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IN THE OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEAL

IN THE APPEAL OF: DOCKET NO. OPA-PA-25-009

CARDONA PACIFIC CORPORATION

Appellant.

PURCHASING AGENCY
AGENCY REPORT

Comes now, the Mayors' Council of Guam ("MCOG"), by and through its counsel and files its Agency Report and Statement pursuant to 2 GAR §12104(3) in response to the appeal by Cardona Pacific Corporation protesting the Proposal of Procurement No. MCOG-25-002 ("IFB").

I. Purchasing Agency Information

Name: Mayors' Council of Guam

Address: Mayors' Council of Guam (MCOG)
215A Chalan Santo Papa Road, Suite 111F

1 Hagafna Guam 96910

2 Contact: For this Appeal, please direct correspondence to the Office
3 of the Attorney General ("OAG"), Chief Deputy Attorney
4 General, Joseph A. Guthrie, MCOG Counsel,
5 solicitors@oagguam.org and JoyJean Arceo, Executive
6 Director, Mayors Council of Guam, 215A Chalan Santo
7 Papa Road, Suite 111F Hagatna Guam 96910. Tel. No.
8 (671) 472-6940.

9 **II. APPEAL INFORMATION**

10 a. Purchasing Agency: Mayors' Council of Guam
11 b. IFB No. MCOG-25-002
12 c. Date of IFB: June 4, 2025
13 d. This appeal is made by Cardona Pacific Corporation
14 e. Name of Competing Bidder(s): UMS Heavy Equipment Rental
15 Inc., Big Ben and Company, Guahan Waste Control, Inc, Buena
16 Vista Environmental.

17 **III. Agency Report**

18 Pursuant to 2 GAR §12104(3) MCOG's Agency Report is providing the
19 following:

20 (a) A copy of the Notice of Receipt of Appeal: Previously submitted to the
21 Office of the Public Auditor ("OPA") on August 20, 2025, by MCOG.
22 (b) A copy of the bid or offer submitted by the Appellant and a copy of the
23 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:
Previously submitted to the Office of the Public Auditor ("OPA") on
August 20, 2025, by MCOG.
24 (c) A copy of the solicitation, including the specification or portions thereof
relevant to the protest: Previously submitted to the Office of the Public
Auditor ("OPA") on August 20, 2025, by MCOG.

- (d) A copy of the abstract of bids or offers or relevant portions thereof relevant to the protest: Previously submitted to the Office of the Public Auditor ("OPA") on August 20, 2025, by MCOG.
- (e) Any other documents which are relevant to the protest, including the contract, if one has been awarded, pertinent amendments, and plans and drawings: Previously submitted to the Office of the Public Auditor ("OPA") on August 20, 2025, by MCOG.
- (f) A statement answering the allegation of the Appeal and setting forth findings, actions, and recommendations in the matter together with any additional evidence or information deemed necessary in determining the validity of the Appeal. The statement shall be fully responsive to the allegations of the Appeal. Please see attached.
- (g) If the award was made after receipt of the protest, the report will include the determination required under 2 GAR §9101(e): N/A
- (h) A statement in substantially the same format as Appendix B to this Chapter, confirming whether the matter is not the subject of a court proceeding.

RESPECTFULLY SUBMITTED this 27th day of August, 2025 by:

**OFFICE OF THE ATTORNEY GENERAL
Douglas B. Moylan, Attorney General**

By:

JOSEPH A. GUTHRIE
Chief Deputy Attorney General