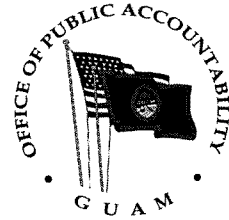


Suite 401 DNA Building
238 Archbishop Flores St.
Hagåtña, Guam 96910



FAX

To:	Robert Kono Acting Chief Procurement Officer General Services Agency	From:	Doris Flores Brooks Guam Public Auditor Office of Public Accountability
Phone: Fax:	475-1707 475-1727	Pages:	4 (including cover page)
CC:	John Day President Pacific Data Systems	Date:	October 22, 2012
Phone: Fax:	300-0202 300-0265	Phone: Fax:	475-0390 x. 201 472-7951

Re: OPA-PA-12-017 Notice of Receipt of New Appeal

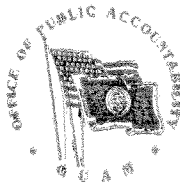
Urgent For Review Please Comment Please Reply Please Recycle

Comments:

See attached 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,
Michele Huffer
Administrative Officer
mhuffer@guamopa.org

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OFFICE OF PUBLIC ACCOUNTABILITY

Doris Flores Brooks, CPA, CGFM

Public Auditor

October 22, 2012

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

VIA FACSIMILE: 475-1727

Re: Notice of Receipt of Appeal – OPA-PA-12-017

Dear Ms. Acfalle,

Please be advised that Pacific Data Systems, Inc (PDS) filed an appeal with the Office of Public Accountability (OPA) on October 19, 2012 of the General Services Agency (GSA)'s response to PDS' protest relative to the procurement solicitation Invitation for Bid No. GSA-064-11: Telecommunication Services. OPA has assigned this appeal case number OPA-PA-12-017.

Immediate action is required of GSA 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 its 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 relative 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.

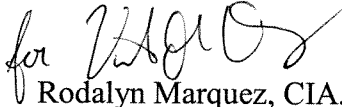
Pursuant to 2 GAR, Div. 4, Ch. 12, §12104(3), the submission of one complete copy of the procurement record for the procurement solicitation above, as outlined in Title 5, Chapter 5, §5249 of the Guam Code Annotated is required. However, we recognize that the procurement record for IFB No. GSA-064-11 was previously submitted for OPA-PA-12-011 on May 24, 2012, and supplemental records were submitted for OPA-PA-12-012 on September 6, 2012 and OPA-PA-12-016 on October 17, 2012. OPA understands that the procurement record is voluminous and to increase efficiency, OPA will not require a duplicate copy of the record. However to ensure the completeness of the procurement record OPA requires GSA to certify that the procurement record that was submitted for GSA-064-11 is complete in its entirety and will be the same procurement record for OPA-PA-12-017 by **Monday, October 29, 2012** five work

days following receipt of this notice of appeal. We also request 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 **Monday, November 5, 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 PDS. 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. 201 or mhuffer@guamopa.org should you have any questions regarding this notice.

Sincerely,



Rodalyn Marquez, CIA, CGFM, CPA, CGAP, CGMA
Audit Supervisor

Enclosure: First Page of the Notice of Appeal – OPA-PA-12-017

Cc: Mr. John Day, President, Pacific Data Systems



RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

DATE: 10/19/12

TIME: 4:15 AM PM BY: JB

FILE NO OPA-PA: 12-017

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

PART I- To be completed by OPA

In the Appeal of)

NOTICE OF APPEAL

Pacific Data Systems, Inc (PDS))

(Name of Company), APPELLANT)

Docket No. OPA-PA _____)

.....
PART II- Appellant Information

Name: **Pacific Data Systems, Inc (PDS)**

Mailing Address: **185 Ilipog Drive, Suite 204A**

Tamuning, GU 96913

Business Address: **same as above**

Email Address: **John@pdsguam.com**

Daytime Contact No: **671-300-0202**

Fax No.: **671-300-0265**

.....
PART III- Appeal Information

A) Purchasing Agency: **General Services Agency (GSA)**

B) Identification/Number of Procurement, Solicitation, or Contract: **IFB GSA-064-11**

C) Decision being appealed was made on October 5, 2012 (date) by:
 Acting 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
Local ID 1
Local ID 2

10-22-2012
03:28:17 p.m.
4727951

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Local Name 1
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OFFICE OF PUBLIC AUDITOR

**This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"**

Suite 401 DNA Building
238 Archbishop Flores St.
Hagåtña, Guam 96910



FAX

To:	Robert Keno Acting Chief Procurement Officer General Services Agency	From:	Doris Flores Brooks Guam Public Auditor Office of Public Accountability
Phone:	475-1707	Pages:	4 (including cover page)
Fax:	475-1727	Date:	October 22, 2012
CC:	John Day President Pacific Data Systems	Phone:	475-0390 x. 201
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Re: OPA-PA-12-017 Notice of Receipt of New Appeal

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Thank you,
Michele Huffer
Administrative Officer
mbuffer@guamopa.org

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002	770	671-475-1727	03:23:27 p.m. 10-22-2012	00:00:50	4/4	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