



Jerrick Hernandez <jhernandez@guamopa.com>

APPEAL CASE NO. OPA-PA-26-001; Reply Memorandum

Danielle Tenorio-Balbas <dtensorio-balbas@oagguam.org>
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Fri, Mar 13, 2026 at 5:02 PM

Hafa Adai Mr. Hernandez,

I was advised from Ms. Marcel at your office that we can submit to you the following for e-filing in the above matter:

1. Reply Memorandum
2. Declaration of Vince Arriola
3. Declaration of Judith Won Pat

If physical copies are preferred we can deliver on Monday.

Thank you,

Danielle



Danielle B. Tenorio-Balbas

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3 attachments

 **OPA-PA-26-001. Declaration of Vince Arriola SIGNED.pdf**
1094K

 **OPA-PA-26-001. Declaration of Judi Won Pat SIGNED.pdf**
237K

 **OPA-PA-26-001. Reply Memorandum.pdf**
1656K



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

In the Procurement Appeal of

GENERAL PACIFIC SERVICES, LLC

Appellant.

APPEAL NO. OPA-PA-26-001

**DECLARATION OF VINCE ARRIOLA IN
SUPPORT OF REPLY MEMORANDUM RE:
DETERMINATION OF SUBSTANTIAL
INTEREST**

I, Vincent P. Arriola, declare as follows:

1. I am the Director of the Guam Department of Public Works ("DPW"). I have served in this position since 2019. As Director, I oversee public construction procurements administered by DPW, including the procurement at issue in this matter.
2. I make this declaration based on my personal knowledge and information obtained through my official duties. If called to testify, I could and would competently testify to the matters stated herein.
3. As Director of DPW, I am the official authorized under 5 GCA § 5425(g) to determine whether the award of a contract must proceed without delay in order to protect substantial interests of the Government of Guam.

- 1 4. DPW issued Request for Proposals No. 730-5-1059-L-YIG for the New
2 Simon Sanchez High School Finance, Demolition, Design, Build,
Lease/Leaseback, and Capital Maintenance Project (the "Project").
- 3 5. The purpose of the Project is to construct a new Simon Sanchez High
4 School facility to serve the students and community of northern Guam
5 and to replace the prior campus with a modern and safe educational
facility.
- 6 6. The Project is a major public infrastructure project intended to provide a
7 permanent educational facility capable of serving the student population
8 assigned to Simon Sanchez High School and supporting the educational
mission of the Guam Department of Education.
- 9 7. The procurement process for the Project has progressed to the stage
10 where Core Tech International ("CTI") has been identified as the most
11 qualified proposer. Negotiations regarding construction pricing have
12 been completed, and negotiations concerning the lease/leaseback
13 structure, capital maintenance obligations, insurance requirements, and
14 related terms were ongoing until the filing of the current protest.
- 15 8. Based on the status of the earlier negotiations, the Project was
16 approaching the stage where the contract could have been awarded and
17 construction activities may begin.
- 18 9. On November 19, 2025, a protest was filed relating to this procurement
19 pursuant to Guam procurement law. Two additional protests concerning
20 the same project were submitted on December 12, 2025.
- 21 10. Under 5 GCA § 5425 and the Guam Procurement Regulations, the filing
22 of a protest generally stays the award of the contract pending resolution
23 of the protest.
- 24 11. After reviewing the status of the procurement and the consequences that
25 would result from delaying the award of the contract, I determined that
proceeding with the award without delay is necessary to protect
substantial interests of the Government of Guam.
12. In making this determination, I consulted with DPW personnel
responsible for administering the procurement, as well as with officials of
the Guam Department of Education and other government personnel
involved in the planning and implementation of the Project.
13. The Project serves important public purposes. The construction of a new
Simon Sanchez High School will provide a modern and permanent
educational facility for students and the surrounding community and will
replace infrastructure that has required significant operational

1 accommodations by the Guam Department of Education.

- 2 14. Based on information provided to me, approximately 1,500 students and
3 approximately 200 faculty and staff members are currently assigned to
4 Simon Sanchez High School and will be directly affected by the timing of
5 the Project's completion, not including the students and staff of other
6 high schools that may temporarily house Simon Sanchez High School,
7 including John F. Kennedy High School and Tiyan High School.
- 8 15. Students assigned to Simon Sanchez High School have already
9 experienced significant disruption to their educational environment while
10 awaiting completion of a permanent campus. Further delay in awarding
11 the contract would extend the period during which students must
12 continue relying on temporary operational arrangements and would
13 postpone the delivery of a stable and permanent learning environment.
- 14 16. Minimizing additional disruption to students and restoring a permanent
15 educational facility as soon as practicable is therefore a substantial
16 governmental interest.
- 17 17. Delaying the award of the contract will delay the commencement of
18 construction because work on the Project cannot begin until a contract is
19 awarded.
- 20 18. If the award is delayed pending the full resolution of the protest and any
21 subsequent appeals to the Superior Court and possibly the Guam
22 Supreme Court, the start of construction would be postponed, delaying
23 the completion of the new school facility possibly by years.
- 24 19. Delays at this stage of the procurement process cannot be fully
25 recovered once the construction schedule is pushed back, because
construction sequencing, contractor mobilization, and project financing
are all tied to the timing of contract award.
20. Continued delay would require the Guam Department of Education to
maintain temporary operational arrangements for Simon Sanchez High
School and would further postpone delivery of a permanent campus for
students and faculty.
21. Continued reliance on temporary facilities and operational
accommodations places additional burdens on school administration and
prolongs disruption to students and educational programs.
22. Public construction projects are particularly susceptible to cost
escalation when procurement timelines are extended.
23. Delaying the award increases the risk that labor costs, material costs,
subcontractor pricing, and contractor availability will change, which may

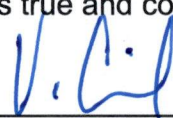
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increase the overall cost of the Project.

- 24. Delay may also affect the ability of the selected contractor to maintain current pricing, staffing, and subcontractor commitments.
- 25. If procurement timelines are significantly extended, contractors may be required to renegotiate pricing or adjust their project staffing and subcontractor arrangements, which can increase costs or create additional uncertainty for the government.
- 26. Delaying the award therefore creates a risk that the government may incur significant additional public expenditures while facing additional delays in completing the Project.
- 27. Based on the information available to me, the Government of Guam's interest in timely completion of the Project outweighs the interest in delaying the award pending final resolution of the protest.
- 28. The government has a substantial interest in advancing the construction of critical public infrastructure, delivering a permanent school facility for the students assigned to Simon Sanchez High School, and avoiding the operational and financial consequences associated with further delay of this Project.
- 29. For these reasons, I determined that award of the contract without delay is necessary to protect the substantial interests of the Government of Guam.
- 30. I therefore issued a written determination pursuant to 5 GCA § 5425(g) authorizing the award of the contract pending resolution of the protest.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 13th day of March, 2026.



Vincent P. Arriola
Director
Guam Department of Public Works