

1 **GUAM DEPARTMENT OF EDUCATION**

2 James L.G. Stake, Legal Counsel
3 501 Mariner Avenue
4 Barrigada, Guam 96913
5 Telephone: (671) 300-1537
6 E-mail: legal-admin@gdoe.net
7 *Attorney for Guam Department of Education*

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

DATE: 7/30/2021
TIME: 4:00 PM BY: MY
FILE NO OPA-PA: 21-005

8 **OFFICE OF THE PUBLIC AUDITOR**
9 **PROCUREMENT APPEALS**

10 In the Appeal of

APPEAL CASE NO. OPA-PA-21-005

11 Pacific Data Systems, Inc. (PDS),

AGENCY REPORT

12 Appellant.

13 Appellee Guam Department of Education (GDOE), by and through its attorney, James
14 L.G. Stake, hereby submits its Agency Report, pursuant to 2 GAR Div. 4 §12105:

- 15 (a) A copy of the protest: **Submitted to the Office of the Public Auditor (OPA) on July 23, 2021, by GDOE in its Procurement Record of OPA-PA-21-005.**
- 16 (b) A copy of the bid or offer submitted by the Appellant and a copy of the bid or offer that is
17 being considered for award or whose bid or offer is being protested, if any had been
18 submitted prior to the protest: **Submitted to the OPA on July 23, 2021, by GDOE in its**
19 **Procurement Record of OPA-PA-21-005.**
- 20 (c) A copy of the solicitation, including the specifications or portions thereof relevant to the
21 protest: **Submitted to the OPA on July 23, 2021, by GDOE in its Procurement Record**
22 **of OPA-PA-21-005.**
- 23 (d) A copy of the abstract of bids or offers or relevant portions to the protest: **Submitted to**
24 **the OPA on July 23, 2021, by GDOE in its Procurement Record of OPA-PA-21-005.**
- 25 (e) Any other documents which are relevant to the protest; including the contract, if one has
26 been awarded, pertinent amendments, and plans and drawings: **Submitted to the OPA on**
27 **July 23, 2021, by GDOE in its Procurement Record of OPA-PA-21-005.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (f) The decision from which the Appeal is taken, if different than the decision submitted by Appellant: **Submitted to the OPA on July 23, 2021, by GDOE in its Procurement Record of OPA-PA-21-005.**
- (g) A statement answering the allegation of the Appeal and setting forth findings, actions, and recommendations in the matter together with any additional evidence or information deemed necessary in determining the validity of the Appeal. The statement shall be fully responsive to the allegations of the Appeal: **Please see attached Agency Statement.**
- (h) If award made after receipt of the protest, the report will include the determination required under 2 GAR §9101(e): **Not applicable.**
- (i) A statement in substantially the same format as Appendix B to this Chapter, indicating whether the matter is the subject of a court proceeding: **Submitted to the OPA on July 23, 2021 by GDOE in its Declaration Regarding Court Action.**

Dated: July 30, 2021

Respectfully submitted,

GUAM DEPARTMENT OF EDUCATION

By: 
JAMES L.G. STAKE
Legal Counsel