

1 **GUAM DEPARTMENT OF EDUCATION**
James L.G. Stake
2 501 Mariner Avenue
Barrigada, Guam 96913
3 Telephone (671) 300-1537
Email: legal-admin@gdoe.net

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

DATE: 10-01-18
TIME: 3:20 AM PM BY: [Signature]
FILE NO OPA-PA: 18-006

4 Attorney for Guam Department of Education

5
6 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**

7
8
9 IN THE APPEAL OF

APPEAL NO.: OPA-PA-18-006

10 Guam Cleaning Masters,

AGENCY REPORT

11 Appellant.

12
13 Comes now the Guam Department of Education (GDOE), by and through its Legal
14 Counsel James L.G. Stake and files its Agency Report pursuant to Title 2 of the Guam
15 Administrative Rules and Regulations (GAR) Division 4 Section 12105 in response to the
16 appeal of GDOE Invitation for Bid (IFB) 013-2018, by Guam Cleaning Masters (Appellant).
17 As required by Title 2 Division 4 Section 12105, GDOE's Agency Report consists of the
18 following:

19 a. A copy of the protest.

20 **See GDOE Procurement Record Exhibit 10 pp. 0686-0687 (hereinafter**
21 **referred to as GDOE).**

22 b. A copy of the bid or offer submitted by the Appellant and a copy of the bid or
23 offer that is being considered for award or whose bid or offer is being protested, if any had
24 been submitted prior to the protest.

1 1. *See Appellants Bid at Exhibit 5, GDOE pp. 0256-0348*

2 2. *See Lucky Kids Lawn care & Janitorial Services' bid (bid being protested)*
3 *at Exhibit 5, GDOE pp. 0548-0638.*

4 c. A copy of the solicitation, including the specifications or portions thereof
5 relevant to the Appeal.

6 *See Exhibit 1, GDOE 0001-0064; and*
7 *All Amendments to Solicitation at Exhibit 3, GDOE pp. 0068-0078.*

8 d. A copy of the abstract of bids or offers or relevant or portions thereof relevant to
9 the protest.

10 *See Abstract of Offerors at Exhibit 7, GDOE pp. 0665-0667.*

11 e. Any other documents which are relevant to the protest; including the contract, if
12 one has been awarded, pertinent amendments, and plans and drawings.

13 **Not Applicable.**

14 f. The decision from which the Appeal is taken, if different than the decision
15 submitted by Appellant.

16 *See Exhibit 10, GDOE pp. 0683-0684.*

17 g. A statement answering the allegation of the Appeal and setting forth findings,
18 actions, and recommendations in the matter together with any additional evidence or
19 information deemed necessary in determining the validity of the Appeal. The statement shall
20 be fully responsive to the allegations of the Appeal.

21 *See GDOE's Agency Statement attached herein, GDOE pp. 0815-0829*

22 h. If the award was made after receipt of the protest, the report will include the
23 determination required under 2 GAR Div. 4 §9101(e).

24 **Not applicable.**


1 i. A statement in substantially the same format as Appendix B to this Chapter,
2 indicating whether the matter is the subject of a court proceeding.

3 **See Appendix B statement attached herein, GDOE p.**

4 Dated this 1st day of October, 2018.

5 Respectfully submitted,

6 **GUAM DEPARTMENT OF EDUCATION**

7
8 By: 
9 **JAMES L.G. STAKE**
10 Legal Counsel