

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

April 11, 2012

Ms. Claudia Acfalle
Chief Procurement Officer
General Services Agency
P.O. Box 884
Hagatna, Guam 96932

VIA FACSIMILE: 472-4217

Re: Notice of Receipt of Appeal – OPA-PA-12-009

Dear Ms. Acfalle,

Please be advised that Pacific Data Systems (PDS) filed an appeal with the Office of Public Accountability (OPA) on April 10, 2012 of GSA's response to PDS's protest relative to the procurement solicitation RFQ 12001303 Telephone Services for Department of Public Works' Division of Highways.


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. 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 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-12-009

Cc: John Mantanona, Account Manager, Pacific Data Systems



OFFICE OF THE PUBLIC AUDITOR

Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

APR 10 2012

TIME: 12:00pm BY: JA
FILE NO: OPA-PA- 12:009

PART I- To be completed by OPA

In the Appeal of)
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NOTICE OF APPEAL

(Name of Company), APPELLANT)

Docket No. OPA-PA_____)

PART II- Appellant Information

Name: _____ Pacific Data Systems _____
Mailing Address: _____ 185 Ilipog Drive, Suite 204A _____

Tamuning, GU 96913 _____
Business Address: _____ same as mailing address _____

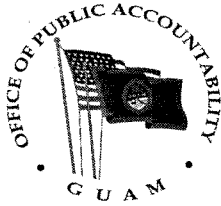
Daytime Contact No: _____ 671-300-0202 _____

PART III- Appeal Information

- A) Purchasing Agency: _____ General Services Agency _____
- B) Identification/Number of Procurement, Solicitation, or Contract: _____ RFQ 12001303 _____
- C) Decision being appealed was made on 04-06-12 (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)



FAX

To: **Ms. Claudia Acfalle**
Chief Procurement Officer

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

Agency: **General Services Agency** Pages 4 (including cover page)

CC: John Mantanona, Account Manager Date: April 11, 2012
Pacific Data Systems

Fax: GSA: 472-4217 Point of Contact **Tel: 475-0390 x 204**
PDS: 300-0265 Nos. **(Rodalyn Marquez)**
Fax: 472-7951

Re: **Notice of Receipt of Appeal - OPA-PA-12-009**

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.

Rodalyn Marquez – rmarquez@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.
