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JMI Edison

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

DATE: 08/09/13

TIME: 4:22 AM PM BY: C. Requ

FILE NO OPA-PA: 13-010

**OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEAL**

In the Appeal of

JMI Edison,

Appellant.

Docket No. OPA-PA 13-010

**DECLARATION OF LESLIE
TRAVIS IN SUPPORT OF MOTION
FOR EXPEDITED RELIEF TO
DECLARE AUTOMATIC STAY IN
EFFECT**

I, LESLIE A. TRAVIS, hereby declare as follows:

1. I am over the age of 21 and am competent to make this Declaration.
 2. I am a member of Civille & Tang, PLLC, counsel of record for Appellant in this matter.
 3. All of the statements set forth herein are true and correct and are based on my personal knowledge.
 4. Attached hereto as Exhibit "A" is a true and correct copy of the Notice to Lift Stay of Procurement dated July 25, 2013.
 5. Attached hereto as Exhibit "B" is a true and correct copy of the email from Carmen Taitano to Ed Ilao of JMI-Edison and counsel sent on July 25, 2013 at 11:40 A.M.
 6. Attached hereto as Exhibit "C" is a true and correct copy of an email from Marcus Y. Pido to Ed Illao of JMI-Edison and counsel sent on July 25, 2013 at 2:03P.M.
- I declare under penalty of perjury that the foregoing is true and correct.
Executed at Hagåtña, Guam, on this 9th day of August, 2013.



LESLIE A. TRAVIS

EXHIBIT A



JON J. P. FERNANDEZ
Superintendent of Education

**DEPARTMENT OF EDUCATION
OFFICE OF SUPPLY MANAGEMENT**

www.gdoe.net
Manuel F.L. Guerrero Administration Building
2nd Floor, Suite B-220
Hagatna, Guam 96910
Telephone: (671) 475-0438/Fax: (671) 472-5001



MARCUS Y. PIDO
Supply Management Administrator

July 25, 2013

NOTICE TO LIFT THE STAY OF PROCUREMENT

To: **All Participating Bidders**

Reference: Indefinite Quantity Bid For Purchase of Air Conditioning Equipment
Formal Bid: GDOE IFB 008-2013

This notice serves as a notification that the Guam Department of Education ("GDOE") hereby **Lifts the Stay of Procurement** for IFB 008-2013 that was put into place on Wednesday, July 3, 2013, due to a protest that was lodged. GDOE has responded to the protest and no appeal has been timely filed. Subsequently, GDOE will proceed with the procurement of IFB 008-2013 Indefinite Quantity Bid for Purchase of Air Conditioning Equipment.

Sincerely,

A handwritten signature in black ink, appearing to read "M.Y. Pido".

MARCUS Y. PIDO
Supply Management Administrator

cc: Procurement File: IFB 008-2013

EXHIBIT B

Subject: FW: Notice to Lift the Stay of Procurement IFB 008-2013

From: "Ed Ilao" <edilao@jmiguam.com>
Date: August 7, 2013, 12:17:02 PM HST
To: <jrazzano@guamattorneys.com>, "Josh Walsh" <jdwalsh@guamattorneys.com>
Subject: **FW: Notice to Lift the Stay of Procurement IFB 008-2013**

From: Carmen T. Taitano [mailto:cttaitano@gdoe.net]
Sent: Thursday, July 25, 2013 11:40 AM
To: Procurement
Subject: Notice to Lift the Stay of Procurement IFB 008-2013

For your review and acknowledgement.

Respectfully,

--

Carmen Taitano, Buyer Supervisor II
Guam Department Of Education
Office of Supply Management
Tel: (671) 300-1585
Fax: (671) 472-5001

"Living one day at a time; Enjoying one moment at a time; Accepting hardships as the pathway to peace"Reinhold Niebuhr

EXHIBIT C

From: "Ed Ilao" <edilao@jmiguam.com>
Date: August 7, 2013, 12:17:32 PM HST
To: <jrazzano@guamattorneys.com>, "Josh Walsh" <jdwalsh@guamattorneys.com>
Subject: FW: IFB 008-2013 GDOE Response to JMI Protest dtd 07-03-2013

From: Marcus Y. Pido [mailto:mypido@gdoe.net]
Sent: Thursday, July 25, 2013 2:03 PM
To: Joshua Walsh
Cc: edilao@jmiguam.com; civilletang@guamattorneys.com
Subject: Fwd: IFB 008-2013 GDOE Response to JMI Protest dtd 07-03-2013

Hafa adai, Mr. Walsh,

Kindly acknowledge receipt of this message.

Regards,

Marcus Pido

----- Forwarded message -----

From: **Marcus Y. Pido** <mypido@gdoe.net>
Date: Thu, Jul 25, 2013 at 11:39 AM
Subject: IFB 008-2013 GDOE Response to JMI Protest dtd 07-03-2013
To: Joshua Walsh <jdwalsh@guamattorneys.com>

Hafa adai, Mr. Walsh,

For your perusal, please see the attached response to JMI-Edison's protest to this IFB 008-2013 dated July 3, 2013. Please acknowledge receipt of this message.

Regards,

Marcus Pido
Guam Department of Education
Supply Management Administrator