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Procurement Record

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- 2. GSA's response to RFQ Protest
- 3. Letter Informing Attorney General's Office of the Protest
- 4. Copy of Requisition
- 5. Request for Quotation to Vendors
 - a. Fax Confirmation
 - b. Response from the Vendors

OFFICEOF PUBLICACCOUNTABILITY
PROCINEMENT AFPEALS

PRENE CALAR 12-004

BUYER : Tedtaotao, Christine M. - GSA

TELEPHONE: 475-1705 FAX NO. : 475-1727

Please respond as soon possi	ble Requisit	ion Number: Ç	120201005	5	Date:
but no later than: 3/12/2013	2 RFQ #: R	FQ12001012			3/09/2012
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BUYER : Tedtaotao, Christine M. - GSA

TELEPHONE: 475-1705 FAX NO. : 475-1727

Plea	ase respond as soon possib	ole Requisit	ion Number: Ç	1202010	05	Di	ate:
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Transmission Report

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03-09-2012 671-475-1727 09:17:40 a.m.

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GSA BUYERS XEROX

This document: Confirmed (reduced sample and details below)

Document size: 8.5"x11"

URGENT

REQUEST FOR QUOTATION

BUYER : Tedtaotao, Christine M.

TRLEPHONE: 475-1705 FAX NO. : 475-1727

Please respond as soon possible Requisition Number: Q120201005 Date: but no later than: 3/12/2012 RFQ #: RFQ12001012 3/09/2012 VENDOR: TELEGUAM HOLDINGS, LLC PLEASE FURNISH PRICE QUOTE, DELIVERY TIME DBA: GTA AND TERMS BASED ON F.O.E. DESTINATION FOR P.O. BOX 9008 THE ITEMS LISTED BELOW, PLEASE RESPOND BY TAMUNING, GD 96931-9008 THE ABOVE DATE. Phone (671) 644-0116 Fax (671) 644 0103 Quoted by Print/Signature: Quote Date: Phono Number: ** Delivery Date Required: The party making the foregoing bid is genuine and that said bidder agrees, that they are fully awarc and is in compliance with Title 5 G.C.A. Chapter 5 5801 and 580. ** Delivery Date Offered: 5801 and 5802 Wage Determination, and that the attached is the most Terms: recent issued by U.S. D.O.L. for the positions required to implement the required service as per the following Prices good for: specification. Therefore, under penalty of perjury, I certify that the facts stated above are true. Signature Date: 1. Offering Recycle Products ()YES () NO 2. Offering Biodegradable Products () YES () NO Please separate your offer of recyclable and/or biodegradable products from regular products. THIS IS NOT AN ORDER UNIT TOTAL AVAILA-ITEM DESCRIPTION - OR EQUAL QTY LUOM PRICE BILITY ISSUED TO COVER THE COST OF 1 'MOS TELEPHONE SERVICES FOR THE OFFICE OF ECONOMIC ADJUSTMENT LOCATED AT THE RICARDO J. BORDALLO GOVERNORS ADELUP COMPLEX. OEA: 1)475-3221 21475-9378 15.60x2×31.20 NOTE: The Government of Guam encourage offers of "EARTH FRIENDLY" products.

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Abbreviations:

HS: Host send HR: Host receive WS: Waiting send PL: Polled local PR: Polled remote MS: Mailbox save

MP: Mailbox print RP: Report FF: Fax Forward

CP: Completed FA: Fail

TS: Terminated by system G3: Group 3 TU: Terminated by user **EC: Error Correct**

09:17:13 a.m. 03-09-2012 1/2

URGENT

REQUEST FOR QUOTATION

BUYER : Tedtaotao, Christine M. - GSA

TELEPHONE: 475-1705 FAX NO. : 475-1727

Please respond as soon possil		ion Number:	Q1202	01005		Date:
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09:17:26 a.m. 03-09-2012 2/2

REQUEST FOR QUOTATION

BUYER : Tedtaotao, Christine M. - GSA

TELEPHONE: 475-1705 FAX NO. : 475-1727

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BUYER : Tedtaotao, Christine M. - GSA

TELEPHONE: 475-1705 FAX NO. : 475-1727

Please respond as soon possib	ole Requisit	ion Number: Q	120201005		Date:
but no later than: 3/12/2012	2 RFQ #: R	FQ12001012			3/09/2012
VENDOR: PACIFIC DATA SYSTEMS		PLEASE FURN	ISH PRICE	QUOTE, DELI	IVERY TIME
135 CHALAN SANTO PAPA	A	AND TERMS B	ASED ON F	.O.B. DESTI	NATION FOR
SUITE 100		THE ITEMS L	ISTED BEL	OW. PLEASE I	RESPOND BY
AGANA, GU 96910		THE ABOVE D	ATE.		
Phone (671) 300-0215 Fax (671	L) 300-0265				
Quoted by Print/Signature:		Quote Date:		Phone Numbe	er:
** Delivery Date Required:		aking the for			
** Delivery Date Offered:	compliance	agrees, that with Title 5 ination, and	G.C.A. Ch	apter 5 - 58	301 and 5802
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NOTE: The Government of Guam encourage offers of "EARTH FRIENDLY" products.

COMMITTED TO EXCELLENCE CONTINUED ON NEXT PAGE

- GSA

: Tedtaotao, Christine M.

additional months based on the

same price rate.

BUYER

TELEPHONE: 475-1705

FAX NO. : 475-1727 Please respond as soon possible Requisition Number: Q120201005 Date: but no later than: 3/12/2012 RFQ #: RFQ12001012 3/09/2012 VENDOR: PACIFIC DATA SYSTEMS PLEASE FURNISH PRICE QUOTE, DELIVERY TIME 135 CHALAN SANTO PAPA AND TERMS BASED ON F.O.B. DESTINATION FOR THE ITEMS LISTED BELOW. PLEASE RESPOND BY SUITE 100 THE ABOVE DATE. AGANA, GU 96910 Phone (671) 300-0215 Fax (671) 300-0265 Quoted by Print/Signature: Quote Date: Phone Number: The party making the foregoing bid is genuine and that ** Delivery Date Required: said bidder agrees, that they are fully aware and is in compliance with Title 5 G.C.A. Chapter 5 - 5801 and 5802 ** Delivery Date Offered: Wage Determination, and that the attached is the most recent issued by U.S. D.O.L. for the positions required Terms: to implement the required service as per the following Prices good for: specification. Days Therefore, under penalty of perjury, I certify that the facts stated above are true. Signature Date: 1. Offering Recycle Products () YES () NO 2. Offering Biodegradable Products () YES () NO Please separate your offer of recyclable and/or biodegradable products from regular products. THIS I S NOT AN ORDER UNIT TOTAL AVAILA-OTY UOM PRICE PRICE BILITY ITEM DESCRIPTION - OR EQUAL 1 MOS SURCHARGES *** IMMEDIATE SERVICES *** Period to Cover: One Month with the Option to renew for

Transmission Report

Date/Time Local ID 1 03-09-2012 671-475-1727 09:19:29 a.m.

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GSA BUYERS XEROX

This document: Confirmed (reduced sample and details below)

Document size: 8.5"x11"

URGENT

REQUEST FOR QUOTATION

BUYER : Tedtaotao, Christine M. - GSA

TELEPHONE: 475-1705
FAX NO. : 475-1727

Please respond as soon possible Requisition Number: Q120201005 Date: but no later than: 3/12/2012 | RFQ #: RFQ12001012 3/09/2012 VENDOR: PACIFIC DATA SYSTEMS PLEASE FURNISH PRICE QUOTE, DELIVERY TIME 135 CHALAN SANTO PAPA AND TERMS BASED ON F.O.B. DESTINATION FOR SUITE 100 THE ITEMS LISTED BELOW. PLEASE RESPOND BY AGANA, GU 96910 THE ABOVE DATE. Phone (671) 300-0215 Pax (671) 300-0265 Ouoted by Print/Signature: Quote Date: Phone Number: ** Delivery Date Required: The party making the foregoing bid is genuine and that said bidder agrees, that they are fully aware and is in compliance with Title 5 G.C.A. Chapter 5 - 5801 and 5802 ** Delivery Date Offered: Wage Determination, and that the attached is the most Terms: recent issued by U.S. D.O.L. for the positions required to implement the required service as per the following Prices good for: specification. Therefore, under penalty of perjury, I certify that the facts stated above are true. Signature Date: 1. Offering Recycle Products ()YES () NO 2. Offering Biodegradable Products () YES () NO Please separate your offer of recyclable and/or biodegradable products from regular products. THIS IS NOT AN ORDER UNIT TOTAL AVAILA-ITEM DESCRIPTION - OR EQUAL UOM: PRICE PRICE BILITY ISSUED TO COVER THE COST OF 1 | MOS TELEPHONE SERVICES FOR THE OFFICE OF ECONOMIC ADJUSTMENT LOCATED AT THE RICARDO J BORDALLO GOVERNORS ADELUP COMPLEX. OEA: 1)475-3221 2)475-9378 15.60x2×31.20 NOTE: The Government of Guam encourage offers of "EARTH FRIENDLY" products. COMMITTED TO EXCELLENCE

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Abbreviations:

HS: Host send HR: Host receive WS: Waiting send PL: Polled local PR: Polled remote MS: Mailbox save MP: Mailbox print RP: Report

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CP: Completed FA: Fail

TS: Terminated by system

FF: Fax Forward TU: Terminated by user

G3: Group 3 EC: Error Correct



BUYER : Tedtaotao, Christine M. - GSA

TELEPHONE: 475-1705 FAX NO. : 475-1727

Please respond as soon possible Requisit:	con Number: Q	TS0S01	.005	D	ate:
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NOTE: The Government of Guam encourage of		I _		_	_

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BUYER : Tedtaotao, Christine M. - GSA

TELRPHONE: 475-1705 FAX NO. : 475-1727

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BUYER : Tedtaotao, Christine M. - GSA

TELEPHONE: 475-1705 FAX NO. : 475-1727

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NOTE: The Government of Guam encourage offers of "EARTH FRIENDLY" products.

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BUYER : Tedtaotao, Christine M. - GSA

TELEPHONE: 475-1705 FAX NO. : 475-1727

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GSA BUYERS XEROX

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REQUEST POR QUOTATION

: Tedtaotao, Christine M.

TELEPHONE: 475-1705
FAX NO. : 475-1727

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NOTE: The Government of Guam encourage offers of "EARTH FRIENDLY" products.

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MP: Mailbox print RP: Report

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REQUEST FOR QUOTATION

BUYER : Tedtaotao, Christine M. - GSA

TELEPHONE: 475-1705 FAX NO. : 475-1727

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NOTE: The Government of Guam encourage offers of "KARTH FRIENDLY" products.

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March 20, 2012

VIA FAX DELIVERY 472-4217

Ms. Claudia Acfalle Chief Procurement Officer General Services Agency 148 Route 1 Marine Corps Drive Piti, Guam 96915

Re: Protest of GSA Request for Quote RFQ 12001012

Dear Ms. Acfalle:

This is a PROTEST in accordance with 5 G.C.A. § 5425(a) in reference to the above GSA RFQ Small Purchase procurement.

PDS makes this timely protest for the following reasons:

- 1. The services requested in this RFQ have already been bid by GSA in GSA-IFB-064-11 which is pending award by GSA. No further procurements should be made by GSA for these services.
- 2. This procurement violates 5 G.C.A. § 5213(a) since the total amount of these services exceeds the Small Purchases limit of \$15,000.
- 3. This procurement violates 2 G.A.R. § 3111(b)(5) since GSA has artificially divided the services being procured for this department/agency using an abbreviated term and quantity of services to be procured in order for the total procurement to fall under the maximum dollar limit allowed for a Small Purchase procurement.
- 4. This procurement violates 5 G.C.A. § 5268(b) by requiring features that are peculiar to one vendor's product or service.
- 5. This procurement violates 5 G.C.A. § 5010 by requiring an unreasonable delivery timeline.

GSA is reminded that PDS has filed a timely protest of the above referenced procurement under 5 G.C.A. § 5425(g) and no further action on this procurement can be taken until this protest has been duly reviewed and an appropriate determination made.

Singerelly

John Mantanona Account Manager

Cc: Bill Mann - Attorney for Pacific Data Systems

URGENT

REQUEST FOR QUOTATION

BUYER : Tedtaotao, Christine M. - GSA

TELEPHONE: 475-1705 FAX NO. : 475-1727

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NOTE: The Government of Guam encourage offers of "EARTH FRIENDLY" products.

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BUYER : Tedtaotao, Christine M. - GSA

TELEPHONE: 475-1705 FAX NO. : 475-1727

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20-MAR-2012 15:43 TUE

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March 20, 2012

VIA FAX DELIVERY 472-4217

Ms. Claudia Acfalle Chief Procurement Officer Ceneral Services Agency 148 Route 1 Marine Corps Drive Piti, Guam 96915

Rc: Protest of GSA Request for Quote RFQ 12001012

Dear Ms. Acfalle:

This is a PROTEST in accordance with 5 G.C.A. § 5425(a) in reference to the above GSA RPQ Small Purchase procurement.

PDS makes this timely protest for the following reasons:

- The services requested in this RFQ have already been bid by GSA in GSA-IFB-064-11 which is pending award by GSA. No further procurements should be made by GSA for these services.
- This procurement violates 5 G.C.Λ. § 5213(a) since the total amount of these services exceeds the Small Purchases limit of \$15,000.
- 3. This procurement violates 2 G.A.R. § 3111(b)(5) since GSA has artificially divided the services being procured for this department/agency using an abbreviated term and quantity of services to be procured in order for the total procurement to fall under the maximum dollar limit allowed for a Small Purchase procurement.
- This procurement violates 5 G.C.A. § 5268(b) by requiring features that are peculiar to one vendor's product or service.
- 5. This procurement violates 5 G.C.A. § 5010 by requiring an unreasonable delivery timeline.

GSA is reminded that PDS has filed a timely protest of the above referenced procurement under 5 G.C.A. § 5425(g) and no further action on this procurement can be taken until this protest has been duly reviewed and an appropriate determination made.

ohr Mantanona Account Manager

Cc: Bill Mann - Attorney for Pacific Data Systems

185 Ilipog Drive, HBC Suite 204A, Tamuning, GU 98913 Main: (671) 300-0200 | Fax: (671) 300-0265 | www.pdsguem.com

Eddie Baza Calvo Governor



GENERAL SERVICES AGENCY (Ahensian Setbision Hinirat)

Ray Tenorio Lieutenant Governor

Benita A. Manglona Director

Department of Administration 148 Route 1 Marine Drive, Pht, Guam 96915 Tel: (671) 475-1707 Fax Nos: (671) 475-1727 / 475-1716

Anthony C. Blaz Deputy Director

March 22, 2012

Memorandum

Mr. John Mantanona Account Manger Pacific Data Systems 185 Illog Drive HBC Suite 204A Tamuning, Guam 96913 Please Print

ACKNOWLEDGEMENT COPY (Re-fax t

John Mantanon

Vendor Name: Pacific Data

fax#s:

Re: Letters of Protests on RFQ 12000894; 12001149; 12000523

12001058 and 12001012

Dear Mr. Mantanona:

I am in receipt of your letters of protest of March 20, 2012 for the above entitled Request for Quotations. Since you cite the same issues for 4 of the 5 protests, I will address them together.

The services request in the RFQ have already been bid by GSA in GSA IFB-064-11, which is pending award by GSA. No further procurements should be made by GSA for these services. Response:; As you pointed out, GSA bid 064-11 is not yet awarded. The agencies and departments need service and we award on the lowest possible time frame so that when an award is made, the winning bidder can put up the service immediately.

This procurement violates 5 GCA Section 5213(a) since the total amount of these services exceeds the Small Purchases limit of \$15,000. Response: The stated amount does not exceed the small purchase amount of \$15,000., since the government is awarded on a limited time basis until the GSA bid 064-11 can be awarded.

This procurement violates 2 GAR Section 3110(0(5) since GSA has artificially divided the services being procured for this department/agency using an abbreviated term and quantity of services to be procured in order for the total procurement to fall under the maximum dollar limit allowed by a small purchase procurement. Response: See response to statements 1 and 2.

This procurement violates 5 GCA Section 5268(b) by requiring features that are peculiar to one vendor's product or service Response: All specifications for telephone services are approved by the government's Bureau of Information Technology and as such, they have determined that they specifications are appropriate.

For RFQ12001012, you indicated a fifth issue that this procurement violates 5 GCA sections 5010 by requiring an unreasonable delivery timeline. Response. The needs of the agency and departments involved require immediate service. The fact that the delivery timeline may not be possible does not make it a violation.

On a further note, you protested RFQ 102001058. A review of this indicated that the timeframe of seven (7) months was stated. This was in error and will be corrected.

Based upon the above, your protests are denied. You have the right to seek any administrative or judicial review authorized by law.

CLAUDIA S. ACFALLE

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Eddie Baza Calvo Benita A. Mangiona

GENERAL SERVICES AGENCY

(Ahensian Sethision Hinirat) Department of Administration

146 Route 1 Marine Drive, Piti, Guam 96915 Tel. (671) 475-1707 Fax Nos: (671) 475-1727 / 475-1716

Ray Tenorio Lieutenant Governor

March 22, 2012

Memorandum

Mr. John Mantanona Account Manger Pacific Data Systems 185 Illog Drive HBC Suite 204A Tamuning, Guam 96913 Please Print
ACKNOWLEDGEMENT COPY (Re fax to G5A)

Received BY

Vendor Name Fax #1's 472-4217 / 475-1727 / 1716

Re: Letters of Protests on RFQ 12000894; 12001149, 12000523 12001058 and 12001012

Dear Mr. Mantanona:

I am in receipt of your letters of protest of March 20, 2012 for the above entitled Request for Quotations. Since you cite the same issues for 4 of the 5 protests, I will address them together.

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This procurement violates 5 GCA Section 5213(a) since the total amount of these services execeds the Small Purchases limit of \$15,000. Response: The stated amount does not exceed the small purchase amount of \$15,000., since the government is awarded on a limited time basis until the GSA bid 064-11 can be awarded.

This procurement violates 2 GAR Section 3110(0(5) since GSA has artificially divided the services being procured for this department/agency using an abbreviated term and quantity of services to be procured in order for the total procurement to full under the maximum dollar limit allowed by a small purchase procurement. Response: See response to statements 1 and 2.

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Eddie Baza Calvo Governor

GSA

GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Department of Administration

148 Route 1 Marine Drive, Piti, Guam 96915 Tel: (671) 475-1707 Fax Nos: (671) 475-1727 / 475-1716 Ray Tenorio
Lieutenant Governor

Anthony C. Blaz
Deputy Director

Benita A. Manglona
Director

March 22, 2012

Memorandum

Mr. John Mantanona Account Manger Pacific Data Systems 185 Illog Drive HBC Suite 204A Tamuning, Guam 96913

Re: Letters of Protests on RFQ 12000894; 12001149; 12000523 12001058 and 12001012

Dear Mr. Mantanona:

I am in receipt of your letters of protest of March 20, 2012 for the above entitled Request for Quotations. Since you cite the same issues for 4 of the 5 protests, I will address them together.

The services request in the RFQ have already been bid by GSA in GSA IFB-064-11, which is pending award by GSA. No further procurements should be made by GSA for these services. **Response**:; As you pointed out, GSA bid 064-11 is not yet awarded. The agencies and departments need service and we award on the lowest possible time frame so that when an award is made, the winning bidder can put up the service immediately.

This procurement violates 5 GCA Section 5213(a) since the total amount of these services exceeds the Small Purchases limit of \$15,000. **Response:** The stated amount does not exceed the small purchase amount of \$15,000., since the government is awarded on a limited time basis until the GSA bid 064-11 can be awarded.

This procurement violates 2 GAR Section 3110(0(5) since GSA has artificially divided the services being procured for this department/agency using an abbreviated term and quantity of services to be procured in order for the total procurement to fall under the maximum dollar limit allowed by a small purchase procurement. **Response:** See response to statements 1 and 2.

This procurement violates 5 GCA Section 5268(b) by requiring features that are peculiar to one vendor's product or service **Response:** All specifications for telephone services are approved by the government's Bureau of Information Technology and as such, they have determined that they specifications are appropriate.

For RFQ12001012, you indicated a fifth issue that this procurement violates 5 GCA sections 5010 by requiring an unreasonable delivery timeline. **Response.** The needs of the agency and departments involved require immediate service. The fact that the delivery timeline may not be possible does not make it a violation.

On a further note, you protested RFQ 102001058. A review of this indicated that the timeframe of seven (7) months was stated. This was in error and will be corrected.

Based upon the above, your protests are denied. You have the right to seek any administrative or judicial review authorized by law.

CLAUDIA S. ACFALLE
Chief Procurement Officer

Eddie Baza Calvo Governor

Benita A. Manglona

Director

GSA

GENERAL SERVICES AGENCY (Ahensian Setbision Hinirat)

Ray Tenorio
Lieutenant Governor

Department of Administration 148 Route 1 Marine Drive, Piti, Guam 96915 Tel: (671) 475-1707 Fax Nos: (671) 475-1727 / 475-1716

Anthony C. Blaz Deputy Director



To:	Deputy Attorney General — Pat Matson	From:	Pete San Nicolas Chief Procurement Officer (Acting)
Agency	Attorney General's Office		orneel (reting)
Fax:	472-2493	Pages:	6
Phone:	475-1720 (Frasia Lujan)	Date:	March 21, 2012
Re:	Protest on RFQ'S from Pacific Data Systems	cc:	
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~WorkCentre 7346

Transmission Report

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Eddie Baza Calvo

GENERAL SERVICES AGENCY (Ahensian Setbision Hinirat) Leuterant Govern Department of Antimistration 188 Route 1 Marine Drive, Piti, Guam 96015 Anthony C. Blai Tel: (671) 475 1707 Fax Nos: (671) 475-1727 / 475-1716 Deputy Director

Ray Tenorio Lieutenant Governor

Anthony C. Blaz

Benita A. Manglona

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Agency	Attorney General's Office		
Fax:	472-2493	Pages:	6
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Eddie Baza Calvo Governor

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Director

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Anthony C. Blaz
Deputy Director

Fax

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Agenc	Y Attorney General's Office		Chief Procurement Officer (Acting)
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Eddie Baza Calvo Governor

GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat) Department of Administration

Ray Tenorio Lieutenant Governor

Anthony C. Blaz **Deputy Director**

Benita A. Manglona Director

148 Route 1 Marine Drive, Piti, Guam 96915 Tel: (671) 475-1707 Fax Nos: (671) 475-1727 / 475-1716

March 21, 2012

Memorandum

To:

Attorney General of Guam

Attn:

Pat Mason, Deputy, Civil Division

Subject:

Protest filed by PDS

Hafa Adai!

Pursuant to 2 GARR, Division 4, Section 9101(b)(4), attached is another protest filed by

PDS.

REQUISITION

REQUISITION #: Q120201005 APPROPRIATION: 5101E120201PA112363

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Some requisitions are subject to BIT, Training and Development and/or Civil Defense approval. Select the agency or agencies which must review and clear the requisition prior to GSA processing. DIRECTOR'S CLEARANCE IS NEEDED. To select, enter Y under the Sel column. To remove selections PENDING review, enter R under the Sel column. Once an agency has reviewed, you CANNOT remove the referred requisition. You CANNOT remove a director's clearance record. You may refer a requisition for any adjustment made to the requisition.

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	0210 GOVERNMENT HOUSE		Not Selected	
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