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14 *Guam Educational Facilities Foundation, Inc.*

**RECEIVED**  
OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEALS

DATE: 09.15.16

TIME: 9:30  AM  PM BY: MPD

FILE NO OPA-PA: 16-007, 16-011

12 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**  
13 **PROCUREMENT APPEALS**

15 IN THE APPEAL OF:

17 CORE TECH INTERNATIONAL CORP.,

19 Appellant.

**CONSOLIDATED APPEALS NOS.:**  
**OPA-PA-16-007 AND OPA-PA-16-011**

**INTERESTED PARTY GUAM  
EDUCATIONAL FACILITIES  
FOUNDATION, INC.'S RESPONSE TO  
CORE TECH'S OBJECTION TO  
SUBPOENA TO HENRY TAITANO**

22 **GUAM EDUCATIONAL FACILITIES FOUNDATION, INC.** ("GEFF") responds to  
23 Core Tech International Corp.'s ("Core Tech") Objection to Subpoena to Henry Taitano.

24 1. Under 5 GCA § 9225, "Each party shall have these rights: to call and examine  
25 witnesses..."

26 2. Core Tech cites 5 GCA § 9217(a) in support of its position that parties or their  
27 counsel are not authorized to issue subpoenas. However, the language Core Tech quotes – "the  
28 hearing officer sitting alone may issue subpoenas and subpoenas duces tecum" – does not limit

1 the subpoena issuance authority to the hearing officer. The reference to “alone” refers to whether  
2 a case is heard “by the agency with a hearing officer or by the hearing officer alone at the  
3 discretion of the agency.” 5 GCA § 9221. Section 9217(a), authorizes subpoenas to be issued “in  
4 accordance with the provisions of §1985 of the Code of Civil Procedure,” which is now the Rules  
5 of Civil Procedure Rule 45. *See* Guam R. Civ. Proc. 45(a)(3) (“An attorney as officer of the court  
6 may also issue and sign a subpoena instead of the clerk if the attorney is authorized to practice  
7 therein.”). Thus, the subpoena signed by Mr. Aguigui is proper.

8 3. GEFF has identified Mr. Taitano *only* as a supplemental and/or rebuttal witness in the  
9 event that Core Tech is somehow ultimately able to call Mr. Edward J. (“EJ”) Calvo to testify,  
10 notwithstanding GEFF’s objections to Core Tech’s efforts to call Mr. Calvo as a witness. GEFF  
11 did not identify Mr. Taitano (or Mr. Glenn Leon Guerrero) in its initial witness list because GEFF  
12 intends to present these two witnesses only in rebuttal to Core Tech’s improper attempts to  
13 belatedly inject new issues in these appeals.

14 4. Core Tech, through its counsel Ms. Tang, has improperly raised issues in this appeal  
15 concerning Mr. Calvo. Not only did Core Tech fail to raise the issue in any of its procurement  
16 protests to DPW, it failed to raise the issue in its Notices of Appeal, and raised it only for the first  
17 time on August 30, 2016, just days before commencement of the Hearing. GEFF objected to  
18 Core Tech’s improper attempts in GEFF’s Hearing Brief filed September 2, 2016, in its opening  
19 statements on September 7, 2016, and in its Objections filed September 14, 2016.

20 5. Core Tech has articulated no proper basis for calling Mr. Calvo as a witness in these  
21 proceedings. Rather, based on Core Tech’s copies of emails dated in February 2015 (*see* Core  
22 Tech Exs. 32-33) (which was several months before the July 2015 issuance of the RFP), Core  
23 Tech only speculates that Mr. Calvo allegedly tried to become involved in the instant RFP  
24 process. Core Tech then claims this was improper because Mr. Calvo allegedly had an interest in  
25 an entity (Pacific Extreme Combat), which Core Tech claims was a company with direct interest  
26 in Guam Educational Development Partners (“GEDP”) (a subcontractor to GEFF).

27 6. Although Core Tech knows that its allegations are wrong and without any factual  
28 basis (*see* FOL Guam, LLC letter to Core Tech dated September 14, 2016, attached hereto as

1 GEFF Exhibit s), what Core Tech fails to disclose is that the record (including those same emails  
2 that Core Tech includes in its exhibits) raise more serious ethical issues, but this time, for Core  
3 Tech itself.

4 7. The subject RFP was signed by Mr. Leon Guerrero, Mr. Taitano's father-in-law, who  
5 was the DPW procurement officer at the time the RFP was issued. (See Testimony of Felix  
6 Benavente on September 8, 2016.)

7 8. Further, Exhibit 34 to Core Tech's own exhibits (at CT-34-00004) contains an April  
8 6, 2015 email from Mr. Leon Guerrero, which clearly shows that Mr. Leon Guerrero directly  
9 participated in the procurement process for the instant RFP. That email from Mr. Leon Guerrero  
10 states as follows:

11 On Mon, April 6, 2015 at 2:16 PM, Glenn Leon Guerrero  
12 <[glenn.leonguerrero@dpw.guam.gov](mailto:glenn.leonguerrero@dpw.guam.gov)> wrote:

13 Hafa Adai Shannon,

14 Thank you for the quick turn around. DPW has adopted your changes (in red). I  
15 have changed some of the timelines and would like to keep the April 13 issuance  
16 date and the July 15, 2015 RFP due date. Looking for AG's approval to issue the  
RFP.

17 (Core Tech Ex. 34, at CT-34-00004.) Moreover, in another email dated April 7, 2016, contained  
18 in the same Exhibit 34, Mr. Leon Guerrero is a recipient on an email from GDOE Superintendent  
19 Jon Fernandez regarding the RFP. (See Core Tech Exhibit CT-34-00001.)

20 9. Core Tech, in its Hearing Brief (at p.18), itself quotes a statute that provides:  
21 "Specifically, §5628 of the Guam Procurement Law states that it is 'a breach of ethical standards  
22 for any employee to participate directly or indirectly in a procurement when the employee knows  
23 that: (1) the employee or any member of the employee's immediate family has a financial interest  
24 pertaining to the procurement; (2) a business or organization in which the employee, or any  
25 member of the employee's immediate family, has a financial interest pertaining to the  
26 procurement; or (3) any other person, business or organization with whom the employee or any  
27 member of the employee's immediate family is negotiating or has an arrangement concerning  
28 prospective employment is involved in the procurement."



# FOL Guam, LLC

259 Martyr Street, Suite 204  
Hagatna, GU 96910

September 13, 2016

Ho S. Eun  
President  
**Core Tech International Corporation**  
388 S. Marine Corps Drive, Suite 400  
Tamuning, Guam 96913

**Re: Notice to Cease;  
Core Tech Procurement Appeal**

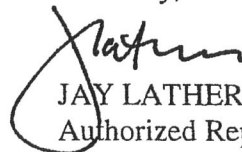
Dear Mr. Eun:

I am writing regarding recent allegations made by Core Tech International Corp. in the subject procurement appeal currently before the OPA (OPA-PA-16-007; OPA-PA-16-011) relating to the purported ownership interest of Pacific X-Treme Combat, LLC ("PXC") in FOL Guam, LLC.

Please be advised that PXC transferred all ownership in FOL Guam, LLC in 2012 and has held no interest in FOL Guam, LLC since that time. Additionally, Mr. E.J. Calvo has no current or previous involvement with FOL Guam, LLC, including management, operations, ownership or any other role, position or activity. Core Tech, its employees, managers, executives and attorneys are requested to immediately cease making any further false statements, either public or private, regarding PXC and FOL Guam, LLC and further retract previous statements and allegations that PXC or Mr. E.J. Calvo has an ownership interest in FOL Guam, LLC.

Thank you for your attention to this matter.

Sincerely,



JAY LATHER  
Authorized Representative

COPY

RECEIVED  
9/14/16



## Henry J. Taitano

Strategic Planning for CTI  
Guam area | Venture Capital & Private Equity

500+ connections

- Current Core Tech International
- Previous GEDA, Office of the Governor of Guam, Matrix Design Group
- Education University of Phoenix

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### People Also Viewed

-  **Helen Hamling T.**
-  **Juno Eun, Esq.CFP.CIC.**  
President & CEO at Core Tech Development
-  **Justin Benavente**  
Sales Associate at Atkins Kroll, Inc
-  **Aurora Casiquin**  
Contract Administrator, Project Control, Cost Control, Quantity Survey, Quality Control & Procurement Mgr
-  **Natalia Faculo**  
Commerce & Economic Development Division Supervisor at Guam Economic Development Authority
-  **William De La Pena**  
Project Scheduler / Project Controls at Core Tech International Corp.
-  **Françoise Martin**  
Integrative Medicine
-  **Tommy Blas**  
Planning Programs Manager at DOCOMO PACIFIC
-  **Eric J. Bell**

### Experience

#### Director of Strategic Planning

Core Tech International  
June 2015 – Present (1 year 4 months)

#### Administrator

GEDA  
June 2013 – April 2014 (11 months) | tamuning, guam

Oversee the programs and operations of the Guam Economic Development Authority

#### Special Assistant to the Governor - Social and Economic Affairs

Office of the Governor of Guam  
January 2011 – April 2014 (3 years 4 months)

A member of the Governor's Senior Staff serving as a Senior Advisor on Social and Economic Affairs. Also, serves as the Executive Officer for the Governor's Council of Economic Advisors.

#### Program Management Analyst

Matrix Design Group  
June 2010 – December 2010 (7 months)



#### Industry Development Specialist

Guam Economic Development Authority  
December 2008 – June 2010 (1 year 7 months)

Investor and Industry Relations

Guam Civilian Military Task Force - Infrastructure Subcommittee  
November 2007 – May 2008 (7 months)

Established to advocate for the needs of the people of Guam through the development and implementation of the Guam Buildup Master Plan.

To identify resource requirements in infrastructure needed to facilitate the Guam buildup.

To ensure that all infrastructure will be holistically integrated and upgraded for the cost-benefit & quality of life of the community.

### Chief Financial Officer

iCON Corporation  
June 2005 – October 2007 (2 years 5 months)

Developed and implemented a financial plan that secured capital financing and provided for successful growth.

### AP Process Integrity Analyst

Honeywell Aerospace  
2001 – 2002 (1 year)



Oversaw the processing and internal auditing of multiple, high value, transactions

Received the "Coach of the Month" award for the successful; transfer, implementation, and training of AP processes that resulted in immediate cost savings

Awarded "Six Sigma Green Belt" certification

### Skills

- Government
- Program Management
- Strategic Planning
- Budgets
- Team Building
- Project Management
- Public Relations
- Research
- Deltek
- Process Improvement
- Policy
- Executive Management
- Economic Development
- Contract Management
- Financial Reporting
- See 35+

### Education

#### University of Phoenix

B.S., Accounting  
2000 – 2002



#### Arizona State University

B.S., Tourism Services  
1996 – 1999



Activities and Societies: Financial Management Association - Member

### Groups

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