

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: Mr. Peter John Camacho – GMHA Administrator
From: Theresa Gumataotao OPA Procurement Appeals

Agency: GMHA
Pages: 4 (Including cover)

CC: William L. Gavras – Attorney for Appellant
Date: Wednesday – July 2, 2008


Fax: 649-0145 / 632-4368
Phone: 647-2444 / 647-2330 / 632-4357

Re: OPA-PA-08-010: Receipt of Notice of Appeal re GMHA Bid No. 026-2008 – VCT
X-Ray Tube for CT Scan

Urgent For Review Please Comment Please Reply Please Recycle

● **Comments:**

See attached letter and enclosures. Further, please acknowledge receipt by re-sending this cover page along with the Receipt of Appeal Letter, stamped with your agency name, date, and initials. Thank you.

 Theresa x.207 tgumataotao@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 THE PUBLIC AUDITOR

July 2, 2008

Mr. PeterJohn D. Camacho, MPH
Hospital Administrator/CEO
Guam Memorial Hospital Authority (GMHA)
Aturidat Espetat Mimuriat Guahan
850 Gov. Carlos Camacho Road
Oka, Tamuning, Guam 96913

VIA FACSIMILE 671-649-0145

Re: Receipt of Notice of Appeal: **GMHA Bid No. 026-2008 – VCT X-Ray Tube for CT Scan**

Dear Mr. Camacho,

Please be advised that Teal Pacific LLC has filed an appeal with the Office of the Public Auditor on July 2, 2008, of your protest decision on the above-stated procurement action. The appeal has been assigned Master File No. **OPA-PA-08-010**.


Immediate action is required of your office pursuant to the Rules of Procedure for Procurement Appeals, found in Chapter 12 of Title 2 of the Guam Administrative Regulations. Copies of the rules, the appeal, and all filing deadlines, to include the first filing deadline set below, are available at our office and on our website www.guamopa.org. The transmittal letter and notice of appeal form filed 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 counsel for your agency. Promptly provide OPA with the identities and addresses of interested parties and a formal entry of appearance by your counsel.

Please submit one complete copy of the procurement record to OPA by July 10, 2008, five working days following receipt of this notice of appeal. When filing required documents with our office please provide an original and two copies for OPA and serve a copy to the Law Offices of William L. Gavras the Appellant's attorney.

Thank you for your prompt attention to this matter. Please contact Theresa Gumataotao ext. 207 if you have any questions regarding this notice.

Sincerely,


Doris Flores Brooks CPA, CGFM
Public Auditor

Enclosure: Transmittal Letter and Notice of Appeal Form OPA-PA-08-010

cc: Mr. William L. Gavras – Attorney for Appellant (Via Facsimile 632-4368)

Law Offices of
WILLIAM L. GAVRAS
A Professional Corporation
101 Salisbury Street
Dededo, Guam 96929

Telephone: (671) 632-4357
Facsimile: (671) 632-4368
williamgavras@yahoo.com

*Also admitted in MO & CNMI

RECEIVED
OFFICE OF THE PUBLIC AUDITOR
PROCUREMENT APPEALS

JUL 01 2008

TIME: 2:35 PM
BY: A. Camacho
FILE No. OPA-PA 08-010

LETTER OF TRANSMITTAL

DATE: July 1, 2008

TO: Office of the Public Auditor

Re: **Teal Pacific LLC/Procurement Appeal**

VIA: HAND DELIVERY U.S. MAIL COURIER

Please find attached documents for the above-referenced matter. If our office can be of any further assistance, please do not hesitate to contact us.

TRANSMITTED HEREWITH:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> FOR YOUR INFORMATION | <input type="checkbox"/> PER OUR CONVERSATION | <input type="checkbox"/> FOR PAYMENT |
| <input type="checkbox"/> FOR YOUR FILES | <input type="checkbox"/> FOR REVIEW & COMMENT | <input type="checkbox"/> FOR CORRECTION |
| <input type="checkbox"/> PER YOUR REQUEST | <input type="checkbox"/> FOR NECESSARY ACTION | <input type="checkbox"/> FOR FILING |
| <input type="checkbox"/> FOR YOUR APPROVAL | <input type="checkbox"/> SEE REMARKS BELOW | |
| <input type="checkbox"/> FOR INITIALS & RETURN | | |
| <input type="checkbox"/> FOR SIGNATURE & FORWARDING AS BELOW | | |
| <input type="checkbox"/> RETURN EXECUTED COPY TO OUR OFFICE | | |

REMARKS:

Enclosed please find the Procurement Appeal in the above-matter.

Sincerely,

-William L. Gavras

ORIGINAL



OFFICE OF THE PUBLIC AUDITOR

Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL

PART I- To be completed by OPA

In the Appeal of)
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NOTICE OF APPEAL

(Name of Company), APPELLANT)
)
)
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)
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Docket No. OPA-PA 08-010

PART II- Appellant Information

Name: TEAL PACIFIC LLC
Mailing Address: 633 GOVERNOR CARLOS G. CAMACHO RD.
SUITE 210, TAMUNING, GUAM 96913
Business Address: SAME AS ABOVE
Daytime Contact No: ATTORNEY'S CONTACT NO. 632-4357

PART III- Appeal Information

- A) Purchasing Agency: GUAM MEMORIAL HOSPITAL AUTHORITY
- B) Identification/Number of Procurement, Solicitation, or Contract: BID NO. GMHA 026-2008
- C) Decision being appealed was made on JUNE 16, 2008 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)

WorkCentre Pro 123 Broadcast Report

G3 ID

472-7951

Date/Time: 07/02/2008; 11:27AM

Page: 1 (Last Page)

Local Name
Logo

Guam OPA

Document Size 8.5X11"SEF

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2	2583	6324368	11:26AM	31s	4 / 4	SG3 BC		CP

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