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PROCUREMENT APPEALS

DATE: 12/4/15

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FILE NO OPA-PA: 15-009

**IN THE OFFICE OF PUBLIC ACCOUNTABILITY**

In the Appeal of

Korando Corporation,

Appellant.

**DOCKET NO. OPA-PA-15-009**

**KORANDO CORPORATION'S LIST OF  
ISSUES**

Korando Corporation ("Korando") respectfully submits the following list of issues to be determined at the December 9, 2015 hearing:

1. Whether DPW's original Construction Phasing Plan was constructible.
2. Whether Stanley Consultant's change of the status of Korando's 10/27/2014 Alternate Phasing Plan on March 1, 2015 (Submittal No. 562.001-02) was unreasonable and exceeded the review period, and whether delay in review caused a four month delay to the project.

3. Whether Stanley Consultant's deletion of Critical Submittals<sup>1</sup> from submittal logs of previously approved submittals was wrongful, and materially altered the construction record.

4. Whether the deletion of the approved Critical Submittals from the submittal logs was an improper alteration of the Submittal Logs and the project contract documents, which created a false record to support DPW's wrongful termination of Korando's contract.

5. Whether the delays in the Project were sufficient for termination by default.

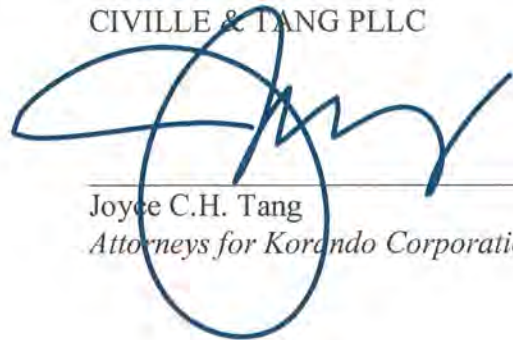
6. Whether DPW's termination of Korando's contract pretextual.

7. Whether DPW's termination of Korando's contract was made in bad faith.

8. Whether DPW's termination of Korando's contract was wrongful, and Korando is entitled to a termination for convenience.

Respectfully submitted this 4<sup>th</sup> day of December, 2015.

CIVILLE & TANG PLLC



Joyce C.H. Tang  
*Attorneys for Korando Corporation*

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<sup>1</sup> The OPA's Decision re Korando's Motion for Summary Judgment issued on 12/3/2015 found that there were 4 critical submittals: (1) Alternate Phasing Plan Submittal No. 562.002.02; (2) GPA Approved Underground Electrical (Preliminary) Submittal No. 636-004-01; (3) Traffic Control Plan Submittal No. 156.001-01; and (4) As Built Survey Submittal No. 104.001-01 (the "Critical Submittals").