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**PROCUREMENT APPEAL OF DENIAL OF PROCUREMENT PROTEST
THE OFFICE OF PUBLIC ACCOUNTABILITY**

APPEAL NO. OPA-PA-26-001

In the Procurement Appeal of
GENERAL PACIFIC SERVICES, LLC
Appellant.

AGENCY REPORT

The Department of Public Works ("DPW"), by and through counsel, hereby submits its Agency Report pursuant to 2 GAR Div. 4 Ch. 12 § 12105:

a. A copy of the protest:

Submitted by DPW to the Office of the Public Auditor ("OPA") on February 5, 2026 in its Procurement Record of Project No. 730-5-1059-L-YIG for OPA-PA-26-001

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:

Submitted by DPW to OPA on February 5, 2026 in its Procurement Record of Project No. 730-5-1059-L-YIG for OPA-PA-26-001

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS
DATE: 2/12/26
TIME: 3:24 PM ✓ Thomas Quichocho
TELEPHONE NO: 26-001

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2 **c. A copy of the solicitation, including the specifications or portions thereof relevant to the protest:**

3 Submitted by DPW to OPA on February 5, 2026 in its Procurement Record of Project
4 No. 730-5-1059-L-YIG for OPA-PA-26-001

5 **d. A copy of the abstract of bids or offers or relevant or portions thereof relevant to the protest:**

6 Submitted by DPW to OPA on February 5, 2026 in its Procurement Record of
7 Project No. 730-5-1059-L-YIG for OPA-PA-26-001

8 **e. Any other documents which are relevant to the protest; including the contract, if one has been awarded, pertinent amendments, and plans and drawings:**

9
10 Submitted by DPW to OPA on February 5, 2026 in its Procurement Record of
11 Project No. 730-5-1059-L-YIG for OPA-PA-26-001

12 **f. The decision from which the Appeal is taken, if different than the decision submitted by Appellant:**

13 DPW has not issued a final written decision on GPS's protests and disputes that
14 its continued consideration of the protests constitutes a constructive denial. *See*
15 DPW's Motion to Dismiss, filed concurrently herewith.

16 **g. 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:**

17 GPS alleges that DPW failed to issue a timely protest decision and seeks *de novo*
18 review by the OPA based on a purported constructive denial. DPW denies that
19 any final agency decision has been issued, and remains engaged in an ongoing
20 administrative review of the protests. For these reasons, and for the reasons more
21 fully discussed in DPW's Motion to Dismiss filed concurrently herewith, the
22 Office of Public Accountability lacks jurisdiction over the Appeal.

23 **h. If the award was made after receipt of the protest, the report will include the determination required under 2 GAR § 9101(e):**

24 Not applicable

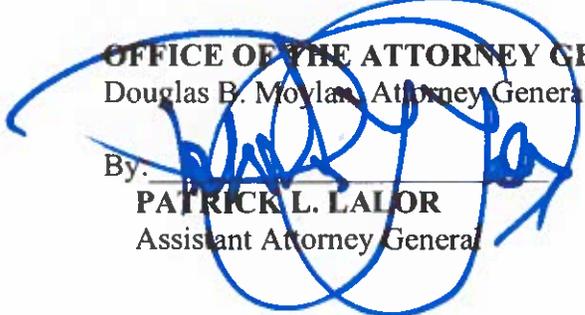
25 **i. A statement in substantially the same format as Appendix B to this Chapter, indicating whether the matter is the subject of a court proceeding:**

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See Declaration Re: Court Action, filed concurrently herewith.

Respectfully submitted this 12th day of February, 2026.

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

By. 
PATRICK L. LALOR
Assistant Attorney General