



Krista Cruz-Lynch <kcruz-lynch@oagguam.org>

# AG No. 25-0053 - Request for Proposal (RFP) for the Guam Veterans Affair Cemetery Expansion and Improvement Project ("Design Phase"); Project No. 150-5-1004-F-PIT

2 messages

**Krista Cruz-Lynch** <kcruz-lynch@oagguam.org>

To: Vince Arriola <vince.arriola@dpw.guam.gov>, Linda Ibanez <linda.ibanez@dpw.guam.gov>, Donna Herrero <donna.herrero@dpw.guam.gov>, Juliana Santos <Juliana.Santos@dpw.guam.gov>  
Cc: Danielle Tenorio-Balbas <dtenorio-balbas@oagguam.org>  
Bcc: David Rivera <david.rivera@oagguam.org>

Tue, Jun 2, 2026 at 12:22 PM

*Hafa Adai* Director Arriola,

Our office has prepared the attached letter for your review and further action.

Kindly confirm receipt of this email and the attachment. Please let me know if you have any questions.

Thank you.

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Very Respectfully,

AG Email to DPW requesting for missing documents/additional information to be submitted to our Office to complete their file



**Krista Cruz-Lynch**

Assistant Administrative Supervisor  
Solicitors Division

**Office of the Attorney General of Guam**

134 W. Soledad Avenue, Suite 302  
Hagåtña, GU 96910  
Tel: (671) 475-3324 ext. 3664  
[kcruz-lynch@oagguam.org](mailto:kcruz-lynch@oagguam.org)  
[www.guamattorneygeneral.org](http://www.guamattorneygeneral.org)

DPW's first and only email reply regarding this matter, requesting for the incomplete file to be given to address June 2 memo

**"Guam's Toughest Law Enforcers"**

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**20260602. 25-0053 Memo to Agency.pdf**  
538K

**Juliana Santos** <juliana.santos@dpw.guam.gov>

Tue, Jun 16, 2026 at 9:43 AM

To: Krista Cruz-Lynch <kcruz-lynch@oagguam.org>

Cc: "John F. Calanayan" <john.calanayan@dpw.guam.gov>, Linda Ibanez - DPW <linda.ibanez@dpw.guam.gov>, Charles Esteves <charles.esteves@dpw.guam.gov>, Skyler Suarez <skyler.suarez@dpw.guam.gov>

*Good morning Krista,*

To effectively address the AG's inquiries, we kindly request the return of the contract.

[Quoted text hidden]

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*"Strive not to be a success, but rather to be of value." - Albert Einstein*

JULIANA SANTOS  
Department of Public Works  
Highway Maintenance & Construction  
(T) (671) 649-3104

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## ACKNOWLEDGEMENT OF RECEIPT

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**DATE:** June 16, 2026

**TO:** Department of Public Works

**SUBJECT:** Request for Proposal (RFP) for the Guam Veterans Affairs Cemetery Expansion and Improvement Project ("Design Phase"); Project No. 150-5-1004-F-PIT

- (1) Blue folder containing procurement documents
- (1) White binder containing procurement records
- (1) Black folder containing Contract

*Kurt Rosner*

Print Name

*[Handwritten Signature]*

Signature

*7/16/26 10:07 AM*

Date & Time

**Office of the Attorney General**  
**Douglas B. Moylan · Attorney General of Guam**

134 W Soledad Avenue, Ste 302 · Hagåtña, Guam 96910 · USA  
671-475-2709 · 671-475-2493 (fax) · [solicitors@oagguam.org](mailto:solicitors@oagguam.org) · [www.guamattorneygeneral.org](http://www.guamattorneygeneral.org)  
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**June 2, 2026**

Vincent P. Arriola  
Director, Department of Public Works  
542 North Marine Corps Drive  
Tamuning, Guam 96913

Re: Design Phase Contract with EMPSCO for Additional Above Ground Burial  
Capacity Within Guam veterans Cemetery  
OAG PCF No. 25-0053; DPW Project No. 150-5-1004-F-PIT

Dear Director Arriola,

The Office of Attorney General (“OAG”) has completed its review of the submitted procurement record and contract and notes the following item that needs attention prior to approval.

2 GAR, Div. 4 § 3114 (m) requires that at the conclusion of negotiations resulting in the award of the contract, the head of the agency conducting the procurement or a designee of such officer shall prepare a memorandum setting forth the basis of award including: (1) how the evaluation factors stated in the Request for Proposals were applied to determine the best qualified offerors; and (2) the principal elements of the negotiations including the significant considerations relating to price and the other terms of the contract. This memorandum is required to be kept in the contract file and must be available for public inspection.

The required memorandum is normally placed in the procurement record binder in tab #16. Such a memorandum was not with the procurement record. Tab # 16 contained one memo dated February 20, 2026, advising of the date set for the evaluations of the proposals, and one memo dated March 3, 2026, advising of the date set for negotiations for the fee proposals. Neither of these memorandums meets the requirement established in 2 GAR, Div. 4 § 3114 (m). Please have the required memorandum prepared and submitted to this office. We will place it in the binder prior to forwarding the contract to the Attorney General for approval.

Please also note that the USDOL Wage Determination that was submitted with the documentation is out of date. When the contract is returned to DPW for further action please replace the outdated version with the current version which was published on May 18, 2026 under document GU 20260001. The updated version is found at [sam.gov](http://sam.gov).

It was noted that there were contract clauses from 2 CFR Part 200, Appendix II, related to non-federal entity contracts under federal awards. Is this contract supported in whole or in part through federal funds? If so, there are additional contract terms that will

**Office of the Attorney General**

**Douglas B. Moylan · Attorney General of Guam**

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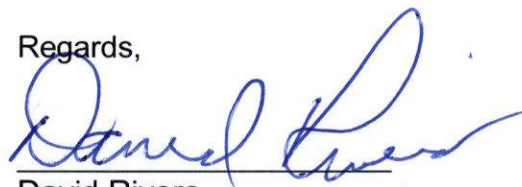
June 2, 2026

need to be added to the contract. Please advise OAG at your earliest convenience the source of funding for this contract.

Mark any submission to my attention and to the attention of Krista Cruz-Lynch.

Please feel free to contact me should you have any questions.

Regards,



David Rivera  
Assistant Attorney General  
Solicitor Division



The Honorable  
**LOURDES A. LEON GUERRERO**  
 Maga' Hâga · Governor

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



**VINCENT P. ARRIOLA**  
 Director  
**LINDA J. IBANEZ**  
 Deputy Director  
**ERNEST G. CANDOLETA JR.**  
 Deputy Director

April 23, 2026

**MEMORANDUM**

**TO:** Douglas B. Moylan, Attorney General of Guam

**FROM:** Vincent P. Arriola, Director, Department of Public Works

**Subject:** **Construction of Additional Above Ground Burial Capacity within the Existing Guam Veterans Cemetery (Design-Build)**  
**Project No.: 150-5-1004-F-PIT**

Hafa Adai Attorney General,

This correspondence respectfully requests expedited legal review and approval of the following Contract, stated in the subject above, submitted to the Office of the Attorney General of Guam.

This contract review and approval involve **Project No. 150-5-1004-F-PIT**, that is time-sensitive due to grant period of performance, funding deadlines and continuity of essential services for our public community. All required procurement documentation and supporting materials have been included for your review. If additional information or clarification is needed, our office stands ready to respond immediately. Given the urgency and operational impact, DPW respectfully requests priority consideration and expedited processing of this matter.

Thank you for your continued support and partnership.

  
**VINCENT P. ARRIOLA**  
 Director, Department of Public Works

178967  
**RECEIVED**  
 2:56 PM 04/23/26  
 OFFICE OF THE ATTORNEY GENERAL  
 SOLICITOR DIVISION  
 JC

**RECEIVED**  
 2:00 5/11/26  
 OFFICE OF THE ATTORNEY GENERAL  
 SOLICITOR DIVISION  
 179143 ET

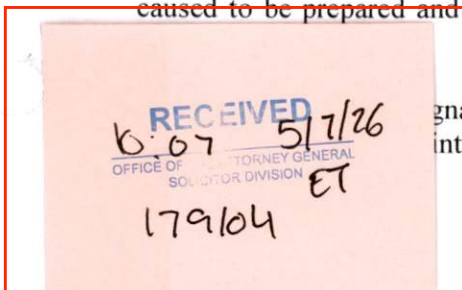
## CERTIFICATION OF COMPLETED PROCUREMENT RECORD

Instructions: After ascertaining the statement's accuracy and truthfulness, the agency's procurement officer (director and head of agency) must sign the Certification below to indicate that the agency has kept a complete procurement record of all documents required by law. The checklist below is provided to ensure that the record is complete, and must be filled out by the procurement officer or administrator. The checklist is comprised of every item that is required by law for invitation for bid (IFB) or request for proposal (RFP), and therefore every item, except as noted below, must be checked for the resulting contract to be considered legally sufficient. Please assemble the procurement record in the order stated below and place it in a three ring binder, with visible tabs for each of the items below appearing in numerical order.

IFB/RFP No: Project No.:150-5-1004-F-PIT Contractor: EMPSCO Engineering Consultants

- 1. Published notice in the newspaper of general circulation
- 2. Procurement package (IFB or RFP) issued to bidders or offerors
- 3. Log of distribution of procurement package
- 4. Amendments to IFB or RFP, if any were issued
- 5. Logs of distribution of amendments to IFB or RFP, but only if amendments were issued
- 6. Minutes or summary of pre-submission conferences, but only if conferences were held.
- 7. Logs of attendees of pre-submission conferences, but only if conferences were held.
- 8. Written questions from bidders or offerors, but only if any questions were received.
- 9. Written answers, but only if any questions were received.
- 10. Proof that written answers were provided to all potential bidders or offerors, but only if any questions were received.
- 11. Log of all bids or registry of proposals received
- 12. Each bid or proposal received.
- 13. Evaluation of proposals or analysis of bids (bids are not required by law to be analyzed, but may be)
- 14. Tabulation of evaluations or analysis (tabulations are not required by law but recommended)
- 15. Letters to bidders concerning outcome of bid; for offerors, letters informing them of ranking and letter to best qualified offeror inviting negotiations
- 16. Memorandum of evaluations and negotiations (only require for RFP's)
- 17. Notice of intent to award
- 18. Any and all communications from or to anyone concerning any part of IFB or RFP.
- 19. Contract, including all draft versions
- 20. Bid protests, if any, and responses thereto
- 21. Any determination required by law as may fit the circumstances.

CERTIFICATION: Pursuant to G.C.A. §5250, I hereby certify under penalty of perjury that I am the procurement officer responsible for administering the solicitation of the attached contract, and that I have caused to be prepared and now maintain a full and complete record of the procurement as required by



Signature:   
Print Name: VINCENT P. ARRIOLA, Director

DATE: 02 APR 2026