



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

June 27, 2011

Ms. Joanne S. Brown
Director
Department of Public Works
542 North Marine Corps Drive
Tamuning, Guam 96931

VIA FACSIMILE: 649-6178

Re: Notice of Receipt of Appeal Regarding Project No. GU-NH-0002(104) Route 2 Culverts and Slide Repair

Dear Ms. Brown,

Please be advised that Hubtec International Corporation's legal counsel, Mr. Phillip Torres, Esq. of Teker Torres and Teker, P. C. (hereafter "Hubtec"), has filed an appeal with the Office of Public Accountability (hereafter "OPA") on June 27, 2011 on DPW's no-response to Hubtec contract controversy letter as referenced by Mr. Torres letter to DPW dated April 21, 2011. The appeal has been assigned Master File No. **OPA-PA-11-009**.

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 (GAR). 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 filed with OPA 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 legal counsel.

Pursuant to 2 GAR Div 4, Chap 12, §12104(3), please submit one complete copy of the procurement record for GU-NH-0002(104) as outlined in 5 GCA Chapter 5, §5249, to OPA by **Tuesday, July 5, 2011**, 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, July 12, 2011**, 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 me at 475-0390 ext. 211, or email address acamacho@guamopa.org should you have any questions regarding this notice.

Sincerely,

Anne Camacho
Management Analyst
Procurement Appeals Division

Enclosure: First Page of Notice of Appeal OPA-PA-11-009
Cc: Appellant / Teker Torres and Teker, P. C. (Fax: 472-2601)



OFFICE OF THE PUBLIC AUDITOR

Appendix A: Notice of Appeal Form
PROCUREMENT APPEAL

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

JUN 24 2011

FILE NO. OPA-PA: 11-009

PART I- To be completed by OPA

In the Appeal of)

NOTICE OF APPEAL

HUBTEC INTERNATIONAL CORP.
(Name of Company), APPELLANT)

Docket No. OPA-PA _____

PART II- Appellant Information

Name: HUBTEC INTERNATIONAL CORP.
Mailing Address: P.O. BOX 25260
BARRIGADA, GUAM 96921
Business Address: 106 BLDG. 502 ROUTE 8
MTM, GUAM
Daytime Contact No: (671)727-7178; 472-3315

APPELLANT'S REPRESENTATIVE:
Teker Torres & Teker
130 Aspinall Ave. Ste.2A
Hagatna, Guam 96910
TEL: (671)477-9891
FAX: (671)472-2601

PART III- Appeal Information

- A) Purchasing Agency: Department of Public Works
- B) Identification/Number of Procurement, Solicitation, or Contract: DPW Project No. GU-NH-0002(104)
- C) Decision being appealed was made on Final Decision (date) by: NEVER RECEIVED
____ 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)

ORIGINAL

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Broadcast Report

Date/Time
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06-24-2011
4727951

07:02:08 p.m.

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FAX

To: **Ms. Joanne Brown, Director**
Department of Public Works
(Appellee)

Mr. Phillip Torres, Esq.
Legal Counsel for Appellant:
Habtec International Corp.

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

Agency:	Pages: 3 (Including cover)
CC:	Date: June 27, 2011
Fax: DPW: 649-6178 TTT: 472-2601	Point of Contact: Tel: 475-0390 x 211 (Anne Camacho) Fax: 472-7981

Re: **Appeal No. OPA-PA-11-009 Notice of Receipt of Appeal**

Urgent
 For Review
 Please Comment
 Please Reply
 Please Recycle

●Comments:

See attachment 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.

Anne Camacho - acamacho@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.

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002	559	6496178	06:58:56 p.m. 06-24-2011	00:00:47	3/3	1	EC	HS	CP26400

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: Fail

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

G3: Group 3
EC: Error Correct