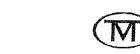
1	GUAM DEPARTMENT OF EDUCATIO	N OFFICE OF PIETE ACCOUNTABLETT
2	Rebecca M. Perez, Legal Counsel P.O. Box DE	DEC 07 201146
3	Hagåtña, Guam 96910 Telephone (671) 300-1537 Email: legal-admin@gdoe.net	THE HOUSE AND A STATE OF THE PARTY OF THE PA
4	Attorney for Guam Department of Education	
5	BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY	
6	PROCUREMENT APPEAL	
7		
8	IN THE APPEAL OF	APPEAL NO. OPA-PA-11-017
9	VIM DDOG CONGEDUCETON CODD	
10	KIM BROS. CONSTRUCTION CORP.,	SUPPLEMENT TO SUBMISSION OF AGENCY REPORT
11	Appellant.	
12		
13		
14	The Guam Department of Education (hereinafter "GDOE"), the purchasing agency in th	
15	matter referenced above, hereby supplements its Agency Report filed with the OPA on Decembe	
16	5, 2011, by adding the following exhibit:	
17	Letter dated November 14, 2011 to Marcus Y. Pido Exhibit 17 from Thomas M. Tarpley, Jr. with enclosure Bates Stamp Nos. GDOE0149-0150	
18		
19	- with	
20	Dated this 7 <sup>th</sup> day of December, 2011.  Respectfully submitted,  GUAM DEPARTMENT OF EDUCATION  By:	
21		
22		
23		
24	Ī	REBECCA M. PEREZ, ESQ.  Legal Counsel
25	L	nga comut
26		
27		



## THOMAS MCKEE TARPLEY

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FM VII. ttarplev nattorneyguam.com

November 14, 2011

Mr. Marcus Y. Pido
Supply Management Administrator
Department of Education
Office of Supply Management
Manuel F.L. Guerrero Administration Bldg.
2nd Floor, Suite B-220
312 Aspinall Avenue
Hagatna, Guam 96910

Re: Formal Protest of IFB 007-2012 Solicitation

Dear Mr. Pido:

My office represents Kim Bros. Construction Corp. This letter is to formally protest the re-solicitation of the Southern High School Gymnasium project, on the grounds that such solicitation was issued after DOE opened Kim Bros. bid price submitted on the first solicitation on the project, on which Kim Bros. incurred bid preparation costs totaling \$42,800, and whose bid bond has yet to be released. By law (5 GCA § 5425(g)) DOE may not proceed further with this solicitation until this protest is resolved.

This letter shall also serve as a request, independent of the protest, for DOE to reimburse Kim Bros. Construction Corp. the \$42,800 bid preparation costs incurred in IFB 24-2011. A breakdown is enclosed.

Sincerely,

Thomas M. Tarpley, Jr.

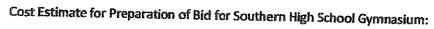
Enclosure:

cc: Kim Bros. Construction Corp.

Duc Hzp0263

PROCUREMENT SECTION RECEIVED

DEPARTMEN OF JICATION



î.	Electrical ———\$6,000.00
2.	Mechanical — \$6,000.00
3.	Structural\$6,000.00
	Architectural — \$6,000.00
	Technical Proposal — \$6,000.00
6.	

Total = \$42,800.00

Attorney's pay to be determine and should be added to the cost.