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22 February, 2008

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RECEIVED
OFFICE OF THE PUBLIC AUDITOR
PROCUREMENT APPEALS

FEB 22 2008

RE: Procurement Appeal of IBSS vs GPSS, OPA-PA-08-003

3:33 PM
BY: T. Comata
FILE No. OPA-PA-08-003

Dear Mr. Nishihira,

I have today received a copy of the Procurement Record filed Feb 20, 2008, the Agency Report filed Feb 221, 2008 and Supplemental Procurement Record filed Feb 22, 2008, with thanks.

Your answer states the "current five year contract with Xerox was signed on December 16, 2004." You have not provided a specifically identified copy of that agreement. Tab 9 includes the P/O dated December 17, 2004. Tab 12 includes a letter from Xerox dated Feb 2, 2006 which mentions that it includes an attachment of that contract, but you did not provide the attachment with the letter.

Tab 8 includes, in the context of a letter dated Sep 28, 2007, from Mr. Alcantara to Xerox, what I presume to be a copy of that agreement. The attached contract copy is dated Dec 16, 2004 and signed by Sup. Flores. Would you please either provide a copy of the full, true and correct December 16, 2004 agreement or confirm by stipulation that the attached contract at Tab 8 is that agreement.

Respectfully,



John Thos. Brown

CC: Office of Public Auditor

COPY

* Admitted to Practice: California, Guam and Commonwealth of Northern Mariana Islands, USA [Inactive in NSW, Australia]*

† Micronesian Brokers, Inc. (Guam and CNMI)/Aquarius Beach Towers, (Saipan, CNMI)/Livno Holdings PTY LTD (A.C.N. 003 585 331)/Domino Stud of Kentucky, Inc./Austpac Container Line PTY LTD (A.C.N. 003 485 489)/ Austpac Transportation Services Pty Ltd (A.C.N. 003 453 950)/Townhouse, Inc. (Saipan, CNMI)/ IBSS (Guam and Saipan)