

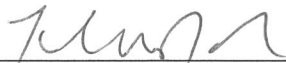
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RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS
DATE: 8/4/16
TIME: 3:07 AM PM BY: LP
FILE NO OPA-PA: 16-003, 16-005

8 BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY
9 HAGÁTÑA, GUAM

10 IN THE APPEAL OF) OPA-PA-16-003
11) OPA-PA-16-005
12 TLK MARKETING CO., LTD.)
13) **SUPPLEMENT TO AN AGENCY**
14) **PROCUREMENT FILE**
15)
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26 _____
27 **COMES NOW APPELLEE** Guam Visitors Bureau and submits a log of
28 Ms. Christine Lizama's activity in regard to the solicitation currently under
29 appeal.

30 
31 _____
32 Thomas J. Fisher
33 Legal Counsel for Appellee

REQ	TASK	DUE DATE	STATUS	RFP/IFB REF	PROJECT TITLE	DESCRIPTION
19-Oct	Update from Gina	19-Oct	completed	contract	EXTENSION: Korea GSA	Gina Kono advised that the Korea contract should be extended month-to-month; will not be renewed; BOD has directed that GVB re-solicit the service in Korea.
19-Oct	Meeting with GM	19-Oct	completed	contract	RESOLICITATION: Korea GSA & PR Services	Still working out language for RFP. GM said Chris & Tony will work with Gina and Rose on this.
19-Nov	Meeting with AM	19-Nov	processing	contract	General Sales Agent (GSA) in the Republic of Korea	101915 - per BOD, resolicit this service; current contract on month-to-month until new contractor selected. 10-23-15 - GM says prepare letter but stand by TFN.; 111715 - per Gina, GM says move forward with RFP; do m-to-m letter. UPDATE 111915 - per AM, GM says RFP needs to go live on MONDAY, 11-23. Ordered AD via Miranda. Working with AM and PL on SOW for RFP final.
19-Nov	Work	19-Nov	processing	resolicitation	General Sales Agent (GSA) in the Republic of Korea	(ATTORNEY-CLIENT PRIVILEGE) Working on incorporating Legal Counsel's changes to RFP; need to complete this morning for Pilar and Antonio to review. Must prep for LIVE start on Monday per GM's direction.
20-Nov	Work	20-Nov	In progress	resolicitation	General Sales Agent (GSA) in the Republic of Korea	Per Gina, please do not proceed. Format is not what she wants for Korea. Advised her of AM's direction per the GM, so she went to discuss. Per AM, cancel ad placement and HOLD OFF TFN. (ATTORNEY-CLIENT PRIVILEGE)
20-Nov	Work	20-Nov	HALTED	resolicitation	General Sales Agent (GSA) in the Republic of Korea	Per AM and Gina, GM said to proceed with RFP release this Wednesday. Gina said Henry will sign month-to-month. Prepare ad and all necessary paperwork; expedite.
23-Nov	Work	23-Nov	completed	resolicitation	General Sales Agent (GSA) in the Republic of Korea	Cleaned up RFP (ATTORNEY-CLIENT PRIVILEGE) in line with Marketing Department's approved SOW.
24-Nov	Work	24-Nov	completed	resolicitation	General Sales Agent (GSA) in the Republic of Korea	website interests recorded and copied to Gina and Pilar
30-Nov	Updated received log	30-Nov	completed	resolicitation	General Sales Agent (GSA) in the Republic of Korea	Henry on island; spurring up support against GVB's RFP issuance. Language in letter re 'board directed' in question. Discussed with ROC and PL.
1-Dec	Meeting with Pilar and Rose	1-Dec	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Prepared GVB response for GM signature; with Gina for review before forwarding to GM; need to post online by end of the day.
16-Dec	Questions answered	16-Dec	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Worked with Gina on 2nd email with questions; drafted response for GM; however, Gina said AM saw it on GM's desk and edited response. She said he approached her about how to respond and she didn't think anything wrong with being helpful. He was adamant so she did not resist. Discussed with GM. He said we should do everything we can to be helpful so that we can get what we need. He said next time bring it to his attention -- all worth discussing to find the best way moving forward.
17-Dec	Work	17-Dec	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Received phone call from Edelman Korea (Ms. Bae). Emailed report to mgmt and lead.
7-Jan	Website download	7-Jan	2:58pm	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Downloaded Q&A; Jane Lee; Edelman Korea; jane.lee@edelman.com.
7-Jan	Website download	7-Jan	2:58pm	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Downloaded Response to Additional Questions; Jane Lee; Edelman Korea; jane.lee@edelman.com.
10-Jan	Website download	10-Jan	5:44pm	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Downloaded Q&A; Insook Moon; Communication; traum44@naver.com; 821044440056.

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10-Jan	Website download	10-Jan	5:47pm	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Downloaded Response to Additional Questions, Insook Moon, Communication; trauma44@naver.com; 821044440056.
10-Jan	Website download	10-Jan	5:56pm	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Received from Insook Moon, Communication; trauma44@naver.com; 821044440056.
18-Jan	Website download	18-Jan	1:01pm	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Received from Tom Ada, Guam Legislature; tom@senatorada.org; 482-5548
19-Jan	Website download	19-Jan	9:44am	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Received from Stephen Son, Four Seasons Tours & Travel; f2kstephen@hotmail.com; 562-217-7980.
25-Jan	Website download	21-Jan	2:37pm	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Daisy Park, Grit Communications International; daisyparkkorea@gmail.com; 8210-3131-9572.
26-Jan	Website download	26-Jan	11:26AM	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	QUESTION: re notarization.
26-Jan	Website download	26-Jan	11:31am	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Received from Gaynor Daleno, Gannett Pacific; gdumat-o@guam.gannett.com; 479-0407.
26-Jan	WORK	26-Jan	In progress	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Drafting response to notarization question... discussed with AM. Researched and saw how current contractor got it done -- through attached notarial certificate. RESPONSE WITH AM FOR REVIEW.
28-Jan	Work	28-Jan	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	GM signed additional questions re notarization; posted on website; bcc to all participants.
9-Feb	RFP opening	9-Feb	4:30pm	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Opened in the Main Conference room; postponed from 0900 due to GM's meeting conflicts. 4 submissions; admin review completed; GK concurred with summary. Will copy GM.
15-Feb	Emailed GK	15-Feb	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Requested for update on date, time and list of evaluators.
15-Feb	Work	15-Feb	In progress	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Prepare advance documentation for EVALUATION
16-Feb	Evaluation	16-Feb	0900-1130	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Evaluation start time 0914; end time 1130. Evaluators: TT/GK/SS/NA; Shelly Calvo absent. 4 evaluators discussed and rated 4 offerors: TLK/HIC/PROMACC/Edelmann.
16-Feb	Work	16-Feb	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Completed rating summary and memo to GM with results. RQC acting GM. She has memo and procurement supports for review; will hold until GM returns on Monday.
17-Feb	Call from RQC	17-Feb	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	RQC called me to receive the memo to GM with summary of evaluations - and to secure until GM returns on Monday. Signed off on sealed envelope; secured in GM's office in Procurement Box - for GM's eyes only.
18-Feb	Meeting with GK	18-Feb	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Reviewed draft email to GM and letter of invitation for GM to approve. Assisted with reference to presentations (Section 1.2 of RFP). Emailed citation to her.
19-Feb	Work	19-Feb	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Assisted Gina and sent out by email invitation to 3 top offerors (PROMACC, HIC AND TLK). Cc to Gina and GVB Procurement; bcc to GM/DGM/RQC/PL/CC.
23-Feb	Meeting with Colleen	23-Feb	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Emailed and discussed with Colleen that 2 of the invitees were scheduled for the same presentation time on 2/25. She will fix.
24-Feb	Prep for Presentations	24-Feb	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Prepared sign in and evaluations sheets; discussed with CC. Showed RQC. She is reviewing.

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25-Feb	Oral Presentations	25-Feb	845	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	TLK Marketing presented at 0845; late start (waited for TT to arrive).
25-Feb	Oral Presentations	25-Feb	951	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Promac Partners presented at 0951; late start overlap from TLK late start.
25-Feb	Oral Presentations	25-Feb	1100	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Happy Idea Company (HIC), Inc. presented at 11:00.
25-Feb	Work	25-Feb	In progress	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Tabulating evaluation totals to prepare summary and memo to GM.
26-Feb	Returned File	26-Feb	completed	CL5013	TLK MARKETING: GSA Representation Services for South Korea	Returned to Contract File - 10/2/14 1st option to renew.
26-Feb	Work	26-Feb	In progress	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Transcribing notes for GM memo and presentation summary.
9-Mar	Meeting with GM & GK	9-Mar	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Per GM, proceed with Notices for his signature and contract for his review. Contract and notices done; with GK for review.
10-Mar	Meeting with GM & GK	10-Mar	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	GK revised quit letter with TLK; GM's review - remove the instructions on transition - put it in email to both companies, but not in the notice to quit letter. Revised and returned to GK.
10-Mar	Meeting with GM & GK	10-Mar	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	GM asked for emailed copies of NNS and NOIA; done. Contract and NTA signed. Scanned and copies to GK. She will forward to HIC for signatures.
10-Mar	Meeting with GM & GK	10-Mar	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	(ATTORNEY-CLIENT PRIVILEGE) Note: NOIA was dated 3/4 because GK emailed marketing terms to HIC on that date (but GM was off island, so NOIA did not get completed then); NNS's were dated 3/9, which is the date I worked on them. GM thinks all should be dated on the same day; (ATTORNEY-CLIENT PRIVILEGE).
10-Mar	Meeting with GM and TJF	10-Mar	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Met with GM and Tom Fisher re notice content; (ATTORNEY-CLIENT PRIVILEGE). Notices scanned and copied to GK (for email); NTA and contract faxed; NNS and NOIA mailed.
11-Mar	Email Question	11-Mar	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Edelman Korea (Mona Bae) asked questions about their evaluation. Prepared response draft for GK's review, referring to RFP sections and providing copy of RFP checklist so that they can see where they were lacking. Per Gina, go ahead and prepare response since procurement is done.
15-Mar	Work	15-Mar	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Prepared Amendment No. 1 pre-dated for 3/28 when contractor arrives; to prorate goal pax for the six months remaining in FY2016. Orig with GK.
15-Mar	Work	15-Mar	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Signed contract received from HIC; RQC and AM reviewed; need to prepare NTP and copy of contract for HIC - with GINA (contractor arriving 3/28). Done. NEW CONTRACT #
21-Mar	Work	21-Mar	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Re Amendment No. 1 - GK caught typo. Fixed and returned to CK (GK in Russia).
25-Mar	Request from AM	25-Mar	8:45 a.m.	PROCUREMENT FILE	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	AM asking for entire procurement file. Still not completed, so I will give him my procurement binder.
25-Mar	Update from AM	25-Mar	9:40 a.m.	PROCUREMENT FILE	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	AM showed me a COPY of the signed contract between GVB and HIC, which was communicated via email; ORIGINAL coming with team on 3/28 with original contract.

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28-Mar	Work	28-Mar	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Updated Gina and RQC re AM's request for assistance to duplicate RFP binder for Korea solicitation because of AG request and protest? Advised that AM did not divulge anything else to me. Gave Gina back her copy of the contract, which AM borrowed to make his copy.
29-Mar	Request from AM	29-Mar	9:56am	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	AM requested for the procurement binder again. He said that the other binder I prepared for him went out. RQC said that it wasn't the AG asking for the info, that there is a protest and they are gathering info. Understood. Procurement binder given to AM at 9:56am.
8-Apr	Received from GK	8-Apr	24-Apr	RFP 2016-006	CONTRACT: Happy Idea Company (HIC), Inc.	Re adjusted goal pak to coincide with remaining months of FY2016. Signed by Sedong Park. Need to complete signatures. Make sure to give GK copy. With RQC first.
11-Apr	Follow up	11-Apr	In progress	RFP 2016-006	CONTRACT: Happy Idea Company (HIC), Inc.	GK leaving for Korea on WED; asking to follow up to ensure completion of signatures for Amendment so that she can hand carry HIC copy to them.
13-Apr	Signed docs	13-Apr	completed	RFP 2016-006	CONTRACT: Happy Idea Company (HIC), Inc.	Amendment No. 1 to appropriate the goal pak for FY2016, signed by all parties. Copy given to GK (leaving today for Korea); original filed in contracts folder.
25-Apr	Meeting with AM; work	25-Apr	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Per AM, (ATTORNEY-CLIENT PRIVILEGE). Prepped boxes -- ensured they were complete and sealed; retrieved procurement binder from AM (had it since 3/29); made copies of NTA and NTP and contract for HIC; added Gina's communication (which she provided to AM). Included Amendment to HIC contract re adjustment for goal pak: (ATTORNEY-CLIENT PRIVILEGE)
2-May	Meeting	2-May	948	RFP 2016-006	MEETING WITH GM & RQC	Re work; 5250 requirement; procurement role.
2-May	Off site meeting	2-May	1130	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	(ATTORNEY-CLIENT PRIVILEGE). Moving forward, said language will be included in the certification of completion for ALL solicitations except for emergency procurement, sole source and RFQs.
2-May	Documents received	2-May	1524	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	All procurement documentation and 3 volumes of Agency Record of Procurement received from Legal Counsel (Paul Pangellian).
3-May	Work	3-May	completed	RFP 2016-006	TOURISM DESTINATION MARKETING REPRESENTATION SERVICES IN THE REPUBLIC OF KOREA	Prepared 3 boxes for storage. Re-labelled and itemized contents. Sealed for storage.
6-May	Meeting with RQC & GM	6-May	1155	PROCUREMENT	PROCUREMENT DOCUMENTATION	GM said he was concerned that I had procurement boxes underneath my desk; wants to ensure that they are secured either in his office or in storage. Will request that Garrett transfer them immediately.
6-May	Meeting with RQC	6-May	1215	PROCUREMENT	PROCUREMENT DOCUMENTATION	After meeting with GM, asked to speak with RQC because I was feeling pulled both ways. Explained that I had originally left the Korea docs in GM's office because of the protest; but last week was told that the contract was signed, so I should secure the boxes for storage. I did that all afternoon Tuesday and ended after 5:30pm. Taped all boxes for storage and secured it underneath my desk until today to request for assistance to store. GM said that secured means under lock and key. So I will do this right away and email request to RQC to have Garrett transfer to GM's office immediately.

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28-Jun	Call from Sam Shinohara	28-Jun	completed	contract protest	TLK Marketing	Sam called to advise that there is an employee from Atty. Joyce Tang in his lobby asking to meet with him for a minute. He believes it might be a subpoena. Asked me to check with Tom if GVB was aware of this and if so, should be met with them. Called TJF - (ATTORNEY-CLIENT PRIVILEGE). Texted Antonio - said that GVB was aware of subpoenas going out. Said he was on the phone with Sam already. Noted for the record. Sam sent email with copy of his subpoena and had questions. Per Antonio, wait for Nate to respond to the questions.
1-Jul	Request from AM at 11:40am	1-Jul	completed	re protest	OPA Notice	AM called me into GM's office and gave me a copy of the OPA order consolidating appeals. Told me that it needs to be sent to all bidders who submitted proposals. Since entire procurement documentation is secured in GM's office, referred to files on system to obtain email addresses. All sent out by 12:06pm. Showed AM and he said to make a copy for legal counsel. Tried to catch runner, but TLK contract already picked up. Scanned and emailed to legal counsel for his response to the order.
1-Jul	Request from AM at 11:09am	1-Jul	completed	contract	TLK	Per AM, (ATTORNEY-CLIENT PRIVILEGE). Advised RQC and prepared as requested. Acknowledgement recorded at 11:43am today by Paul Pangelinan.
1-Jul	Call from JND	1-Jul	completed	re PROTEST	TLK	JND called to ask me if I was subpoenaed by OPA regarding this protest. I said no.
5-Jul	Call from AM	5-Jul	completed	re protest	OPA Notice	AM called me to tell me that he had told me to copy him and RQC on the email notice to the bidders who submitted for the Korea solicitation. I responded to let him know that he just told me to make sure legal counsel had a copy, so I did; however, moving forward, I will copy him when I send out. [reviewed my notes of 7-1-16 on this subject; I did show him proof I sent it out as he asked. He just said to copy legal, which I did.]
13-Jul	Visitor	12:13	completed	re protest	TLK Marketing	Received subpoena from OPA: Tuesday, August 9, 2016 at 10am. Room 907 238 Archbishop Flores Street. Advised RQC.
14-Jul	Work	14-Jul	in progress	re protest	PROTEST DOCUMENTATION	JND asked that I organize all documentation received regarding protest.
15-Jul	Work	15-Jul	completed	re protest	PROTEST DOCUMENTATION	Organized protest documentation into binder for JND.
20-Jul	Files from Dara	22-Jul	completed	re protest	Order Consolidating Appeals	File these docs in JND's binder on 7/22.
25-Jul	Meeting with JND	25-Jul	9:00am	re protest	MEETING WITH LEGAL COUNSEL	JND said that when he gets back, he will make contact with legal counsel to set up briefing meeting for him, AM, GK and me.
25-Jul	Meeting with JND	25-Jul	completed	re protest	PROTEST DOCUMENTATION	Received more documents JND wants me to add to documentation folder. Tagged & prepped for filing.
3-Aug	Prep	3-Aug	completed	work log	Meeting with JND - GK - TJF	Pulled work log for entire fiscal year FY2016 to glean anything referencing TLK and/or Korea contract or solicitation for my own recall.