



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

April 11, 2012

Mr. Marcus Pido  
Supply Management Administrator  
Guam Department of Education  
M. F. L. Guerrero Administration Bldg.  
2<sup>nd</sup> Floor, Suite B-220  
Hagatna, Guam 96932

**VIA FACSIMILE: 472-5001**

Re: Notice of Receipt of Appeal – OPA-PA-12-008

Dear Mr. Pido,

Please be advised that Sison Valdes, on behalf of E.R. Ilaio and Associates Inc. (Ilaio), filed an appeal with the Office of Public Accountability (OPA) on April 10, 2012 of GDOE's response to Ilaio's protest relative to the procurement solicitation Request for Proposal No. GDOE RFP 011-2011 Infrastructure-Wireless Consultant Services.


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 OPA's office and on our website at [www.guamopa.org](http://www.guamopa.org). The first page of the notice of appeal filed with OPA is 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 appeals. 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 for the procurement solicitation above, as outlined in 5 GCA Chapter 5, §5249, to OPA by **Wednesday, April 18, 2012**, five work days following receipt of this notice of appeal; and one copy of the Agency Report for each of the procurement solicitations cited above, as outlined in 2 GAR Div 4, Chap 12, §12105, by **Wednesday, April 25, 2012**, ten work 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). *OPA respectfully asks that GSA provide one original and two copies of the procurement record as the Guam Procurement Law and Regulations require only one copy. The three procurement record copies requested by OPA are distributed as follows: Copy-1: Master File; Copy-2: Public Auditor; and Copy-3: Hearing Officer.*

Thank you for your prompt attention to this matter. Please contact me at 475-0390 ext. 204 or [rmarquez@guamopa.org](mailto:rmarquez@guamopa.org) should you have any questions regarding this notice.

Sincerely,

  
Rodalyn Marquez, *CA, CGFM, CPA, CGAP*  
Audit Supervisor

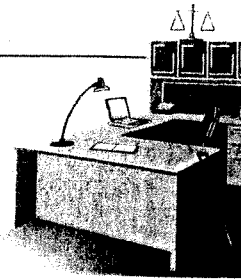
Enclosure: First Page of Notice of Appeals- OPA-PA-12-008

Cc: Mr. Benjamin C. Sison, Esq., Sison Valdes, Attorneys for E.R. Ilao & Associates Inc.  
Ms. Rebecca Perez, Esq., GDOE Legal Counsel

Benjamin C. Sison Jr., Esq. George Neil P. Valdes, Esq.

Suite 306, San Ramon Building, 115 San Ramon Street, Hagatna, Guam, 96910  
Phone: (671) 477-0000 / +1 610-1966 (toll free fax) • Facsimile: (671) 477-0001

Email: [guamlaw@ite.net](mailto:guamlaw@ite.net)



April 10, 2012

VIA HAND DELIVERY

Doris Flores-Brooks  
CPA, CGFM  
Public Auditor of Guam  
OFFICE OF THE PUBLIC  
AUDITOR OF GUAM  
Suite 401 Pacific News Building  
238 Archbishop Flores Street  
Hagatna, GU 96910

RECEIVED  
OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEALS

APR 10 2012

TIME: 7:50am BY: Z-h  
FILE NO CPA-PA: 12-1018

Re: Appeal of DOE Notice of Decision Against E.R. Ilao & Associates Inc.  
Regarding Procurement for Infrastructure-Wireless Consultant GDOE RFP 011-2011;

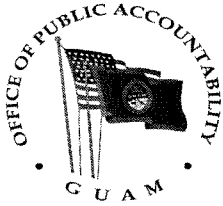
Protestant: E.R. Ilao and Associates, Inc.  
P.O. Box 8769  
Tamuning, GU 96931

Dear Mrs. Flores-Brooks:

Our office has been retained by E.R. Ilao & Associates Inc. ("Ilao" or "Protestant"). This letter is an appeal of the Guam Department of Education ("GDOE") Notice of Decision dated March 26, 2012 denying Protestant's Protest of the Cancellation/Termination of the contract for Infrastructure-Wireless Consultant Services pursuant to GDOE's Request for Proposal GDOE RFP 011-2011 (the "RFP"). This appeal is made pursuant to 5 GCA Article 9 §5425(e).<sup>1</sup>

<sup>1</sup> 5 Guam Code Annotated (GCA) Article 9 §5425(e) in pertinent part provides as follows:

e. **Appeal.** A decision under Subsection (c) of this Section..., may be appealed by the Protestant, to the Public Auditor within fifteen (15) days after receipt by the protestant of the notice of decision.



# FAX

To: **Mr. Marcus Pido**  
**Supply Management Administrator**  
**Guam Department of Education**

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

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Agency: <b>Guam Department of Education</b>	Pages	4 (including cover page)
CC: Ms. Rebecca Perez, Esq. GDOE Legal Counsel	Date:	April 11, 2012
Mr. Benjamin C. Sison, Esq. Sison Valdes Attorneys for E.R. Ilao & Associates Inc.		
Fax: GDOE: 472-5001 Sison Valdes: 477-0001	Point of Contact Nos.	<b>Tel: 475-0390 x 204</b> <b>(Rodalyn Marquez)</b> <b>Fax: 472-7951</b>

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Re: **Notice of Receipt of Appeal - OPA-PA-12-008**

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Urgent     For Review     Please Comment     Please Reply     Please Recycle

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**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.**

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Rodalyn Marquez – [rmarquez@guamopa.org](mailto:rmarquez@guamopa.org)

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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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