



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

February 1, 2013

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

VIA FACSIMILE: 472-1727

Re: Notice of Receipt of Appeal – OPA-PA-13-001

Dear Ms. Acfalle,

Please be advised that Morrico Equipment, LLC (Morrico) filed an appeal with the Office of Public Accountability (OPA) on January 31, 2013 regarding the General Services Agency's (GSA) response to Morrico's protest relative to Multi-Step Bid No.: GSA-005-13 New and Current Year, Custom Cab-Forward Pumpers, New and Current Year, Urban/Wildland Interface Pumpers, and 5-Year Extended Service/Maintenance Agreement. OPA has assigned this appeal case number OPA-PA-13-001.

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. Please submit one complete copy of the procurement record no later than **Thursday, February 7, 2013**. 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 **Thursday, February 14, 2013**, 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 Morrico. 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 Michele Huffer at 475-0390 ext. 201 or mhuffer@guamopa.org should you have any questions regarding this notice.

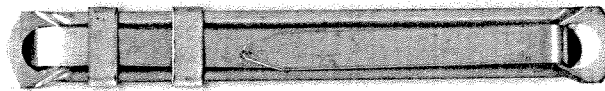
Sincerely,



Vincent Duenas
Audit Supervisor

Enclosure: First Page of the Notice of Appeal – OPA-PA-13-001

Cc: Kevin J. Fowler, Attorney for Morrico Equipment, LLC



DOOLEY ROBERTS & FOWLER LLP
 Suite 201, Orlean Pacific Plaza
 865 South Marine Corps Drive
 Tamuning, Guam 96913
 Telephone No. (671) 646-1222
 Facsimile No. (671) 646-1223

RECEIVED
 OFFICE OF PUBLIC ACCOUNTABILITY
 PROCUREMENT APPEALS
 DATE: 01/31/13
 TIME: 8:35 AM PM BY: JB
 FILE NO OPA-PA: 13-001

Attorneys for Appellant
 Morrico Equipment, LLC

THE OFFICE OF PUBLIC ACCOUNTABILITY

In the Procurement Appeal of)	NOTICE OF PROCUREMENT
)	APPEAL
MORRICO EQUIPMENT, LLC,)	
)	
Appellant.)	Docket No. OPA-PA <u>13-001</u>
_____)	

Appellant Information:

Morrigo Equipment, LLC ("Morrigo")
 197 Ypao Road
 Tamuning, Guam 96931

Tel: 649-1946
 Fax: 649-1947

Appeal Information:

- A) General Services Agency (GSA) on behalf of Guam Fire Department.
- B) Multi-Step Bid No.: GSA-005-13; New and Current Year, Custom Cab-Forward Pumpers, New and Current Year, Urban/Wildland Interface Pumpers, and 5-Year Extended Service/Maintenance Agreements.
- C) Decision being appealed was made on January 30, 2013, by the Chief Procurement Officer, Claudia Acfalle, and received by Morrigo on January 30, 2013.
- D) Appeal is made from a decision on protest of method, solicitation or award.
- E) Names of competing bidders:
 MidPac Far East and Fleet Services.

Form and Filing:

1. On November 16, 2012, the GSA let the subject Multi-Step Bid. On January 23, 2013, the GSA advised Morrigo that its "bid proposal has been rejected due to non-conformance