



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

August 31, 2010

Mr. Enrique J. S. Agustin
General Manager
Port Authority of Guam
1026 Cabras Highway, Suite 201
Piti, Guam 96915

VIA FACSIMILE: 477-2689

Re: Receipt of Notice of Appeal Regarding RFP No. PAG-010-003, Performance Management Contract for Management of Cargo Terminal Operations and Maintenance of Cargo Handling Equipment

Dear Mr. Agustin,

Please be advised that Harbor Centre Guam Co., and Harbour Centre Port Terminal, Inc. (hereinafter referred to as Harbour Centre) has filed an appeal with the Office of Public Accountability on August 31, 2010 on PAG's decision of Harbour Centre's protest of the solicitation method and subsequent award of the above-stated procurement. The appeal has been assigned Master File No. **OPA-PA-10-004**.

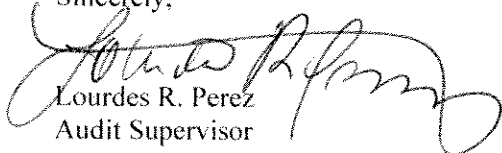
Immediate action is required of your office pursuant to the Rules of Procedure for Procurement Appeals, found in Chapter 12 of the Guam Administrative Regulations. Copies of the rules, the appeal, and all filing deadlines are available at our office and on our website at www.guamopa.org. The transmittal letter and the first page of the notice of appeal file are 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 appeal. 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 counsel.

Pursuant to 2 GAR Div 4, Chap 12, §12104(3), please submit one complete copy of the procurement record, as outlined in 5 GCA Chapter 5, §5249, to OPA by **Tuesday, September 7, 2010**, five working days following receipt of this notice of appeal; and one copy of the Agency Report, as outlined in 2 GAR Div 4, Chap 12, §12105, by **Tuesday, September 14, 2010**, ten working 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).

Thank you for your prompt attention to this matter. Please contact Anne Camacho at 475-0390 ext. 219 or email address acamacho@guamopa.org should you have any questions regarding this notice.

Sincerely,


Lourdes R. Perez
Audit Supervisor

Enclosure: First Page of Notice of Appeal- OPA-PA-10-004

Cc: Legal Counsel for Appellant – Cabot Mantanona, LLP (Via Facsimile 646-0777)

Transmission Report

Date/Time 08-31-2010
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FAX

To: Enrique J. S. Agustin
 General Manager, PAG

 Rawlen M. T. Mantanona
 Legal Counsel
 for Appellee-Harbour Centre

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

Agency:	Pages	4 (Including cover)
CC:	Date:	Tuesday, August 31, 2010
Fax:	PAG-E. Agustin / 477-2689 Cabot Mantanona (Legal Counsel/Appellee) R. Mantanona / 646-0777	Point of Contact Tel: 475-0390 x 219 (Anne Camacho) Fax: 472-7951 Nos.

Re: Appeal No. OPA-PA-10-004:
 (1) Notice of Receipt of Appeal
 (2) Conflicts Check Information Request

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●Comments:

See attachment for reference.

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Anne Camacho - acamacho@guampoa.org

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Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	TU: Terminated by user
HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system
WS: Waiting send	MS: Mailbox save	FA: Fail	RP: Report
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			EC: Error Correct

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Anne Camacho -- acamacho@guamopa.org

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Abbreviations:

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HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system
WS: Waiting send	MS: Mailbox save	FA: Fail	RP: Report
			G3: Group 3
			EC: Error Correct