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OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS
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5 **BEFORE THE**
Office of Public Accountability

6)
7)
8 PACIFIC DATA SYSTEMS, INC.)
vs.)
9 GENERAL SERVICE AGENCY)
10)
11)

OPA-PA-15-003

PDS COMMENTS ON GSA AGENCY REPORT

12 Comes now Pacific Data System (PDS) to submit comments on the Agency Report provided by General
13 Services Agency (GSA) in this matter on April 6, 2015.

14 **I. PDS COMMENTS ON THE GSA AGENCY REPORT:**

15 In the GSA answer to the PDS Appeal (Section 1 of the Agency Report), GSA fails to answer the issue that
16 PDS has clearly identified in its original protest and this appeal; the simple fact that the bid specifications
17 that GSA has developed for this procurement are ambiguous and do not describe the services that GSA
18 claims it is procuring via this Request For Quote (RFQ).

19 GSA claims that the services that will be procured under this RFQ are "Dark Fiber" services; however,
20 these very same RFQ specifications require the bidder to supply "1Gb SFP" with the services to be
21 provided. As noted in the Appeal that PDS has filed in this matter, the requirement for the bidder to
22 include the "1Gb SFP" with the service fundamentally changes the nature of the service to "lite fiber" at
23 a capacity of 1Gb. This is the same type of data service that the GSA had previously bid in GSA-064-11
24 and for which PDS and GSA have entered into a Settlement Agreement related to the short
25 term/temporary procurement of these services.

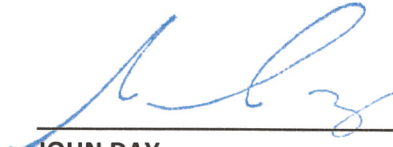
II. CONCLUSION

PDS continues to request that the OPA undertake a *de novo* review of the RFQ issued by GSA in this
procurement and the issues raised by PDS in its timely Protest and this Appeal. PDS requests that the
OPA issue an order in this matter as requested in the PDS Appeal.

1 For the record, PDS requests a hearing on this matter before the OPA at the soonest opportunity.

2 **RESPECTFULLY SUBMITTED** this 16th day of April 2015.

3 **PACIFIC DATA SYSTEMS**

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6 **JOHN DAY**

7 *President*

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