

Eddie Baza Calvo
Governor



GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Department of Administration

Ray Tenorio
Lieutenant Governor

Benita A. Manglona

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OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

148 Route 1 Marine Drive, Piti, Guam 96915
Tel: (671) 475-1707 Fax Nos: (671) 475-1727 / 475-1716

Anthony C. Blaz
Deputy Director

November 4, 2012

DATE: 11/5/12

TIME: 6:53 AM PM BY: MH

FILE NO OPA-PA: 012-17

AGENCY REPORT

OPA-PA-012-17 (IFB GSA-064-11)

The Agency Report for OPA-PA-12-017(IFB GSA 064-11) is submitted as outlined in 2 GAR Div 4 Chapter 12, Section 12105:

- (a) A copy of the protest Refer to Tab 15, Book 7 Other Correspondence
- (b) A copy of the bid or offer submitted by Appellant Refer to Tab 4, Book 1
- (c) A coy of the Solicitation Refer to Tab 6, Book 3
- (d) A copy of the Abstract Refer to Tab 7, book 3
- (e) Any other document which are relevant
Amendment 1 through 8 Ref to Tab 8, book3
Questions and Responses Refer to Tab 9 Book 4
Bid Analysis Refer to Tab 11, Book5
Bid Submissions of other bidders Refer to Tab 12
Copy of other correspondence Refer to tab 16, book 8
Protest by PDS dated May 9, 2012 Refer to Tab 16, Book 7
- (f) GSA response to protest Refer to Attachment 23 on Agency Report submitted on OPA-PA-012-16
- (g) The decision from which the Appeal is taken: On May 9, 2012, PDS filed a protest regarding submissions or lack of, by GTA on GSA Bid Number 0 64-11. On October 6, 2012, GSA responded to the protest. The delay in the response was due to the fact that an appeal was filed by PDS on another portion of this bid (OPA-PA-11). Upon resolution of this appeal, the Public Auditor ordered that all of the protests be answered. GSA complied with the request. A statement answering the Allegation of the Appeal:
- (h) If the award was made after receipt of the protest: No award has been made. GSA reviewed the protest regarding the submission or lack of that was the subject of the protest and determined that 1that the issue regarding the major shareholder disclosure was of a minor informality and the proper steps were taken to cure the

problem as it had no impact upon price, quantity, quality or contractual conditions and that the other concerns raised were insignificant to

- (i) A statement indicating whether the matter is the subject of a court proceeding. A court Proceeding related to this bid is currently in the court system. Pacific Data Systems and John Day v. Government of Guam and Claudia Acfalle personally and in her capacity as Chief Procurement Officer for the government of Guam, defendants CV 0647-11


ROBERT H. KONO