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PROCUREMENT APPEALS

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*Attorneys for the Government of Guam*

**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 Hagatna 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](mailto: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  
10 **II. APPEAL INFORMATION**

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

18 **III. Agency Report**

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

- 21 (a) A copy of the Notice of Receipt of Appeal: Previously submitted to the  
22 Office of the Public Auditor ("OPA") on August 20, 2025, by MCOG.  
23 (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:  
Previously submitted to the Office of the Public Auditor ("OPA") on  
August 20, 2025, by MCOG.  
(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.

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

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

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

21 By: 

22 **JOSEPH A. GUTHRIE**

23 Chief Deputy Attorney General