

1 **LUJAN AGUIGUI & PEREZ LLP**

2 Attorneys at Law
3 DNA Building, Suite 300
4 238 Archbishop Flores Street
5 Hagåtña, Guam 96910
6 Telephone: (671) 477-8064/5
7 Facsimile: (671) 477-5297

8 *Attorneys for*
9 *Jose D. Leon Guerrero Commercial Port*

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

OCT 08 2010

TIME: 3:35 BY: PHU
FILE NO. OPA-PA: 10-04

10 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**

11 **PROCUREMENT APPEAL**

12 IN THE MATTER OF APPEAL of

APPEAL NO: OPA-PA-010-004

13 HARBOR CENTRE GUAM CO. LTD.
14 And HARBOUR CENTRE PORT
15 TERMINAL, INC.

EXHIBIT LIST

Appellant.

16 Pursuant to the Scheduling Order issued by the Hearing Officer on September 30, 2010, the
17 Jose D. Leon Guerrero Commercial Port (the "Port"), the Purchasing Agency in this Appeal,
18 hereby submits the following list of Exhibits that may be presented to a witness for testimonial
19 purposes during the hearing in this matter:

- 20 Exhibit A: 2 GAR §3114 (taken from the Guam Compiler of Laws
21 website @ www.justice.gov.gu)
- 22 Exhibit B: Public Law 30-90 codified at 12 GCA §10401
- 23 Exhibit C: Public Law 29-23
- 24 Exhibit D: Procurement Record Communication Log (filed originally
25 as Exhibit 19 of the Procurement Record)
- 26 Exhibit E: Copies of stamped received submissions in response to
27 RFP No. PAG-010-003
28 (filed originally as Exhibit 22 of the Procurement Record at

COPY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

Bates Stamp Nos: LAP1547-LAP-1553)

Exhibit F: Abstract of Scores
SEALED (filed originally as Exhibit 14 of the Procurement Record at
Bates Stamp Nos: LAP1486-1491)

The Abstract of Scores contains information which may reveal the substance of proposals submitted in response to the RFP. The Port therefore requests, pursuant to 2 GAR §§12104(c)(6) and 12106, that such information be sealed and protected from public disclosure by the OPA.

This exhibit is being filed in a sealed envelope marked with the Exhibit Title and Letter.

Exhibit G: Memorandum of May 27, 2010 re: recommendation and approval of evaluation committee (filed originally with Exhibit 4 of the Procurement Record at Bates Stamp Nos: LAP0030)

Exhibit H: Summary of Evaluation Committee Meeting held on 6/1/10 (filed originally with Exhibit 4 of the Procurement Record at Bates Stamp Nos: LAP0031)

Exhibit I: Summary of Evaluation Meeting on 7/14/10 (filed originally as Exhibit 8 of the Procurement Record at Bates Stamp Nos: LAP0036-0037)

Exhibit J: Email rescheduling Evaluation Committee Meeting to 7/14/10 (filed originally as Exhibit 6 of the Procurement Record at Bates Stamp Nos: LAP0033-0034)

Exhibit K: Non-Disclosure Agreement and Warranty of Confidentiality executed by Evaluation Committee Members (filed originally as Exhibit 17 of the Procurement Record at Bates Stamp Nos: LAP1511-1520)

Exhibit L: Certification of Non-Disclosure and Confidentiality executed by Evaluation Committee Members (filed originally as Exhibit 18 of the Procurement Record at Bates Stamp Nos: LAP 1521-1530)

Exhibit M: RFP PAG-010-003 Vol. V, Item II, Page V-1 (filed originally with Exhibit 9 of the Procurement Record at Bates Stamp No: LAP0132)

Exhibit N: Marie Benavente's Summary Report of Chief Procurement Officer's visit on June 11, 2010

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

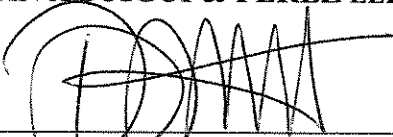
Exhibit O: Excerpts of RFP PAG-010-003 (filed originally with Exhibit 9 of the Procurement Record at Bates Stamp No: LAP0051)

Exhibit P: Rawlen Mantanona's Declaration of September 27, 2010
Re: Communication with Chief Procurement Officer

Dated this 8th day of October, 2010.

Respectfully submitted,

LUJAN AGUIGUI & PEREZ LLP

By: 

REBECCA PEREZ SANTO TOMAS, ESQ.
Attorneys for Jose D. Leon Guerrero Commercial Port

28