



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

April 16, 2012

Mr. Marcus Pido
Supply Management Administrator
Guam Department of Education
M. F. L. Guerrero Administration Bldg.
2nd Floor, Suite B-220
Hagatna, Guam 96932

VIA FACSIMILE: 472-5001

Re: Notice of Receipt of Appeal – OPA-PA-12-010

Dear Mr. Pido,

Please be advised that Allied Pacific Builders, Inc. (Allied) filed an appeal with the Office of Public Accountability (OPA) on April 13, 2012 of GDOE's response to Allied's protest relative to the procurement solicitation Invitation for Bids Numbers 035-2011 and 036-2011 Structural Repairs and Roof Coating – Northern A and Northern B.

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 (GAR). Copies of the rules, the appeal, and all filing deadlines are available at OPA's office and on our 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 required 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, Chap 12, §12104(3), please submit one complete copy of the procurement record for the procurement solicitation above, as outlined in 5 GCA Chapter 5, §5249, to OPA by **Monday, April 23, 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 **Monday, April 30, 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 the Appellant (protesting vendor). *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. 204 or rmarquez@guamopa.org should you have any questions regarding this notice.

Sincerely,


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

Enclosure: First Page of Notice of Appeals- OPA-PA-12-010

Cc: Mr. Genaro Q. Danila, General Manager for Allied Pacific Builders, Inc.
Ms. Rebecca Perez, Esq., GDOE Legal Counsel



OFFICE OF THE PUBLIC AUDITOR

Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

APR 13 2012

TIME: 2:45 pm BY: [Signature]
FILE NO OPA-PA: 12-010

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: ALLIED PACIFIC BUILDERS, INC.

Mailing Address: P.O. Box 21988
Barrigada, Guam 96921

Business Address: 17-3120 Mariner Avenue
Tiyan Barrigada Guam

Daytime Contact No: 671-475-7408

PART III- Appeal Information

Guam Department of Education

- A) Purchasing Agency: Office of Supply Management
- B) Identification/Number of Procurement, Solicitation, or Contract: IFB 035-2011 & IFB 036-2011
- C) Decision being appealed was made on April 3, 2012 (date) by: Marcus Y. Pido
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)



FAX

To: **Mr. Marcus Pido**
Supply Management Administrator
Guam Department of Education

From: **Doris Flores Brooks, CPA, CGFM**
Public Auditor
OPA Procurement Appeals
Suite 401 DNA Bldg.
238 Archbishop Flores St.
Hagatna, Guam 96910

Agency: **Guam Department of Education** Pages 4 (including cover page)

CC: Ms. Rebecca Perez, Esq.
GDOE Legal Counsel

Mr. Genaro Q. Danila
General Manager
Allied Pacific Builders, Inc.

Fax: GDOE: 472-5001 Point of Contact Nos. **Tel: 475-0390 x 204**
Allied Pacific Builders, Inc.: 475-7409 **(Rodalyn Marquez)**
Fax: 472-7951

Re: **Notice of Receipt of Appeal - OPA-PA-12-010**

Urgent For Review Please Comment Please Reply Please Recycle

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.

Rodalyn Marquez – rmarquez@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.
