



OFFICE OF THE PUBLIC AUDITOR
Doris Flores Brooks, CPA, CGFM
Public Auditor

January 21, 2010

Ms. Claudia S. Acfalle
Chief Procurement Officer
General Services Agency
Department of Administration
148 Route 1 Marine Corps Drive
Piti, Guam 96915
VIA FACSIMILE: 472-4217

Re: Receipt of Notice of Appeal Regarding IFB No. GSA 001-10 for On-site Diesel Deliveries

Dear Ms. Acfalle,

Please be advised that Attorney Bill R. Mann, Esq., Attorney for Appellant Fleet Services, Inc. has filed an appeal with the Office of Public Accountability on January 20, 2010, on GSA's decision to Fleet Services, Inc.'s protest on the above-stated procurement action. The appeal has been assigned Master File No. **OPA-PA-10-001**.


Immediate action is required of your office pursuant to the Rules of Procedure for Procurement Appeals, found in Chapter 12 of the Guam Administrative Regulations. Copies of the rules, the appeal, and all filing deadlines are available at our office and on our website at www.guamopa.org. The transmittal letter and the first page of the notice of appeal file are enclosed for your reference.

Please provide the required notice of this appeal to the required parties with instructions that they should communicate directly with OPA regarding the appeal. 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 counsel.

Pursuant to 2 GAR Div 4, Chap 12, §12104(3), please submit one complete copy of the procurement record, as outlined in 5 GCA Chapter 5, §5249, to OPA by Thursday, January 28, 2010, five working days following receipt of this notice of appeal; and one copy of the Agency Report, as outlined in 2 GAR Div 4, Chap 12, §12105, by Thursday, February 4, 2010, ten working 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 the Appellant (protesting vendor).

Thank you for your prompt attention to this matter. Please contact Anne Camacho at 475-0390 ext. 219 or email address acamacho@guamopa.org should you have any questions regarding this notice.

Sincerely,


for Doris Flores Brooks, CPA, CGFM
Public Auditor

Enclosure: First Page of Notice of Appeal- OPA-PA-10-001

Cc: Bill R. Mann, Esq., Attorney for Appellant Fleet Svcs., Inc. – (Via Facsimile 474-4366)

1 **BERMAN O'CONNOR & MANN**
2 Suite 503, Bank of Guam Bldg.
3 111 Chalan Santo Papa
4 Hagåtña, Guam 96910
5 Telephone No.: (671) 477-2778
6 Facsimile No.: (671) 477-4366

7 *Attorneys for Appellant:*
8 *Fleet Services, Inc.*

RECEIVED
OFFICE OF THE PUBLIC AUDITOR
PROCUREMENT & DEALS

JAN 20 2010

TIME: 4:16

BY: MNU

FILE No. OPA-PA-10-001

6 **OFFICE OF THE PUBLIC AUDITOR**

7 Docket No. OPA-PA _____

8
9 In the Appeal of
10 FLEET SERVICES, INC.,
11 Appellant.

**NOTICE OF PROCUREMENT
APPEAL**

12
13 **APPELLANT INFORMATION**

14 The Appellant is **Fleet Services, Inc.**, P.O. Box 10838, Tamuning, Guam 96931,
15 Tel. 473-4377/888-6270.

16 **APPEAL INFORMATION**

- 17 A. Purchasing Agency: General Services Agency ("GSA")
18 B. Identification Number of Procurement: GSA 001-10 On -site diesel delivery
19 C. The Decision being appealed was made on January 5, 2010 by the Chief
20 Procurement Officer Claudia S. Acfalle
21 D. This appeal is made from a Decision on protest of Award
22 E. Names of Competing Bidders: Morrico Equipment
23

24
25
26 //
27 //

28 **COPY**

Broadcast Report

Date/Time
Local ID 1
Local ID 2

01-21-2010
4727951

10:57:47 a.m.

Transmit Header Text
Local Name 1
Local Name 2

OFFICE OF PUBLIC AUDITOR

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

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

Phone: (671) 475-0390
FAX: (671) 472-7951



OFFICE OF THE PUBLIC AUDITOR

Fax

| | |
|---|---|
| To: Claudia Actalle, Chief Procurement Officer General Services Agency Bill R. Mann, Attorney for Appellant – Fleet Services, Inc | From: Doris Flores Brooks, Public Auditor OPA Procurement Appeals |
| Pages: 3 (including cover) | |
| Agency: | |
| Date: Thursday, 01/21/10 | |
| CC: | |
| Phone: 472-4217(GSA) / 477-4366 (BDM) Phone: 475-0390 x 219 (Anne Camacho) | |
| Re: Notice of Receipt of Appeal: OPA-PA-10-001 | |
| <input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input checked="" type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle | |

Comments:

See Notice attached. Please acknowledge receipt by re-sending this cover page along with the firm or agency stamp, date, and initials of receiver. Thank you.

Anne Camacho – acamacho@quamopa.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.

Total Pages Scanned : 3

Total Pages Confirmed : 6

| No. | Job | Remote Station | Start Time | Duration | Pages | Line | Mode | Job Type | Results |
|-----|-----|----------------|--------------------------|----------|-------|------|------|----------|---------|
| 001 | 799 | 671 477 4366 | 10:55:25 a.m. 01-21-2010 | 00:00:35 | 3/3 | 1 | EC | HS | CP28800 |
| 002 | 799 | 6714724217 | 10:55:25 a.m. 01-21-2010 | 00:00:47 | 3/3 | 1 | EC | HS | CP26400 |

Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct