



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

November 12, 2009

Nerissa Bretania Underwood, Ph.D.
Department of Education Superintendent
312 Aspinall Avenue
Hagatna, GU 96910

VIA FACSIMILE: 472-5003

Ms. Claudia S. Acfalle
Chief Procurement Officer
General Services Agency
Department of Administration
148 Route 1 Marine Corps Drive
Piti, Guam 96925

VIA FACSIMILE: 472-4217

Re: Receipt of Notice of Appeal Regarding GPSS IFB-008-2009 for Oceanview Middle School
Gymnasium Repairs

Dear Superintendent Underwood and Ms. Acfalle,

Please be advised that Mair, Mair, Spade & Thompson, L.L.C., attorneys for Appellant Z4 Corporation, has filed an appeal with the Office of Public Accountability on November 12, 2009, of your protest decisions on the above-stated procurement action. The appeal has been assigned Master File No. **OPA-PA-09-012**.

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 files are enclosed for your reference.

Please provide the required notice of this appeal to the required parties with instruction 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 Thursday, November 19, 2009, 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 Appellant (protesting vendor).

Thank you for your prompt attention to this matter. Please contact Rodalyn Marquez at ext. 204 if you have any questions regarding this notice.

Sincerely,

A handwritten signature in cursive script, appearing to read 'D. Brooks', written in black ink.

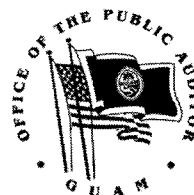
Doris Flores Brooks, CPA, CGFM
Public Auditor

Enclosure: First Page of Notice of Appeal- OPA-PA-09-012

Cc: Mair, Mair, Spade & Thompson Attorney for Appellant Z4 Corporation – (Via Facsimile 477-5206)

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: Dr. Nerissa Bretania Underwood,
Department of Education Superintendent

Claudia Acfalle, Chief Procurement Officer
General Services Agency

Mair, Mair, Spade & Thompson, L.L.C. –
Attorney for Appellant Z4 Corporation

From: Doris Flores Brooks, Public Auditor
OPA Procurement Appeals

Agency: **Pages** 3 (Including cover)

CC: **Date:** Thursday, 11/12/09

Fax: 472-4217(GSA) / 472-5003(DOE) /
477-5206 (Z4 Corp.) **Phone:** 475-0390 x 219 (Anne); x 210 (Lou); x
204 (Rodalyn)

Re: Notice of Receipt of Appeal: OPA-PA-09-012

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Rodalyn Marquez – rmarquez@guamopa.org

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OFFICE OF THE PUBLIC AUDITOR

Fax

To: Dr. Nerissa Britania Underwood,
 Department of Education Superintendent
 Claudia Acosta, Chief Procurement Officer
 General Services Agency
 Mair, Mair, Spade & Thompson, L.L.C. -
 Attorney for Appellant Z4 Corporation

From: Doris Flores Brooks, Public Auditor
 OPA Procurement Appeals

Agency: **Pages:** 3 (including cover)

CC: **Date:** Thursday, 11/12/09

Fax: 472-4217(GSA) / 472-5003(DOE) **Phone:** 475-0390 x 219 (Anne); x 210 (Lou); x 204 (Rodalyn)
 477-5206 (Z4 Corp.)

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Rodalyn Marquez -- marquez@guamopa.org

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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