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**THE OFFICE OF PUBLIC ACCOUNTABILITY
 HAGATNA, GUAM**

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 PROCUREMENT APPEALS

DATE: 7/21/16

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FILE NO OPA-PA: 16-007

IN THE APPEAL OF:

**CORE TECH INTERNATIONAL
 CORP.,**

 Appellant.

 and

**GUAM DEPARTMENT OF PUBLIC
 WORKS,**

 Purchasing Agency.

) **DOCKET NO. OPA-PA-16-007**
)
)
) **ERRATA OF DECLARATION OF**
) **DEPUTY DIRECTOR**
) **FELIX BENEVENTE**
)
)
)

This Errata references the Department of Public Works Agency Report filed on July 11, 2016.

Purchasing Agency hereby submits Tab 15, Exhibit O, Declaration of Deputy Director Felix Benevente, in the above case mentioned.

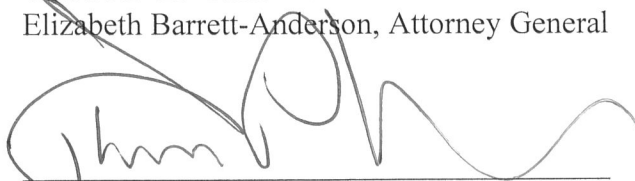
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ORIGINAL

Dated this 29th day of July, 2016.

OFFICE OF THE ATTORNEY GENERAL
Elizabeth Barrett-Anderson, Attorney General

By:



THOMAS P. KEELER
Assistant Attorney General

TAB 15

EXHIBIT 0

Declaration of Deputy Director

Felix Benevente



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**THE OFFICE OF PUBLIC ACCOUNTABILITY
HAGÁTÑA, GUAM**

In the Appeal of:

Core Tech International Corp.,

Appellant,

and

GUAM DEPARTMENT OF
PUBLIC WORKS

Purchasing Agency

DOCKET NO. OPA-PA-16-007

DECLARATION OF DEPUTY DIRECTOR
FELIX C. BENAVENTE

FELIX C. BENAVENTE makes this declaration under penalty of perjury under the laws of Guam and states:

1. I am employed by Department of Public Works (“DPW”), Government of Guam, as its Deputy Director.
2. I served as DPW’s representative in both Phase I and Phase 2 of the Procurement that is subject of this OPA Appeal. In Phase I, I ranked Guam Educational Facilities Foundation,

Inc. ("GEFF") one hundred per cent (100%). *See*, Exhibit A. GEFF's "team" includes experts that specialize in the planning and construction of middle and high schools.

3. I read Guam Public Laws 32-120 and 32-121 as providing special procurement procedures for selecting the best qualified contractor and negotiating the scope of work and fee estimate per RFP Addendum No. 6.

4. As additional information was provided GEFF refined its proposal. I consider this consistent with the intent of the enabling legislation and Request for Proposals ("RFP").

5. The Negotiating Team requested at separate times that GEFF notify it what Guam and GDOE would get for a low set price as well as construction of a Simon Sanchez HS without cost being a primary factor. I did not expect either response from GEFF would deliver the best value for Guam in meeting the objectives of the Guam Department of Education ("GDOE"). The reason for inquiring into a low and high price was primarily to educate the Negotiating Team on construction costs.

6. If the Negotiating Team was not able to negotiate a reasonable contract with GEFF it would have commenced negotiations with the second ranked offeror, Core Tech International Corp. Negotiations would have been conducted in the same manner as GEFF.

7. I read the RFP and Addendum #6 as directing the Negotiating Committee to negotiate with a single contractor.

8. At all times during the Procurement I acted in good faith in complying with what I understood to be the intent and objectives of Guam Public Laws 32-120 and 32-121 and the RFP.

I declare under penalty of perjury that the aforementioned is true.

Submitted this 9th day of July, 2016.

By:



FELIX C. BENAVENTE
DEPUTY DIRECTOR
Department of Works