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OPA-PA-24-005 In the Appeal of Pacific Federal Management, Inc. - Appellant's Hearing Materials

R. Marsil Johnson <rmarsjohnson@bsjmlaw.com>

Mon, Jan 13, 2025 at 4:58 PM

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Dear Mr. Hernandez:

Please see attached **(1) Appellant's Issue List, (2) Appellant's Witness List, and (3) Appellant's Admissions of Fact** for e-filing in the above-referenced matter. Kindly confirm receipt via return e-mail.

Should you have any questions or concerns, please let us know.

Thank you,

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3 attachments



2024.01.13 - Appellant's Witness List re PFM OPA-PA-24-005.pdf
152K



2024.01.13 - Appellant's Admissions of Fact re PFM OPA-PA-24-005.pdf
172K



2024.01.13 - Appellant's Witness List re PFM OPA-PA-24-005.pdf
152K

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7 *Attorneys for Appellant Pacific Federal Management, Inc.*

8 **IN THE OFFICE OF PUBLIC ACCOUNTABILITY**
9 **PROCUREMENT APPEAL**

10 **In the Appeal of**) **Docket No. OPA PA-24-005**
11)
12 **PACIFIC FEDERAL MANAGEMENT,**) **APPELLANT’S**
13 **INC.,**) **ADMISSIONS OF FACT**
14)
15 **Appellant.**)

16 **COMES NOW,** Pacific Federal Management, Inc. (“PFM”) and, through undersigned
17 counsel, submits this Appellant’s Admissions of Fact.

18 1. On May 22, 2024, GIAA issued Invitation for Bid No. GIAA-C07-FY24, Project
19 No. GIAA-FY22-02-1, AIP No. 3-66-0001-TBD, concerning the bid for the Terminal Building
20 Roof Replacement and Renewable Energy System – Phase I at GIAA (the “IFB”).

21 2. Three bids were submitted in response to the IFB.

22 3. Green Community Development dba Surface Solutions (“Surface Solutions”)
23 submitted a bid in the amount of \$7,898,800.00.

24 4. PFM submitted a bid in the amount of \$15,922,865.41

25 5. Core Tech International Corporation (“Core Tech”) submitted a bid in the amount
26 of \$20,068,296.00.

27 6. Core Tech’s bid was \$12,168,496.00 higher than Surface Solution’s bid.

28 7. Core Tech’s bid was \$4,145,430.59 higher than PFM’s bid

1 8. GIAA awarded the contract to Core Tech International Corporation.

2 9. In rejecting PFM's bid, GIAA stated that it "was found to be nonresponsive and not
3 responsible as Bidder failed to submit and does not hold all required Contractor's License
4 classifications required in the IFB Package, Special Reminders (Bidder failed to submit and does
5 not hold C-8, C-41, C-42, C-48).
6

7 10. With its bid, PFM submitted copies of its Contractor's License Board licenses in
8 the following categories:
9

10 11. PFM holds a General Engineering Contractor license (also known as an "A
11 License").

12 12. The statutory definition of a General Engineering Contractor (an "A License"
13 holder) specifically states that "[a] General Engineering Contractor is a contractor whose principal
14 contracting business is in connection with fixed works requiring specialized engineering
15 knowledge and skill, including ... **airports and airways.**" 21 GCA § 70106(b) (emphasis added).
16

17 13. The list of skills and trades General Engineering Contractors ("A License" Holders)
18 can perform is found in 25 GAR §12106(a)(1) and includes the following skills and trades: Cement
19 Concrete, Reinforcing Steel, Structural Steel, Water Proofing, and Welding.
20

21 14. PFM holds a General Building Contractor license (also known as a "B License").

22 15. The list of skills and trades General Building Contractor ("B License" Holders) can
23 perform is found in 25 GAR §12106(a)(2) and includes the following skills and trades: Cement
24 Concrete, Reinforcing Steel, Roofing Contractor, Structural Steel, Waterproofing, and Welding.
25

26 16. A C-8 license is a Cement Concrete Contractor license.

27 17. A C-41 license is a Reinforcing Steel Contractors license.

28 18. A C-42 license is a Roofing Contractor license.

1 19. A C-48 license is a Structural Steel Contractor license.

2 20. A C-55 license is a Waterproofing Contractor license.

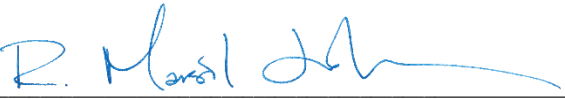
3 21. A C-56 license is a Welding Contractor license.

4 22. PFM also submitted copies of CLB licenses of its subcontractor: Guam Pacific
5 Mechanical & Electrical, LLC (“GPME”).
6

7 23. GPME holds the following CLB licenses: C-13, C-37, and C-51.

8 **DATED** this 13th day of January, 2025.
9

10 **BLAIR STERLING JOHNSON & MARTINEZ**
11 **A PROFESSIONAL CORPORATION**

12 BY: 

13 **R. MARSIL JOHNSON**

14 *Attorneys for Appellant Pacific Federal Management, Inc.*
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