



OFFICE OF PUBLIC ACCOUNTABILITY
Doris Flores Brooks, CPA, CGFM
Public Auditor

**BEFORE THE PUBLIC AUDITOR
PROCUREMENT APPEALS
TERRITORY OF GUAM**

**IN THE APPEAL OF
K CLEANING SERVICES,**

Docket OPA PA 13-004

Appellant.

ORDER VACATING HEARING AND SETTING SCHEDULE FOR BRIEFS

The above-captioned appeals arise from IFB NO. GIAA-001-FY13. Because the two appeals involve common facts and issues of law, the appeals were consolidated. The Hearing Officer, having reviewed the procurement record, the documents, exhibits, pleadings, motions and other materials submitted by the parties, notes that in its Notice of Appeal filed on May 8, 2013, K Cleaning Services (“KCS”) appeals the Decision that the Chief Procurement Officer made on April 18, 2013. In that Decision, GIAA did not inform KCS of its right to administrative and judicial review. 5 G.C.A. § 5425(c)(2) requires that Protest Decisions inform the protestant of its right to administrative and judicial review. Accordingly, it is ORDERED:

1. The July 24, 2013 hearing on KCS’s appeal is VACATED.
2. The parties shall brief the issue of whether the Public Auditor has jurisdiction over KCS’s appeal in light of GIAA’s apparent non-compliance with 5 G.C.A. § 5425(c)(2). The parties shall file and serve briefs on this issue no later than August 2, 2013 at 5:00 p.m. The parties may file responses to the opening briefs no later than August 9, 2013 at 5:00 p.m.

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3. Thereafter, the Public Auditor will determine whether or not further hearings will be ordered.

IT IS SO ORDERED this 23rd day of July, 2013.



PETER C. PEREZ, ESQ.
HEARING OFFICER