

Suite 401 DNA Building  
 238 Archbishop Flores St.  
 Hagåtña, Guam 96910



# FAX

<b>To:</b>	<b>Ms. Lillian Perez-Posadas, MN, RN</b> <b>Hospital Administrator/CEO</b> General Services Agency Guam Memorial Hospital Authority 850 Gov. Carlos Camacho Road Oka, Tamuning, Guam 96913 Phone: (671) 647-2444/2330 Fax: (671) 649-0145	<b>From:</b>	<b>Benjamin J.F. Cruz</b> <b>Public Auditor</b> Office of Public Accountability
		<b>Pages:</b>	5 (including cover page)
<b>CC:</b>	<b>Julienne Nucum, Esq.</b> (Attorney for Appellant JRN) JRN Air Conditioning & Refrigeration, Inc. 1755 Army Drive Barrigada, Guam 96913 Phone: (671) 649-8120 Fax: (671) 649-5737 Email: julienne@mirandanucum.com	<b>Date:</b>	June 3, 2020
		<b>Phone:</b>	(671) 475-0390 x. 208
		<b>Fax:</b>	(671) 472-7951

**Re:** OPA-PA-20-004 Notice of Receipt of Appeal

For Review

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**Comments:**

Please acknowledge receipt of this transmittal by re-sending this cover page along with your firm or agency's receipt stamp, date, and initials of receiver.

Thank you,

Jerrick Hernandez, Auditor

[jhernandez@guamopa.com](mailto:jhernandez@guamopa.com)



## OFFICE OF PUBLIC ACCOUNTABILITY

Suite 401 Pacific News Building, 238 Archbishop Flores St., Hagåtña, Guam 96910  
Phone: (671) 475-0390 / FAX: (671) 472-7951

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June 3, 2020

Ms. Lillian Perez-Posadas, MN, RN  
Hospital Administrator/CEO  
Guam Memorial Hospital Authority  
850 Gov. Carlos Camacho Road  
Oka, Tamuning, Guam 96913

VIA FACSIMILE: (671) 649-0145

Re: Notice of Receipt of Appeal – OPA-PA-20-003

Dear Ms. Perez-Posadas,

Please be advised that JRN Air Conditioning & Refrigeration, Inc. (hereinafter referred to as “JRN”) filed an appeal with the Office of Public Accountability (OPA) on June 2, 2020, regarding the Guam Memorial Hospital Authority’s (“GMHA”) response to JRN’s protest of the procurement for Removal and Replacement of One (1) Boiler Unit and Piping System (GMHA IFB 002-2020). OPA has assigned this appeal case number OPA-PA-20-004.

Immediate action is required of GMHA pursuant to the Rules of Procedure for Procurement Appeals, found in Chapter 12 of the Guam Administrative Regulations (GAR). Copies of the rules, the appeal, and all filing deadlines are available at OPA’s office and on its website at [www.opaguam.org](http://www.opaguam.org). The first two pages of the notice of appeal filed with OPA is enclosed for your reference.

Please provide the required notice of this appeal to the relative parties with instructions that they should communicate directly with OPA regarding the appeals. You are also responsible for giving notice to the Attorney General or other legal counsel for your agency. Promptly provide OPA with the identities and addresses of interested parties and a formal entry of appearance by your legal counsel.

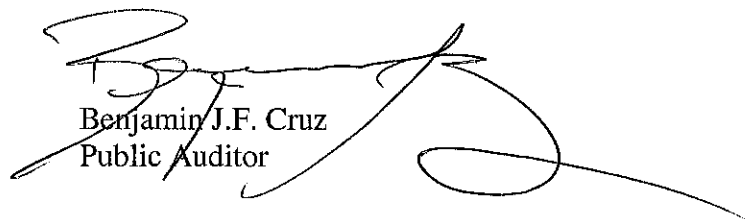
Pursuant to 2 GAR, Div. 4, Ch. 12, §12104(3), the submission of one complete copy of the procurement record for the procurement solicitation above, as outlined in Title 5, Chapter 5, §5249 of the Guam Code Annotated is required no later than **Wednesday, June 10, 2020**, five work days following this Notice of Receipt of Appeal. We also request one copy of the Agency Report for each of the procurement solicitations cited above, as outlined in 2 GAR, Div. 4, Chap. 12, §12105, by **Wednesday, June 17, 2020**, ten work days following receipt of this notice.

When filing all other required documents with our office, please provide one original and two copies to OPA (Electronic files of the two copies are acceptable for OPA), and serve a copy to JRN. Although the Guam Procurement Law and Regulations require only one copy of the

procurement record, OPA respectfully asks that GMHA provide one original and two copies of the said record, which will be distributed as follows: Copy-1: Master File; Copy-2: Public Auditor; and Copy-3: Hearing Officer.

Thank you for your prompt attention to this matter. Please contact Jerrick Hernandez at 475-0390 ext. 208 or [jhernandez@guamopa.com](mailto:jhernandez@guamopa.com) should you have any questions regarding this notice.

Sincerely,



Benjamin J.F. Cruz  
Public Auditor

Enclosure: First Two Pages of the Notice of Appeal – OPA-PA-20-004

Cc: Julienne Nucum, Attorney for JRN



E) Names of Competing Bidders, Offerors, or Contractors known to Appellant:  
Ammanabat Corporation  
PMB 182-535 Pale Ramon Haya  
Yigo, GU 96929  
J&B Modern Tech  
153 Unit B East Harmon Industrial  
Park  
Tamuning, GU 96913

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**PART IV- Form and Filing**

In addition to this form, the Rules of Procedure for Procurement Appeals require the submission together with this form of additional information, including **BUT NOT LIMITED TO:**

1. A concise, logically arranged, and direct statement of the grounds for appeal;
2. A statement specifying the ruling requested;
3. Supporting exhibits, evidence, or documents to substantiate any claims and the grounds for appeal unless not available within the filing time in which case the expected availability date shall be indicated.

*Note: Please refer to 2 GAR § 12104 for the full text of filing requirements.*

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**PART V- Declaration Re Court Action**

Pursuant to 5 GCA Chapter 5, unless the court requests, expects, or otherwise expresses interest in a decision by the Public Auditor, the Office of Public Accountability will not take action on any appeal where action concerning the protest or appeal has commenced in any court.

The undersigned party does hereby confirm that to the best of his or her knowledge, no case or action concerning the subject of this Appeal has been commenced in court. All parties are required to and the undersigned party agrees to notify the Office of Public Accountability within 24 hours if court action commences regarding this Appeal or the underlying procurement action.

Submitted this 2nd day of June 2020

By: JRN Air Conditioning & Refrigeration, Inc.  
APPELLANT



Julienne Nucum, Esq. (14015)  
Appellant's Duly Authorized Representative  
210 N 4th St, Ste 200A San Jose, CA 95112  
(650) 892-6207 and [fax] (408) 217-6132  
julienne.nucum@gmail.com

APPENDIX A

## TRANSACTION REPORT

JUN/03/2020/WED 10:46 AM

## BROADCAST

DATE	START T.	RECEIVER	COM. TIME	PAGE	TYPE/NOTE	FILE
JUN/03	10:41AM	6490145	0:01:47	5	MEMORY OK	ECM 0605001
	10:43AM	6495737	0:02:31	5	MEMORY OK	ECM 0605002
TOTAL			0:04:18	10		

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		Phone: Fax:	(671) 475-0390 x. 208 (671) 472-7951

Re: OPA-PA-20-004 Notice of Receipt of Appeal

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