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RECEIVED
 OFFICE OF PUBLIC ACCOUNTABILITY
 PROCUREMENT APPEALS
 DATE: Nov 29, 2019
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 FILE NO OPA-PA: 19-010

Attorneys for Party in Interest ENGIE Solar

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

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|--|---|---------------------------------|
| In the Appeal of |) | Docket No. OPA-PA-19-010 |
| |) | |
| GlidePath Marianas Operations, Inc. |) | STIPULATED |
| |) | MOTION TO CONTINUE DATES |
| Appellant. |) | |
| |) | |
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Interested Party ENGIE Solar (“ENGIE”), Agency Guam Power Authority (“GPA”), and Appellant GlidePath Marianas Operations, Inc. (“GlidePath”), hereby move on a stipulated and agreed basis for an order to provide GPA additional time to submit the procurement record in this case as was ordered by the OPA on November 14, 2019.

In support of the Stipulated Motion, ENGIE, GPA and GlidePath jointly state as follows:

1. On November 13, 2019, GlidePath filed a Notice of Appeal with the Office of Public Accountability, appealing GPA’s denial of a procurement protest it filed on October 9, 2019 related to GPA-IFB-007-18, Renewable Energy Resources Phase III (the “IFB”).
2. On November 14, 2019, the Office of Public Accountability (the “OPA”) issued its Notice of Receipt of Appeal – OPA-PA-19-010 wherein it ordered GPA, as proscribed in 5 G.C.A. §5249 and 2 G.A.R. § 12104(3), to submit a complete copy of the procurement record

by November 21, 2019. The OPA also ordered GPA, pursuant to 2 G.A.R. § 12105, to submit a copy of the Agency Report by November 29, 2019.

3. On November 15, 2019, ENGIE filed an Entry of Appearance and Request for Notice asking to be served with all papers and pleadings filed in OPA PA-19-010.

4. On November 15, 2019, ENGIE also filed a Motion for Stay in GPA's Production of the Full Agency Report and to Preserve Confidentiality.

5. On November 21, 2019, the parties submitted a stipulated motion to continue dates to allow GPA additional time to submit the procurement record and to allow the parties to time to confer about whether an agreement whereby disclosure of information from ENGIE's submissions to GPA marked as confidential or proprietary can be avoided or limited.

6. On November 22, 2019, the OPA granted the stipulated motion to continue dates, setting November 29, 2019 as the new procurement record deadline and December 6, 2019 as the new Agency Report deadline.

7. The parties intend to continue to confer in good faith about whether an agreement whereby disclosure of information from ENGIE's submissions to GPA marked as confidential or proprietary can be avoided or limited.

8. The parties agree that additional time is needed for the parties to confer about whether an agreement can be reached.

8. The parties agree to enter into this stipulation without prejudice to any position any party may raise in the future regarding the appropriateness, content, or legal conformance of the procurement record kept in GPA-IFB-007-18, Renewable Energy Resources Phase III.

Based on the foregoing, ENGIE, GPA, and GlidePath respectfully request that the OPA enter an order:

a. Allowing GPA until December 12, 2019 to submit the procurement record in this case as proscribed in 5 G.C.A. §5249 and 2 G.A.R. § 12104(3);

b. Establishing further dates in this procurement appeal as determined by the OPA to be appropriate given the delayed submission of the procurement record.

SO STIPULATED:

INTERESTED PARTY:

BLAIR STERLING JOHNSON & MARTINEZ
A PROFESSIONAL CORPORATION


DATED: 11/29/2019

BY: 
R. MARSIL JOHNSON
Attorneys for Interested Party ENGIE Solar

APPELLEE:

THE GUAM POWER AUTHORITY
A PUBLIC CORPORATION

DATED: 11/29/19

BY: 
D. GRAHAM BOTHA
Attorney for Guam Power Authority

APPELLANT:

CIVILLE & TANG
A PROFESSIONAL LIMITED LIABILITY
PARTNERSHIP

DATED: 11/29/19

BY: 
JOSHUA D. WALSH
Attorneys for Appellant GlidePath Marianas Operations, Inc.