



Jerrick Hernandez <jhernandez@guamopa.com>

Fwd: Appeal

GPE INC <guampacific@gmail.com>
To: jhernandez@guamopa.com

Wed, Sep 15, 2021 at 2:37 PM

----- Forwarded message -----

From: **GPE INC** <guampacific@gmail.com>
Date: Wed, 15 Sept 2021 at 12:44
Subject: Appeal
To: <jhernandez@opa.com>, Gumataotao, Emily <eggumataotao@triton.uog.edu>

Dear Mr Hernandez,

Please see appeal attachments that I am filling and confirm receipt of this email

Very Respectfully,

Sedfrey M Linsangan
President

--

Guam Pacific Enterprise, Inc.
Tel: (671) 649-6994/7/8



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09 15 2021 DOCUMENTS.pdf
3002K

E) Names of Competing Bidders, Offerors, or Contractors known to Appellant:

<u>J & B Modern Tech</u>	_____
<u>Wang Bros. LLC</u>	_____
<u>Docomo Pacific</u>	_____
_____	_____
_____	_____

PART IV- Form and Filing

In addition to this form, the Rules of Procedure for Procurement Appeals require the submission together with this form of additional information, including BUT NOT LIMITED TO:

1. A concise, logically arranged, and direct statement of the grounds for appeal;
2. A statement specifying the ruling requested;
3. Supporting exhibits, evidence, or documents to substantiate any claims and the grounds for appeal unless not available within the filing time in which case the expected availability date shall be indicated.

Note: Please refer to 2 GAR § 12104 for the full text of filing requirements.

PART V- Declaration Re Court Action

Pursuant to 5 GCA Chapter 5, unless the court requests, expects, or otherwise expresses interest in a decision by the Public Auditor, the Office of Public Accountability will not take action on any appeal where action concerning the protest or appeal has commenced in any court.

The undersigned party does hereby confirm that to the best of his or her knowledge, no case or action concerning the subject of this Appeal has been commenced in court. All parties are required to and the undersigned party agrees to notify the Office of Public Accountability within 24 hours if court action commences regarding this Appeal or the underlying procurement action.

Submitted this 15 day of Sept 20 21

By: 
APPELLANT

or

By: _____
Appellant's Duly Authorized Representative
(Address)
(Phone No.)

APPENDIX A



**Appendix D: Hearing Request/Waiver Form
PROCUREMENT APPEAL**

In the Appeal of _____)
)
) **HEARING**
) **REQUEST/WAIVER**
)
(Name of Company), APPELLANT)
)
) Docket No. OPA-PA _____
)
)
)

Please select one:

Pursuant to 2 GAR § 12108(a), the undersigned party does hereby request a hearing on the appeal stated above.

Pursuant to 2 GAR § 12108(a), the undersigned party does hereby waive his/her right to a hearing and is submitting the appeal stated above on record without a hearing.

Submitted this 15 day of Sept. 20 21

By: (Please select one)

- APPELLANT
- Chief Procurement Officer
- Director of Public Works
- Head of Purchasing Agency



Signature

Sedfrey M. Linsangan

Print Name

Concise Statement

Notice of Award and Bid Status was only provided to me on Sept. 2, 2021. I had been following up since June, July and August many times but the answer was that they are still evaluating the bid.

The Administrator reasoned out that it was an oversight on her part. (Please see her letter dated Sept. 2 (Exhibit A) My concern or the violation is the Notice of Award was provided first on June 7, 2021 but the Bid Status which was not sent to me was dated July 1. (Please see Exhibit B and C)

The specs of Docomos offer does not comply with the intention and Background as provided in Exhibit A of the Bid (pages 20). The offer was specifically for homes not classrooms.

The offer that was favored was made in Israel not USA. UOG should be buying American made for Federal funding projects to comply with Buy American Act.

UOG violates the provisions in Instruction 12, Method of Award because the product they approved does not conform for class rooms use but only for homes. It is not in the public interest that UOG will buy or award the bid that does not served its purpose. Yes the product is cheap and the lowest bid but just a waste of money since it is not designed for schools. Please see page 5 of Bid Document (Method of Award).

Ruling Requested

It is up to OPA to determine the appropriate ruling or sanction to correct this wrong disposition on Method of Award and not following the basic Guam Procurement Law on Bid Status and Notice of Award. I also have to add that they (LOG) are the only one charging \$25.00 for Bid Documents in PDF file. All agencies does not charge \$25.00 if Bidders download the file.

Very Respectfully,

9/15/21

By 
Sedfrey M. Linsangal

9/7/2021

Re: B21-10 GUAM PACIFIC ENTERPRISE INC - guampacific@gmail.com - Gmail

e: B21-10 GUAM PACIFIC ENTERPRISE INC

Inbox

Exh. A



UOG Procurement Bids

to me, Procurement

2 Sept 2021, 11:07 (5 days ago)

Håfa Adai & Good Morning Sed,

Apologize for the delay and oversight on my part. I prepped the Bid Status as of July 1, 2021 and thought I had sent it out, but realized it was stuck in my drafts folder.

See bid status and copy of Notice of Award to winning bidder.

Hope you will still consider participating in future bids for the university.

Thank you & Stay safe!

Si Yu'os ma'åse! & Have a nice day!.



UNIVERSITY OF
GUAM
UNIBETSÉDÁT GUÁHAN

Respectfully,

Emily G. Gumataotao

SUPPLY MANAGEMENT ADMINISTRATOR

PROCUREMENT | ADMIN & FINANCE

Office: 671-735-2925

Fax: 671-735-3010

uog.bids@triton.uog.edu



Exh. B

ADMINISTRATION & FINANCE
Consolidated Procurement Office

June 7, 2021

DOCOMO PACIFIC

Eleonor B.U. Lujan-Toves
890 S. Marine Corps Drive
Tamuning, GU 96913
Email: Elujan-toves@docompacific.com

RE: NOTICE OF AWARD - UOG BID B21-10 "AIR PURIFIER SYSTEM and REPLACEMENT FILTERS"

Dear Sir/Madam:

This letter is to certify that **DOCOMO PACIFIC** is being awarded the University of Guam **BID B21-10**. As a result of our evaluation of the above referenced IFB a purchase order will be forthcoming.

A representative from the respective unit will be in contact with you upon issuance of the purchase order.

If you have any questions, please feel free to contact me at 735-2925 or email at uog.bids@triton.uog.edu.

Thank you and Congratulations!

Sincerely,

Emily G. Gumataotao
Supply Management Administrator

Please acknowledge receipt and return via email to uog.bids@triton.uog.edu.

(Please print name and sign)

(DATE)

cc: CLASS

T: +1 671.735.2925 F: +1 671.735.3010 W: www.uog.edu E: uog.bids@triton.uog.edu
Mailing Address: 303 University Drive UOG Station Mangilao, Guam 96913
The University of Guam is a U.S. Land Grant Institution accredited by the Western Association of Schools and Colleges Senior College and University Commission and is an equal opportunity provider and employer.

Exh. C



ADMINISTRATION & FINANCE
Consolidated Procurement Office

BID STATUS

July 1, 2021

Guam Pacific Enterprise Inc.
Sedfrey M. Lingsanga
President/Owner
Ph: 671-649-6994

Subject: **UOG Invitation for Bid No. B21-10, AIR PURIFIER SYSTEM and REPLACEMENT FILTERS**
Bid Open: May 20, 2021

- / / Cancelled (in its entirety), or partially cancelled due to:
- () Insufficient funds;
 - () Change of specifications; or
 - () Insufficient number of bidders
- /X/ Rejected due to:
- () Late submission of bid;
 - () No bid security or insufficient bid security amount submitted; as required by General Terms and Conditions;
 - () Not meeting the delivery requirement as stated in the IFB
 - () Non-conformance with the specifications
 - () Inability to provide future maintenance and services to the equipment;
 - High price; or
 - () Other:
- /X/ Bid is recommended for award to: **Docomo Pacific, Inc.**


Emily G. Gumataelao
Supply Management Administrator

Please Acknowledge Receipt and email back to uog.bids@triton.uog.edu .

VENDOR

(Print name & signature) Date

T: +1 671.735.2925 F: +1 671.735.3010 W: www.uog.edu E: uog.bids@triton.uog.edu
Mailing Address: 303 University Drive UOG Station Mangilao, Guam 96913
The University of Guam is a U.S. Land Grant Institution accredited by the Western Association of Schools and Colleges Senior College and University Commission and is an equal opportunity provider and employer.

Bid 21-10

GPE INC <guampacific@gmail.com>

Thu, 26 Aug, 16:19
(12 days ago)

To Emily

Hi Emily,

Please advise the status of Bid 21-10. We have not received any update so that we can pick up our Cashiers Check Bid bond if not favored.

Respectfully,
Sedfrey M. Linsangan
Guam Pacific Enterprise, Inc.
Tel: (671) 649-6994/7/8

Bid Number 21-10

GPE INC <guampacific@gmail.com>

Mon, 30 Aug, 09:16
(8 days ago)

to Emily

Good morning Emily,
I was told last week that you will email me a notice regarding the award of the Air Purifier.
But up to now I have not received your email.

Hope you can email it today.

V.R.

Sedfrey M. Linsangan
Manager
Guam Pacific Enterprise, Inc.
Tel: (671) 649-6994/7/8

Compose

Inbox 3,109

Starred

Snoozed

Important

Sent

Drafts 134

Categories

Social 1,519

Updates 9,523

Forums 19

Promotions 11,313

Personal 43

Statement of Account a...

Statement of Acct Sept. ...

TIME STATION 7,307

Meet

New meeting

Join a meeting

Hangouts

G GPE +

UOG Bid No, B21-10



GPE INC <guampacific@gmail.com>

to Emily, uogbids

Dear Procurement Team,

This is a Notice of Protest relative to the subject Bid number.

Respectfully,
Sedfrey M. Linsangan
President
Guam Pacific Enterprises Inc.
649-6997-8-4

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Guam Pacific Enterprise, Inc.
Tel: (671) 649-6994/7/8



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