



Jerrick Hernandez &lt;jhernandez@guamopa.com&gt;

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**OPA-PA-22-004 Appellant's Motion for Review of Determination**

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Jacqueline Terlaje &lt;jterlaje@terlajelaw.com&gt;

Fri, Jun 24, 2022 at 6:52 PM

To: "jhernandez@guamopa.com" &lt;jhernandez@guamopa.com&gt;

Cc: LEGAL ASST &lt;legal@terlajelaw.com&gt;, Jessica Toft &lt;jtoft@oagguam.org&gt;, "procurement@guam.gov" &lt;procurement@guam.gov&gt;

Hafa Adai. Please see enclosed for filing. This email is sent in lieu of a transmittal via facsimile. Please advise if another form of filing is required by the Office of Public Accountability.

Your kind acknowledgement of receipt is appreciated.

Senseramente,

**JACQUELINE TAITANO TERLAJE**

LAW OFFICE OF

JACQUELINE TAITANO TERLAJE, P.C.  
284 West Chalan Santo Papa

Hagåtña, Guam 96910

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**2 attachments**

**24Jun22 Decl J Terlaje.pdf**  
1476K



**24Jun22 Motion for Review.pdf**

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Jacqueline Taitano Terlaje, Esq.  
**LAW OFFICE OF JACQUELINE TAITANO TERLAJE, P.C.**  
284 W Chalan Santo Papa  
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Facsimile 671.648.9002  
Email: info@terlajelaw.com

Attorney for *Appellant*

**BEFORE THE PUBLIC AUDITOR  
PROCUREMENT APPEALS  
TERRITORY OF GUAM**

IN THE APPEAL OF ) APPEAL NO. OPA-PA-22-004  
)

DATA MANAGEMENT RESOURCES, )  
LLC. )  
Appellant. )

**DECLARATION OF JACQUELINE TERLAJE IN  
SUPPORT APPELLANT'S MOTION FOR  
REVIEW  
OF DETERMINATION**

1. On this 24<sup>th</sup> day of June, 2022, I make this declaration under penalty of perjury of the laws of Guam.

2. I am counsel of record for Appellant, Appellant, DATA MANAGEMENT RESOURCES, LLC (DMR), in the above-captioned appeal.

3. I make the declaration based upon my personal knowledge, and in support of DMR's Motion for Review of the Notice of Determination of the subject matter RFP.

4. Attached hereto is Exhibit 15 dated May 27, 2021. It is a true and correct copy provided to me by OOG on March 17, 2022 in response to a Sunshine Reform Act request.

5. Attached hereto is Exhibit 16 dated July 16, 2021. It is a true and correct copy provided to me by OOG on March 17, 2022 in response to a Sunshine Reform Act request.

  
\_\_\_\_\_  
JACQUELINE TAITANO TERLAJE

**LOURDES A. LEON GUERRERO**  
GOVERNOR



**JOSHUA F. TENORIO**  
LT. GOVERNOR

**UFISINAN I MAGA'HÅGAN GUÅHAN**  
OFFICE OF THE GOVERNOR OF GUAM

**5/27/2021**

Department of Interior, Office of Insular Affairs  
Acting Assistant Secretary and Director, Nikolao Pula  
U.S. Department of the Interior  
1849 C Street, NW  
Washington, DC 20240  
Re: No Cost Extension of Grant (D20AP00048)

Dear Acting Assistant Secretary Pula:

The Office of the Governor of Guam would like to request an additional 1 year no cost extension for our TAP COVID-19 grant (D20AP00048). If approved, the new ending date will be September 30, 2022.

Although we expect to expend a majority of these funds by the current end date, we have 1 project that will extend into FY 2022. This is our project to "Digitize Business License and Permitting". The procurement for this project will be completed this fiscal year, but some of the expenditures will not occur until FY 2022. This would include some implementation costs, training, and the 1<sup>st</sup> year of licensing, maintenance, and support.

The amount and the nature of this procurement also extends the amount of time needed to expend funds for this project. This procurement is considered a large purchase and is for IT related professional services. Both of these factors require the involvement of additional parties, and trigger the requirement to complete additional processes with more levels of approval per our local law.

Should you have any questions, please do not hesitate to contact our Guam State Clearinghouse Administrator, Stephanie Flores.

Sincerely,

EXHIBIT 15

In Re DMR  
Motion for Review of  
Determination

## EXHIBIT 16



In Re DMR  
Motion for Review

Jon Junior Calvo <jon.calvo@guam.gov>

## No Cost Extension Request for COVID TAP (D20AP00048)

3 messages

**Stephanie G. Flores** <stephanie.flores@guam.gov> Fri, Jul 16, 2021 at 11:23 AM  
 To: "McCoy, Hailey" <hailey\_McCoy@ios.doi.gov>  
 Cc: "Choe, Dong H" <dong\_choe@ios.doi.gov>, "Ottley, Basil C" <basil\_ottley@ios.doi.gov>, Jon Junior Calvo <jon.calvo@guam.gov>, Arthur Mariano <art.mariano@bbmr.guam.gov>, Lester Carlson <Lester.carlson@bbmr.guam.gov>, Guam State Clearing House <clearinghouse@guam.gov>, "Petersen, Dwayne J" <dwayne\_petersen@ios.doi.gov>, "Leizear, Charlene A" <Charlene\_Leizear@ios.doi.gov>

Buenas Hailey:

I am requesting that the COVID TAP grant (D20AP00048) be given a no cost extension of 1 year. Procurement has begun on these projects but will not be completed by the current end date. Moreover, some of our projects, particularly the IT projects for the Mayors and the Business Licensing and Permitting require maintenance beyond the one-year period and the AG will bounce the contracts back if the end date for the funds exceeds the performance period. You received our procurement tracker with the status of each project in our last quarterly report filed during the first week of July but I am including it here for ease of reference. Your assistance in this matter is greatly appreciated. I look forward to your favorable response.

**Sinceramente,**



**Stephanie G. Flores**

Administrator, Guam State Clearinghouse  
*Ufisinan I Segundo Maga'låhi Guahan*  
 Office of the Lieutenant Governor of Guam  
 Tel: (671) 473-1157-62  
 Email: [Stephanie.flores@guam.gov](mailto:Stephanie.flores@guam.gov)

 **TAP COVID-19 Tracker 07.16.2021.pdf**  
81K

**McCoy, Halley M** <Hailey\_McCoy@ios.doi.gov> Sat, Jul 17, 2021 at 5:48 AM  
 To: "Stephanie G. Flores" <stephanie.flores@guam.gov>  
 Cc: "Choe, Dong H" <dong\_choe@ios.doi.gov>, "Ottley, Basil C" <basil\_ottley@ios.doi.gov>, Jon Junior Calvo <jon.calvo@guam.gov>, Arthur Mariano <art.mariano@bbmr.guam.gov>, Lester Carlson <Lester.carlson@bbmr.guam.gov>, Guam State Clearing House <clearinghouse@guam.gov>, "Petersen, Dwayne J" <dwayne\_petersen@ios.doi.gov>, "Leizear, Charlene A" <Charlene\_Leizear@ios.doi.gov>

Hafa Adai Stephanie,

Thank you for your email. Please accept this email as OIA's approval of this request. This grant will now expire on 09/30/2022. Attached is the new grant award document, which reflects the new period of performance.

Thanks,  
Hailey McCoy

3/15/22, 3:04 PM

The Office of the Governor of Guam Maga' Haga' Mail - No Cost Extension Request for COVID TAP (D20AP00048)

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**From:** Stephanie G. Flores <stephanie.flores@guam.gov>  
**Sent:** Thursday, July 15, 2021 9:23 PM  
**To:** Mccoy, Hailey M <Hailey\_McCoy@ios.doi.gov>  
**Cc:** Choe, Dong H <dong\_choe@ios.doi.gov>; Ottley, Basil C <basil\_ottley@ios.doi.gov>; Jon Junior Calvo <jon.calvo@guam.gov>; Arthur Mariano <art.mariano@bbmr.guam.gov>; Lester Carlson <Lester.carlson@bbmr.guam.gov>; Guam State Clearing House <clearinghouse@guam.gov>; Petersen, Dwayne J <dwayne\_petersen@ios.doi.gov>; Leizear, Charlene A <Charlene\_Leizear@ios.doi.gov>  
**Subject:** [EXTERNAL] No Cost Extension Request for COVID TAP (D20AP00048)

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

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 **TAP-Guam-2020-1 Grant Award documents - POP extension.pdf**  
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**Stephanie G. Flores** <stephanie.flores@guam.gov> Sat, Jul 17, 2021 at 6:19 AM  
**To:** "Mccoy, Hailey M" <Hailey\_McCoy@ios.doi.gov>  
**Cc:** "Choe, Dong H" <dong\_choe@ios.doi.gov>, "Ottley, Basil C" <basil\_ottley@ios.doi.gov>, Jon Junior Calvo <jon.calvo@guam.gov>, Arthur Mariano <art.mariano@bbmr.guam.gov>, Lester Carlson <lester.carlson@bbmr.guam.gov>, Guam State Clearing House <clearinghouse@guam.gov>, "Petersen, Dwayne J" <dwayne\_petersen@ios.doi.gov>, "Leizear, Charlene A" <Charlene\_Leizear@ios.doi.gov>

Thank you.

Sent from my iPhone

On Jul 17, 2021, at 5:49 AM, Mccoy, Hailey M <Hailey\_McCoy@ios.doi.gov> wrote:

[Quoted text hidden]

<TAP-Guam-2020-1 Grant Award documents - POP extension.pdf>

1. DATE ISSUED MM/DD/YYYY 1a. SUPERSEDES AWARD NOTICE dated 04/15/2020  
07/16/2021 except that any additions or restrictions previously imposed remain in effect unless specifically rescinded

**NOTICE OF AWARD**



2. CFDA NO.  
15.875 - Economic, Social, and Political Development of the Territories

3. ASSISTANCE TYPE Project Grant

4. GRANT NO. D20AP00048-01 5. TYPE OF AWARD  
Originating MCA # Other

4a. FAIN D20AP00048 5a. ACTION TYPE Post Award Amendment

6. PROJECT PERIOD MM/DD/YYYY  
From 04/15/2020 Through 09/30/2022

7. BUDGET PERIOD MM/DD/YYYY  
From 04/15/2020 Through 09/30/2022

AUTHORIZATION (Legislation/Regulations)  
Public Law 116-123, Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020

8. TITLE OF PROJECT (OR PROGRAM)  
CARES Act funding to prevent, prepare and respond to COVID-19.

9a. GRANTEE NAME AND ADDRESS  
GOVERNMENT OF GUAM- DEPARTMENT OF ADMINISTRATION  
MANUEL F.L. GUERRERO BUILDING  
Department of Public Health & Social Services  
Hagatna, GU 96932

9b. GRANTEE PROJECT DIRECTOR  
Arthur Mariano  
Manuel F.L. Guerrero Building  
Department of Public Health & Social Services  
Hagatna, GU 96932  
Phone: [NO PHONE RECORD]

10a. GRANTEE AUTHORIZING OFFICIAL  
Lester Carlson  
Manuel F.L. Guerrero Building  
Department of Public Health & Social Services  
Hagatna, GU 96932

10b. FEDERAL PROJECT OFFICER  
Ms. Hailey Mccoy  
1849 C St, NW  
3117  
Washington, DC 20240  
Phone: 202-513-7746

**ALL AMOUNTS ARE SHOWN IN USD**

11. APPROVED BUDGET (Excludes Direct Assistance)	
i Financial Assistance from the Federal Awarding Agency Only	
ii Total project costs including grant funds and all other financial participation	
a. Salaries and Wages	\$ 0.00
b. Fringe Benefits	\$ 0.00
c. Total Personnel Costs	\$ 0.00
d. Equipment	\$ 0.00
e. Supplies	\$ 0.00
f. Travel	\$ 0.00
g. Construction	\$ 0.00
h. Other	\$ 12,039,565.00
i. Contractual	\$ 0.00
<b>j. TOTAL DIRECT COSTS</b>	<b>\$ 12,039,565.00</b>
k. INDIRECT COSTS	\$ 0.00
<b>l. TOTAL APPROVED BUDGET</b>	<b>\$ 12,039,565.00</b>
m. Federal Share	\$ 12,039,565.00
n. Non-Federal Share	\$ 0.00

12. AWARD COMPUTATION			
a. Amount of Federal Financial Assistance (from item 11m)	\$		12,039,565.00
b. Less Unobligated Balance From Prior Budget Periods	\$		0.00
c. Less Cumulative Prior Award(s) This Budget Period	\$		12,039,565.00
<b>d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION</b>	<b>\$</b>		<b>0.00</b>
<b>13. Total Federal Funds Awarded to Date for Project Period</b>	<b>\$</b>		<b>12,039,565.00</b>
14. RECOMMENDED FUTURE SUPPORT (Subject to the availability of funds and satisfactory progress of the project):			
YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL DIRECT COSTS
a.	\$	d.	\$
b.	\$	e.	\$
c.	\$	f.	\$
15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:			
<input type="checkbox"/> a. DEDUCTION <input type="checkbox"/> b. ADDITIONAL COSTS <input type="checkbox"/> c. MATCHING <input type="checkbox"/> d. OTHER RESEARCH (Add / Deduct Option) <input type="checkbox"/> e. OTHER (See REMARKS)			
16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, THE FEDERAL AWARDING AGENCY ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:			
a. The grant program legislation b. The grant program regulations. c. This award notice including terms and conditions, if any, noted below under REMARKS. d. Federal administrative requirements, cost principles and audit requirements applicable to this grant.			
In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.			

REMARKS (Other Terms and Conditions Attached - Yes  No )

**GRANTS MANAGEMENT OFFICIAL:**

Hailey Mccoy, Grants Management Specialist  
1849 C St, NW  
3117  
Washington, DC 20240  
Phone: 202-513-7746

17. VENDOR CODE		18. DUNS		19. CONG. DIST.		
0070314537		778904292		98		
LINE#	FINANCIAL ACCT	AMT OF FIN ASST	START DATE	END DATE	TAS ACCT	PO LINE DESCRIPTION
10	20207992-10	\$0.00	04/15/2020	09/30/2022	0412	TAP-Guam-2020-1