1		
2	Douglas B. Moylan	
3	Law Offices of Douglas B. Moylan Suite 201 Skinner Plaza Building 138 West Seaton Boulevard • Hagåtña	OFFICEOFTHE PUBLICAUDITOR
4	P.O. Box 7822 • Tamuning, Guam 96931 USA	PROCTIPEMENT ADDEALS
5	(671) 475-9292 • (671) 483-9292 (cellular) (671) 475-9293 (fax)	JAN 12 2010 TIME: 10:44
6	dbmoylan@gmail.com	BY: mn/
	Counsel for Appellant Guam Cleaning Masters	FILE No. OPA-PA 09-069
7	PROCUREMENT APPEAL	
8		
9	In the Appeal of	Docket No. OPA-PA09-009
10	(
11	GUAM CLEANING MASTERS,	Stipulation & Order Dismissing Appeal Without Prejudice
12	APPELLANT.	
13	j	
14	Whereas, on October 27, 2009 Appellant Guam Cleaning Masters duly filed its	
15	appeal in the above captioned matter; and	
16	Whereas, the parties met before the Public Auditor on January 11, 2010	
17	indicating that they had arrived at an agreement for the resolution of the above appeal;	
18	and	
19	Whereas, the parties have agreed to the following terms and conditions:	
20	1. that Appellee Department of Chamorro Affairs' (DCA's)	
21	procurement identified as DCA RFP CV10-002 for Janitorial and Maintenance	
22	Service shall hereby be immediately cancelled as of the date of the filing of this	
23	order as being contrary to the Guam Procurement Law and the contract entered	
][with Lucky Kids Lawn Care & Janitorial Service, shall be deemed void;	
24		
25	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
- 11.	Page 1 Stipulation & Order Dismissing Appeal Without Prejudice	
	Procurement Appeal No. OPA-PA09-009 CABOT MANTANONA, LLP	
	Nug lo	
	Date: 0(12-10 Time: 10-331m	
	Initials: 0m	

- 2. that Appellee DCA shall start the bid process for the same or additional services as originally sought to be procured in DCA RFP CV10-002 within one (1) week of the filing of this order, and Appellant GCM shall be one of the sources sought for a quotation if an emergency procurement is required in the interim period;
- 3. that Appellee DCA shall pay Appellant GCM's costs pursuant to 5 G.C.A. § 5425(h) in the amount of \$3,050.00, which constitutes RFP packet, labor and preparation costs, including site visits and attending pre-bid conference, incurred by Appellant GCM, within thirty (30) days of the filing of this order; and
- 4. that all events set forth in the OPA's December 14, 2009 Scheduling Order are hereby cancelled, and need not be filed; and

Whereas, the parties to this action have come to an agreement on the before identified express terms and conditions in order that this appeal be resolved.

NOW THEREFORE, the parties agree and request the Office of the Public Auditor ("OPA") to dismiss without prejudice the above captioned appeal.

SO STIPULATED:

Douglas B. Movlan

Counsel for Appellant Guam Cleaning Masters

1/11 /10

Rawlen Mantanona

Counsel for Appellee Department of Chamorro Affairs

Date

Page