

OFFICE OF PUBLIC ACCOUNTABILITY

Doris Flores Brooks, CPA, CGFM
Public Auditor

## PROCUREMENT APPEALS

IN THE APPEAL OF,	) APPEAL NO: OPA-PA-15-009
KORANDO CORPORATION,	) ) ORDER TO AUGMENT ) PROCUREMENT RECORD
Appellant	)

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
Tamuning Guam 96913

Tamuning, Guam, 96913 Facsimile: (671) 472-2493

Appellant:

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

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**PURSUANT TO,** 2 G.A.R., Div. 4, Chap. 12, §12109(a) and (c), the Hearing Officer hereby FINDS and ORDERS the following:

- 1. The Hearing Officer has reviewed the Purchasing Agency's Preliminary Agency Response and Agency Statement and its Procurement Record submitted to the OPA on September 16, 2015. Based on said review, the Hearing Officer finds that the Purchasing Agency has unilaterally limited the procurement record in this matter to documents it believes are relevant to its termination of the Appellant from DPW Project No. GU-NYH-NBIS (007).
- 2. Based on the foregoing, the Hearing Officer finds that the Procurement Record in this matter is incomplete because it does not include any of the documents relating to the solicitation and award of DPW Project No. GU-NYH-NBIS (007). The Purchasing Agency is hereby

ORDERED to file with the OPA, no later than 5:00 p.m., on October 19, 2015, the complete procurement record for DPW Project No. GU-NYH-NBIS (007), to include, but not limited to, any and all documents relating to the solicitation and award of said project.

3. The Purchasing Agency need not duplicate any documents it has already submitted in its existing Procurement Record. Further, any documents in the procurement record that are marked "confidential" or "proprietary" that the Purchasing Agency files in response to this ORDER shall be SEALED and shall be reviewed *In Camera* until further order of the OPA.

**SO ORDERED** this 12<sup>th</sup> day of October, 2015 by:

ANTHONY R. CAMACHO, ESQ.

Hearing Officer