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OFFICE OF PUBLIC ACCOUNTABILIT PROCUREMENTAPPEALS

DATE: 08/09/13

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FILE NO OPA-PA: (3-010

CIVILLE & TANG, PLLC SUITE 200, 330 HERNAN CORTEZ AVENUE

HAGÅTÑA, GUAM 96910 TELEPHONE: (671)472-8868 FACSIMILE: (671) 477-2511

Attorneys for Appellant JMI Edison

OFFICE OF PUBLIC ACCOUNTABILITY PROCUREMENT APPEAL

In the Appeal of

JMI Edison,

2

Appellant.

Docket No. OPA-PA 13-010

DECLARATION OF LESLIE TRAVIS IN SUPPORT OF MOTION FOR EXPEDITED RELIEF TO DECLARE AUTOMATIC STAY IN

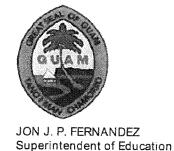
I, LESLIE A. TRAVIS, hereby declare as follows:

- I am over the age of 21 and am competent to make this Declaration.
- I am a member of Civille & Tang, PLLC, counsel of record for Appellant in this 2. matter. 3.
- All of the statements set forth herein are true and correct and are based on my personal knowledge.
- Attached hereto as Exhibit "A" is a true and correct copy of the Notice to Lift Stay of Procurement dated July 25, 2013. 5.
- Attached hereto as Exhibit "B" is a true and correct copy of the email from Carmen Taitano to Ed Ilao of JMI-Edison and counsel sent on July 25, 2013 at 11:40 A.M.
- Attached hereto as Exhibit "C" is a true and correct copy of an email from Marcus Y. Pido to Ed Illao of JMI-Edison and counsel sent on July 25, 2013 at 2:03P.M.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Hagåtña, Guam, on this 9th day of August, 2013.

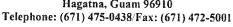
LESLIE Á. TRAVIS

EXHIBIT A



DEPARTMENT OF EDUCATION OFFICE OF SUPPLY MANAGEMENT

www.gdoe.net Manuel F.L. Guerrero Administration Building 2nd Floor, Suite B-220 Hagatna, Guam 96910





MARCUS Y, PIDO Supply Management Administrator

July 25, 2013

NOTICE TO LIFT THE STAY OF PROCUREMENT

To:

All Participating Bidders

Reference:

Indefinite Quantity Bid For Purchase of Air Conditioning Equipment

Formal Bid: GDOE IFB 008-2013

This notice serves as a notification that the Guam Department of Education ("GDOE") hereby Lifts the Stay of Procurement for IFB 008-2013 that was put into place on Wednesday, July 3, 2013, due to a protest that was lodged. GDOE has responded to the protest and no appeal has been timely filed. Subsequently, GDOE will proceed with the procurement of IFB 008-2013 Indefinite Quantity Bid for Purchase of Air Conditioning Equipment.

Sincerely,

MARCUS'Y. PIDO

Supply Management Administrator

CC:

Procurement File: IFB 008-2013

EXHIBIT B

Subject:

FW: Notice to Lift the Stay of Procurement IFB 008-2013

From: "Ed Ilao" < < edilao@jmiguam.com > Date: August 7, 2013, 12:17:02 PM HST

To: < <u>jrazzano@guamattorneys.com</u>>, "'Josh Walsh'" < <u>jdwalsh@guamattorneys.com</u>>

Subject: FW: Notice to Lift the Stay of Procurement IFB 008-2013

From: Carmen T. Taitano [mailto:cttaitano@gdoe.net]

Sent: Thursday, July 25, 2013 11:40 AM

To: Procurement

Subject: Notice to Lift the Stay of Procurement IFB 008-2013

For your review and acknowledgement.

Respectfully,

Carmen Taitano, Buyer Supervisor II Guam Department Of Education Office of Supply Management

Tel: (671) 300-1585 Fax: (671) 472-5001

"Living one day at a time; Enjoying one moment at a time; Accepting hardships as the pathway to peace"............Reinhold Niebuhr

EXHIBIT C

From: "Ed Ilao" < edilao@jmiguam.com > Date: August 7, 2013, 12:17:32 PM HST

To: <<u>jrazzano@guamattorneys.com</u>>, "'Josh Walsh'" <<u>jdwalsh@guamattorneys.com</u>> Subject: FW: IFB 008-2013 GDOE Response to JMI Protest dtd 07-03-2013

From: Marcus Y. Pido [mailto:mypido@gdoe.net]

Sent: Thursday, July 25, 2013 2:03 PM

To: Joshua Walsh

Cc: <u>edilao@jmiguam.com</u>; <u>civilletang@guamattorneys.com</u>

Subject: Fwd: IFB 008-2013 GDOE Response to JMI Protest dtd 07-03-2013

Hafa adai, Mr. Walsh,

Kindly acknowledge receipt of this message.

Regards,

Marcus Pido

----- Forwarded message -----

From: Marcus Y. Pido < mypido@gdoe.net >

Date: Thu, Jul 25, 2013 at 11:39 AM

Subject: IFB 008-2013 GDOE Response to JMI Protest dtd 07-03-2013

To: Joshua Walsh < jdwalsh@guamattorneys.com>

Hafa adai, Mr. Walsh,

For your perusal, please see the attached response to JMI-Edison's protest to this IFB 008-2013 dated July 3, 2013. Please acknowledge receipt of this message.

Regards,

Marcus Pido Guam Department of Education Supply Management Administrator