



UNIVERSITY of GUAM
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OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

AUG 11 2011

TOTAL: 4:40 BY: MMW
FILE NO. OPA-PA: 11-013

Office of the President
Legal Counsel

OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEAL

In the Appeal of)	
)	
Phil-Gets (Guam) International Trading Corp.,)	CASE NO: OPA-PA-11-013
dba J&B Modern Tech,)	STIPULATION AND ORDER
)	TO DISMISS APPEAL
Appellant.)	
)	

COMES NOW Appellant J&B Modern Tech and Respondent University of Guam, who stipulate and agree to resolve the above-referenced appeal pertaining to UOG Bid No. P 13-11 (Roof Repairs & New Roof Coating Systems at Various Facilities on UOG's Mangilao Campus) and to dismiss this action, as follows:

1. The University will issue a Second Corrected Bid Status letter showing J&B as the lowest bidder in part; and will thereafter issue Appellant an Intent to Award letter;
2. Under Option A of UOG Bid No. P13-11, the University will award Appellant the site locations A through D and G through N (Fine Arts Bldg, Dean Circle House 9, College of Natural & Applied Sciences, Science Bldg, Dormitory 1, Dormitory 2, Dormitory 3, Health Science Bldg, Marine Laboratory, WERI Bldg, RFK Library and School of Education) using United Coatings (Roof Mate Concrete Roofing System) in the amount of \$663,627.00.
3. The University will award site locations E & F to the lowest responsible and responsive bidder under option A.
4. Appellant verifies that the University will receive three (3) warranties upon acceptance of the work: 1) a Manufacturer's Warranty from the roofing product manufacturer, which warrants the roofing material used, 2) a Workmanship Warranty from the certified applicator (subcontractor), which warrants the

application of the roofing material, and 3) a general Labor and Materials Warranty from the prime contractor, which warrants that they are ultimately responsible, as the contracted entity, to uphold and respond to all warranty issues within the warranty period.

5. Appellant agrees to dismiss this appeal without prejudice upon approval by the Hearing Officer.
6. The parties agree that this is a full and final settlement of all the issues arising out of UOG Bid No. P13-11

NOW THEREFORE, the parties agree and request the Office of Public Accountability to dismiss without prejudice the above-captioned appeal.

SO STIPULATED:

DOOLEY ROBERTS & FOWLER LLP
Attorney for Appellant

Seth Forman 8/11/11
Seth Forman, Esq.

UNIVERSITY OF GUAM
Legal Counsel

Victorina M.Y. Renacia
Victorina M.Y. Renacia

SO ORDERED this ____ day of _____, 2011.

OFFICE OF PUBLIC ACCOUNTABILITY
Public Auditor of Guam

By: _____
DORIS FLORES BROOKS, CPA. CGFM

OFFICE OF PUBLIC ACCOUNTABILITY
Hearing Officer

By: _____
ANTHONY R. CAMACHO, ESQ.