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RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

DATE: 11/25/13
TIME: 3:50 AM PM BY: Thyrza
FILE NO OPA-PA: 13-018

IN THE OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEAL

IN THE APPEAL OF
G4S SECURITY SYSTEMS (GUAM) INC.,
Appellant.

Docket No. OPA-PA-13-013

NOTICE OF JUDICIAL PROCEEDING

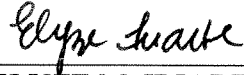
Orion Construction Corporation (Guam) gives notice pursuant to 2 GAR Div. 4 § 12103(b) that there is another matter concerning the procurement at issue. As the Office of Public Accountability is aware, the Guam Supreme Court is currently entertaining the issue of whether the OPA has jurisdiction to terminate contracts. *See Xerox Corp. v. The Office of Public Accountability*, Sup. Ct. Guam CVA13-018.

Under section 12103(b), the OPA shall not act on an appeal filed before it when an action concerning the procurement under Appeal has commenced in court. The purpose of such provision is to conserve the resources of the OPA and the parties until a final resolution has been reached on issues concerning the matter before the OPA. *Xerox* directly affects this proceeding: if the Supreme Court rules that the OPA does not have the jurisdiction to terminate contracts,

whether on its own or without having consulted the Attorney General first, then the OPA lacked jurisdiction to void the DOE-Orion contract. Orion therefore requests that the OPA act in compliance with section 12103(b), rescind its voiding of the contract between DOE and Orion, and decline to act further due to judicial involvement.

DATED: Hagåtña, Guam, November 25, 2013.

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