



OFFICE OF THE PUBLIC AUDITOR

**PROCUREMENT APPEALS**

IN THE APPEAL OF,  
HUBTEC INTERNATIONAL, CO.

Appellant

APPEAL NO: OPA-PA-11-009

ORDER VACATING HEARING RE  
APPELLANT'S APPEAL AND  
SCHEDULING ADDITIONAL BRIEFS

To: **Purchasing Agency:**  
Department of Public Works  
C/O Sandra E. Cruz-Miller, Esq.  
Civil Division, Office of the Attorney General  
287 West O'Brien Drive  
Hagåtña, Guam, 96910  
Facsimile: (671) 472-2493

**Appellant:**  
Hubtec International Company  
C/O Phillip Torres, Esq.  
Teker Torres & Teker, P.C.  
130 Aspinall Ave., Ste 2A  
Hagåtña, Guam, 96910  
Facsimile: (671) 472-2601

**THIS MATTER** came before the Office of Public Accountability on August 25, 2011 for the Hearing re Appellant's Appeal. The Appellant was represented by its Counsel of Record, Phillip Torres, Esq., and the Purchasing Agency was represented by its Counsel of Record, Assistant Attorney General Sandra E. Cruz-Miller, Esq. After reviewing the Appellant's August 24, 2011 Waiver of Hearing, and after hearing the arguments of the Parties, the Hearing Officer hereby **ORDERS** the following:

1           1. The Hearing for Appellant's Appeal scheduled to begin at 9:00 a.m. on August 25,  
2 2011 is hereby VACATED pursuant to Appellant's August 24, 2011 waiver of hearing. This  
3 matter shall be decided on the record filed in this matter, which includes the procurement record  
4 filed by the Purchasing Agency and the pleadings filed by the Parties.  
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6           2. The Parties may file and serve on the other party their Brief Re Remedies no later than  
7 September 1, 2011 at 5:00 p.m., and said briefs, if any filed, shall be part of the record which  
8 will be used to decide this matter.  
9

10          3. The Parties shall file and serve on the other parties their briefs regarding their  
11 respective positions on the following issues no later than September 1, 2011 at 5:00 p.m:

12           a. What is the current status of Department of Public Works, Government of  
13 Guam (Hereafter Referred to as: "DPW"), Project No. GU-NH-0002 (Route 2 Culverts and  
14 Slide Repair Project)?  
15

16           b. Who made the decision to award DPW Project No. GU-NH-0002 (Route 2  
17 Culverts and Slide Repair Project) to IMCO for approximately \$3.9 million, and if such decision  
18 was made, how was it made?  
19

20           c. Is there a bond on the IMCO award of DPW Project No. GU-NH-0002 (Route  
21 2 Culverts and Slide Repair Project)?  
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23          4. The Parties may file and serve on the other parties their response to the other parties  
24 briefs described in Paragraph 3.b. herein, no later than 5:00 p.m. on September 8, 2011.  
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