



generación

Doris Flores Brooks
Public Auditor
Office of the Public Auditor
238 Archbishop Flores Street
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Hagatna, Guam 96910

O&M ENERGY
PARQUE EMPRESARIAL LA FINCA
P.O. DEL CLUB DEPORTIVO, 1-EDIFICIO 5
20223 POZUELO DE ALARCÓN (MADRID)
ESPAÑA
TEL. 1341 91 210 39 00
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March 14, 2008

RE: PROCUREMENT APPEAL ON MULTI-STEP BID #GPA-013-07 IFB FOR PERFORMANCE MANAGEMENT CONTRACT (PMC) CABRAS 1 & 2 STEAM POWER PLANT

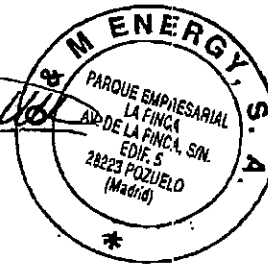
Dear Ms. Brooks,

In reference to our Procurement Appeal of reference, we inform you that within our prior Protest to GPA O&M Energy requested from GPA a copy of TEMES bid proposal and all relevant evaluation documents, assisted by the Guam USA laws and regulations. We received in response a brief summary of TEMES bid and the evaluation sheet.

At this time we believe that is important for all parties, and mainly OPA in its role to clarify the process, to access all the complete and relevant documentation related to the process. We are therefore hereby requesting, under this case reference # OPA-PA-08-004, for a copy of all of the evaluation documents from GPA, complete bid evaluation committee's findings and reviews and any and all intra-departmental correspondences ; any and all procurement memos and emails sent from Procurement Office to General Manager's Offices, Engineering Departments' memos and reviews on TEMES' bid evaluations and ratings at all stages , technical reviews to pricing reviews and memos for award recommendations and intra-agency memos for denial of O&M Energy's price proposals; etc.

Respectfully yours

Luis Zarauza
General Manager



RECEIVED
OFFICE OF THE PUBLIC AUDITOR
PROCUREMENT AFFAIRS

MAR 14 2008

TIME: 4:37 PM
BY: (via fax) [Signature]
FILE No. GPA-PA - 08-004

EXCELLENCE

EM-0000044 14/03/2008

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Joaquin C. Flores
General Manager
Guam Power Authority
P.O. Box 2977
Hagatna, Guam 96932

O&M ENERGY

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March 14, 2008

RECEIVED
OFFICE OF THE PUBLIC AUDITOR
PROCUREMENT APPEALS

Re: Request Pursuant to 5 GCA '10101 (The Sunshine Act)

MAR 14 2008

TIME: 4:37 PM
BY: via fax (S)
FILE No. OPA-PA 08-004

Dear Mr. Flores:

Pursuant to 5 GCA, § 10101 et. seq. and the Sunshine Law, as amended, I request that you provide me with the following documents and public writings:

DEFINITIONS

Agency means the Guam Power Authority ("GPA"), and each staff member, and all other employees whether they be full-time, part-time or independent contractors of any kind or type.

Public Records ("records") is defined herein pursuant to 5 G.C.A. Section 10102(d), and includes, without limitation, any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency in any format, including an electronic format.

SUNSHINE ACT REQUESTS

- (1) All records relative to or in any manner concerning Multi Step Bid #GPA-013-07-IFB FOR PERFORMANCE MANAGEMENT CONTRACT. This request includes, but is not limited to, all files or document related to such IFB.
- (2) The bid records, documents, writings, and relevant materials, including any and all bid review committee findings and evaluations of any and all bidders by anyone within the Guam Power Authority;
- (3) Complete bid evaluation committee's findings and reviews and records of votes or voting concerning the bid or award thereof;
- (4) Any and all correspondence of the agency relating to the aforementioned bid, including intra agency correspondence and all email or other electronic record concerning the bid;
- (5) All comments, writings, and correspondence regarding this bid, including those between the General Manager's Office and any other person or entity;
- (6) Any and all procurement memoranda and emails sent from Procurement Office to the General Manager's Office



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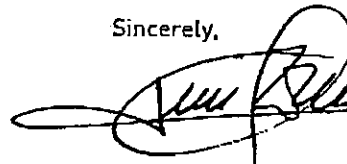
UNION FENOSA

- (7) Engineering Department's records, writings, memoranda, reviews and evaluations of TEMES' and/O & M bids, all evaluations and ratings at all stages of the bid process, scoring sheets and bid tabulations of GPA's Procurement Division and Engineering Division
- (8) All records and writings concerning technical reviews and pricing reviews;
- (9) Records, writings or memoranda related to recommendations for award of bid;
- (10) Records, writings or memoranda related to rejection of O&M Energy's price proposals.

In accordance with 5 GCA, § 10103(d), you have four (4) working days after the receipt of this request to comply and provide the above requested documents. Please deliver the requested documents to my office at the address indicated above.

If you have any questions please do not hesitate to call me. Thank you for your cooperation.

Sincerely,



Luis Zarauza
General Manager

