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RECEIVED
 OFFICE OF PUBLIC ACCOUNTABILITY
 PROCUREMENT APPEALS

DATE: 9/11/2013
 TIME: 11:15 AM PM BY: M.B.
 FILE NO OPA-PA: 13-008

Attorneys for the General Services Agency and Department of Public Works

**BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY
 PROCUREMENT APPEAL**

IN THE APPEAL OF)	DOCKET NO. OPA-PA-13-008
)	
)	
)	
TRIPLE J. ENTERPRISES, INC.)	SETTLEMENT AGREEMENT
)	
)	
Appellant.)	

Comes now Appellant Triple J Enterprises, Inc and Respondents General Services Agency (GSA) and the Department of Public Works (DPW), who stipulate and agree to resolve the above referenced appeal and to dismiss this action as follows:

1. The parties acknowledge and admit that the specifications in Information for Bid (IFB), IFB No. GSA-0116-12 (School Bus Bid) were flawed.
2. The Government acknowledges that Appellant is correct that the Buses received by the Government did not meet some of the specifications listed in IFB No.

GSA-0116-12 and that the Appellant's bid submission was closer to the specifications than the buses received.

3. The Parties agree that each shall bear their respective fees and costs.
4. The Parties agree to vacate all dates on the scheduling order.
5. The Parties agree that this is a full and final settlement of OPA-PA-13-008.
6. **Independent Advice of Counsel.** Each party represents and declares that it has or could have received independent advice from its respective attorneys with respect to the advisability of making the settlement provided for herein and with respect to the advisability of executing this Agreement. Each party further represents and declares that it has not relied upon any statement or representation by the other party or of any of its partners, agents, employees, or attorneys in executing this Agreement or in making the settlement provided for herein, except as expressly provided for herein.
7. **Voluntary Agreement.** Each party represents and declares that it has carefully read this Agreement, that it knows the contents of this agreement, and that it has signed the same freely and voluntarily. By entering into this agreement the Respondents do not admit to any legal liability other than as may be created under this agreement.

NOW THEREFORE, the parties agree and request the Office of the Public Accountability to dismiss with Prejudice the above captioned appeal.


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SO STIPULATED:

OFFICE OF THE ATTORNEY GENERAL
Leonardo M. Rapadas, Attorney General

TRIPLE J ENTERPRISES, INC.


FRED NISHIHIRA
Assistant Attorney General



JEFF JONES
President, Triple J Enterprises, Inc.

Dated: 9/10/13

Dated: 9/10/13


CLAUDIA S. ACFALLE
CPO, General Services Agency

Dated: 9/11/2013

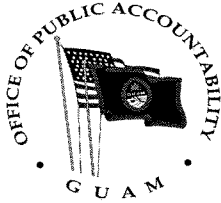

CARL DOMINGUEZ
Director, Department of Public Works

Dated: 9/10/13

SO ORDERED: Sept 13, 2013.

OFFICE OF PUBLIC ACCOUNTABILITY
The Public Auditor of Guam

By: 
DORIS FLORES BROOKS



FAX

To: **Fred Nishihira**
Assistant Attorney General
Office of the Attorney General

Jeffrey B. Jones
President
Triple J Enterprises, Inc.

From: **Doris Flores Brooks, CPA, CGFM**
Public Auditor
OPA Procurement Appeals
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Hagatna, Guam 96910

Agency:	Pages	3 (including cover page)
CC:	Date:	September 16, 2013
Fax: OAG : 472-2493 Triple J: 646-9487	Point of Contact Nos.	Tel: 475-0390 x 206 Rachel Field Fax: 472-7951

Re: **Settlement Agreement - OPA-PA-13-008**

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Rachel Field – rfield@guamopa.org

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