

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



FAX

To:	Claudia Acfalle Chief Procurement Officer General Services Agency	From:	Doris Flores Brooks Guam Public Auditor Office of Public Accountability
Phone: Fax:	475-1707 475-1727	Pages:	4 (including cover page)
CC:	John Day President Pacific Data Systems	Date:	Thursday, August 30, 2012
Phone: Fax:	300-0202 300-0265	Phone: Fax:	475-0390 x.216 201 472-7951

Re: Notice of Receipt of Appeal - OPA-PA-12-012

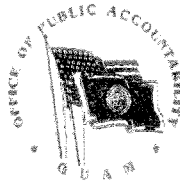
Urgent For Review Please Comment Please Reply Please Recycle

Comments:

See attached for reference. 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,
Michele Huffer
Administrative Officer
mhuffer@guamopa.org

This facsimile transmission and accompanying documents may contain confidential or privileged information. If you are not the intended recipient of this fax transmission, please call our office and notify us immediately. Do not distribute or disclose the contents to anyone. Thank you.



OFFICE OF PUBLIC ACCOUNTABILITY
Doris Flores Brooks, CPA, CGFM
Public Auditor

August 30, 2012

Ms. Claudia Acfalle
Chief Procurement Officer
General Services Agency
P.O. Box 884
Hagatna, Guam 96932

VIA FACSIMILE: 475-1727

Re: Notice of Receipt of Appeal – OPA-PA-12-012

Dear Ms. Acfalle,

Please be advised that Pacific Data Systems (PDS) filed an appeal with the Office of Public Accountability (OPA) on August 29, 2012 of the General Services Agency (GSA)'s response to PDS' protest relative to the procurement solicitation Invitation for Bid No. GSA-064-11: Telecommunication Services. OPA has assigned this appeal case number OPA-PA-12-012.

Immediate action is required of GSA 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.guamopa.org. The first page 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), please submit 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, to OPA by **Friday, September 7, 2012** five work days following receipt of this notice of appeal; and 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 **Friday, September 14, 2012**, ten work days following receipt of this notice of appeal.

When filing all other required documents with our office, please provide one original and two copies to OPA, and serve a copy to PDS. OPA respectfully asks that GSA provide one original and two copies of the procurement record as the Guam Procurement Law and Regulations

require only one copy. The three procurement record copies requested by OPA are 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 me at 475-0390 ext. 201 or mhuffer@guamopa.org should you have any questions regarding this notice.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Marquez", written in a cursive style.

Rodalyn Marquez, CIA, CGFM, CPA, CGAP
Audit Supervisor

Enclosure: First Page of the Notice of Appeal – OPA-PA-12-012

Cc: Mr. John Day, President, Pacific Data Systems



**Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL**

OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEAL

AUG 29 2012

TIME 3:20 PM BY Vince D.
FILED 09/04/12

PART I- To be completed by OPA

In the Appeal of)

NOTICE OF APPEAL

(Name of Company), APPELLANT)

Docket No. OPA-PA _____

PART II- Appellant Information

Name: Pacific Data Systems
Mailing Address: 185 Ilipog Drive, Suite 204A
Tamuning, GU 96913
Business Address: same as above
Email Address: john@pdsguam.com
Daytime Contact No: 671-300-0202
Fax No.: 671-300-0265

PART III- Appeal Information

- A) Purchasing Agency: General Services Agency
- B) Identification/Number of Procurement, Solicitation, or Contract: GSA-064-11
GSA has not made a decision
- C) Decision being appealed was made on on PDS protest (date) by:
___ Chief Procurement Officer ___ Director of Public Works ___ Head of Purchasing Agency

Note: You must serve the Agency checked here with a copy of this Appeal within 24 hours of filing.

- D) Appeal is made from:
(Please select one and attach a copy of the Decision to this form)
 Decision on Protest of Method, Solicitation or Award
 Decision on Debarment or Suspension
 Decision on Contract or Breach of Contract Controversy
(Excluding claims of money owed to or by the government)
 Determination on Award not Stayed Pending Protest or Appeal
(Agency decision that award pending protest or appeal was necessary to protect the substantial interests of the government of Guam)

Broadcast Report

Date/Time: 08-30-2012 04:13:52 p.m. Transmit Header Text
 Local ID 1: 4727951 Local Name 1: OFFICE OF PUBLIC AUDITOR
 Local ID 2: Local Name 2:

This document : Confirmed
(reduced sample and details below)
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mhuffer@guamopa.org

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001	499	6713000265	04:06:10 p.m. 08-30-2012	00:02:40	4/4	1	G3	HS	CP14400
002	499	671-475-1727	04:06:10 p.m. 08-30-2012	00:00:45	4/4	1	EC	HS	CP31200

Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	TU: Terminated by user
HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system
WS: Waiting send	MS: Mailbox save	FA: Fail	RP: Report
			G3: Group 3
			EC: Error Correct