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**BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY
HAGÁTÑA, GUAM**

IN THE APPEAL OF K CLEANING
SERVICES)

OPA-PA-13-004

IN THE APPEAL OF ABLE
INDUSTRIES OF THE PACIFIC)

OPA-PA-13-007

APPELLANTS)

AGENCY'S HEARING BRIEF

COMES NOW the Guam International Airport Authority (Agency), by and through Counsel Fisher & Associates, and submits a Hearing Brief pursuant to the Office of Public Accountability's Orders of 21 May 2013 and 21 June 2013.

ISSUES PRESENTED

Whether Agency Properly Rejected Appellants' Bids

Appellant K Cleaning failed to timely submit its bid to the Agency. As a result, and pursuant to the solicitation, its bid was rejected and cannot be considered for award.

Appellant Able Industries of the Pacific failed to protest to the Agency, failed to timely protest to the Agency, and filed an untimely appeal.

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ANTICIPATED WITNESSES

1. Mr. Frank P. Taitano. Mr. Taitano will testify, *inter alia*, as to the Agency's procedure when receiving bids, how the Agency conducted a solicitation and received the bids involved in this protest and why Appellant's bid was not accepted.

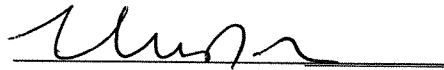
2. Mr. Dubidato Conlu. Mr. Conlu is expected to testify that he attended a pre-bid conference where he was told to submit his bid to the Agency's Executive Manager's office. He is expected to testify that he did not do so and as a result his bid was late.

3. Mr. Ken Leon Guerrero. Mr. Leon Guerrero is expected to testify that Able Industries of the Pacific did not protest the solicitation, did not timely protest the solicitation, and filed an untimely appeal.

PROPOSED EXHIBITS

All exhibits which may be used by Agency have been submitted in either the Agency Reports, the Procurement Records, or are otherwise part of the record.

FISHER & ASSOCIATES



Thomas J. Fisher, Esq.
For Guam International Airport Authority