

PROCUREMENT APPEAL RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

SEP 27 2010

TIME: 6/30 BY: MEV
REFERENCE: 10-003

In the Appeal of)
)
HARBOR CENTRE GUAM CO. LTD.)
And HARBOUR CENTRE PORT)
TERMINAL, INC.)
)
Appellant.)
_____)

DECLARATION OF
RAWLEN M. T. MANTANONA

RAWLEN M.T. MANTANONA hereby declares:

1. I am an attorney with Cabot Mantanona LLP, attorneys for Harbor Centre Guam Co. Ltd. and Harbour Centre Port Terminal, Inc. in this matter.
2. I spoke with Claudia S. Acfalle, the Chief Procurement Officer of the General Services Agency, on or about July 28, 2010 concerning the RFP No. PAG-010-003.
3. I enquired with Ms. Acfalle as to whether there were any irregularities in the procurement process.
4. Ms. Acfalle indicated that neither she nor any member of her staff were provided opportunity to or her staff did not observe the entirety of the procurement process as required under 12 GCA § 10401.
5. In particular, Ms. Acfalle indicated that neither she nor her staff could observe the evaluation portion and the scoring of the submittals in the procurement process, as the evaluators had taken the bid packets home for evaluation.
6. Ms. Acfalle believed this was a breach of the integrity of the procurement process.

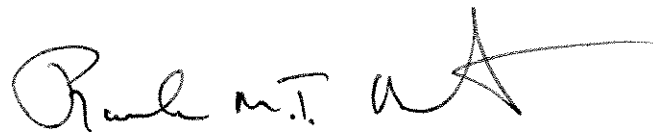
ORIGINAL

7. Ms. Acfalle further stated that on the day the bids were to be evaluated. Her office did receive an invitation to observe the evaluation, and that she sent her designee, Pete San Nicolas to do the observation.

8. Ms. Acfalle represented that her designee Pete San Nicolas informed her that there was no evaluations observed, that evaluations had already been conducted. He only observed the ranking of submittals.

I declare under penalty of perjury that the above-mentioned is true and accurate to the best of my knowledge and ability.

Dated this 27th day of September, 2010.



RAWLEN M.T. MANTANONA
Appellant's duly authorized representative.
Edge Building, Second Floor
929 S. Marine Corps Drive
Tamuning, Guam 96913
(671) 646-2001

RMTM:me