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Hagåtña, Guam 96910



FAX

To:	Claudia Acfalle 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		
CC:	John Day President Pacific Data Systems	Date:	Thursday, May 17, 2012
Phone:	300-0202	Phone:	475-0390 x. 204
Fax:	300-0265	Fax:	472-7951

Re: Notice of Receipt of Appeal - OPA-PA-12-011

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,
 Rodalyn Marquez
 Audit Supervisor
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.

Total Pages Scanned : 4

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Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
085	6713000265	05:39:22 p.m. 05-17-2012	00:02:38	4/4	1	G3	HS	CP14400
002	671-475-1727	05:39:22 p.m. 05-17-2012	00:00:44	4/4	1	EC	HS	CP31200

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: Fall

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct



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

May 17, 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-12-011

Dear Ms. Acfalle,

Please be advised that Pacific Data Systems (PDS) filed an appeal with the Office of Public Accountability (OPA) on May 17, 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.

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.

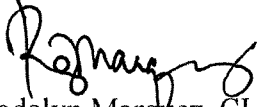
Pursuant to 2 GAR, Div. 4, Ch. 12, §12104(3), please submit one complete copy of the procurement record for the procurement solicitation above, as outlined in Title 5, Chapter 5, §5249 of the Guam Code Annotated, to OPA by **Thursday, May 24, 2012**, five work days following receipt of this notice of 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 **Thursday, May 31, 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. 204 or rmarquez@guamopa.org should you have any questions regarding this notice.

Sincerely,



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

Enclosure: First Page of the Notice of Appeal – OPA-PA-12-011

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



Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

MAY 17 2012

FILED 10:30 AM BY CPD
FILE NO. OPA-PA 12-011

PART I- To be completed by OPA

In the Appeal of)	
)	NOTICE OF APPEAL
)	
<u>(Name of Company), APPELLANT</u>)	Docket No. OPA-PA <u>12-011</u>
)	
)	

PART II- Appellant Information

Name:	<u>Pacific Data Systems</u>
Mailing Address:	<u>185 Ilipog Drive, Suite 204A</u>
	<u>Tamuning, GU 96913</u>
Business Address:	<u>same as above</u>
Email Address:	<u>john@pdsguam.com</u>
Daytime Contact No:	<u>671-300-0202</u>
Fax No.:	<u>671-300-0265</u>

PART III- Appeal Information

- A) Purchasing Agency: General Services Agency
- B) Identification/Number of Procurement, Solicitation, or Contract: GSA-064-11
- C) Decision being appealed was made on 05/03/12 (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)