

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

October 29, 2010

Nerissa Bretania Underwood, Ph.D
Superintendent of Education
Department of Education
P. O. Box DE
Hagatna, Guam 96932

VIA FACSIMILE: 472-5003

Re: Notice of Receipt of Appeal Regarding Bid No. IFB-008-2010 Preventive Maintenance and Repair of Split Type and Window Air Conditioning Equipment for All GDOE Public Schools and Support Facilities

Dear Superintendent Underwood,

Please be advised that Vincent C. Camacho, Esq., of Carlsmith Ball LLP, Legal Counsel for JRN Air Conditioning and Refrigeration, Inc. (hereafter "JRN"), has filed an appeal with the Office of Public Accountability (hereafter "OPA") on October 28, 2010 on the Guam Department of Education's Award and Decision of the above-stated procurement solicitation. The appeal has been assigned Master File No. **OPA-PA-10-008**.

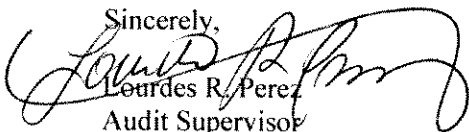
Immediate action is required of your office pursuant to the Rules of Procedure for Procurement Appeals, found in Chapter 12 of the Guam Administrative Regulations (GAR). Copies of the rules, the appeal, and all filing deadlines are available at our office and on our website at www.guamopa.org. The transmittal letter and the first page of the notice of appeal filed with OPA 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 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, as outlined in 5 GCA Chapter 5, §5249, to OPA by **Monday, November 8, 2010**, five working days following receipt of this notice of appeal; and one copy of the Agency Report, as outlined in 2 GAR Div 4, Chap 12, §12105, by **Monday, November 15, 2010**, ten working 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).

Thank you for your prompt attention to this matter. Please contact Anne Camacho at 475-0390 ext. 219 or email address acamacho@guamopa.org should you have any questions regarding this notice.

Sincerely,


Lourdes R. Perez
Audit Supervisor

Enclosure: First Page of Notice of Appeal OPA-PA-10-008

Cc: Legal Counsel for Appellant / JRN Air Conditioning & Refrigeration, Inc. (Via Facsimile 477-4375)

CARLSMITH BALL LLP

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Attorneys for Appellant
JRN Air Conditioning & Refrigeration, Inc.

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OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS
OCT 28 2010
TIME: 5 BY: MW
FILE NO. OPA-PA: 10-108

OFFICE OF THE PUBLIC AUDITOR

GUAM

IN THE APPEAL OF
JRN AIR CONDITIONING &
REFRIGERATION, INC.

Appellant.

APPEAL NO. OPA-PA-_____

**PROCUREMENT APPEAL; EXHIBITS
A-R; VERIFICATION**

JRN Air Conditioning & Refrigeration, Inc., (hereinafter referred to as "JRN") hereby appeals a decision rendered by the Guam Department of Education (hereinafter referred to as "GDOE") on October 13, 2010, denying JRN's protest of the award of GDOE IFB 008-2010 to J&B Modern Tech.

1. JRN's address is P.O. Box 27070, GMF, Guam 96921. However, for the purposes of this appeal, please direct correspondence to JRN's counsel Vincent C. Camacho, Esq., Carlsmith Ball LLP, Bank of Hawaii Bldg., Suite 401, 134 West Soledad Avenue, P.O. Box BF, Hagåtña, Guam 96932-5027.



FAX

To: **Nerissa Bretania Underwood, Ph.D.**
Superintendent of Education, GDOE
(Appellee)

Vincent C. Camacho, Esq.
Legal Counsel for JRN Air Conditioning and
Refrigeration, Inc. (Appellant)

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

Agency: Pages 3 (Including cover)

CC: Date: October 29, 2010

Fax: GDOE: 472-5003 Point of Contact **Tel: 475-0390 x 219 (Anne Camacho)**
Carlsmith Ball LLP / JRN: 477-4375 **Fax: 472-7951**
Nos.

Re: **Appeal No. OPA-PA-10-008: Notice of Receipt of Appeal**

Urgent For Review Please Comment Please Reply Please Recycle

●Comments:

See attachment 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.

Anne Camacho – acamacho@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.