

Re: Messages & Communications Doc. No. 38GL-26-2759 through 2768.

From Guam Legislature Clerks <clerks@guamlegislature.gov>
Date Fri 8/21/2026 1:42 PM
To 38th Committee On Rules <committeeonrules@guamlegislature.gov>

Håfa Adai,

Received, and thank you.



Elijah Untalan
Clerks Office

I Mina'trentai Ocho na Liheslaturan Guåhan

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Voice: (671) 472-3465/3460 Fax: (671) 472-3524

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Thank you

From: 38th Committee On Rules <committeeonrules@guamlegislature.gov>
Sent: Friday, August 21, 2026 12:25 PM
To: Guam Legislature Clerks <clerks@guamlegislature.gov>
Cc: Frank Blas Jr. <speakerblas@guamlegislature.gov>
Subject: Messages & Communications Doc. No. 38GL-26-2759 through 2768.

Håfa Adai Clerks Office,

Please see attached, **Messages & Communications Doc. No. 38GL-26-2759 through 2768** for processing:

✓	38GL-26-2759	Office of the Mayor - Municipality of Agaña Heights	FY2026 Typhoon Bavi Emergency and Recovery Expenditure Report*
✓	38GL-26-2760	Office of the Governor of Guam	On Behalf of Department of Public Works: Notice of Cancellation Request for Proposal (RFP) for New Simon Sanchez High School: FDDBLM Project No. 730-5-1059-L-YIG*
✓	38GL-26-2761	Office of the Mayor - Municipality of Tamuning-Tumon and Harmon	FY2026 Typhoon Bavi Emergency and Recovery Expenditure Report*
✓	38GL-26-2762	University of Guam	FY2025 Citizen-Centric Report*
✓	38GL-26-2763	Department of Public Health and Social Services	Prior Year Obligation to pay Government of Guam Retirement Fund in the total amount of \$26,198.89*
✓	38GL-26-2764	Department of Public Health and Social Services	Guam Board of Barbering and Cosmetology Board Meeting Packet for August 17, 2026*
✓	38GL-26-2765	Guam Power Authority	Notification of Temporary Assignment or Detail – Eric J. Sanchez, Personnel Specialist III, 8/28/26*
✓	38GL-26-2766	Office of Public Accountability - Guam	OPA Report No. 26-08 August 2026, Department of Agriculture Guam Invasive Species Inspection Fee Fund Performance Audit for October 1, 2022 to September 30, 2025*
✓	38GL-26-2767	Guam Economic Development Authority	FY2026 3rd Quarter Travel Report for period ending June 30, 2026*
✓	38GL-26-2768	Department of Education	Guam Education Board Regular Board Meeting Packet for August 18, 2026*

Kindly reply to this email.



Si Yu'os ma'åse',

Marie Crisostomo

Committee on Rules Assistant

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

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Messages and Communications 38GL-26-2760*

2 messages

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

Tue, Aug 18, 2026 at 3:04 PM

To: 38th Committee On Rules <committeeonrules@guamlegislature.gov>, Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Håfa adai,

Please see attached M&C Doc. No. 38GL-26-2760

38GL-26-2760	Office of the Governor of Guam	On Behalf of Department of Public Works: Notice of Cancellation Request for Proposal (RFP) for New Simon Sanchez High School: FDDBLM Project No. 730-5-1059-L-YIG*
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*Si Yu'os Ma'åse'**Bernice Rivera*

Administrative Assistant

**Office of Speaker Frank F. Blas, Jr.**I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

speakerblas@guamlegislature.gov

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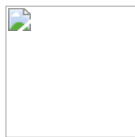
From: **Ely John Catalan** <ely.catalan@guam.gov>

Date: Mon, Aug 17, 2026 at 4:36 PM

Subject: Information Distributed on Behalf of the Department of Public Works.

To:

Please see attached,

Saina Ma'åse yan Senseramente**ELY JOHN C. CATALAN**

Staff Assistant | Communications Office

*Ufisinan I Maga'hågan Guåhan***Office of the Governor of Guam**[513 West Marine Corps Drive](#)

Ricardo J. Bordallo Governor's Complex

Hagatña, Guam 96910

Office: 671.473.1117/8

ely.catalan@guam.gov

Gumai pribilehu yan konfendensia este siha na mensáhi. Solo espesiálmamente para hágu ma entsensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespátcha. Yanggen lachi rinisibu-mu nu este na mensáhi, put fabot ago' guatu gi I numa'huyong gi as ely.catalan@guam.gov yan despues destrosa todú siha I kopian mensáhi. Si Yu'os ma'åse'. This e-mail message is intended only for the use of the individual or entity named above and may contain confidential and privileged information. If you are not the intended recipient, any disclosure, copying, distribution, or use of the information contained in this transmission is strictly PROHIBITED. If you have received this transmission in error, please immediately notify us by replying to ely.catalan@guam.gov and delete the message immediately. Thank you very much.

2 attachments **dir26-1261.pdf**
472K **38GL-26-2760.pdf**
1132K**38th Committee On Rules** <committeeonrules@guamlegislature.gov>

Tue, Aug 18, 2026 at 4:16 PM

To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>

Håfa Adai,

Received, and thank you.



Si Yu'os ma'åse',

Marie Crisostomo

Committee on Rules Assistant

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

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Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

Information Distributed on Behalf of the Department of Public Works.

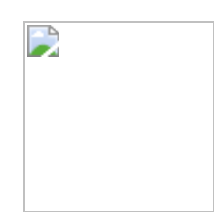
2 messages

Ely John Catalan <ely.catalan@guam.gov>
Bcc: speakerblas@guamlegislature.gov

Mon, Aug 17, 2026 at 4:35 PM

Please see attached,

Saina Ma'åse yan Senseramente



ELY JOHN C. CATALAN

Staff Assistant | Communications Office

Ufisinan I Maga'hågan Guåhan

Office of the Governor of **Guam**

513 West Marine Corps Drive

Ricardo J. Bordallo Governor's Complex

Hagåtña, Guam 96910

Office: 671.473.1117/8

ely.catalan@guam.gov

Doc Type: 38GL-26-2760
OFFICE OF THE SPEAKER
FRANK F. BLAS, JR.

August 17, 2026

Time: 4:35 PM

Received:

Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmamente para hågu ma entsensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi, put fabot ago' guatu gi I numa'huyong gi as ely.catalan@guam.gov yan despues destrosa todü siha I kopian mensåhi. Si Yu'os ma'åse'. This e-mail message is intended only for the use of the individual or entity named above and may contain confidential and privileged information. If you are not the intended recipient, any disclosure, copying, distribution, or use of the information contained in this transmission is strictly PROHIBITED. If you have received this transmission in error, please immediately notify us by replying to ely.catalan@guam.gov and delete the message immediately. Thank you very much.

dir26-1261.pdf
472K

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>
To: senators@guamlegislature.gov

Mon, Aug 17, 2026 at 4:43 PM

For Your Information: Information Distributed on Behalf of the Department of Public Works.

Judy Shockley
Office Administrator



Office of Speaker Frank F. Blas, Jr.

I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña

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dir26-1261.pdf
472K



The Honorable
LOURDES A. LEON GUERRERO
Maga' Håga · Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Låhi · Lieutenant Governor



VINCENT P. ARRIOLA
Director

LINDA J. IBANEZ
Deputy Director

ERNEST G. CANDOLETA, JR.
Deputy Director

August 17, 2026

TO: Eun Ho, Chairman, Core Tech International, Inc.
 Phil Roberto, General Manager, General Pacific Services
 John Sage, Engineer, Guam Education Financing Foundation II

FROM: Director and Chief Procurement Officer

SUBJECT: **NOTICE OF CANCELLATION**
 Request for Proposal (RFP) for New Simon Sanchez High School: FDDBLM
 Project No. 730-5-1059-L-YIG

Buenas yan Hafa Adai! Thank you for the time and effort you dedicated to submitting a proposal for the New Simon Sanchez High School project. We appreciate your participation in this important initiative.

As you know, this project is being carried out under the *Ma Kåhat Act of 2013* which governs the funding, RFP, and the delivery of the new school facility. Pursuant to 2 GARR, Division 4, Section 3315(d)(2), the Department of Public Works, in consultation with the Department of Education and the Attorney General of Guam, has determined it is in Guam's best interest to reject all proposals and cancel this procurement.

This determination was being made in the best interest of the Government of Guam, its students, and the broader community based on several factors, including but not limited to, the following:

- The procurement process was halted and placed in an indefinite stay due to numerous unresolved pending protests.
- This stay increases the likelihood of an indefinite delay to moving forward to build a new Simon Sanchez High School.
- No violation of procurement law was identified and the protests were ultimately rejected.

Kind regards,

VINCENT P. ARRIOLA
 Director

cc: Honorable Lourdes A. Leon Guerrero, Governor of Guam
 Honorable Joshua F. Tenorio, Lt. Governor of Guam
 Honorable Douglas B. Moylan, Attorney General of Guam
 Judith T. Won Pat, Ed.D., GDOE Superintendent
 Carla Masnayan, Simon Sanchez High School Principal
 Christina Garcia, GEDA CEO/Administrator
 Joseph Borja, DLM Director
 Celine Cruz, DLM Chief Planner
 Linda Ibanez, DPW Deputy Director
 DPW Building Inspection & Permits Administrator
 John Calanayan, DPW Engineer Supervisor

File: SSMS FDDBLM Procurement File



38GL-26-2760
 Messages and Communications

RECEIVED
 COMMITTEE ON RULES
 August 18, 2026

3:28 p.m.
Marie Crisostomo

END



The Honorable
LOURDES A. LEON GUERRERO
Maga' Håga · Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Låhi · Lieutenant Governor



VINCENT P. ARRIOLA

Director

LINDA J. IBANEZ

Deputy Director

ERNEST G. CANDOLETA, JR.

Deputy Director

Razzano Walsh & Torres, P.C.
Attorneys for General Pacific Services, Inc.
Pan American Building
139 Murray Blvd Suite 100
Hagåtña, Guam 96910

**Re: DECISION ON GPS PROTESTS & DETERMINATION TO REJECT PROPOSALS;
CANCEL REQUEST FOR PROPOSALS**

**Simon Sanchez High School Finance, Demolition, Design, Build, Lease/Leaseback &
Insurance/Capital Maintenance (FDDBLM) Project No. 730-5-1059-L-YIG INTRODUCTION
AND AUTHORITY**

The Department of Public Works (“DPW”) and Guam Department of Education (“GDOE”), issue this consolidated decision addressing three protests submitted by General Pacific Services, Inc. (“GPS”), concerning the subject procurement, as follows:

1. Protest 1. November 19, 2025 – alleging failures related to maintenance of the procurement record
2. Protest 2. December 12, 2025 – concerning the notice to proceed concerning demolition related work
3. Protest 3. December 12, 2025 – concerning responsiveness of a competing offeror’s proposal

The Simon Sanchez High School (“SSHS”) FDDBLM Project is a legislatively authorized public school redevelopment project procured under a single, integrated Request for Proposals issued pursuant to the Ma Kåhat Act of 2013 as amended. The procurement encompasses financing, demolition, design, construction, lease/leaseback, insurance and capital maintenance of SSHS. The project is intended to replace unusable aging and inadequate facilities, and to restore normal instructional operations for the school population and community currently displaced due to the delayed construction of the updated SSHS campus.

DPW and the Government of Guam completed the evaluation process in accordance with the RFP and applicable Guam procurement law and issued a Notice of Intent to Award to the most qualified offeror, Core Tech International, Inc. (“CTI”).

The project has progressed through evaluation and into negotiation of final agreement terms and preparation of issuance of a Notice to Proceed consistent with the RFP structure. However, no final agreement was executed by the Government of Guam and CTI.

On November 19, 2025, GPS filed a protest alleging failure to maintain a complete procurement record. On December 12, 2025, GPS filed an additional protest alleging an improper standalone procurement

for demolition. On December 12, 2025, GPS filed a third protest alleging that CTI was improperly considered for award because its non-responsive bid would result in total payments exceeding the “statutory cap” GPS alleges applies to the Project. These protests resulted in a stay of the procurement process, pursuant to the Guam Procurement Law.

Subsequently, on February 5, 2026, the DPW Director issued a written determination pursuant to 5 G.C.A. Section 5425(g)(1), asserting that proceeding with the award to CTI without delay was necessary to protect substantial interests of Guam. (the “SID”). A hearing officer subsequently rejected the First SID, in writing on April 28, 2026.

On June 17, 2026, the hearing officer granted DPW’s motion to dismiss the appeal proceeding pending before the OPA concerning the SID. As of the date of this Determination, the protests remain unresolved. As a result, contract execution and issuance of Notices to Proceed for authorized project activities are and have been stayed pending resolution of GPS’s protests. DPW now renders its decision on each protest and based on the circumstances and current state of the procurement, herein determines it is in Guam’s best interest to reject all proposals and cancel the RFP.

I. PROTEST NO. 1 IS DENIED.

GPS alleges that DPW failed to maintain and produce a complete procurement record as required by 5 GCA § 5249 and contends that this purported failure legally bars DPW from proceeding with the award. GPS does not point to any specific document that is missing and instead generally alleges the procurement record was improperly kept by DPW.

Based upon review of the administrative record and the procurement file maintained for this solicitation, DPW and GDOE find the following:

On June 16, 2025, GPS submitted a request to review procurement materials. On June 17, 2025, GPS and its attorney physically appeared at DPW and were granted full in-person access to inspect the procurement file. During that inspection, GPS and its attorney who reviewed the procurement record were thus aware that the record consisted of a multi-volume file containing extensive documentation. GPS and its attorney photographed portions of the procurement file and did not assert at that time that any required statutory component was missing or unlawfully maintained.

After GPS retained new counsel, GPS submitted a Sunshine Act request dated October 30, 2025 and followed up that request with a request for an electronic copy of the record on November 7, 2025. On November 10, 2025, DPW responded via phone and invited GPS to appear in person at DPW to inspect the procurement record. This invitation provided GPS with access to the official procurement record maintained by DPW.

Rather than scheduling an additional in-person inspection, GPS requested electronic transmission of documents. On November 17, 2025, DPW provided a USB flash drive containing procurement materials, as requested by GPS. The flash drive was not represented as the official procurement record and did not replace, alter, or limit the maintained procurement record, which remained available for in-person inspection at DPW.

GPS filed a procurement protest on November 19, 2025, arguing that because the flash drive did not contain all documents required of the procurement law, DPW had failed to maintain the procurement record as required by law.

A complete copy of the procurement record was then published online and was also transmitted to the Office of Public Accountability.

Protest 1 rests on the assertion that DPW failed to maintain a complete procurement record. The evidence does not support this assertion. Under 5 GCA § 5249, the procuring agency must maintain a procurement record sufficient to document the procurement process. The statute does not prescribe the format of inspection nor require that the official record be reproduced in any specific medium requested by an offeror. The law actually contemplates that the Office of Public Accountability shall promulgate rules and regulations governing the handling of the procurement record, with rules enacted to inter alia protect the integrity of the bidding process, protect confidentiality of trade secrets, and require public access to the record at the earliest possible time . . .” 5 G.C.A. Section 5249-5252. As of the date of this writing, no such rules and regulations have been promulgated.

GPS also misconstrues the procurement law’s scope. A procurement record need only be certified complete upon award of a procurement. 5 G.C.A. Section 5251. Here, no award was made, therefore the requirement that the record be complete was not in effect as of the date of GPS’s protest.

Thus, GPS’s November 19, 2025 allegation that the procurement record was incomplete, was baseless. To the extent GPS contends that electronic production was incomplete, the Guam procurement law does not support invalidating a procurement where the record exists and the protestor was afforded meaningful access to inspect it. Here, at most, GPS’s allegation only shows that the flash drive it was provided did not contain all documents in the procurement record maintained by DPW. GPS knew those records were maintained by DPW, since GPS previously inspected the record in person with its counsel.

Finally, GPS has not demonstrated materiality. Where a protestor alleges that a procurement record is incomplete, such allegation only impacts a procurement where missing records are material to the procurement. *Teleguam Holdings, LLC v. Guam*, 2018 Guam 5 ¶ 39. Missing records are material where “as a result of their absence, judicial review is thwarted in determining whether the appealing party is entitled to the relief requested.” *Id.* Here, GPS only alleged missing materials generally, and has not alleged any basis of materiality.

Based on the foregoing, DPW rejects Protest 1 concerning the procurement record. GPS’s allegation that the record was incomplete misconstrues Guam law, fails to allege any missing record violates Guam law and fails to demonstrate materiality concerning such missing records. GPS’s allegation rests on dissatisfaction with the format of production rather than any statutory violation.

Protest No. 1 is denied.

II. PROTEST NO. 2 IS DENIED

GPS alleges that DPW improperly initiated a separate demolition procurement through a “Limited Project Scope Agreement,” allegedly outside the original RFP and in violation of Guam procurement law.

The Simon Sanchez High School project was procured under a single, integrated FDDBLM Request for Proposals (RFP) mandated by the Ma Kâhat Act of 2013, as amended. Demolition was expressly

included in the original RFP scope, and all proposers, including GPS, competed with demolition as part of the project. The RFP expressly authorized DPW, in Section XLV. Commencement of Work, to issue an initial Notice to Proceed for demolition and site clearing.

The Limited Project Scope Agreement was therefore initiated in compliance with the RFP. No scope was removed, re-competed, or reassigned. The agreement affected project sequencing, not the project scope or contractor selection. The agreement is grounded in the original SSHS procurement, is consistent with the Ma Kâhat Act, was reviewed and cleared by the Attorney General and BBMR with certified funding.

GPS raised no objection to the RFP's early demolition sequencing authority during the RFP question-and-answer period. Bidders who "may be aggrieved in connection with the method of source selection, solicitation, or award of a contract" are granted the ability to invoke Guam's procurement protest and appeal statutory scheme. 5 G.C.A. § 5425(a). Under Guam law, an aggrieved individual must submit a protest within fourteen (14) days after such aggrieved individual knows or should know the facts giving rise thereto. 5 G.C.A. § 5425(a). A timely protest is a jurisdictional requirement of the procurement protest and appeal scheme in the Guam procurement law. *Teleguam Holdings, LLC v. Guam*, 2018 Guam 5 ¶¶ 20-21; *DFS Guam L.P.*, 2020, Guam 20 ¶¶ 77, 81-87 ("a protest filed more than 14 days after the disappointed offeror or bidder had notice of the grounds for the protest is barred as untimely."). *DFS Guam L.P.*, 2020, Guam 20 ¶ 87. Here, because GPS did not protest the initial NTP for demolition in the RFP, its December 12, 2025 protest was untimely. GPS knew or should have known that another offeror would receive the demolition and clearing NTP as part of this RFP more than 14 days before December 12, 2025. Therefore, its protest related to the structure of the RFP and the initial NTP option was untimely and is rejected.

Protest No. 2 further alleges that the Limited Project Scope Agreement in the amount of \$16,377,125 constitutes an unlawful "standalone procurement" or a "secret agreement." The record demonstrates otherwise. Demolition, site clearing, and preconstruction activities were included within the original FDDBLM solicitation. All proposers, including GPS, competed on a scope that included demolition of the existing Simon Sanchez High School campus. The Limited Project Scope Agreement does not create a new procurement, select a different contractor, remove any part of the scope from competition, or alter the evaluation outcome. Instead, it reflects a phased implementation of an already competed scope funded through a separate legislative appropriation (P.L. 38-60 Chapter 1 Section 8) for Fiscal Year 2026. The limited scope agreement was therefore intended to encumber a FY2026 obligation and was not a standalone or secret agreement. The Ma Kâhat Act expressly permits phased implementation and preconstruction activities consistent with available appropriations.

The Limited Project Scope Agreement merely authorizes, permit-set design, mobilization, demolition, and clearing work, without jeopardizing a FY26 appropriation lapse. All of these portions of the Limited Scope Agreement were evaluated within the original RFP framework. There is no "secret agreement." The document was circulated for signature through BBMR, GDOE, the Attorney General's Office, and the Governor's Office in accordance with standard government execution procedures. Characterizing phased funding of an already competed scope as a new procurement vehicle is legally and factually baseless for these reasons, in addition to being untimely.

Protest No. 2 is denied.

III. PROTEST NO. 3 IS DENIED.

GPS contends that CTI's proposal was non-responsive because its pricing allegedly exceeded the Ma Kāhat Act of 2013, as amended, ceiling and therefore should have been rejected without negotiation.

The SSHS procurement was conducted as a qualifications-based, negotiated procurement under an FDDBLM delivery model, not a sealed-bid or low-price procurement. Under Guam law, an RFP proceeds as follows: (1) proposers are first ranked based on qualifications and capacity pursuant to the criteria set forth in the RFP, (2) pricing and term sheets are sealed and opened only after evaluation identified the highest-ranked proposer, and (3) the Government and the highest ranked offeror then enter into negotiations concerning price and contract terms. If negotiations are unsuccessful, the Government then moves on to the next highest ranked offeror.

CTI was ranked as the highest-qualified proposer. Only CTI's sealed pricing was opened and subject to negotiation, exactly as required by the RFP. The RFP requires final contractual compliance with the Ma Kāhat Act prior to execution, not automatic rejection based on price. In other words, the final contract was required to be under the Ma Kāhat Act ceiling. Any preliminary references to the cost of the Government's design are therefore not an appropriate basis for determining responsiveness to the requirements of the RFP.

Negotiations were aimed in a final project structure that complies with the Ma Kāhat Act before any final contract execution. Because no contract was finalized, CTI and the Government have not agreed to a final price. Instead, following multiple negotiation sessions (July through September 2025), DPW and the Evaluation Committee executed a Conditional Acceptance of CTI's Proposal on September 22, 2025, which reflects CTI's acknowledgement and agreement to comply with the statutory financing ceiling of \$166,365,000.

GPS relies on a preliminary pricing page reviewed during inspection of the procurement record while disregarding the executed Conditional Acceptance reflecting negotiated compliance with the statutory financing ceiling of \$166,365,000. Therefore, any allegation that an award to CTI for any amount is baseless. Any allegation that CTI should have been rejected based on some dollar amount mentioned without context, and outside of a final negotiated amount, is baseless and misconstrues the RFP process, the Ma Kahat Act and the Guam Procurement Law. GPS was not the highest-ranked proposer and therefore was not entitled under the RFP to have its pricing opened or negotiated. Further, its price as compared to CTI's price is not a basis for comparison under the RFP. The RFP's evaluation criteria alone determined ranking. Price was not included in the evaluation criteria.

Thus, GPS's complaint that CTI's price exceeded the cap is a complaint on a path to nowhere. Until a final contract was negotiated and executed, there is no basis for determining whether CTI's price to the government exceeded the statutory cap or not.

PROTEST 3 is denied.

IV. DETERMINATION TO CANCEL RFP IN BEST INTEREST OF GOVERNMENT

The Simon Sanchez High School FDDBLM project is a long-delayed, critical public infrastructure project affecting thousands of students, teachers, and families from not only the Simon Sanchez High School community but all high school students in Guam's northern villages.

The procurement was structured under the Ma Kahat Act specifically to allow timely delivery of a

542 North Marine Corps Drive, Tamuning, Guam 96913 • Tel (671) 646-3131 / 3232 • Fax (671) 649-6178

modern public-school facility while maintaining transparency, fiscal discipline, and legal compliance. The protests addressed herein do not actually identify any material and specific violation of procurement law and do not implicate the integrity of the evaluation or award process. Rather, the record reflects DPW conducted this procurement in good faith, in accordance with the RFP, and with repeated opportunities for proposer access to information. Yet, GPS has made it clear that it seeks to disqualify Core Tech and to be awarded the contract at stake. OPA-PA-26-001 In re Appeal of General Pacific Services, Inc., Notice of Appeal at p 9. (Jan. 28, 2026). As recent as June 24, 2026, GPS has reiterated that it seeks award of the contract at stake in this procurement. P. Roberto Ltr. to Dir. V. Arriola (June 24, 2026). This indicates to DPW that this matter will likely be subject to litigation and thus, indefinite delay.

Delay would not serve the public interest and would undermine the Legislature's intent that this project proceeds without unnecessary obstruction. Here, due to the protests, DPW took the unprecedented step of publishing the procurement record on its agency website, including negotiations between the Government and CTI. The Office of Public Accountability subsequently rejected DPW's subsequent substantial interest determination, notwithstanding that DPW has published the procurement record and given the urgency and need for a new SSHS campus.

Under Guam law, all proposals may be rejected and the RFP can be cancelled when doing so is in the best interest of Guam. 5 G.C.A. Section 5225; 2 GARR, Div. 4, Section 3115(d)(2). DPW recognizes that proceeding at this point is not in the Government, the SSHS students and the northern village populations' best interest. Because the Government's negotiations have become public and due to the cloud over this procurement created by these protests, any award of attempt to move this procurement forward will result in litigation, which will only further delay construction of SSHS. DPW finds it is in Guam's best interest to cancel the RFP and resolicit than risk indefinite delay due to litigation.

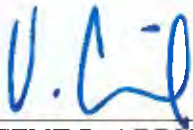
DPW also finds it necessary to cancel the existing RFP in order to address numerous requirements in the Ma Kahat Act that restrict the Government from formulating the best contract terms for the best facility that will meet the current and future needs of the SSHS student body in a more cost-effective manner. Unless the RFP is cancelled, the Government would suffer from failing to account for issues that have arisen due to the age of the Ma Kahat Act and the considerations which have become obsolete yet still impact the existing design for the facility. Proceeding with the RFP, in light of these adjustments that should be made in order for the Government to formulate the most beneficial contract terms, would not be in the best interests of Guam.

V. FINAL AGENCY ACTION

For the reasons stated above:

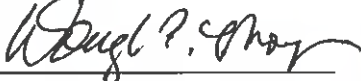
- **GPS protests 1, 2 and 3 are DENIED.**
- All proposals are hereby rejected and the RFP is cancelled.
- This letter constitutes DPW's Final Agency Decision.
- Any appeal must be taken in accordance with Guam law within 15 days of receipt of this final decision pursuant to 5 G.C.A. Section 5425(e).

Sincerely,



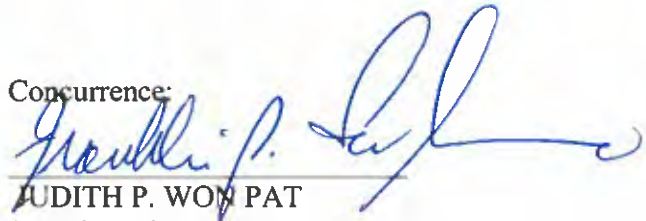
VINCENT P. ARRIOLA
Director
Department of Public Works

Concurrence:



DOUGLAS B. MOYLAN
Attorney General of Guam

Concurrence:

FOR 

JUDITH P. WON PAT
Superintendent
Guam Department of Education

Cc: Governor of Guam
Lt. Governor of Guam
Attorney General of Guam,
Guam Economic Development Authority
Guam Department of Education Superintendent
Simon Sanchez High School Principal
Core Tech International, Inc.
Guam Educational Financing Foundation II
General Pacific Services, Inc.

File: SSHS FDDBLM Procurement File

END



The Honorable
LOURDES A. LEON GUERRERO
Maga' Håga • Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Låhi • Lieutenant Governor



VINCENT P. ARRIOLA
Director

LINDA J. IBANEZ
Deputy Director

ERNEST G. CANDOLETA, JR.
Deputy Director

FOR IMMEDIATE RELEASE

August 17, 2026

DPW Denies GPS Protests, Cancels Simon Sanchez High School Procurement to Keep Project Moving Forward

Upper Tumon, Guam- Simon Sanchez High School students have waited far too long for a permanent campus. To prevent the project from becoming trapped in years of pointless litigation, the Department of Public Works has denied all three protests filed by General Pacific Services, rejected all proposals, and cancelled the current procurement.

The decision was made in consultation with the Guam Department of Education Superintendent and the Office of the Attorney General.

DPW determined that the procurement was conducted properly, in good faith, and in accordance with the Request for Proposals, the Ma Kåhat Act, and Guam procurement law. The protests did not establish a material violation of law.

GPS's protests were denied for the following reasons:

- The official procurement record was maintained by DPW, and GPS was provided access to inspect it on multiple occasions.
- Demolition was included in the original RFP, and the protest challenging the demolition work was also filed after the applicable protest period.
- The procurement was based first on qualifications, not price. Only the highest-ranked proposer's price was opened for negotiation, and no final contract price was ever agreed upon.

Although all three protests were denied, GPS indicated that it intends to continue challenging the procurement if DPW does not decide in its favor. Continuing with the existing procurement would therefore expose the project to the possibility of prolonged litigation and years of additional delay. The recent closure of Tiyān and SSHS makes it clear that this project cannot wait.

"We will not allow GPS to hold Simon Sanchez students hostage to years of needless litigation," said DPW Director Vincent P. Arriola. "DPW followed the law, the evaluation process was sound, and all three protests were denied. But the students cannot continue waiting while one unsuccessful proposer attempts to secure an award it did not receive. Cancelling and restarting the procurement is the fastest

responsible path forward.”

The existing procurement environment has also been compromised by the public release of incomplete pricing and negotiation information. GPS’s publicly discussed price was never opened by the Government, evaluated, or negotiated under the RFP and therefore cannot be fairly compared with the terms being negotiated with the highest-ranked proposer. The release of pricing information also made it more difficult for the Government to preserve the confidential negotiating environment contemplated by the RFP. This consideration weighed heavily on the cancellation decision

DPW is now preparing to reissue the procurement, to close the loopholes GPS used to frustrate construction of SSHS. DPW intends to issue a new procurement as quickly as legally possible. The revised procurement will clarify the project requirements, and will be geared toward what protects Simon Sanchez students and the community from further frivolous protests and unnecessary delay.

“This cancellation is not an admission that the procurement was flawed, quite the opposite” Arriola said. “It is a decision to protect the students from the much greater risk of having this project tied up in court for years. Our responsibility is to deliver a new school, not to defend an otherwise sound procurement indefinitely so a disgruntled bidder can capitalize the archaic automatic stay provision in our procurement law.”

DPW also renews its call for the Guam Legislature to reform the procurement process governing the Simon Sanchez High School project. One bidder prematurely publicized its sealed price proposal in an ongoing RFP process. Using snippets of the comprehensive procurement law, without context, that bidder frustrated construction of SSHS.

The Governor previously transmitted legislation specifically intended to address future protests involving the project and called the Legislature into emergency session. Although the Legislature agreed to hear the measure, it has not yet acted.

“This is exactly why procurement reform is necessary,” Arriola said. “Critical community projects should not be stopped for months or years by frivolous protests that fail to identify a material violation of law. We call on the Legislature to act so Simon Sanchez High School can finally be properly built.” The full DPW decision denying the three protests and cancelling the procurement is attached.
