



OFFICE OF THE PUBLIC AUDITOR

PROCUREMENT APPEALS

In the Appeal of:)

L.P. Ganacias Enterprises, Inc. dba RadioCom)
Appellant)

Appeal No.: OPA-PA-06-003

Amended Scheduling Order

To: Advisor
Office of Homeland Security
Purchasing Agency

Ms. Claudia Acfalle
Chief Procurement Officer, General Services Administration
Purchasing Agency

Mr. Kevin J. Fowler
Attorney for Appellant
Dooley Roberts & Fowler LLP

This Appeal was filed by L.P. Ganacias Enterprises, Inc. dba RadioCom (Appellant) with the Office of the Public Auditor (OPA) on December 19, 2006, following a protest filed on December 5, 2006, with the General Services Agency (GSA) and the Office of Homeland Security (OHS). The first Scheduling Order was issued on December 29, 2006, by the Hearing Officer and delivered to the appropriate parties.

According to the Scheduling Order, the Agency Report was due on January 4, 2007. The Chief Procurement Officer filed a letter with OPA on January 5, 2007, 17 days after the Appeal was filed, indicating that a decision on the protest was still pending. There had been no objection to the jurisdiction of the Public Auditor filed in the seven (7) days after the Appeal, as required by the rules. The Chief Procurement Officer on January 15, 2007, or 41 days after the protest was filed, and 27 days after the Appeal was filed, furnished a final decision on the protest to OPA and the Appellant. The Appellant submitted a "Comment on Agency Report" to OPA on January 18, 2007, in accordance with the earlier Scheduling Order. Rebuttal to these Comments are due on January 25, 2007, and a hearing is scheduled in this Appeal for February 8, 2007.

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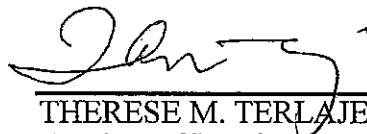
In the interest of avoiding further delays in resolving the merits of this Appeal, and in light of the recent protest decision filed by the Chief Procurement Officer on January 15, 2007, the Appellant will be allowed to consider in full the protest decision and to file a new appeal or amend the existing Appeal no later than January 29, 2007, to specifically address the protest decision in accordance with 5 GCA §5425(e). All documents already filed in this Appeal shall be part of the Procurement Record for the subject purchases and may be referenced or incorporated by either party when filing additional documents.

In anticipation of the filing of an amended Appeal, the following amended schedule is hereby ordered for Appeal No. OPA-06-003, but remains subject to change at the discretion of the Hearing Officer:

Amended Appeal Due:	January 29, 2007
Amended Agency Report Due:	February 2, 2007
Comments on Amended Agency Report Due:	February 5, 2007
Rebuttal from Agency Due:	February 7, 2007
Pre-Hearing Conference:	February 8, 2007, 10:00 a.m. Parties must submit list of witnesses, and list of exhibits.
Hearing Date:	February 9, 2007, 10 :00 a.m. (Notice to issue ten (10) days prior – January 30, 2007)

Parties may submit written objections to the above schedule before 5:00 p.m., on January 25, 2007, indicating the basis for the objection or suggested change.

Dated this 24th day of January, 2007



THERESE M. TERLAJE
Hearing Officer for Procurement Appeals
Office of the Public Auditor