



March 31, 2017

Mr. Anthony R. Camacho, Esq.
Hearing Officer
Office of the Public Accountability
Suite 401 DNA Building
238 Archbishop Flores St.
Hagatna, GU 96910

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

DATE: 03-31-17
TIME: 10:15 AM PM BY: JN
FILE NO OPA-PA: 17-005

RE: Procurement Appeal OPA-PA-17-005

Dear Mr. Camacho:

Regarding the above referenced Procurement Appeal filed by PDS on March 20, 2017, PDS received the attached letter from the 34th Guam Legislature on March 27, 2017.

The attached letter from the 34th Guam Legislature acknowledges the ambiguities alleged by PDS in this procurement and cancels the subject procurement with plans to issue a new bid that resolves these issues. Based on this action by the 34th Guam Legislature the PDS procurement appeal is now moot.

PDS requests to withdraw and cancel our procurement appeal identified by the OPA as OPA-PA-17-005.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Day', is written over a horizontal line.

John Day
President/COO

XC: Mrs. Doris Flores-Brooks – Public Auditor
Mr. Jermaine Alerta – Executive Director, 34th Guam Legislature



I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÅHAN
Thirty-Fourth Guam Legislature

March 27, 2017

Pacific Data Systems
185 Ilipog Drive, Suite 204A
Tamuning, Guam 96913

Reference: Cancellation of IFB No. GL-01-FY-17

Dear Sir/Madam:

I am writing to inform you that the Guam Legislature has decided to cancel Invitation for Bid No. GL-01-FY17 ("60 Month Lease Agreement - For Telephone Services and Equipment) (hereafter, the "Solicitation").

The Solicitation contained ambiguous or inadequate specifications and was otherwise contrary to law, as it unduly extended the applicability of the Guam Procurement Law (codified at 5 GCA § 5001 *et seq.*) and its implementing regulations (contained in Title 2 of the Guam Administrative Rules and Regulations) to the Guam Legislature. To be sure, the Guam Legislature is not subject to these. Thus, exercising my authority under both Guam law and the Standing Rules of the 34th Guam Legislature, I hereby find it in the public interest and the best interest of the Territory to cancel the Solicitation.

Respectfully,


JERMAINE ALERTA
Executive Director

