

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



FAX

To:	Jon Nathan Denight General Manager Guam Visitors Bureau 401 Pale San Vitores Road Tumon, Guam 96913 Phone: (671) 646-5278 Fax: (671) 646-3917	From:	Doris Flores Brooks Guam Public Auditor Office of Public Accountability
	Thomas J. Fisher, Esq. (Attorney for GVB) Fisher & Associates 167 East Marine Corp. Drive Hagatna, Guam 96910 Phone: (671) 472-1131 Fax: (671) 472-2886	Pages:	4 (including cover page)
CC:	Joyce C.H. Tang, Esq. (Attorney for TLK Marketing) Civile & Tang, PLLC 330 Hernan Cortez Avenue Suite 200 Hagatna, Guam 96910 Phone: (671) 472-8868/9 Fax: (671) 477-2511	Date:	June 24, 2016
		Phone: Fax:	(671) 475-0390 x. 208 (671) 472-7951

Re: OPA-PA-16-003 Order Consolidating Appeals/Scheduling Order

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Thank you,
 Jerrick Hernandez
 Auditor
jhernandez@guamopa.org

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OFFICE OF PUBLIC ACCOUNTABILITY
Doris Flores Brooks, CPA, CGFM
Public Auditor
BEFORE THE PUBLIC AUDITOR
PROCUREMENT APPEALS
TERRITORY OF GUAM

IN THE APPEAL OF

TLK Marketing LLC,

Appellant.

Docket No. OPA-PA-16-003

Docket No. OPA-PA-16-005

**ORDER CONSOLIDATING APPEALS/
SCHEDULING ORDER**

ORDER CONSOLIDATING APPEALS

On April 25, 2016, TLK Marketing, LLC (“TLK”) filed a Notice of Procurement Appeal with the Office of Public Accountability (“OPA”), wherein TLK appeals the decision of purchasing agency Guam Visitors Bureau (“GVB”), dated April 8, 2016, denying TLK’s protest of GVB’s non-selection of its bid for the procurement solicitation for Toursim Destination Marketing Representation Services in the Republic of Korea under GVB Request for Proposal (“RFP”) No. 2016-006. That appeal is docketed OPA-PA-16-003. A pre-hearing conference was held on May 24, 2016. TLK did not file a request for hearing, but requested for one at the pre-hearing conference. GVB filed a motion on May 24, 2016 opposing the hearing, which was denied by the OPA. Hearing on the merits is scheduled for July 6, 2016.

On June 1, 2016, TLK filed another Notice of Procurement Appeal docketed as OPA-PA-16-005. In that appeal, TLK is appealing GVB’s decision dated May 24, 2016, denying TLK’s protest of GVB’s non-selection of its bid for the procurement solicitation GVB RFP No. 2016-006. TLK requested consolidation of this appeal with OPA-PA-16-003, and requested a hearing for the combined appeals. No pre-hearing, filing deadlines or hearing on this appeal has been previously scheduled.

1 The Public Auditor has the authority to consolidate appeals for purposes including efficiency
2 and expediency in resolving appeals. 5 G.C.A. § 5701; 2 G.A.R. §§ 12101, 12108-12109. As these
3 two appeals arise from protests pertaining to GVB's procurement solicitations for Toursim
4 Destination Marketing Representation Services in the Republic of Korea under GVB RFP No.
5 2016-006, and the parties are the same, the Public Auditor finds that consolidating these appeals
6 will provide for the efficient, expeditious resolution of the appeals.

7 Therefore, the Public Auditor ORDERS that these appeals, OPA-PA-16-003 and OPA-PA-16-
8 005, be and are consolidated and all matters pertaining to the appeals shall be heard concurrently.

9 SCHEDULING ORDER


10 The Public Auditor ORDERS the following expedited schedule:

- 11 1. The July 1, 2016 deadline for the parties to file their hearing materials is hereby
12 VACATED.
- 13 2. Motions.
 - 14 a. The deadline for parties to file motions (including any motions regarding the Public
15 Auditor's jurisdiction or authority to hear any of these appeals) is June 29, 2016.
 - 16 b. Oppositions to the motions shall be filed by July 1, 2016.
 - 17 c. Replies to oppositions shall be filed by July 5, 2016.
- 18 3. The parties shall file the following materials for both appeals by July 5, 2016:
 - 19 a. Formal hearing briefs stating the parties' respective positions supported by
20 applicable authorities;
 - 21 b. A statement of stipulated facts;
 - 22 c. Witness lists;
 - 23 d. Exhibit lists; and
 - 24 e. Pre-marked hearing exhibits.

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- 3. The Hearing on any motions filed and the merits for these consolidated appeals shall commence at 10:00 a.m., on July 6, 2016, at the Office of Public Accountability’s Hearing Room, Suite 907, DNA Building, Hagåtña, Guam.
- 4. It is further ordered that GVB shall serve a copy of this Order upon each other person or company who submitted a bid or is a prospective bidder, in order that any of the other bidders or prospective bidders may seek to participate in this appeal as an interested party.
- 5. It is ordered that GVB file with the Public Auditor proof of service of the Order and that it is served in accordance with the immediately preceding paragraph. The responsibility to serve a copy of the Order on the other bidders or prospective bidders is imposed upon GVB because it is the entity that is most likely to have the correct names and addresses for such competing bidders or prospective bidders.

IT IS SO ORDERED this 24th day of June, 2016.



DORIS FLORES BROOKS
Public Auditor of Guam

TRANSACTION REPORT

JUN/24/2016/FRI 12:35 PM

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003		12:34PM	4772511	0:01:46	4	MEMORY OK	G3 7382
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