul Myer Basilo			<input checked="" type="checkbox"/>
9	Aaron Capati	aaron.capati@hotmail.com		<input checked="" type="checkbox"/>
10	Austin Mesa	tinamesa@comcast.net		<input checked="" type="checkbox"/>
11				
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Public Works



To the Guam Public Auditor of the Territory of Guam:

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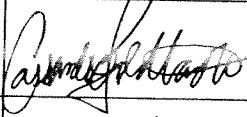
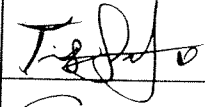
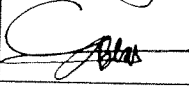


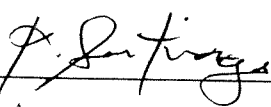
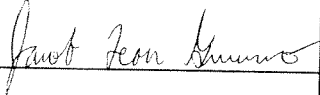


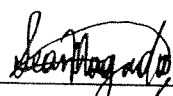


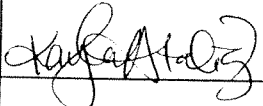
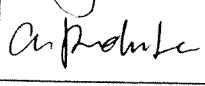

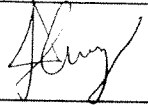
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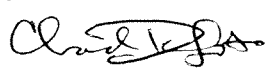
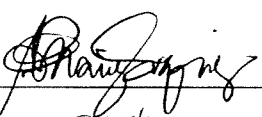
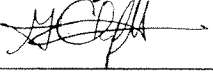


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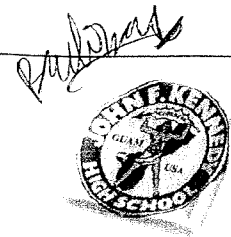
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	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	Shuila Rodriguez	shela-rod24@yahoo.com	<i>Shuila Rodriguez</i>	✓
2	Jhonna De Dios	jhonnababy@aim.com	<i>Jhonna De Dios</i>	✓
3	Camarin Concepcion	rimin23@live.com	<i>Camarin C.</i>	✓

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
4	Cassandra Tecraotao	cassi_loves@live.com		✓
5	Tierra Santos	Tec_Nichole@gmail.com		✓
6	Eileen Blas	iana_02@hotmail.com		✓
7	Jessica Maria Palsis	jpalsis@hotmail.com		✓
8	Herbert Narcis	herbyboy@gmail.com		✓
9	Kevin Santrago	Kevin - destroy Ince@yahoo.com		✓
10	Jacob Leon Guerrer			✓
11	Kevin Poponei			✓
12	Sherwin Hermosura			✓
13	Sean Magada			✓
14	John McCord			✓
15	Jacob Mendiola			✓
16	Kayla Atalig	kayla-atalig@yahoo.com		✓
17	Eric Prudente	929-2141		✓
18	Merry Grace Bataclan	merrygrace_23@hotmail.com		✓
19				
20	Jomar Puz	jomarhemp@hotmail.com		✓

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
21	Clemente, Diana	dianaclemente_14@hotmail.com		✓
22	Chad De Soto	929-7948 (cell) ###		✓
23	Anne Marie Signig	marie_067@hotmail.com		✓
24	Grace Choffat	929-9731 gracie_choffat@live.com		✓
25	Jedene R. Santos	investors_02@hotmail.com		✓
26	Ginelyn Bactad	anime_gin@hotmail.com		✓
27	Remedio Peralta	smiled_remedio@hotmail.com 787-3153 (cell)		
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37				

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	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	Andrew Fortaya	472-4690	<i>[Signature]</i>	✓
2	Russell murciano	632-7612	<i>[Signature]</i>	✓
3	Nicko Inocencio	788-1415	<i>[Signature]</i>	✓

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
4	Jonathan Acosta			✓
5	Kimberly Berabe		Kimberly B.	✓
6	Leizel F. Uegado	leizel1912@yahoo.com	Leizel Uegado	✓
7	BRANDON DIAZ		Brandon Diaz	✓
8	BOLUG, KATRINA		Kat Bolug	✓
9	Kayla Anunzo		Kayla Anunzo	✓
10	Peter John Lupat	6911-15743214123@yah.co.com	Peter Lupat	✓
11	Marie P...	68000-11	Marie P...	✓
12	Dominic Pozo		Dominic Pozo	✓
13	Apple Casapit		Apple Casapit	✓
14	Christian corner		christian corner	✓
15	Jeriel Casapit		Jeriel Casapit	✓
16	Eugene Fernandez		Eugene Fernandez	✓
17	Cherika Garcia		Cherika Garcia	✓
18	Mark Lao		Mark Lao	✓
19	Brandon Santos		Brandon Santos	✓
20	Jariz Untalan		Jariz Untalan	✓

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
21	Jashua Tanaka		Jashua T.	<input type="checkbox"/>
22	Justin Takai		Justin Takai	<input checked="" type="checkbox"/>
23	Thay T. Santos		Thay T. Santos	<input checked="" type="checkbox"/>
24	Lorraine Santos		Lorraine Santos	<input checked="" type="checkbox"/>
25	Carla T. Jimin		Carla T.	<input checked="" type="checkbox"/>
26	Colin Mero		Colin Mero	<input checked="" type="checkbox"/>
27	Angelina Pineda		2011	<input checked="" type="checkbox"/>
28	Kerfina Recelap		KRESELAP	<input checked="" type="checkbox"/>
29	Raylene Ichihara		Raylene	
30	Clark Talao		Clark Talao	<input checked="" type="checkbox"/>
31	Dillon R. Weiser		Dillon R. Weiser	<input checked="" type="checkbox"/>
32	Tierra Santos		Tierra Santos	<input checked="" type="checkbox"/>
33	Santos Karlo		Santos K.	<input checked="" type="checkbox"/>
34	Max Ricalde		Max Ricalde	<input checked="" type="checkbox"/>
35	Maria ^{Irene} Rebecca ^{Irene} Pascia		Irene Pascia	<input checked="" type="checkbox"/>
36				
37	Ricky Naron		Ricky Naron	<input checked="" type="checkbox"/>

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
38	Frank Ingesii		<i>Frank Ingesii</i>	
39	<i>[Faint Name]</i>		<i>[Faint Signature]</i>	<input checked="" type="checkbox"/>
40	Manicon Manalac		Manicon Manalac	<input checked="" type="checkbox"/>
41	Roman Macagba		<i>Roman Macagba</i>	<input checked="" type="checkbox"/>
42	Jan Garcia		Jan Garcia	<input checked="" type="checkbox"/>
43	Juli Ann T Cruz		<i>Juli Ann T Cruz</i>	<input checked="" type="checkbox"/>
44	Paul Myer Basilio		<i>Paul Myer Basilio</i>	<input checked="" type="checkbox"/>
45	MEAGNON BORREGO		<i>Meagnon Borrego</i>	<input checked="" type="checkbox"/>
46	Renemar Deluzman		Renemar Deluzman	<input checked="" type="checkbox"/>
47	Daniel Dejesa		<i>Daniel Dejesa</i>	<input checked="" type="checkbox"/>
48	Kevin R Cabrera		<i>Kevin R Cabrera</i>	<input checked="" type="checkbox"/>
49	<i>[Faint Name]</i>		<i>[Faint Signature]</i>	<input checked="" type="checkbox"/>
50	Carmelle Estabido		<i>C. Estabido</i>	<input checked="" type="checkbox"/>



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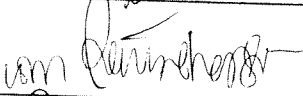
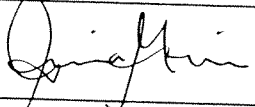
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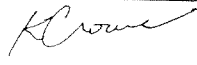

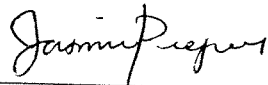
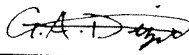

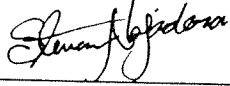
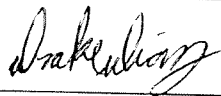
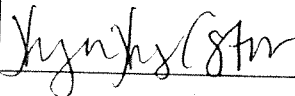

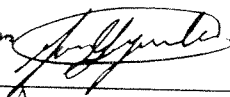
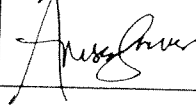
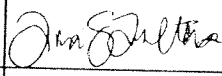

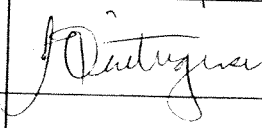
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Chief Public Auditor please help the Islanders get back home to our Upper Tumon campus again.

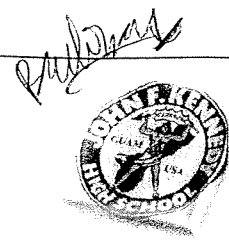
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	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	JUSTIN BALDOVINO	632-4471 / just1-gamer@hotmail.com		<input checked="" type="checkbox"/>
2	Denise Navasca	6530326 / denise-nas-nere29@hotmail.com		<input checked="" type="checkbox"/>
3	EDRCEJ, KEVIN	637 4755 / suawan-acton15009@yahoo.com		<input checked="" type="checkbox"/>

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
4	Andrew Aguilo	andrewaguilo@hotmail.com	Andrew Aguilo	<input checked="" type="checkbox"/>
5	Seal Kitcher	483-3866	Seal Kitcher	<input checked="" type="checkbox"/>
6	Martisha Baldonado	988-9396 martisha_tuk@hotmail.com	m. baldonado	<input checked="" type="checkbox"/>
7	Judy Fabionar	judyfabionar@hotmail.com	Judyfabionar	<input checked="" type="checkbox"/>
8	Godanne May Mendoza	mendoza_godanne@hotmail.com	Godanne May Mendoza	<input checked="" type="checkbox"/>
9	Paul Myer Basilio	myer_13@hotmail.com	Paul Myer Basilio	<input checked="" type="checkbox"/>
10	Arum Delean	787-6721	Arum Delean	<input checked="" type="checkbox"/>
11	Lejane Marga	929-2841 Hlejane_love@yahoo.com	Lejane Marga	<input checked="" type="checkbox"/>
12	Dana Pabunan	637-1659 forte_meeh@yahoo.com	depabunan	<input checked="" type="checkbox"/>
13	ANWA MARIE SOTAM	929-4705/rsotamese@yahoo.com	A. Sotam	<input checked="" type="checkbox"/>
14	Monica Sudo	fanatic_freak611@ 788-2785 hotmail.com	Monica Sudo	<input checked="" type="checkbox"/>
15	Kayla Karsom	kay-karsom@hotmail.com 456-1444	Kayla Karsom	<input checked="" type="checkbox"/>
16	James Yang	Jamespant@e@hotmail.com 619-2566	James Yang	<input checked="" type="checkbox"/>
17	ALOMAR Rdialui	island-boy-26@hotmail.com	Alomar Rdialui	<input checked="" type="checkbox"/>
18	Jacob Blas	483-7362	Jacob Blas	<input checked="" type="checkbox"/>
19	Jared Mendiola	969-9335 969-9335	JaredMendiola	<input checked="" type="checkbox"/>
20	REINA GOEVARA	987-1775 reina.camille3@yahoo.com	Reina Goevara	<input checked="" type="checkbox"/>

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
21	Kyle Crowe	632-0790 kyle_the_crowe@hotmail.com		<input checked="" type="checkbox"/>
22	Edwin Lee	727-3700 edwinlee1216@hotmail.com		<input checked="" type="checkbox"/>
23	Jasmine Pieper	637-4697 jmesapieper@aol.com		<input checked="" type="checkbox"/>
24	Gladys Dizon	632-1170 gladysanne_dizon22@yahoo.com		<input checked="" type="checkbox"/>
25	Ryan Salas	988-6378		<input checked="" type="checkbox"/>
26	Steven Nojadera	632-3768 sannicolas.steven@yahoo.com		<input checked="" type="checkbox"/>
27	DRAKE DIAZ	477-8037 drakediaz@hotmail.com		<input checked="" type="checkbox"/>
28	CASTRO, Megan Mae M.	mcmegan03@yahoo.com 632-0790		<input checked="" type="checkbox"/>
29	Devin Garmiento	689-2884		<input checked="" type="checkbox"/>
30	Jose Gonzales	969 8575 tamuning_shorty@hotmail.com		<input checked="" type="checkbox"/>
31	ANISSA SMALLS	9295410		<input checked="" type="checkbox"/>
32	Tlara Treltas	633-8735		<input checked="" type="checkbox"/>
33	Fesha Demapan	633-2673		<input checked="" type="checkbox"/>
34	Jolene Quiyugua	637-4483		<input checked="" type="checkbox"/>
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To the Guam Public Auditor of the Territory of Guam:



The John F. Kennedy High School community has come together to express our support of the JFK re-build project that was mandated by PL 29-114, and which has been supported by your administration through the efforts of the Department of Public Works, and the Guam Economic Development Authority.

As parents, teachers and students who are affected by the educational crisis created by the closure of the JFK campus, we are acutely aware of the hardships that are caused by every single day of delay in getting our Islanders back to their home. A major portion of the JFK High School Community has suffered enough already while we stood by and waited for the Government to follow through with re-building our Campus. We have been supportive and patient. We have endured the trials of the situation and have done so with heavy hearts, but still holding out hope that in the end, the Government would come through for us. With all of the difficulties that we have had to overcome just to get the education to which each and every one of us are entitled, it has been much like walking through a tunnel.

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	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	Chelsea Perez	678-1640 / 898-8292		<input checked="" type="checkbox"/>
2	Kevin Daco	632-5567		<input checked="" type="checkbox"/>
3	Carmy Ann Fichan	699-9548		<input checked="" type="checkbox"/>

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
4	Phyllis Duran	633-1043	Phyllis Duran	✓
5	Vivian Naka	986-4640	Vivian Naka	✓
6	Jaqueline Zapf		JZ	✓
7	Gina Farachy	617 7896	Gina Farachy	✓
8	Ruth. Atlaia	734-5781	Ruth Atlaia	✓
9	Realica, Torriose	ur-the-teacher@yadoo.com	Realica	(teacher)
10	Bryan Misa	929-7089	Bryan Misa	✓
11	Katarina Benavente	637-4440	Katarina Benavente	✓
12	Maria Victoria d.	888-4485	Maria Victoria	✓
13	Stephanie Balagot	632-1294	Stephanie Balagot	✓
14	Annabelle Calimlim	988-6463	Annabelle Calimlim	✓
15	Paulene Mateo	777-8245	Paulene Mateo	✓
16	Olivia Estes	686-5446	Olivia Estes	✓
17	MARCI CRUZ	489-4441	Marcia Cruz	✓
18	Maria Morla	632-9618	Maria Morla	✓
19	Nelmar Cruz	787-8989	Nelmar Cruz	✓
20	AIDA BANICO	788 7963	Aida Banico	✓

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
21	Michael Lin	649-3197	M. L.	<input checked="" type="checkbox"/>
22	Joseph TAITANO Lim	788-6721 / purika-dehotani.com	J.T.L.	<input checked="" type="checkbox"/>
23	Christine Ermita	777-1709	Christine Ermita	<input checked="" type="checkbox"/>
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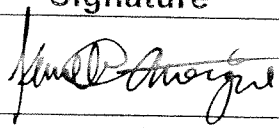


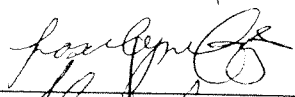
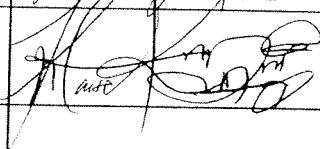
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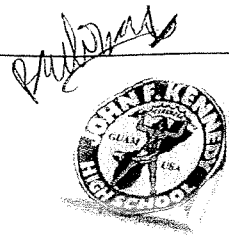
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	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	Gradia, Lunden	Ninjas of the past @ Hotmail	Lunden Gradia	<input checked="" type="checkbox"/>
2	Natan, Shiren	Shiren-sakura@hotmail.com	Shiren Natan	<input checked="" type="checkbox"/>
3	Balban, Lilibeth	Lili-B4-Beth @ Hotmail.com	L. Balban	<input checked="" type="checkbox"/>

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
4	JIA LIN	wuyangcity@msk.com	JIA	✓
5	Teiday. iro	Ti-peta@hotmail.com	Teiday.	✓
6	Rufina Cascar	Rupds_cai@hotmail.com	Rufina	✓
7	Patrick Galos		Patrick	✓
8	Calvin		Calvin	✓
9	James Cruz		James Cruz	✓
10	Jordan De Vera		Jordan De Vera	✓
11	Vandame Fuyupul		Vandame Fuyupul	✓
12	Danny Sabando		Danny Sabando	✓
13	Kris delacruz		Kris delacruz	✓
14	Monica Cortez	nhiga@hotmail.com	Monica Cortez	✓
15	Roxanne Calimbahan	Roxy_139@hotmail.com	Roxanne Calimbahan	✓
16	MICHAEL ELGARCO		Michael Elgarco	✓
17	Toni Damba		Toni Damba	✓
18	SHY NETHON		Shy Nethon	✓
19	Meliza Abraham	707-2936	Meliza Abraham	✓
20	Natasha Duencas		Natasha Duencas	✓

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
21	Kenneth Apigue			✓
22	Carmelle Estabro			✓
23	Alan Cabral			✓
24	Rosealyn Cruz			✓
25	Michael Hasek			✓
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To the Guam Public Auditor of the Territory of Guam:



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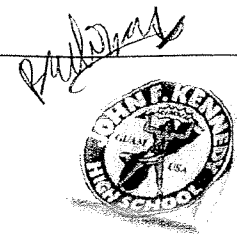
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	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	JAMES ALMAZAN	JAMES_TASHIANA@YHHS.CO	<i>James Almazan</i>	✓
2	Jacqueline Dorion	morningsun_126@notmail.com	<i>Jacqueline Dorion</i>	✓
3	LISA JACKSON	lisa400-5472@yancu.com	<i>Lisa Jackson</i>	✓

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
4	Jo Marie Florendo	788-1884 Dnicflorendo@hotmail.com	J. Florendo	<input checked="" type="checkbox"/>
5	Angela Platon	482-3888 / chloe_reyra@hotmail.com	Angela Platon	<input checked="" type="checkbox"/>
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	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	Adrian Villagomez	637-8510	Adrian Villagomez	<input checked="" type="checkbox"/>
2	Nicholas Hermosilla	637-4946	Nicholas Jr.	<input checked="" type="checkbox"/>
3	Dwayne Peters Jr	6860300	Dwayne Peters Jr	<input checked="" type="checkbox"/>

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
4	REANN GREGORIAN	929-7221	Reann Gregorian	✓
5	Johnny Larios	646-7211	Johnny Larios	✓
6	Kaelanie Manibusan	868-3847	K. Manibusan	✓
7	Vincent Larios	611-1799	Vincent Larios	✓
8	Monique Macaraeg	688-1344	Monique Macaraeg	✓
9	Jessica Aninzo	727-0159 / jessica_baller35@hotmail.com	Jessica Aninzo	✓
10	Daisy Mendiola	929-0387	Daisy Mendiola	✓
11	Edilyn Sanchez	969-6841	Edilyn Sanchez	✓
12	Peter Pareja	637-3614	Peter Pareja	✓
13	Jake Ramirez	488-7787	Jake Ramirez	✓
14	Jammy Baldo	787-8074	Jammy Baldo	✓
15	Brandon Diaz		Brandon Diaz	✓
16	Mandy LONNO	450-3561	Mandy LONNO	✓
17	Deanna Weger	637-0313 dear.deanna@hotmail.com	Deanna Weger	✓
18	Jofanpha T. Tony	637-5693 Tainnrens@live.com	Jofanpha T. Tony	✓
19	Valene Mendiola	688-8408	Valene Mendiola	✓
20	Clayton Peredo	637-0721 clay-jay 2005@hotmail.com	Clayton Peredo	✓

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
21	SANNICOLAS, RAENA JAE	787-2053 special_angeloz@yahoo.com		<input checked="" type="checkbox"/>
22	NOEL REDILA	632-7911		<input checked="" type="checkbox"/>
23	LUCILLE ROMQUILLO	637-5021		<input checked="" type="checkbox"/>
24	Leah F. Llegado	646-3644 leahllegado@yahoo.com		<input checked="" type="checkbox"/>
25	Keana Lozano	649-5347 keozano@hotmail.com		<input checked="" type="checkbox"/>
26	Bianca James	477-0795 island_chick_671@hotmail.com		<input checked="" type="checkbox"/>
27	Jamisha San Nicolas	921-1910 Jnikolsn_11@hotmail.com		<input checked="" type="checkbox"/>
28	Ken Agnon	632-8359 898-69-26		<input checked="" type="checkbox"/>
29	NAANIERISA GOMEZ	929-7712		<input checked="" type="checkbox"/>
30	Mariel Hautea	632-8068		<input checked="" type="checkbox"/>
31	Slayton-Lawken Lorie	637-3076		<input checked="" type="checkbox"/>
32	Nick Duenas	646-9169		<input checked="" type="checkbox"/>
33	LAPPINKELLY	611-767-10102		<input checked="" type="checkbox"/>
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Ballback

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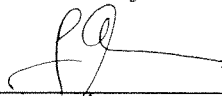


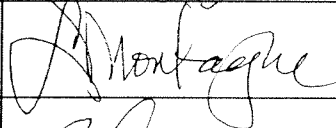

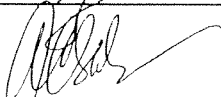

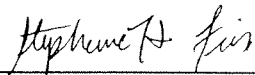

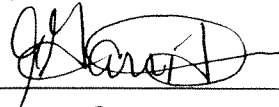
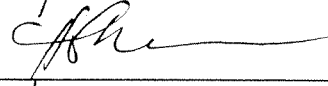
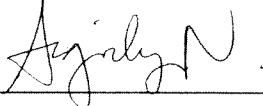
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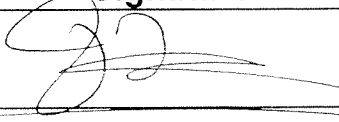


And just when there appeared to be light at the end of the tunnel, we learned of the protests that were filed against the selection of the winning bidder, International Bridge Corporation. But rather than causing us to despair, these protests have strengthened our resolve to see our Islander Home re-built. It inspired us to confront the Senators who would try to impose a change on the procurement process that would further delay the work needed to get us home. Our Islander spirit remains high, and we call upon you, as the Chief Public Auditor of our Island, to concur with the Declarations of Substantial Government Interests for the People of Guam, and for the good of the JFK Community; and to please declare the protest did not cite any direct or indirect violation of the law relating to the procurement process. **Consequently, we request the appeal herein should be rejected and denied allowing the process to move forward.**

Chief Public Auditor please help the Islanders get back home to our Upper Tumon campus again.

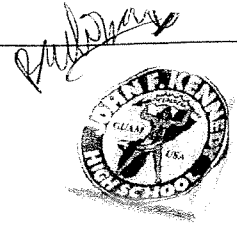
Your petitioners therefore request the Guam Public Auditor to ~~exercise~~ **exercise your authority and concur with the Declaration of Substantial Interests for the Territory of Guam; that reaffirms and validates our full support to address the immediate need to rebuild the John F. Kennedy High School facility in Upper Tumon, Guam; be built in time for SY 2010-2011; and which is specifically mandated by Public Law 29-114 that was unanimously voted by the 29th Guam Legislature.**

	Faculty & Staff Petitioner's Name	Contact No/Email	Signature
1	<i>Cecile PGombur</i>	<i>cgombarsclass@yahoo.com</i>	<i>[Signature]</i>
2	<i>Robert A. Vasquez</i>	<i>rvasquez@jfkisland.com</i>	<i>[Signature]</i>
3	<i>ANDREW MARTIN</i>	<i>26APL2A@jmoil.com</i>	<i>[Signature]</i>

	Faculty & Staff Petitioner's Name	Contact No/Email	Signature
4	Vito Galvo	688 0480	
5	Tara R. Tydingco	734-9235	
6	Sunny K. Changua	707 1585	
7	Chona Iriarte	797 - 0317	
8	Florence Leon Guerrero	483-9474	
9	Dana Bollinger	488-0806	
10	Ben M. Quinata	777 5030	
11	Lorena Montague	888-9086	
12	Aguon Francis		
13	Sablan, Ailene	688-4494	
14	BLACIOS, ANITA	727 3743	
15	Stephanie Frias	488-8199	
16	Alfredo Mendoza	788-2586	
17	Estelita V. Garrido	707-1261	
18	Hedilija Maza	888-4526	
19	Angielyn Nicholas	482-7260	
20			

	Faculty & Staff Petitioner's Name	Contact No/Email	Signature
21	Jim TAITANU	653 6479	
22	Ken Murphy	477-5325	
23	MATT MUNA	689-4055	
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To the Guam Public Auditor of the Territory of Guam:



The John F. Kennedy High School community has come together to express our support of the JFK re-build project that was mandated by PL 29-114, and which has been supported by your administration through the efforts of the Department of Public Works, and the Guam Economic Development Authority.

As parents, teachers and students who are affected by the educational crisis created by the closure of the JFK campus, we are acutely aware of the hardships that are caused by every single day of delay in getting our Islanders back to their home. A major portion of the JFK High School Community has suffered enough already while we stood by and waited for the Government to follow through with re-building our Campus. We have been supportive and patient. We have endured the trials of the situation and have done so with heavy hearts, but still holding out hope that in the end, the Government would come through for us. With all of the difficulties that we have had to overcome just to get the education to which each and every one of us are entitled, it has been much like walking through a tunnel.

And just when there appeared to be light at the end of the tunnel, we learned of the protests that were filed against the selection of the winning bidder, International Bridge Corporation. But rather than causing us to despair, these protests have strengthened our resolve to see our Islander Home re-built. It inspired us to confront the Senators who would try to impose a change on the procurement process that would further delay the work needed to get us home. Our Islander spirit remains high, and we call upon you, as the Chief Public Auditor of our Island, to concur with the Declarations of Substantial Government Interests for the People of Guam, and for the good of the JFK Community; and to please declare the protest did not cite any direct or indirect violation of the law relating to the procurement process. Consequently, we request the appeal herein should be rejected and denied allowing the process to move forward.

Chief Public Auditor please help the Islanders get back home to our Upper Tumon campus again.

Your petitioners therefore request the Guam Public Auditor to ~~ex~~ercise your authority and concur with the Declaration of Substantial Interests for the Territory of Guam; that reaffirms and validates our full support to address the immediate need to rebuild the John F. Kennedy High School facility in Upper Tumon, Guam; be built in time for SY 2010-2011; and which is specifically mandated by Public Law 29-114 that was unanimously voted by the 29th Guam Legislature.

	Petitioner's Name	Contact No/Email	Signature	<input checked="" type="checkbox"/> Check if Student
1	Colette Beausdied		<i>[Signature]</i>	
2	Eric Rabago		<i>[Signature]</i>	<input checked="" type="checkbox"/>
3	Nadine Biala		<i>[Signature]</i>	<input checked="" type="checkbox"/>