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6 **Counsel for Guam Cleaning Masters**

7 **PROCUREMENT APPEAL**

8 In the Appeal of)

Docket No. OPA-PA09-009

9)
10)
11) GUAM CLEANING MASTERS,
12) APPELLANT.)

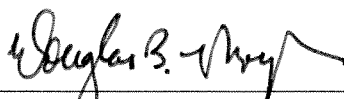
**Supplemental Appellee Letter Re:
Protest**

13 _____
14 Attached herein is an October 28, 2009 letter from Appellee Department of
15 Chamorro Affairs received after the above captioned appeal was filed on October 27,
16 2009.

17 The letter pertains to the protest filed by Appellant Guam Cleaning Masters in
18 this administrative procurement appeal.

19 Respectfully submitted this 3rd day of November, 2009.

20 *Douglas B. Moylan*
21 *Attorney at Law*

22 
23 _____
24 Douglas B. Moylan

RECEIVED
OFFICE OF THE PUBLIC AFFAIRS
PROCUREMENT DIVISION

NOV 03 2009

TIME: 12:25 pm
BY: [Signature]
FILE No. OPA-PA 09-009



DIPATTAMENTON I KAOGHAO GUINAHAN CHAMORRO
DEPARTMENT OF CHAMORRO AFFAIRS



Honorable Felix P. Camacho
Governor of Guam

Sylvia M. Flores
Acting President

Honorable Michael W. Cruz
Lt. Governor of Guam

October 28, 2009

Alex Thomas
President
GUAM CLEANING MASTER
P.O. Box 9500
Dededo, Guam 96929

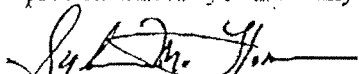
**Re: BID PROTEST, JANITORIAL AND MAINTENANCE SERVICES
NO.: DCA RFP CV10-002**

Dear Mr. Thomas:

This is in response to your letter dated October 26, 2009, regarding the above reference matter. Please find my response listed below:

- Item 1:** On your letter you allege "apparent collusion in the award of the bid since our prices were solicited in advance of the RFP solicitation & award" which is untrue since the above allegations refers to a Request for Quotation for the Ocean Night Market. This is a separate event and service which was to begin every Fridays starting October 2, 2009. For your information, our Bid Proposal, DCA RFP CV10-002 for Janitorial and Maintenance service related to services daily and during the Wednesday Night market, as well as additional cleaning on Thursdays and Sundays bi-weekly. There is no mentioned on our bid proposal regarding janitorial and maintenance service for the Ocean Night Market.
- Item 2:** Your request to stop work during the bid protest would be irresponsible for the department to allow. Please keep in mind, that the Chamorro Village business operations will be determinately affected should the maintenance stop, especially during our weekly night market which is a major attraction to the tourism industry and an economic impact to the various small vendors participating during the market.
- Item 3:** The department has used this bid method for prior years in selecting services for Pest Control, Janitorial & Maintenance, Trash Collection and Unarmed Security for the Chamorro Village facility. The department has awarded in the past based on this method and will continue to move forward on our bid awards for the 2009-2010 fiscal year.

I hope this would settle any misunderstanding or interpretation you may have regarding your bid protest. Should you have any questions or concerns, please feel free to contact us again.


Sylvia M. Flores
DCA, Acting President

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DIBISION FINO'YAN KOTTURAN CHAMORRO
Chamorro Language and Culture Division

I SENGSONG CHAMORRO
Chamorro Village

DIBISION INALIGAO, TINIGE'YAN FINA'NA'GUE
Research, Publications and Training Division

DIBISION FANINADAHEN KOSAS GUAHAN'YAN SAGAN RIKUETDON
Guam Museum & Archives Division