

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



# TRANSMITTAL

<b>To:</b>	<b>Mr. Daniel C. Stone</b> <b>Fire Chief</b> <b>Guam Fire Department</b> Suite 1001 DNA Building 238 Archbishop Flores Street Hagatna, Guam 96910 Phone: (671) 642-3424 Email: <a href="mailto:daniel.stone@gfd.guam.gov">daniel.stone@gfd.guam.gov</a>	<b>From:</b>	<b>Benjamin J.F. Cruz</b> <b>Public Auditor</b> Office of Public Accountability
		<b>Pages:</b>	6 (including cover page)
<b>CC:</b>	<b>Mr. Steven Carrara</b> <b>General Counsel</b> <b>PTI Pacifica Inc., dba IT&amp;E</b> P.O. Box 2881 Barrigada, Guam 96913 Phone: (671) 777-7252 Fax: (671) 646-4723 Email: <a href="mailto:Steven.Carrara@itehq.net">Steven.Carrara@itehq.net</a>	<b>Date:</b>	October 31, 2022
		<b>Phone:</b> <b>Fax:</b>	(671) 475-0390 x. 204 (671) 472-7951

**Re:** OPA-PA-22-005 Notice of Receipt of Appeal

For Review     
  Please Comment     
  Please Reply     
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**Comments:**

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,  
 Jerrick Hernandez, Auditor  
[jhernandez@guamopa.com](mailto:jhernandez@guamopa.com)



## OFFICE OF PUBLIC ACCOUNTABILITY

Suite 401 Pacific News Building, 238 Archbishop Flores St., Hagåtña, Guam 96910  
Phone: (671) 475-0390 / FAX: (671) 472-7951

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October 31, 2022

Mr. Daniel C. Stone  
Fire Chief  
Guam Fire Department  
Suite 1001 DNA Building  
238 Archbishop Flores Street  
Hagatna, Guam 96910

VIA EMAIL: [daniel.stone@gfd.guam.gov](mailto:daniel.stone@gfd.guam.gov)

Re: Notice of Receipt of Appeal – OPA-PA-22-005

Dear Mr. Stone,

Please be advised that PTI Pacifica Inc., dba IT&E (hereinafter referred to as “IT&E” filed an appeal with the Office of Public Accountability (OPA) on October 28, 2022, regarding the Guam Fire Department’s (GFD) denial of protest related to the procurement for Next Gen 9-1-1 system and integrated CAD system (Request for Proposal: RFP-GFD-2019-004). OPA has assigned this appeal case number OPA-PA-22-005.

Immediate action is required of GFD 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.opaguam.org](http://www.opaguam.org). The first seven pages 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 no later than **Tuesday, November 8, 2022**, five work days following this Notice of Receipt 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 **Wednesday, November 16, 2022**, ten work days following receipt of this notice.

When filing all required documents with our office, please provide one original and one copy to OPA (**electronic filings will be acceptable and highly encouraged**), and serve a copy to IT&E.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Benjamin J.F. Cruz', with a stylized flourish at the end.

Benjamin J.F. Cruz  
Public Auditor

Enclosure: First Three Pages of the Notice of Appeal – OPA-PA-22-004

Cc: Steven Carrara, Esq., General Counsel for IT&E

Steven Carrara  
PTI PACIFICA INC., dba IT&E  
P.O. Box 2881  
Barrigada, Guam 96913  
Telephone No. (671) 777-252  
Fax No. (671) 646-4723  
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Attorney for Appellant  
PTI PACIFICA INC. dba IT&E

THE OFFICE OF PUBLIC ACCOUNTABILITY

In the Procurement Appeal of ) NOTICE OF PROCUREMENT APPEAL  
)  
PTI PACIFICA INC., ) Docket No. OPA-PA \_\_\_\_\_  
)  
Appellant. )  
)

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Appellant Information:

PTI PACIFICA INC. (IT&E)  
122 W. Harmon Industrial Park Rd.  
Tamuning, Guam 96913

Tel: 671 777 7252  
Fax: 671 649-4353

RECEIVED  
OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEALS

DATE: 10/22/22

TIME: 2:20  AM  PM BY: REN JOHNSON

FILE NO OPA-PA: 22-005

Appeal Information:

- A) Guam Fire Department
- B) Request for Proposal, RFP-GFD-2019-002
- C) Decision being appealed is the Guam Fire Department Denial of Protest, dated October 17, 2022.
- D) Appeal is made from a decision of denial of Agency level protest.
- E) Names of Competing Offerors: Docomo Pacific, Pacific Data System, and GTA

Form and Filing:

The Guam Fire Department (“GFD”) issued RFP-GFD-2019-004, for Next Gen 9-1-1 system and integrated CAD system. Upon information and belief GFD awarded the contract to Tyto Athene. PTI Pacifica Inc. d/b/a “IT&E” and the other telecommunications providers met with Tyto Athene (“TYTO”) and GFD concerning the technical requirements for the new 911 system. IT&E is not yet aware of the final design specifications. In a GFD letter dated, October 4, 2022, IT&E and information and belief, the other providers, were advised for the first time by GFD, that equipment would be hosted at two Docomo Pacific locations and requested the carriers to establish connectivity to these two DPAC locations.

In the current 911 configuration environment, the equipment and connectivity is located at Government owned facilities. In an e-mail dated May 26, 2022, the TYTO representative issued an email stating that arrangements had been made for hosting services at the two Docomo locations but no notification was received from GFD. IT&E was not requested to provide a quote and not aware of a procurement announcement for the hosting of these devices other than the general announcement in 2019 and referenced above. Upon information and belief, the technical discussions up to this point included hosting and connectivity at GFD.

When IT&E contacted the Docomo designated representative identified in the GFD letter it was advised that there would be \$10,000 initial non-recurring charge and an ongoing monthly fee of \$600 for the Harmon location. IT&E has not yet been provided a quote for the second location in Agana and it’s unclear what the price quote for this essential service is based.

In response to the October 14, 2022 letter, IT&E filed an agency level protest challenging the hosting announcement without a procurement. That protest was denied by GFD. Had GFD or its contractor had requested hosting services and connectivity, as opposed to a hosted 911 system as contemplated in the initial request for proposals, it should have issued a procurement

for the instant hosting services or at the very minimum engage the other all providers to assess how to best provide 911 interconnection which will require significant additional investments from all carriers to procure the necessary equipment once the GFD design has finalized. It is also unclear why GFD decided to shift from hosting the equipment in its facilities, the cost impact of such determination and why such determination did not address access or on-going charges for all carriers required to interface with the new 911 system.

Accordingly, ITE respectfully protests that award and requests performance suspension until the protest is resolved.

Respectfully submitted,



Steven Carrara  
General Counsel

Declaration regarding court action:

IT&E confirms that an action in court has not been commenced.

Dated this 28<sup>th</sup> day of October 2022

PTI Pacifica Inc.

By: \_\_\_\_\_

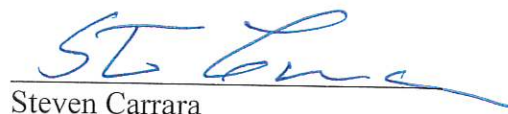


Steven Carrara  
General Counsel

#### VERIFICATION

I, Steven Carrara, General Counsel, for PTI Pacifica Inc dba IT&E hereby declare under penalty of perjury under the laws of Guam that I have read the foregoing Notice of Appeal and that it is true and correct of my own knowledge, except as to those matter alleged upon information and belief and as to those matters, I believe them to be true.

Dated this 28th day of September 2022.



Steven Carrara



Jerrick Hernandez &lt;jhernandez@guamopa.com&gt;

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## OPA-PA-22-005 Notice of Receipt of Appeal

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**Jerrick Hernandez** <jhernandez@guamopa.com>

Mon, Oct 31, 2022 at 1:33 PM

To: daniel.stone@gfd.guam.gov, Steven Carrara &lt;steven.carrara@itehq.net&gt;

Cc: "donna.santiago@gfd.guam.gov" &lt;donna.santiago@gfd.guam.gov&gt;

Hafa Adai,

Please see attached Notice of Receipt of Appeal for OPA-PA-22-005. This email will serve as an official notice in lieu of a transmittal via Fax.

Please confirm receipt of this email and the attached document. Thank you.

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Best Regards,



Jerrick J.J.G. Hernandez, MA, CFE, CGAP, CICA  
*Accountability Auditor*

**Office of Public Accountability**

+1 671 475 0390 (ext. 204)

[jhernandez@guamopa.com](mailto:jhernandez@guamopa.com)<https://www.opaguam.org/>

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**22-005 Notice of Receipt of Appeal.pdf**

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