

OFFICE OF PUBLIC ACCOUNTABILITY Doris Flores Brooks, CPA, CGFM

s Flores Brooks, CPA, CGFM Public Auditor

October 31, 2013

Mr. Joaquin C. Flores, P.E. General Manager Guam Power Authority P.O. Box 2977 Hagatna, Guam 96931

VIA FACSIMILE: 648-3168

Re: Notice of Receipt of Appeal – OPA-PA-13-015

Dear Mr. Flores,

Please be advised that Morrico Equipment, LLC (Morrico) filed an appeal with the Office of Public Accountability (OPA) on October 30, 2013 regarding the Guam Power Authority (GPA) procurement actions related to GPA IFB No. GPA-064-11. OPA has assigned this appeal case number OPA-PA-13-015.

Immediate action is required of GPA 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 **Friday**, **November 8**, **2013**, five work 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 **Monday**, **November 18**, **2013**, 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 Morrico. OPA respectfully asks that GPA provide one original and two copies of the Procurement Record and Agency Report as the Guam

Procurement Law and Regulations require only one copy. The three 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 Jocelyn Untalan at 475-0390 ext. 217, or juntalan@guamopa.org should you have any questions regarding this notice.

Sincerely,

Llewelyn R. Terlaje, CGAP

Audit Supervisor

Enclosure: First Page of the Notice of Appeal – OPA-PA-13-015

Cc: Mr. Kevin J. Fowler, Attorney for Morrico

Kevin J. Fowler DOOLEY ROBERTS & FOWLER LLP RECEIVED OFFICE OF PUBLIC ACCOUNTABILITY Suite 201, Orlean Pacific Plaza PROCUREMENT APPEALS 865 South Marine Corps Drive 10/30/13 Tamuning, Guam 96913 Telephone No. (671) 646-1222 TIME: | AM PPM BY: Facsimile No. (671) 646-1223 E-mail: fowler@guamlawoffice.com FILE NO OPA-PA: Attorneys for Appellant Morrico Equipment, LLC THE OFFICE OF PUBLIC ACCOUNTABILITY In the Procurement Appeal of NOTICE OF PROCUREMENT APPEAL MORRICO EQUIPMENT, LLC, Appellant. Docket No. OPA-PA **Appellant Information:** Morrico Equipment, LLC ("Morrico") 197 Ypao Road Tamuning, Guam 96931 Tel: 649-1946 Fax: 649-1947 **Appeal Information:** A) Guam Power Authority ("GPA"), Consolidated Commission on Utilities ("CCU"). B) Invitation for Bid No. GPA-064-11; 55' Bucket Trucks. Pursuant to Amendment Number 1 issued on June 17, 2011, the requirement of a working height of 55' was

- C) Decision being appealed is the GPA Denial of Procurement Protest, dated October 15, 2013, and received by Morrico on October 23, 2013.
- D) Appeal is made from a decision on protest of method, solicitation or award.
- E) Names of competing bidders:

changed to 60'.



To:

Mr. Joaquin C. Flores, P.E. General Manager

Guam Power Authority (GPA) P.O. Box 2977 Hagatna, Guam 96932 From:

Doris Flores Brooks, CPA, CGFM

Public Auditor

OPA Procurement Appeals Suite 401 DNA Bldg. 238 Archbishop Flores St. Hagatna, Guam 96910

Agency:	GPA		Pages	4 (including cover page)	
CC:	Mr. Kevin J. Fowler, Attorney for Morrico		Date:	October 31, 2013	
Fax:	GPA: 648-3168 Mr. Kevin J. Fowler: 646-1223 Morrico: 649-1947		Point of Contact Nos.	Tel: 475-0390 x 217 Jocelyn Untalan Fax: 472-7951	
Re:	Notice of Receipt	of Appeal - OF	PA-PA-	13-015	
□ Urgen	x For Review	☐ Please Comment	X	Please Reply	☐ Please Recycle
Please a	acknowledge receipt rm or agency's receip	of this transmittal ot stamp, date, and	initials	of receiver. T	ver page along with hank you.
				Junuan Junuan	m(e)guamopu.org

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