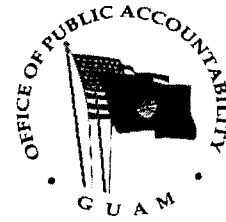


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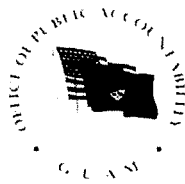
To:	Mr. Glenn Leon Guerrero Director Department of Public Works 542 North Marine Corps Drive Upper Tumon, Guam 96913 Phone: (671)646-3121/3232 Fax: (671) 649-6178 Mr. Thomas Keeler Assistant Attorney Generals Office of the Attorney General of Guam 590 S. Marine Corps Drive, Suite 706 Tamuning, Guam, 96913 Fax: (671) 472-2493	From:	Doris Flores Brooks Guam Public Auditor Office of Public Accountability
		Pages:	4 (including cover page)
CC:	Joyce C.H. Tang, Esq. (Attorney for Appellant Korando) Civile & Tang, PLLC 330 Hernan Cortez Avenue Suite 200 Hagatna, Guam 96910 Phone: (671) 472-8868/9 Fax: (671) 477-2511	Date:	February 26, 2018
		Phone: Fax:	(671) 475-0390 x. 216 (671) 472-7951
Re:	OPA-PA-18-002 Decision and Order RE Appellant's Request for Supplementation of Procurement Record and to Extend Deadlines to File Comments to the Agency Report and Motions		
<input type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input checked="" type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle			

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

PROCUREMENT APPEALS

IN THE APPEAL OF,

KORANDO CORPORATION,

Appellant

APPEAL NO: OPA-PA-18-002

**DECISION AND ORDER RE
APPELLANT'S REQUEST FOR
SUPPLEMENTATION OF
PROCUREMENT RECORD AND TO
EXTEND DEADLINES TO FILE
COMMENTS TO THE AGENCY
REPORT AND MOTIONS**

To: Purchasing Agency:

Department of Public Works, Government of Guam
C/O Thomas P. Keeler, Esq., Assistant Attorney General
Office of the Attorney General, Civil Solicitor Division
ITC Bldg., Ste. 706
Taunting, Guam, 96913
Facsimile: (671) 472-2493

Appellant:

Korando Corporation
C/O Joyce C.H. Tang, Esq.
Civilly & Tang PLLC
330 Hernan Cortez Ave., Ste. 200
Hagan, Guam, 96910
Facsimile: (671) 477-2511

THIS MATTER came before the hearing officer pursuant to the Appellant's February 9, 2018 Request for Supplementation of the Procurement Record and to Extend the time to File Comments to the Agency Report and Motion Cut-Off Date. After reviewing the pleadings filed by the parties and after considering the arguments of the parties concerning the aforementioned request that were given at the Pre-Hearing Conference that was held in this matter on February 12, 2018, the Hearing Officer FINDS and ORDERS as follows:

1 1. The Appellant Alleges that the Procurement Record filed in this matter on January 24,
2 2018 is incomplete because it does not contain all documents, emails, and correspondence
3 regarding the following concerning the contract between the parties at issue in this matter:

4 a) The December 16, 2015 Stipulation and Order to Rescind Termination;

5 b) The review, analysis, and denial of the Appellant's change orders and claims due
6 to the Purchasing Agency's termination of the contract and delays;

7 c) The October 18, 2016 letter from Byung Ho Kim to Glenn Leon Guerrero
8 regarding the "Claim Due to Termination and Delay of Project;"

9 d) The December 28, 2016 Letter from Glenn Leon Guerrero to Byung Ho Kim
10 regarding the "Claim due to Termination and Delays of Project;"

11 e) The January 24, 2017 Letter from Glenn Leon Guerrero to Byung Ho Kim
12 regarding the "Claim due to Termination and Delay of Project;"

13 f) The October 17, 2017 Letter from Joyce C.H. Tang to Glenn Leon Guerrero
14 regarding the "Korindo Corporation Bile & Piqua Bridge Reconstruction Project, Project NO.
15 GU-NYH-NBIS (007);"

16 Page 2, Appellant's Request filed on February 9, 2018.

17 2. The Purchasing Agency did not oppose the Appellant's request to supplement the
18 procurement record. See Purchasing Agency's Response to Appellant's Request filed on
19 February 16, 2018.

20 3. Accordingly, the Appellant's Request to Supplement the Procurement is hereby
21 GRANTED and the Purchasing Agency shall supplement the procurement record with such
22 documents the Appellant's requested that the Purchasing Agency has in its possession, custody,
23 or control and the Purchasing Agency shall serve such documents, minus any it believes are
24 privileged, to the Appellant no later than 5:00 p.m. on February 28, 2018.

25 4. The Appellant's Request for an extension of the deadline to file comments to the
26 agency report is hereby GRANTED and the Appellant shall file its comments to the Agency
27 Report no later than 5:00 p.m. on March 7, 2018.

1 5. The Appellant’s Request for an extension of the motion filing deadline is hereby
2 GRANTED and a new motion filing deadline shall be set in the scheduling order in this matter.

3 6. Due to the Purchasing Agency’s non-opposition to the Appellant’s Request for
4 Supplementation of the Procurement Record and to Extend the time to File Comments to the
5 Agency Report and Motion Cut-Off Date, the hearing for said request scheduled for 10:00 a.m.
6 on February 26, 2018 is hereby VACATED.

7
8 **SO, ORDERED** this 22nd day of February, 2018 by:

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10
11 

12 _____
13 ANTHONY R. CAMACHO, ESQ.
14 Hearing Officer
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To:	Mr. Glenn Leon Guerrero Director Department of Public Works 542 North Marine Corps Drive Upper Tamon, Guam 96913 Phone: (671)646-3121/3232 Fax: (671) 649-6178	From:	Doris Flores Brooks Guam Public Auditor Office of Public Accountability
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		Phone:	(671) 475-0390 x. 216
		Fax:	(671) 472-7951

Re: OPA-PA-18-002 Decision and Order RE Appellant's Request for Supplementation of Procurement Record and to Extend Deadlines to File Comments to the Agency Report and Motions

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