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OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS
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FILE NO OPA-PA: 13-004

Attorneys for: Appellant

**BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY
HAGATNA, GUAM**

IN THE MATTER OF)	OPA-PA-13-004
)	
)	
K CLEANING SERVICES,)	
)	DECLARATION OF JEFFREY A. COOK
Appellant.)	
)	
_____)	

Hagåtña, Guam.

I, **Jeffrey A. Cook**, hereby state and declare as follows:

1. That I am a member of the law firm of **CUNLIFFE & COOK**, A Professional Corporation, attorneys of record for Appellant in the above-entitled action.
2. I make the statements herein based on my own personal knowledge, except where made on information or belief.
3. On May 15, 2013 my office received the Agency Procurement Record from Guam International Airport Authority's ("GIAA") counsel, Thomas Fisher, Esq. Upon reviewing the record, I sent a letter to Mr. Fisher asking for a copy of the referenced tape recordings of the mandatory pre-bid conference and any other recordings that were considered part of the Agency Procurement Record.
4. Shortly after sending this letter I had a telephone conversation with Mr. Fisher in which he advised that the Agency did not have the capability of making a copy of the tape recordings.

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5. I received the Agency's Report including the Agency Statement on May 23, 2013. There was no reference to any information that may be on the tape recording of the pre-bid conferences.

6. Based on the fact the Agency did not cite to the recordings as being of any import to the issues raised on appeal we did not pursue the issue of trying to make a copy of the recording.

7. When we received the Agency Reply to my client's comments we first became aware that the Agency was relying on information contained in the tape recordings that had not been provided to us as part of the Agency Procurement Record.

I declare under penalty of perjury under the laws of Guam (6 GCA §4308) that the foregoing is true and correct to the best of my knowledge.

Executed this 13th day of June, 2013, in Hagåtña, Guam.



JEFFREY A. COOK