

1 **GUAM DEPARTMENT OF EDUCATION**
2 JAMES L.G. STAKE, Legal Counsel
3 500 Mariner Avenue
4 Barrigada, Guam 96913
5 Telephone (671) 300-1537
6 Email: legal-admin@gdoe.net

7 *Attorney for Guam Department of Education*

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

DATE: 5/17/16

TIME: 4:05 AM PM BY: EMD

FILE NO OPA-PA: 16-004

8 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**

9 IN THE APPEAL OF

10 Technologies for Tomorrow, INC,

11 Appellant.

12 APPEAL NO.: OPA-PA-16-004

13 **DECLARATION REGARDING**
14 **FUNDING TIMELINES**

15 I, Vincent Dela Cruz, declare as follows:

16 1. I am currently employed as the Data Processing Manager with the Division of
17 Financial, Student and Administrative Information Systems within the Guam Department of
18 Education.

19 2. To my knowledge and belief, the information herein is true and correct.

20 3. As part of my work duties, I am familiar with the requirements of funding for
21 activities approved by the Guam Department of Education ("GDOE") and for Education Rate
22 ("E-Rate") programs including Wireless Local Area Network installations.

23 4. The Federal Communication Commission ("FCC") is the government entity that
24 provides funding for E-Rate programs, which is overseen by a third-party the Universal Service
25 Administrative Company.

26 5. Based on a funding application from the FCC, GDOE would have been eligible to
27 have eighty-five percent (85%) of its expenses incurred covered for solicitations related to E-Rate
28 programs and Wireless Local Area Network installations and GDOE would pay the remaining
fifteen percent (15%).

ORIGINAL

1 6. The deadline for this funding application is May 26, 2016, and the application
2 requires an intent to award and a signature from all parties included in the solicitation.

3 7. GDOE would not have issued this solicitation but for the ability to utilize this
4 funding application and the eighty-five percent (85%) off of expenses.

5 8. If it appears the application for this solicitation will not be able to be completed by
6 May 26, 2016, GDOE would not be able to utilize the funding application that would have paid
7 for this solicitation.

8 9. If GDOE was not able to complete the funding application by May 26, 2016 for
9 the E-Rate services GDOE would have canceled the solicitation because GDOE would not be
10 able to utilize the FCC funds.

11 10. GDOE would be unable to apply for the same funding for E-Rate programs until
12 E-Rate cycle year 2017.

13 I declare under penalty of perjury under the laws of Guam that the foregoing is true and
14 correct to the best of my knowledge.

15 Dated this 17th day of May, 2016.

16 
17 VINCENT DELA CRUZ
18

19
20
21
22
23
24
25
26
27
28