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PROCUREMENT APPEALS

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Attorneys for the Department of Public Works

BEFORE THE GUAM PUBLIC AUDITOR
Procurement Appeal

IN THE APPEAL OF:)	DOCKET NO. OPA-PA 09-007
)	
)	
)	
GUAM EDUCATION FINANCING)	WITNESS & EXHIBIT LISTS
FOUNDATION, INC.)	(hearing for appellant's appeal)
)	
Appellant.)	
)	

The following witnesses may be called by the Department of Public Works (the Purchasing Agency) to testify at the Appeal hearing on 07 December 2009:

WITNESSES:

1. Mr. Lawrence P. Perez, Director, Department of Public Works
2. Mr. Ramon B. Padua, DPW
3. Ms. Josephine Torres, DPW
4. Ms. Nerissa Bretania Underwood, Ph.D., Superintendent, Dept. of Education
5. Fred Nishihara, Esq., Legal Counsel, Dept. of Education
6. Anthony C. Blaz, Administrator, GEDA
7. Christina Garcia, Deputy Administrator, GEDA

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8. Aulii Limtiaco, Guam Economic Development Authority
9. Mr. Lester Carlson, Guam Economic Development Authority

EXHIBITS:

The following exhibits may be offered into evidence by the Department of Public Works (the Purchasing Agency) at the 07 December 2009 hearing for the Appellant's Appeal:

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|--------------|---|
| Exhibit "1" | Bill No. 363 (EC) relative to construction of John F. Kennedy High School. |
| Exhibit "2" | 29 September 2008 letter from Legislature Speaker re Emergency Cert. |
| Exhibit "3" | 18 November 2008 RFP (complete with Addendum No. 1 and No. 2). Construction of New John F. Kennedy High School Project No. 700-5-1020-L-TAM |
| Exhibit "4" | Protest Letter of GEF, found at Agency Report, Exhibit A. |
| Exhibit "5" | Notice of Decision, found at Agency Report, Exhibit F. |
| Exhibit "6" | Notice of Appeal (OPA-PA 09-005) |
| Exhibit "7" | International Bridge Corporation Proposal, dated January 8, 2009, found at Procurement Record filed herein on September 2, 2009. [Proprietary]. |
| Exhibit "8" | Completed Evaluation Forms and Tabulation of Evaluation Form, found at Procurement Record filed herein on September 2, 2009. [Proprietary]. |
| Exhibit "9" | Memorandum to GEDA Administrator from Andrew Leon Guerrero, February, 2009. [Proprietary]. |
| Exhibit "10" | Letter to Lawrence Perez from Anthony C. Blaz, dated February 3, 2009. [Proprietary]. |
| Exhibit "11" | Letter to Andrew Leon Guerrero from Robert W. Toelkes, dated February, 2009. [Proprietary]. |
| Exhibit "12" | Letter from Lawrence P. Perez to IBC dated 3/4/09. |
| Exhibit "13" | Letter from Lawrence P. Perez to GEF dated 9/14/09. |


- Exhibit "14" Guam Education Policy Board Resolution No. 2009-09, 8/7/09, found at Augmentation of Procurement Record, document II, filed September 22, 2009. [Proprietary].
- Exhibit "15" Certificate Purchase Agreement – Draft, 8/5/09, found at Augmentation of Procurement Record, document HH, filed September 22, 2009. [Proprietary].
- Exhibit "16" Lease Agreement – Draft, 8/3/09, found at Augmentation of Procurement Record, document FF, filed September 22, 2009. [Proprietary].
- Exhibit "17" Series 2009 A Certificate of Participation – Draft, 7/28/09, found at Augmentation of Procurement Record, document DD, filed September 22, 2009. [Proprietary].
- Exhibit "18" Preliminary Official Statement – Draft 7/24/09 located in Augmentation of Procurement Record, document BB, filed September 22, 2009. [Proprietary].
- Exhibit "19" GEDA Board of Directors Resolution No. 09-022 dated 7/24/09.
- Exhibit "20" Interlocal Agreement dated 7/23/09 located in Augmentation of Procurement Record, document Z. [Proprietary].
- Exhibit "21" Ground Lease – Draft dated 7/20/09, located in Augmentation of Procurement Record, document W, filed September 22, 2009. [Proprietary].
- Exhibit "22" Assignment and Security Agreement – Draft dated 7/20/09 located in Augmentation of Procurement Record, document V, filed September 22, 2009. [Proprietary].
- Exhibit "23" Insurance and Maintenance Agreement – Draft dated 7/20/09, located in Augmentation of Procurement Record, document U, filed 9/22/09. [Proprietary].
- Exhibit "24" Lease Agreement – Draft dated 7/20/09, located in Augmentation of Procurement Record, document T, filed 9/22/09. [Proprietary].
- Exhibit "25" Final Contract Technical Specification dated 4/8/09, located in Augmentation of Procurement Record, document F, filed 9/22/09. Proprietary].
- Exhibit "26" GEDA Letter to OPA dated August 28, 2009.
- Exhibit "27" DPW Declaration of Substantial Interest dated September 1, 2009.
- Exhibit "28" DPW's Agency Report dated September 11, 2009.
- Exhibit "29" Core Tech – Government of Guam Tiyan School Lease.

Exhibit "30" GEFF Articles of Incorporation & ByLaws.

Dated this 23^d day of November 2009.

OFFICE OF THE ATTORNEY GENERAL
Alicia G. Limtiaco, Attorney General

By:



Benjamin M. Abrams
Assistant Attorney General