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OPA-PA-21-010; In the Appeal of: Johndel International, Inc. dba JMI-Edison

Tracy Cantimbuhan <tcantimbuhan@arriolafirm.com>

Fri, Oct 15, 2021 at 4:45 PM

To: jhernandez <jhernandez@guamopa.com>

Cc: William Bucky Brennan <wbrennan@arriolafirm.com>, jdwalsh <jdwalsh@rwtguam.com>

Hafa Adai Mr. Hernandez,

Please see attached for e-filing in the above matter.

- Entry of Appearance
- Hearing Request
- Declaration re Court Action
- Notice of Interested Party
- Submission of Procurement Record

Thank you.

Regards,

Tracy A. Cantimbuhan**Legal Assistant To William B. Brennan, Esq.****ARRIOLA LAW FIRM**

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**Entry of Appearance, Hearing Request, Decl Ct Action, Notice Interested Parties.pdf**

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Counsel for Appellee
Guam International Airport Authority

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

In the Appeal of

Johndel International, Inc. dba. JMI-Edison,

Appellant.

APPEAL CASE NO.: OPA-21-010
GIAA Procurement: RFP-005-FY21

ENTRY OF APPEARANCE

COMES NOW, ARRIOLA LAW FIRM through the undersigned counsel, who hereby enters its appearance on behalf of the A.B. Won Pat Guam International Airport Authority (“GIAA”). The Arriola Law Firm requests notice of all proceedings and service of all papers related to the above-captioned appeal.

Communications related to this appeal may be sent via email to attorneys@arriolafirm.com. Physical delivery of documents may be made to the Arriola Law Firm at 259 Martyr Street, Suite 201, Hagatna, Guam 96910.

Dated: October 15, 2021¹

Respectfully submitted,
ARRIOLA LAW FIRM

By: 
WILLIAM B. BRENNAN

¹ Caption corrected pursuant to Errata filed on October 25, 2021.

ARRIOLA LAW FIRM HAGÁTÑA, GUAM 96910

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Counsel for Appellee
Guam International Airport Authority

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

ARRIOLA LAW FIRM HAGÁTÑA, GUAM 96910

In the Appeal of

Johndel International, Inc. dba. JMI-Edison,

Appellant.

APPEAL CASE NO.: OPA-21-010
GIAA Procurement: RFP-005-FY21

HEARING REQUEST

COMES NOW, ARRIOLA LAW FIRM through the undersigned counsel, and on behalf of the A.B. Won Pat Guam International Airport Authority (“GIAA”).

Pursuant to 2 GARR. Div. 4 Section 12108(a), GIAA does hereby request a hearing on the above stated appeal.

Dated: October 15, 2021¹

Respectfully submitted,
ARRIOLA LAW FIRM

By: 
WILLIAM B. BRENNAN

¹ Corrected pursuant to Errata filed on October 25, 2021.

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Counsel for Appellee
Guam International Airport Authority

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

ARRIOLA LAW FIRM HAGÁTÑA, GUAM 96910

In the Appeal of

Johndel International, Inc. dba. JMI-Edison,

Appellant.

APPEAL CASE NO.: OPA-21-010
GIAA Procurement: RFP-005-FY21

**DECLARATION RE COURT
ACTION**

COMES NOW, ARRIOLA LAW FIRM through the undersigned counsel, and on behalf of the A.B. Won Pat Guam International Airport Authority (“GIAA”).

Pursuant to 5 G.C.A. Chapter 4, unless the court request, expects, or otherwise expresses interest in a decision by the Public Auditor, the Office of the Public Auditor will not take action on any appeal where action concerning the protest or appeal has commenced in any court.

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

Submitted this 15th day of October, 2021¹

Respectfully submitted,
ARRIOLA LAW FIRM

By: 
WILLIAM B. BRENNAN

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Guam International Airport Authority

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

ARRIOLA LAW FIRM HAGÁTÑA, GUAM 96910

In the Appeal of

Johndel International, Inc. dba. JMI-Edison,

Appellant.

APPEAL CASE NO.: OPA-21-010
GIAA Procurement: RFP-005-FY21

NOTICE OF INTERESTED PARTY

COMES NOW, ARRIOLA LAW FIRM through the undersigned counsel, and on behalf of the A.B. Won Pat Guam International Airport Authority (“GIAA”).

Pursuant to 2 GARR Div. 4 Section 12104(c)(2), GIAA does hereby give notice to the Office of Public Accountability of the following Interested Party related to the above-captioned appeal, and the underlying procurement by GIAA.

Mr. Ian Craft, Vice President Commercial – Americas
Aircraft Services International, Inc. dba Menzies Aviation
770 E. Sunset Blvd. – Ste 227
Tiyan, Guam 96913

Dated: October 15, 2021¹

Respectfully submitted,
ARRIOLA LAW FIRM

By: 
WILLIAM B. BRENNAN

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Counsel for Appellee
Guam International Airport Authority

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

ARRIOLA LAW FIRM HAGÁTÑA, GUAM 96910

In the Appeal of

Johndel International, Inc. dba. JMI-Edison,

Appellant.

APPEAL CASE NO.: OPA-21-010
 GIAA Procurement: RFP-005-FY21

**SUBMISSION OF PROCUREMENT
 RECORD**

COMES NOW, ARRIOLA LAW FIRM on behalf of the A.B. Won Pat Guam International Airport Authority (“GIAA”).

Pursuant to 2 GARR Div. 4 Section 12104(c)(3), GIAA does hereby submit to the Public Auditor a complete copy of the procurement record relevant to the appeal and to the underlying GIAA procurement through October 13, 2021.

Pursuant to 2 GARR Div. 4 Section 12104(c)(6), GIAA does hereby advise the Public Auditor that this Appeal was initiated during the negotiation phase of the underlying request for proposals. No contract has been entered into. GIAA requests that certain portions of the procurement record be withheld, including from the Appellant at this time. A specific log of those portions of the Procurement Record that should be withheld and a citation to the authority for the basis of such determination follows:

Procurement Record Page Number	Description of Document(s)	Applicable Law, Privilege or Regulation Related to Nondisclosure
001-005	GIAA internal checklist/index for procurement. Draft document, checklist for ongoing procurement not completed.	Draft Document, Deliberative Process Privilege 5 G.C.A. §§ 5249, 5251-52 2 GARR Div. 4 § 3131 2 GARR Div. 4 § 3132
135-171	Email correspondence with highest ranked offeror related to / containing fee negotiations	Deliberative Process Privilege 5 G.C.A. §§ 5249, 5251-52 2 GARR Div. 4 § 3114 (i)(2), (m), (h) 2 GARR Div. 4 § 3129 2 GARR Div. 4 § 3131 2 GARR Div. 4 § 3132
296-400	Menzie's Proposal in response to RFP	5 G.C.A. § 5216(d) 5 G.C.A. §§ 5249, 5251-52 2 GARR Div. 4 § 3114(h)(1), (i)(2), (m) 2 GARR Div. 4 § 3129 2 GARR Div. 4 § 3131 2 GARR Div. 4 § 3132
401-637	JMI Edison Proposal	5 G.C.A. § 5216(d) 5 G.C.A. §§ 5249, 5251-52 2 GARR Div. 4 § 3114(h)(1), (i)(2), (m) 2 GARR Div. 4 § 3129 2 GARR Div. 4 § 3131 2 GARR Div. 4 § 3132
638-640	Abstract for Requests for Proposals / Register of Proposals Received	5 G.C.A. § 5216(d) 5 G.C.A. §§ 5249, 5251-52 2 GARR Div. 4 § 3114(h)(1), (i)(2), (m) 2 GARR Div. 4 § 3129 2 GARR Div. 4 § 3131 2 GARR Div. 4 § 3132
643-644	Evaluators' Score Sheets	Deliberative Process Privilege

647-648 651-652 655-656 659-660		5 G.C.A. § 5216(d) 5 G.C.A. §§ 5249, 5251-52 2 GARR Div. 4 § 3114(h)(1), (i)(2), (m) 2 GARR Div. 4 § 3129 2 GARR Div. 4 § 3131 2 GARR Div. 4 § 3132
668	Compact Disc containing Recordings of Fee Negotiation Meetings	Deliberative Process Privilege 5 G.C.A. § 5216(d) 5 G.C.A. §§ 5249, 5251-52 2 GARR Div. 4 § 3114(h)(1), (i)(2), (m) 2 GARR Div. 4 § 3129 2 GARR Div. 4 § 3131 2 GARR Div. 4 § 3132

Dated: October 15, 2021¹

Respectfully submitted,
ARRIOLA LAW FIRM

By: 
WILLIAM B. BRENNAN

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