



Jerrick Hernandez <jhernandez@guamopa.com>

Signed Declaration Re: Court Action, Hearing Request and Agency Report, Agency Statement, And Supplemental Record Document

Kiana M. Santos <kmsantos@portofguam.com>

Thu, Aug 29, 2024 at 3:16 PM

To: jhernandez <jhernandez@guamopa.com>

Cc: "Jessica L. Toft" <jtoft@portofguam.com>, eservice@rwtguam.com, jrazzano@rwtguam.com, "Joshua D. Walsh" <jdwalsh@rwtguam.com>

Hafa Adai Jerrick,
Please accept for filing the attached signed Declaration Re: Court Action, Hearing Request, Agency Report, Agency Statement, and Supplemental Record Document.
Service has been provided here as requested by Appellant's attorneys.

Docket No. OPA-PA-24-002

If you have any questions, please feel free to contact me.

Thanks,

--

***Kiana Marie M Santos*****Administrative Assistant**

Port Authority of Guam

1026 Cabras Highway, Ste. 201

Piti, Guam 96925

Tel: (671) 477-5931 ext. 312

Fax: (671) 477-4445

Email: kmsantos@portofguam.comWebsite: www.portofguam.com****** CONFIDENTIALITY NOTICE ******

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

5 attachments

 **Signed Agency Statement OPA-PA-24-002.pdf**
378K

 **Signed Supplemental Record Document OPA-PA-24-002.pdf**
66K

 **signed Agency Report OPA-PA-24-002.pdf**
51K

 **Signed Declaration Re Court Action Docket No OPA-PA-24-002.pdf**
29K

 **signed Hearing request OPA-PA-24-002.pdf**
23K

1 Jessica Toft
2 PORT AUTHORITY OF GUAM
3 *Aturidat I Puetton Guahan*
4 1026 Cabras Highway
5 Suite 201
6 Piti, Guam 96925
7 Tel. (671) 475-5931/35
8 Fax. (671) 477-2689/4445
9 jtoft@portofguam.com

10 **IN THE OFFICE OF PUBLIC ACCOUNTABILITY**
11 **PROCUREMENT APPEAL**

12 **IN THE APPEAL OF:**) **DOCKET NO. OPA-PA-24-002**
13)
14 **MORRICO EQUIPMENT, LLC,**)
15)
16 **Appellant,**)
17)
18 **and**) **AGENCY REPORT**
19)
20 **PORT AUTHORITY OF GUAM,**)
21)
22 **Purchasing Agency.**)
23)
24)
25)
26)
27)
28)

29 The Port Authority of Guam (“PAG”) hereby submits its Agency Report, pursuant
30 to 2 GAR Div. 4 § 12105:

- 31 (a) A copy of the protest: **Submitted to the Office of the Public Auditor (“OPA”) on August 22, 2024, by PAG in its Procurement Record of IFB-PAG-013-24 for OPA-PA-24-002.**
- 32 (b) A copy of the bid or offer submitted by the Appellant and a copy of the bid or offer that is being considered for award or whose bid or offer is being protested, if any had been submitted prior to the protest: **Submitted on August 22, 2024, in the Procurement Record of IFB-PAG-013-24 for OPA-PA-24-002.**
- 33 (c) A copy of the solicitation, including the specifications or portions thereof relevant to the protest: **Submitted on August 22, 2024, in the Procurement Record of IFB-PAG-013-24 for OPA-PA-24-002.**
- 34 (d) A copy of the abstract of bids or offers or relevant portions to the protest: **Submitted on August 22, 2024, in the Procurement Record of IFB-PAG-013-24 for OPA-PA-24-002.**

- 1
- 2 (e) Any other documents which are relevant to the protest; including the contract, if
- 3 one has been awarded, pertinent amendments, and plans and drawings:
- 4 **Submitted on August 22, 2024, in the Procurement Record of IFB-PAG-013-**
- 5 **24 for OPA-PA-24-002.**
- 6
- 7 (f) The decision from which the Appeal is taken, if different from the decision
- 8 submitted by Appellant: **Submitted on August 22, 2024, in the Procurement**
- 9 **Record of IFB-PAG-013-24 for OPA-PA-24-002.**
- 10
- 11 (g) A statement answering the allegation of the Appeal and setting forth findings,
- 12 actions, and recommendations in the matter together with any additional evidence
- 13 or information deemed necessary in determining the validity of the Appeal. The
- 14 statement shall be fully responsive to the allegations of the Appeal: **Please see**
- 15 **accompanying Agency Statement.**
- 16
- 17 (h) If award made after receipt of the protest, the report will include the determination
- 18 required under 2 GAR § 9101(e): **Award was made prior to the filing of the**
- 19 **protest by Morrico Equipment, LLC (“Morrico”). Notice of the Award was**
- 20 **sent to Morrico on May 20, 2024, prior to its protest on June 3, 2024. Notice**
- 21 **of this Procurement Appeal was sent to the awarded contractor, Federal**
- 22 **Contracts Corp (“FCC”), on August 20, 2024 pursuant to 2 GAR, Div. 4 §**
- 23 **12104(c)(2). FCC’s authorized representative is Peter Pierson, Vice President,**
- 24 **e-mail: pete@federalcontractscorp.com address: 12918 N Nebraska Ave,**
- 25 **Tampa, FL 33612, United States.**
- 26
- 27 (i) A statement in substantially the same format as Appendix B to this Chapter,
- 28 indicating whether the matter is the subject of a court proceeding: **Please see**
- attached Declaration Re: Court Action.**

Submitted this 29th day of August, 2024.

PORT AUTHORITY OF GUAM

By: 

JESSICA TOFT