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 PROCUREMENT APPEALS  
 DATE: 01/19/2018  
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 FILE NO OPA-PA: 17-010

**THE OFFICE OF PUBLIC ACCOUNTABILITY  
 HAGÁTÑA, GUAM**

<p><b>In the Appeal of:</b></p> <p><b>CORE TECH INTERNATIONAL CORP.,</b></p> <p style="text-align: center;"><b>Appellant,</b></p> <p style="text-align: center;"><b>and</b></p> <p><b>GUAM DEPARTMENT OF PUBLIC WORKS,</b></p> <p style="text-align: center;"><b>Purchasing Agency</b></p>	<p>) DOCKET NO. <b>OPA-PA-17-010</b></p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>DECLARATION OF THOMAS P. KEELER</b></p>
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**THOMAS P. KEELER** makes this declaration under penalty of perjury under the laws of Guam and states:

1. I am employed as an Assistant Attorney General by the Office of the Attorney General of Guam.

**ORIGINAL**

2. I serve as legal counsel to the Guam Department of Public Works (“DPW”) in the above captioned case. I have personal knowledge of the facts contained herein if called as a witness could and would testify competently thereto.

3. Following a November 20, 2017 hearing the Office of Public Accountability’s (“OPA”) Hearing in this matter I contacted Mike Lanning, Parsons Transportation Group (“PTG”), which serves as project manager to the Route1/Route 8 Intersection Improvements and Agana Bridges Replacement (Design-Build) Project No. GU-DAR-T101(001) (the “Project”). I informed Mr. Lanning that the OPA’s hearing officer ordered DPW to produce all procurement record documents by 5 p.m. December 20, 2017. I requested that PTG to produce any and all documents related to the Project, including internal communications.

4. Prior to the December 20, 2017 deadline PTG produced thousands of pages of documents and correspondence. Confidential materials were also produced. I had my secretary prepare a Confidential materials log for PTG.

5. Late Friday, January 12, 2017, I met with PTG’s Mike Lanning and David Yao, to review Project documents. In reviewing Core Tech International Corp. (“CTI”) submittals I requested confirmation from Mr. Yao that his internal communications with PTG’s stateside employee, Mr. Henry Prol were included in the documents submitted on the Project. He responded no, that the communications were confidential. This was the first time I learned that PTG had not produced all projected related documents.

6. I considered it appropriate to review PTG’s confidentiality claim with its in-house counsel before supplementing the procurement record.

7. On Tuesday, January 16, 2018, I had a telephone conversation with Mike Colloway, PTG's stateside in-house counsel. Mr. Colloway's offices are located in Pasadena, California. Mr. Colloway agreed that PTG's internal communications on the Project were not privileged and expressed surprise that such was claimed by PTG's Guam office. Mr. Colloway stated that there must have been some type of miscommunication. He stated further that he would instruct Guam's PTG office to immediately produce the internal communications for the Project.
8. On Wednesday, January 17, 2018, I met with PTG's Mike Lanning who provided DPW, care of the undersigned, two (2) CD's entitled "Contract Documents – PTG Emails".
9. When arriving to work last Friday, January 12, 2018, I saw an ambulance located outside of DPW's Director's office. I was subsequently informed that DPW's Deputy Director, Mr. Andrew Leon Guerrero ("Mr. Leon Guerrero") had suffered a heart attack.
10. Mr. Leon Guerrero called me this afternoon and advised that he was released from Guam Memorial Hospital ("GMH") on the evening of Sunday, January 14, 2018. Mr. Leon Guerrero stated he returned to GMH on Monday, January 15, 2018, after suffering a second heart attack.
11. On January 18, 2018, Mr. Leon Guerrero underwent heart surgery to install two (2) stints in his heart.
12. Mr. Leon Guerrero is DPW's agency representative in the above captioned OPA proceedings. He has informed me that prior to his heart attack he had been in regular communications with Mr. Eun Ho, CTI's President, concerning the Project.
13. Mr. Leon Guerrero's presence is required for the OPA hearings, both as a witness and DPW's agency representative.

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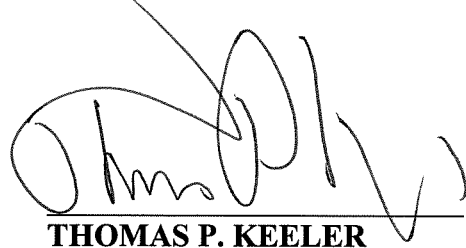
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14. Mr. Leon Guerrero informed me today that he does not intend to return to work full time for another thirty (30) days or so and is to avoid stressful situations as part of his recovery.

I declare under penalty of perjury that the aforementioned is true.

Submitted this 19th day of January, 2018.

By:



**THOMAS P. KEELER**