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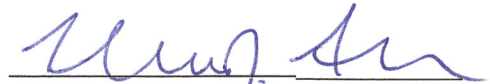
FISHER & ASSOCIATES
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Hagåtña, Guam 96910
Telephone: (671) 472-1131
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BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY
HAGÁTÑA, GUAM

IN THE APPEAL OF) OPA-PA-15-016
)
PURESTONE, LLC)
)
) AGENCY REPORT
)
)
APPELLANT)
)
)

COMES NOW Agency Guam Economic Development Authority by and through Fisher & Associates, by and through attorney Thomas J. Fisher, and submits an Agency Report pursuant to 12 Guam Code Ann. §12105.

FISHER & ASSOCIATES



Thomas J. Fisher, Esq.
For GEDA

RECEIVED

OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

DATE: Jan. 11, 2016

TIME: 2:45 AM PM BY: Chris

FILE NO OPA-PA: 15-016

1 I. A Copy of the Protest

2 No protest was made prior to this appeal

3

4 II. A Copy of the Bid or Offer, a Copy of the Bid or Offer that is being
5 Considered for Award, a copy of all Other Bids.

6 Please see Agency Procurement Record filed 31 December 2015 for all offers.

7

8 III. A Copy of the Solicitation.

9 Please see Agency Procurement Record filed 31 December 2015

10

11 IV. A Copy of the Abstract of Bids or Offers.

12 Please see Agency Procurement Record filed 31 December 2015

13

14 V. Any Other Documents which are Relevant to the Protest

15 Please see Agency Procurement Record filed 31 December 2015

16

17 VI. The Decision from which the Appeal is Taken.

18 This appeal is not based upon a protest made to the Agency, accordingly no
19 Agency decision has issued.

20

21 VII. A Statement Answering the Allegation of the Appeal.

22 In this Appeal, Purestone, LLC, alleges it was informed by the Chamorro Land
23 Trust Commission that a certain public law (PL 33-95 (then Bill 175-33)) has
24 voided the present solicitation. Purestone asserts that the public law does not
25 void the solicitation but does not explain why it is excepted from the language
of the law.

1 Without more from appellant, Agency notes that Public Law 33-95 states, “[a]ny
2 solicitation for interest or proposals , prior to the enactment of this act, for
3 commercial activity on CLTC land with the intent of entering into a commercial
4 lease shall be null and void.” *21 Guam Code Ann. §75122(b)(6) as amended.*
5

6 VIII. A Determination Required under 2 GAR §9101(e).

7 Not applicable.
8

9 IX. A Statement Indicating whether the Matter is the Subject of a Court
10 Proceeding

11 Submitted herewith.
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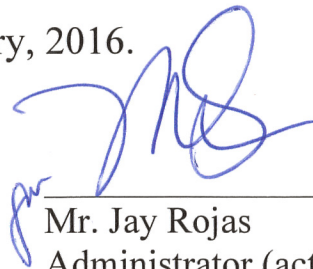
1 BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY
2 HAGÁTÑA, GUAM

3 IN THE APPEAL OF) OPA-PA-15-016
4)
5 PURESTONE, LLC)
6) DECLARATION RE COURT
7) ACTION
8)
9 APPELLANT)
10)

11 Pursuant to 5 GCA Chapter 5, unless the court requests, expects, or
12 otherwise expresses interest in a decision by the Public Auditor, the Office
13 of Public Accountability will not take action on any appeal where action
14 concerning the protest or appeal has commenced in any court.

15 The undersigned party does hereby confirm that to the best of his or her
16 knowledge, no case or action concerning the subject of this Appeal has
17 been commenced in court. All parties are required to, and the undersigned
18 party agrees to notify the Office of Public Accountability within 24 hours
19 if court action commences regarding this Appeal or the underlying
20 procurement action.

21 Submitted this 11th day of January, 2016.

22 

23 Mr. Jay Rojas
24 Administrator (acting)
25 Guam Economic Development Authority