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| 2 | G UA M |
| 3 | Marine Ministry Buffer |
| 4 | Office of the Attorney Gen |
| 5 | Alicia G. Limtiaco Attorney General of Guam |
| 6 | Civil Division 287 West O'Brien Drive |
| 7 | Hagåtña, Guam 96910 • USA (671) 475-3324 • (671) 472-2493 (Fax) |
| 8 | www.guamattorneygeneral.com |
| 9 | Attorneys for the Government of G |

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DEC 04 2009

FILE No. OPA.PA

e Government of Guam

Attorney General

BEFORE THE OFFICE OF THE PUBLIC AUDITOR PROCUREMENT APPEAL

| IN THE APPEAL OF |) DOCKET NO. OPA-PA-09-005 |
|---|---|
| GUAM COMMUNITY IMPROVEMENT FOUNDATION, INC. Appellant. | PROCUREMENT OFFICER'S DETERMINATION AND CERTIFICATION |
| |) |

The Department of Public Works, by and through its attorneys, the Office of the Attorney General, files herewith a determination of good faith and certification of fair and reasonable cost by the Director of the Department of Public Works.

Dated this 4th day of December 2009.

OFFICE OF THE ATTORNEY GENERAL

Alicia G. Limtiaco, Attorney General

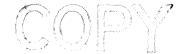
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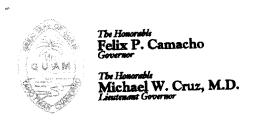
Assistant Attorney General

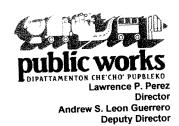
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Third Augmentation of Procurement Record In the Appeal of Guam Community Improvement Foundation, Inc. OPA-PA-09-005







December 4, 2009

Ms. Doris Flores Brooks, Public Auditor Office of the Public Accountability Suite 401 DNA Building 238 Archbishop Flores St. Hagatna, Gu 96932

Hafa Adai Ms. Brooks,

Pursuant to the 27 November 2009 Decision by the Office of Public Accountability, Department of Public Works re-confirms its decision with the:

REQUEST FOR PROPOSAL - CONSTRUCTION OF NEW JOHN F. KENNEDY HIGH SCHOOL, FINANCE, DEMOLITION, DESIGN, BUILD, MAINTAIN AND LEASEBACK (FDDBML) PART I AND PART II.

Hereby reaffirming that, International Bridge Corporation was determined to be the most responsive and deemed the number one ranking firm; ensuring that at all times during the procurement process IBC proceeded in good faith. It is also determined that the proposal was fair and reasonable, hereby certifying that the International Bridge Corporation proposal is indeed bona fide.

Further, after additional review of the procurement record and purpose-consultation with the Department of Education and the Guam Economic Development Authority, the higher cost (finance expense included) stated in Certificate of Participation, is justifiable; being both fair and reasonable.

- Fon 12/4/09

Respectfully submitted

AWRENCE P. PEREZ

Director

DEC - 4 300 2:43 ATTORNEY GENERAL'S OFFICE