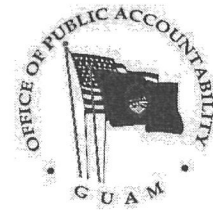


Suite 401 DNA Building
 238 Archbishop Flores St.
 Hagåtña, Guam 96910



FAX

To:	Ms. Carmen T. Taitano Supply Management Administrator Guam Department of Education Phone: 475-0438 Fax: 472-5001	From:	Doris Flores Brooks Guam Public Auditor Office of Public Accountability
CC:	Technologies for Tomorrow, Inc. C/O Vincent C. Camacho, Esq. Iriarte Camacho Calvo Law Group LLC Phone: 472-6813 Fax: 477-4375	Pages:	4 (including cover page) 5
		Date:	May 10, 2016
		Phone: Fax:	475-0390 x. 208 472-7951

Re: OPA-PA-16-004: Notice of Receipt of Appeal

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,
 Jerrick Hernandez
 Auditor
jhernandez@guamopa.com

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

May 10, 2016

Ms. Carmen T. Taitano
Supply Management Administrator
Guam Department of Education
500 Mariner Avenue
A-Building, Suite A-13
Barrigada, Guam 96913

VIA FACSIMILE: 472-5001

Re: Notice of Receipt of Appeal – OPA-PA-16-004

Dear Ms. Taitano,

Please be advised that Technologies For Tomorrow Inc. (hereinafter referred to as “TFT”) filed an appeal with the Office of Public Accountability (OPA) on May 9, 2016 regarding the Guam Department of Education (GDOE)’s response to TFT’s protest relative to the procurement solicitation Invitation for Bid No. GDOE IFB 010-2016: E-Rate Internal Connections – Wireless Local Area Network (WLAN) Installation Services. OPA has assigned this appeal case number OPA-PA-16-004.

Immediate action is required of GDOE 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. 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 **Tuesday, May 17, 2016**, 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 **Tuesday, May 24, 2016**, ten work days following receipt of this notice.

IRIARTE • CAMACHO • CALVO LAW GROUP LLC

VINCENT C. CAMACHO
vcamacho@icclawgroup.com
134 W Soledad Ave., Suite 401
Hagåtña, Guam 96910
Telephone No. 671.472.6813
Facsimile No. 671.477.4375

Attorneys for Appellant
Technologies for Tomorrow, Inc.

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

DATE: May 9, 2016

TIME: 9:07 AM PM BY: Chris R

FILE NO OPA-PA: 16-009

OFFICE OF PUBLIC ACCOUNTABILITY

GUAM

IN THE APPEAL OF

TECHNOLOGIES FOR TOMORROW, INC.

Appellant.

APPEAL NO. OPA-PA-_____

PROCUREMENT APPEAL

Technologies for Tomorrow, Inc. ("TFT") hereby appeals an April 22, 2016 decision rendered by the Guam Department of Education of the of the government of Guam ("GDOE"), denying TFT's protest of the Bid Status Intent to Award GDOE IFB 010-2016 (Multi-Step) for E-Rate Internal Connections - Wireless Local Area Network (WLAN) Installation Services to Docomo Pacific, Inc.

I. Appellant's Information.

Technologies for Tomorrow Inc.
6235 North Davis Highway, Suite 117
Pensacola, Florida 32504
(850) 478-5222
Attn: Daniel Coco, Vice President

For the purposes of this appeal, direct all correspondence to TFT's counsel, Vince C. Camacho, Esq., vcamacho@icclawgroup.com, Iriarte • Camacho • Calvo Law

Group LLC, 134 W. Soledad Ave, Suite 401, Hagåtña, Guam 96910.

II. Solicitation Information.

This appeal pertains to the GDOE E-Rate Network (GENET) 2016 – E-Rate Internal Connections – Wireless Local Area Network (WLAN) Installation Services IFB No. 010-2016 (Multi-Step). Bidders are required to install (expanding) the WLAN infrastructure at the following GDOE schools: 1) George Washington High School; 2) Okkodo High School; 3) Southern High School; 4) John F. Kennedy High School; 5) Tiyan High School; 6) Agueda Johnston Middle School; 7) Astumbo Middle School; 8) F.B. Leon Guerrero Middle School; 9) Inarajan Middle School; 10) Jose Rios Middle School; 11) L.P. Untalan Middle School; 12) Oceanview Middle School; and 13) Vicente Benavente Middle School. The GDOE WLAN was designed to support the WLAN expansion to increase Wi-Fi coverage in all schools.

On March 4, 2016, GDOE issued Bid Status for GDOE IFB 010-2016 recommending an award to Docomo Pacific.

III. Concise Statement of the Grounds for Appeal.

A. GDOE failed to objectively evaluate the bid submissions for GDOE IFB 010-2016. TFT's bid was the lowest, most responsible bid.

B. GDOE improperly presumed and concluded that Docomo Pacific's acknowledgement of receipt for Addendum 2 would correct any of its bid discrepancy. Docomo's acknowledgement merely indicates a receipt of the amendments.

C. GDOE improperly recommended GDOE IFB 010-2016 for award to a nonresponsive bidder, namely, Docomo Pacific.

When filing all other required documents with our office, please provide one original and two copies to OPA, and serve a copy to TFT. Although the Guam Procurement Law and Regulations require only one copy of the procurement record, OPA respectfully asks that DOE 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 should you have any questions regarding this notice.

Sincerely,



Llewelyn Terlaje
Audit Supervisor

Enclosure: First Two Pages of the Notice of Appeal – OPA-PA-16-004

Cc: Vicent C. Camacho, Esq., Attorney for Appellant Technologies for Tomorrow, Inc.

TRANSACTION REPORT

MAY/10/2016/TUE 10:16 AM

BROADCAST

#	DATE	START T.	RECEIVER	COM. TIME	PAGE	TYPE/NOTE	FILE
001	MAY/10	10:11AM	4725001	0:01:56	5	MEMORY OK	G3 6960
002		10:14AM	4774375	0:01:54	5	MEMORY OK	G3 6960
TOTAL				0:03:50	10		

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Thank you,

Jerrick Hernandez

Auditor

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