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RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

DATE: 7/29/2020

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FILE NO OPA-PA: 19-010/20-001/20-007

ARRIOLA LAW FIRM HAGÁTÑA, GUAM 96910

Attorneys for Party in Interest ENGIE SOLAR

**IN THE OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEAL**

In the Appeal of)	Docket No. OPA-PA-19-010
)	OPA-PA-20-001
GlidePath Marianas Operations,)	OPA-PA-20-007
Inc.)	
)	STIPULATION
Appellant.)	
)	
)	

It is hereby stipulated and agreed, by and between the parties through undersigned counsel, as follows:

1. On November 13, 2019, Appellant GlidePath Marianas Operations Inc. ("GlidePath") filed a Notice of Appeal with the Office of Public Accountability ("OPA") following the denial of its agency level protest by procuring agency Guam Power Authority ("GPA"). That case is styled, *In the Appeal of GlidePath Marianas Operations Inc.*, OPA-PA-19-010.

2. On January 21, 2020, GlidePath filed a Notice of Appeal with the OPA following GPA's denial of its second agency level protest. That case is styled, *In the Appeal of GlidePath Marianas*

Operations Inc., OPA-PA-20-001.

3. Both Appeals were consolidated by Order of the Public Auditor on January 30, 2020.

4. On July 20, 2020, GlidePath filed a third Notice of Appeal, docketed as OPA-PA-20-007, appealing GPA's decision of July 14, 2020, denying GlidePath's third protest related to the IFB (the "Third Appeal").

5. On July 22, 2020, the Public Auditor ordered that all three appeals be consolidated, and all matters pertaining to the appeals shall be heard concurrently.

6. On July 22, 2020, the Public Auditor noted that because there are two existing appeals related to the same procurement, the parties were urged to "stipulate to refer to the procurement record and agency report already submitted to the OPA and may submit supplemental documents as needed."

7. Therefore the parties STIPULATE that the procurement record prepared and submitted in OPA-PA-19-010, and adopted in OPA-PA-20-001, is adopted as the procurement record prepared in OPA-PA-20-007, with GPA supplementing the procurement record as is needed to account for new material discovered or otherwise generated from GlidePath's third agency level protest.

8. It is further STIPULATED by the parties that the Agency Report, Comments on the Agency Report, Rebuttal to Appellant's Comments on Agency Report, and any Trial Brief as described and allowed in Chapter 12, Division 4, Title 2 of the Guam Administrative Rules and Regulations shall not be filed and are waived in the Third Appeal.

9. The parties further STIPULATE that they waive oral closing arguments and agree that the continued hearing date of July 30, 2020 be vacated.

10. The parties further STIPULATE that the Office of Public Auditor recordings of the proceedings in the Consolidated Appeal shall be made available to the parties as soon as practicable upon the filing of this Stipulation. Each of the parties shall file Proposed Findings of Fact and

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Conclusions of Law addressing all matters in the Consolidated Appeal within seven (7) days from the date the recordings are made available to the parties.

11. Upon filing of the parties' Proposed Findings of Fact and Conclusions of Law, this Consolidated Appeal shall be deemed submitted to the Public Auditor for decision.

SO STIPULATED:

DATED:

7/29/20

APPELLANT:

GLIDEPATH MARIANAS OPERATIONS, INC.

BY:

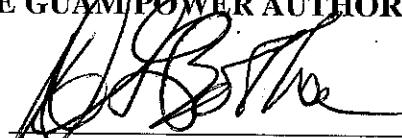

RAZZANO WALSH & TORRES, P.C.
JOSEPH C. RAZZANO

*Attorneys for Appellant GlidePath
Marianas Operations, Inc.*

APPELLEE:

THE GUAM POWER AUTHORITY

BY:


D. GRAHAM BOTHA

*Attorney for Appellee Guam Power
Authority*

INTERESTED PARTY:

ENGIE SOLAR

DATED:

7/29/20

BY:

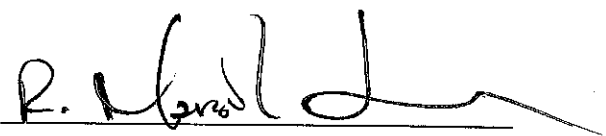


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*Attorneys for Interested Party ENGIE
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DATED: 07/29/2020

BY: 

**BLAIR STERLING JOHNSON &
MARTINEZ, P.C.**
R. MARSIL JOHNSON
*Attorneys for Interested Party ENGIE
SOLAR*

IT IS SO ORDERED.

Dated this __ day of July, 2020.

ARRIOLA LAW FIRM HAGATÑA, GUAM 96910

BENJAMIN J.F. CRUZ
Public Auditor of Guam