



DIPATTAMENTON I KAOHAO GUINAHAN CHAMORRO  
**DEPARTMENT OF CHAMORRO AFFAIRS**

Honorable Felix P. Camacho  
Governor of Guam

Sylvia M. Flores  
Acting President

Honorable Michael W. Cruz  
Lt. Governor of Guam



June 19, 2008

Doris Flores Brooks, CPA, CGFM  
Public Auditor  
Office of the Public Auditor  
Suite 401, DNA Building  
238 Archbishop Flores Street  
Hagatna, Guam 96910

**RECEIVED**  
OFFICE OF THE PUBLIC AUDITOR  
PROCUREMENT APPEALS  
JUN 19 2008  
TIME: 2:45 PM  
BY: A. Camacho  
FILE No. OPA-PA 08-006


Re: Agency Report  
**File No. OPA-PA-08-006**

Dear Mrs. Brooks,

In response to your order of production of Agency Report, I apologize for the delay for the submission of this report the appeal process is new to the department, however, we will ensure a timely response for all future reports required from our agency. Enclosed, please find an original and two copies for your review. Additionally, our office will be serving a copy to Oceania Collection Services for their review.

Should you need further information or have additional questions, please feel free to contact me at 475-4278/9.

Sincerely,

  
SYLVIA M. FLORES  
Acting President  
Department of Chamorro Affairs

Enclosures: (4)

cc: Mr. Michael A. Cura – Chamorro Village Manager  
Ms. Vangie M. Tedpahogo – Oceania Collection Services

# AGENCY REPORT

DEPARTMENT OF CHAMORRO AFFAIRS

CHAMORRO VILLAGE

RFP NO. CV08-007

BAD DEBT COLLECTION SERVICES

FILE NO. OPA-PA-08-006

- (a) A copy of the protest.  
**Submitted previously by the department to the Office of the Public Auditor (OPA) on May 13, 2008 as part of its Procurement Record.**
  
- (b) A copy of the bid or offer submitted by the Appellant and a copy of the bid or offer that is being considered for award or whose bid or offer is being protested, if any had been submitted prior to the protest:  
**Submitted previously by the department to the Office of the Public Auditor (OPA) on May 13, 2008 as part of its Procurement Record.**
  
- (c) A copy of the solicitation, including the specifications or portions thereof relevant to the protest:  
**Submitted previously by the department to the Office of the Public Auditor (OPA) on May 13, 2008 as part of its Procurement Record.**
  
- (d) A copy of the abstract of bids or offers or relevant or portions thereof to the protest:  
**Submitted previously by the department to the Office of the Public Auditor (OPA) on May 13, 2008 as part of its Procurement Record.**
  
- (e) Any other documents which are relevant to the protest; including the contract, if one has been awarded, pertinent amendments, and plans and drawings:  
**Submitted previously by the department to the Office of the Public Auditor (OPA) on May 13, 2008 as part of its Procurement Record.**
  
- (f) The decision from which the Appeal is taken, if different than the decision submitted by Appellant:  
**Submitted previously by the department to the Office of the Public Auditor (OPA) on May 13, 2008 as part of its Procurement Record. The decision is the same as submitted by Appellant.**
  
- (g) A statement answering the allegation of the Appeal and setting forth finding, actions, and recommendations in the matter together with any additional evidence or information deemed necessary in determining the validity of the Appeal. The statement shall be fully responsive to the allegations of the Appeal:  
**(See Attachment 1)**

- (h) If the award was made after the receipt of the protest, the report will include the determination required under 2 GAR §9101(e):

**Award was not made after the protest. Award was made before the protest on April 15, 2008. Confirmation Report show received via fax accordingly on April 17, 2008. (See Attachment 2)**

- (i) A statement in substantially the same format as Appendix B to this Chapter, indicating whether the matter is the subject of a court proceeding:

**(See Attachment 1)**

# **ATTACHMENT**

**1**

## **STATEMENT ANSWERING ALLEGATION OF APPEAL**

The Department of Chamorro Affairs solicits Request for Proposal for RFP No. CV08-007 (Bad Debt Collection Services)

On February 15 & 16, 2008, the Department of Chamorro Affairs , solicited bids for Bad Debt Collection Services for the Chamorro Village operation in Hagatna. No pre-bid conference was held.

The bid opening was held on February 26, 2008. In response to the solicitation, the Department of Chamorro Affairs received four timely bids from United Pacific Collection, Art Design & Services (ADS Debt Recovery), Oceania Collection Services and Guam Marianas Collection Agency. No bid was indicated in bid packaged for Oceania Collection Services and United Pacific Collection, except for Art Design & Service (ADS Debt Recovery) mentioned a 32% of amount per debt collected and Guam Marianas Collection Agency bid package indicated a contingency fee only – to be determined upon negotiation.

Oceania Collection Services, Guam Marianas Collection Agency and United Pacific Collection representative verbally provided a percentage rate during the bid opening. Oceania Collection Agency representative mentioned a 33 1/3% collected with 20% intro rate which was submitted in writing after the bid opening. Guam Marianas Collection Agency representative mentioned a 25% with a 50% off-island contingency fees and United Pacific Collection representative mentioned a 33 1/3% plus interest rate.

Concluding the bid opening the department mentioned that it will need to review the bids further to decide on the possibility of a multiple of sole bid award to be announced on a later date.

On April 15, 2008, the department selected the lowest bidder excluding all additional information provided after the bid opening. Notification letters were sent via fax on April 17, 2008 to all bidders.

On April 21, 2008, the department sent a response letter to Oceania Collection Services inquiry on the selection of the lowest bidder.

On April 22, 2008, Oceania Collection Services sent a formal letter appealing the department's decision based on the lowest bid selected.

On April 28, 2008, a meeting was held with Oceania Collection Services representative to discuss the selection based on information provided on the bid packaged, excluding all information provided after the bid opening.

Based on the bid information provided the department stands behind its decision in the selection of Guam Marianas Collection Agency as the lowest bid and request that the appeal of Oceania Collection Services be dismissed.

# **ATTACHMENT**

**2**

# WorkCentre 24 Transmission Report

GS ID

1-671-4750376

Date/Time: 04/17/2008; 11:38AM

Page: 1 (Last Page)

Local Name  
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CHAMORRO VILLAGE

Document has been sent.

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DEPARTMENT OF CHAMORRO AFFAIRS  
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Chamorro Village  
Government of Guam

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Tel. No. (671) 475-0377 Fax No. (671) 475-0376  
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Sylvia Flores  
Acting President

Honorable Felix P. Camacho  
Governor of Guam  
Honorable Michael W. Cruz  
Lieutenant Governor of Guam

April 15, 2008

VIA FACSIMILE  
472-2210

Ms. Fe V. Ovalles  
President  
GUAM MARIANAS COLLECTION AGENCY  
414 West Soledad Ave.  
Suite 601-A GCIC Bldg.  
Hagatna, Guam 96910

Re: RFP No. CV08-007  
Bad Debt Collection Service

Dear Ms. Ovalles:

Congratulations! We are pleased to inform you that your company has been selected for the Bad Debt Collection Service contract at the Chamorro Village facility located in Hagatna. This contract will be for a period of five (5) months beginning on May 1, 2008 and ending on September 30, 2008.

If you have not submitted the following information, please provide a copy to the Chamorro Village Office before providing the above service:

1. Current Business License
2. Current Liability Insurance
3. Name of employees and copy of a picture ID who will be working at the Chamorro Village

Once again, congratulation we are looking forward in working with your company. Should you have any questions, please don't hesitate to contact us.

Si yu'os ma'aso.

Michael A. Cura  
Chamorro Village Manager

Sylvia M. Flores  
President, Department of Chamorro Affairs

cc: file

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Note:  
RE: Resend MB: Send to Mailbox BC: Broadcast MP: Multi Polling RV: Remote Service  
PG: Polling RB: Relay Broadcast RS: Relay Send BF: Box Fax Forward CP: Completed  
SA: Send Again EN: Engaged AS: Auto Send TM: Terminated