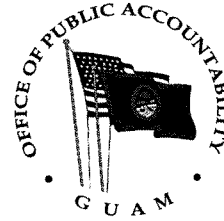


Suite 401 DNA Building
238 Archbishop Flores St.
Hagåtña, Guam 96910



FAX

| | | | |
|------------------------------|--|------------------------------|--|
| To: | Robert Kono Acting Chief Procurement Officer General Services Agency | From: | Doris Flores Brooks Guam Public Auditor Office of Public Accountability |
| Phone: Fax: | 475-1707 475-1727 | Pages: | 4 (including cover page) |
| CC: | Teleguam Holdings, LLP C/O Vince C. Camacho, ESQ. Carlsmith Ball, LLP | Date: | November 6, 2012 |
| Phone: Fax: | 472-6813 477-4375 | Phone: Fax: | 475-0390 x. 201 472-7951 |

Re: OPA-PA-12-018 Notice of Receipt of Appeal

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,
Michele Huffer
Administrative Officer
mhuffer@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.



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

November 6, 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-12-018

Dear Ms. Acfalle,

Please be advised that TeleGuam Holdings LLC and its wholly owned subsidiaries, GTA Telecom, LLC; GTA Services, LLC; and Pulse Mobile (hereinafter referred to as “GTA”) filed an appeal with the Office of Public Accountability (OPA) on November 5, 2012 of the General Services Agency (GSA)’s response to GTA’s protest relative to the procurement solicitation Invitation for Bid No. GSA-064-11: Telecommunication Services. OPA has assigned this appeal case number OPA-PA-12-018.

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.

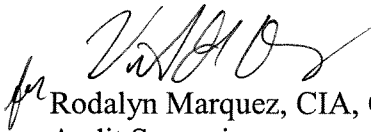
Pursuant to 2 GAR, Div. 4, Ch. 12, §12104(3), the submission of one complete copy of the procurement record for the procurement solicitation above, as outlined in Title 5, Chapter 5, §5249 of the Guam Code Annotated is required. However, we recognize that the procurement record for IFB No. GSA-064-11 was previously submitted in procurement appeal case number OPA-PA-12-011 on May 24, 2012. OPA understands that the procurement record is voluminous and to increase efficiency, OPA will not require a duplicate copy of the record. However to ensure the completeness of the procurement record OPA requires GSA to certify that the procurement record that was submitted for GSA-064-11 is complete in its entirety and will be the

same procurement record for OPA-PA-12-018 by **Wednesday, November 14, 2012** five work days following receipt of this notice 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 21, 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 GTA. 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,



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

Enclosure: First Page of the Notice of Appeal – OPA-PA-12-018

Cc: Mr. Vince C. Camacho, ESQ., Attorney for Appellant TeleGuam Holdings, LLC

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Facsimile No. 671.477.4375

Attorneys for Appellant

TeleGuam Holdings, LLC ("GTA")

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OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

DATE: 11/5/12

TIME: 7:20 AM PM BY: F-h

FILE NO OPA-PA: 12-018

OFFICE OF PUBLIC ACCOUNTABILITY

GUAM

IN THE APPEAL OF

TELEGUAM HOLDINGS, LLC AND ITS
WHOLLY OWNED SUBSIDIARIES, GTA
TELECOM, LLC; GTA SERVICES, LLC;
AND PULSE MOBILE LLC.

Appellant.

APPEAL NO. OPA-PA-12-_____

**PROCUREMENT APPEAL; EXHIBITS
A-G; VERIFICATION**

TeleGuam Holdings, LLC and its wholly owned subsidiaries, GTA Telecom, LLC; GTA Services, LLC; and Pulse Mobile, LLC (hereinafter referred to as "GTA") hereby appeal a decision rendered by the General Services Agency of the government of Guam (hereinafter referred to as "GSA") on October 19, 2012, denying GTA's protest of the Bid Status Intent to Award Bid Form 11, a part of GSA 064-11, to Pacific Data Systems (hereinafter referred to as "PDS").

I. Appellant's Information.

GTA's address is 624 N. Marine Corps Drive, Tamuning, Guam 96913. For the purposes of this appeal, please direct correspondence to GTA's counsel Vince C. Camacho, Esq.,