OFFICE OF PUBLIC ACCOUNTAGELY 1 PROCUREMENT APPEALS FISHER & ASSOCIATES Thomas J. Fisher, Esq. 13/13 DATE: 2 Suite 101 De La Corte Building 3:20 DAM PM BY: 167 East Marine Corps Drive 3 Hagåtña, Guam 96910 FILE NO OPA-PA: Telephone: (671) 472-1131 Facsimile: (671) 472-2886 4 5 BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY 6 HAGÅTÑA, GUAM 7 IN THE MATTER OF K CLEANING OPA-PA-13-004 SERVICES 8 **APPELLANT** 9 **AGENCY'S HEARING BRIEF** 10 11 12 13 COMES NOW the Guam International Airport Authority (Agency), by and through Counsel 14 Fisher & Associates, and submits a Hearing Brief pursuant to the Office of Public 15 Accountability's Order of 21 May 2013. 16 **ISSUES PRESENTED** 17 Whether Agency Properly Rejected Appellant's Bid 18 Appellant failed to timely submit his bid to the Agency. As a result, and pursuant to the 19 solicitation, his bid was rejected and cannot be considered for award. 20 ANTICIPATED WITNESSES 21 1. Mr. Frank P. Taitano. Mr. Taitano will testify, *inter alia*, as to the Agency's 22 procedure when receiving bids, how the Agency conducted a solicitation and received the 23 bids involved in this protest and why Appellant's bid was not accepted. 24

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2. Mr. Dubidato Conlu. Mr. Conlu is expected to testify that he attended a pre-bid conference where he was told to submit his bid to the Agency's Executive Manager's office. He is expected to testify that he did not do so and as a result his bid was late.

## PROPOSED EXHIBITS

All exhibits which may be used by Agency have been submitted in either the Agency Report, the Procurement Record, or are otherwise part of the record.

FISHER & ASSOCIATES

Thomas J. Fisher, Esq.

For Guam International Airport Authority