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2. The Guam Visitors Bureau Colluded with another to Deprive TLK of the ability to make a Meaningful Protest

Agency Position; The Agency denies this allegation.

3. Board Approval was not Obtained Prior to Contracting with Happy Idea Company

Agency Position; The Agency denies this allegation.

4. Mr. Karl Pangelinan's Involvement was Inappropriate

Agency Position; The Agency denies this allegation.

5. TLK requests the Following Remedies;

A. That agencies of the Government of Guam may not enter into a contract with a successful offeror or proposer prior to informing other offerors/ proposers that they have not been selected

Agency Position; This is a request for prospective injunctive relief. The remedy has no effect on the present appeal. The Office of Public Accountability is without jurisdiction to award this relief.

B. That all offerors/ proposers be informed at the same time that a section of contractor has been made.

Agency Position; This is a request for prospective injunctive relief. The remedy has no effect on the present appeal. The Office of Public Accountability is without jurisdiction to award this relief.

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C. That the ranking of HIC as the highest ranked offeror be set aside.  
Agency Position; There is no basis for awarding this relief.

Appellant has not challenged the awarded score. The Office of Public Accountability is without jurisdiction to award this relief.

D. That the Office of Public Accountability declare the contract between GVB and HIC void ab initio.

Agency Position; There is no basis for awarding this relief.

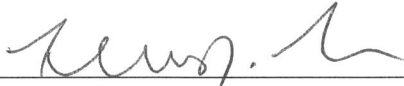
E. That TLK be declared first ranked offeror and that GVB award the contract to TLK.

Agency Position; There is no basis for awarding this relief.

The Office of Public Accountability is without jurisdiction to award this relief. The Agency will not contract with a non-responsible vendor.

F. That TLK be awarded attorney's fees.

Agency Position; There is no basis for awarding this relief.

  
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Thomas J. Fisher  
Legal Counsel for Appellee