



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

July 6, 2011

Ms. Claudia S. Acfalle
Chief Procurement Officer
General Services Agency (GSA)
148 Route 1 Marine Corps Drive
Piti, Guam 96915

VIA FACSIMILE: 472-4217

Re: Notice of Receipt of Appeal Regarding GSA IFB No. GSA-047-11, Lease of Office Space

Dear Chief Acfalle,

Please be advised that John C. Terlaje, Esq., legal counsel for the Appellant, Joeten Development, Inc. (hereafter "Joeten"), has filed an appeal with the Office of Public Accountability (hereafter "OPA") on July 6, 2011 of GSA's decision on Joeten's protest of the above-stated procurement solicitation. The appeal has been assigned Master File No. **OPA-PA-11-012**.

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 (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 **Wednesday, July 13, 2011**, 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 **Wednesday, July 20, 2011**, 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 me at 475-0390 ext. 211 or email address acamacho@guamopa.org should you have any questions regarding this notice.

Sincerely,

Anne Camacho
Management Analyst III
Procurement Appeals Division

Enclosure: First Page of Notice of Appeal- OPA-PA-11-012

Cc: Appellant – Joeten Development, Inc. c/o Law Office of John C. Terlaje (Via Facsimile 472-8896)



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**Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL**

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PROCUREMENT APPEALS

JUL 06 2011

TYPE: PROT BY: MM
FILE NO. OPA-PA: 11-012

PART I- To be completed by OPA

In the Appeal of)	
)	NOTICE OF APPEAL
)	
<u>(Name of Company), APPELLANT</u>)	Docket No. OPA-PA <u>11-012</u>
)	
)	

PART II- Appellant Information

Name: Joeten Development, Inc.

Mailing Address: C/o Suite 216, 194 Hernan Cortez Ave.
Hagatna, Guam 96910

Business Address: Same as above

Daytime Contact No: (671) 477-8894/5/6

PART III- Appeal Information

- A) Purchasing Agency: Department of Revenue & Taxation
- B) Identification/Number of Procurement, Solicitation, or Contract: GSA-047-11
- C) Decision being appealed was made on 6-22-2011 (date) 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)

Broadcast Report

Date/Time
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07-06-2011
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FAX

To: Ms. Claudia S. Acfalle
Chief Procurement Officer, GSA

Mr. John C. Terlaje
Legal Counsel for Appellant -- Joeten
Development, Inc.

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: July 6, 2011
Fax: GSA: 472-4217 JCT for Joeten: 472-8896	Point of Contact: Tel: 475-0390 x 211 (Anne Camacho) Fax: 472-7951 Nos.

Re: **Appeal No. OPA-PA-11-012: Notice of Receipt of Appeal**

Urgent For Review Please Comment Please Reply Please Recycle

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@guamcpa.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.

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002	619	671 472 4217	02:07:17 p.m. 07-06-2011	00:00:40	3/3	1	EC	HS	CP28800

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