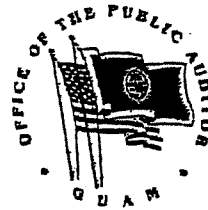


Suite 401 Pacific News Building  
238 Archbishop Flores St.  
Hagåtña, Guam 96910

Phone: (671) 475-0390  
FAX: (671) 472-7951



OFFICE OF THE PUBLIC AUDITOR

# Fax

To: Nerissa Britania Underwood From: Doris Flores Brooks  
Agency: GPSS Pages (including cover) 3  
CC: 2440 Date: 7-30-09  
Fax: 472-5003/789-2240 Phone: 475-0390 x201  
Re: Notice of Receipt of Appeal OPA-PA-09-004  
Re: IFB No. 014-2009  
 Urgent  For Review  Please Comment  Please Reply  Please Recycle

• Comments:

Please acknowledge receipt and  
fax back to 472-7951

Received by:

Name / Date



OFFICE OF THE PUBLIC AUDITOR

July 30, 2009

Nerissa Bretania-Underwood  
Superintendent of Education  
Guam Public School System  
P.O. Box DE  
Hagatna, Guam 96932

VIA FACSIMILE (671) 472-5003

RE: Receipt of Notice of Appeal regarding IFB No. 014-2009 Fire Alarm System Maintenance and Repair

Dear Ms. Bretania-Underwood,

Please be advised that Loyal Pacific Corp. has filed an appeal with the Office of Public Accountability on July 29, 2009 re your protest decision on the above-stated procurement action. The appeal has been assigned Master File No. OPA-PA-09-004.

Immediate action is required of your office pursuant to the Rules of Procedure for Procurement Appeals, found in Chapter 12 of Title 2 of the Guam Administrative Regulations. Copies of the Rules and the appeal are available at our office and will be available on our website at [www.guamopa.org](http://www.guamopa.org). The front page of the appeal is 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 counsel for your agency on this matter. Promptly provide OPA with the identities and addresses of interested parties and a formal entry of appearance by your counsel.

Please submit one complete copy of the procurement record specific to the mentioned procurement matter to OPA by Thursday August 6, 2009 – five working days following receipt of this notice of appeal. When filing any required documents with our office, please provide an original and two copies to OPA and serve a copy to the Appellant, Loyal Pacific Corporation. Please advised that your agency is also responsible for additional filing deadlines which are communicated in the rules of procedure.

Thank you for your prompt attention to this matter please contact Anne Camacho ext. 201 if you have any questions regarding this notice.

Sincerely,

Doris Flores Brooks, CPA, CGFM  
Public Auditor

Enclosure:

Front Page: Notice of Appeal OPA-PA-09-004

cc: Mr. Christopher B.H. Lee – Loyal Pacific Corp. – (671) 789-2240



OFFICE OF THE PUBLIC AUDITOR

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

RECEIVED  
OFFICE OF THE PUBLIC AUDITOR  
PROCUREMENT APPEALS

JUL 29 2009

9:15 AM

TIME: 9:15 AM  
BY: *[Signature]*  
FILE No. OPA-PA 09004

**PART I- To be completed by OPA**

In the Appeal of	)	<b>NOTICE OF APPEAL</b>
	)	
<u>LOYAL PACIFIC CORPORATION</u>	)	
(Name of Company), APPELLANT	)	Docket No. OPA-PA <u>09-004</u>
	)	
	)	

**PART II- Appellant Information**

Name: CHRISTOPHER BO HEON LEE

Mailing Address: P.O. Box 7981  
Tamuning, Guam 96931

Business Address: House No. 409 Farenholt Avenue  
Tamuning, Guam 96911

Daytime Contact No: 482-8949 or 483-5588

**PART III- Appeal Information**

- A) Purchasing Agency: Guam Public School System nka Dept. of Education
- B) Identification/Number of Procurement, Solicitation, or Contract: IFB No. 014-2009
- C) Decision being appealed was made on 07/16/09 (date) by: SALVATORE G.T. SGAMBELLURI  
 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)

E) Names of Competing Bidders, Offerors, or Contractors known to Appellant:

<u>G4S Security Systems</u>	_____
<u>(Guam), Inc.</u>	_____
_____	_____
_____	_____
_____	_____

**PART IV- Form and Filing**

In addition to this form, the Rules of Procedure for Procurement Appeals require the submission together with this form of additional information, including BUT NOT LIMITED TO:

1. A concise, logically arranged, and direct statement of the grounds for appeal;
2. A statement specifying the ruling requested;
3. Supporting exhibits, evidence, or documents to substantiate any claims and the grounds for appeal unless not available within the filing time in which case the expected availability date shall be indicated.


*Note: Please refer to 2 GAR § 12104 for the full text of filing requirements.*

**PART V- Declaration Re Court Action**

Pursuant to 5 GCA Chapter 5, unless the court requests, expects, or otherwise expresses interest in a decision by the Public Auditor, the Office of the Public Auditor will not take action on any appeal where action concerning the protest or appeal has commenced in any court.

The undersigned party does hereby confirm that to the best of his or her knowledge, no case or action concerning the subject of this Appeal has been commenced in court. All parties are required to and the undersigned party agrees to notify the Office of the Public Auditor within 24 hours if court action commences regarding this Appeal or the underlying procurement action.

Submitted this <sup>28</sup>~~27~~ day of July, 2009.

  
 By: CHRISTOPHER HEON LEE, President - LOYAL PACIFIC CORP.  
APPELLANT

or

By: \_\_\_\_\_  
 Appellant's Duly Authorized Representative  
 (Address)  
 (Phone No.)

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FAX: (671) 472-7951



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No.	Doc.	Remote Station	Start Time	Duration	Pages	Mode	Contents	Status
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