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BASIL FOOD INDUSTRIAL SERVICES CORPORATION

**RECEIVED**  
OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEALS  
DATE: 7/31/2020  
TIME: 4:12  AM  PM BY: Vance D.  
FILE NO OPA-PA: 19-011

BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY

In the Appeal of

BASIL FOOD INDUSTRIAL SERVICES  
CORPORATION,

Appellant.

Appeal No. OPA-PA-19-011  
Appeal No. OPA-PA-20-003  
CONSOLIDATED

**APPELLANT BASIL FOOD  
INDUSTRIAL SERVICES  
CORPORATION'S LIST OF ISSUES**

Appellant Basil Food Industrial Services Corporation lists the following issues to be determined by the OPA:

1. Whether SH Enterprises' non-compliance with Section 12.8 [Termination of Non-Compliance With Regulatory Requirements] of the Program Specifications for the emergency procurement contract for the April 2019 Elderly Nutrition Program effectively terminated that contract.

2. Whether SH Enterprises' was a responsive bidder when it willfully withheld information disclosing its non-compliance with the Program Specifications for the emergency procurement contract for the April 2019 Elderly Nutrition Program, as required by Sections 2.4 and 2.5 of the bid specifications for GSA-056-19.

3. Whether GSA-056-19 was correctly awarded to SH Enterprises pursuant to 5 GCA § 5211(g).

4. Whether SH Enterprises' donation of the Hakubotan building is deemed a favor to the Territory of Guam and thus a violation of the Guam Procurement Act and the Guam Procurement Regulations, including 2 GAR, Div. 4 §§ 11107 and 11206 and 5 GCA § 5630, and the terms and conditions of GSA-056-19.

DATED: Hagåtña, GU, July 31, 2020.

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