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" I Erensia, Lina'la', Espiritu-ta "

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OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEALS

DATE: 12.21.17

TIME: 12:28  AM  PM BY: JMB

FILE NO OPA-PA: 17-012

Attorneys for Purchasing Agency  
*Port Authority of Guam*

## OFFICE OF PUBLIC ACCOUNTABILITY PROCUREMENT APPEAL

IN THE APPEAL OF ) **APPEAL NO. OPA-PA-17-012**

MID PAC FAR EAST, LLC, )  
 )  
 )  
 Appellant, )

vs. )

**MOTION FOR LEAVE TO EXTEND  
MOTION FILING DEADLINE**

GENERAL SERVICES AGENCY, PORT )  
AUTHORITY OF GUAM, )  
 )  
 Purchasing Agency. )  
 )

The Port Authority of Guam ("PAG"), through its attorneys of record, the Law Offices of Phillips & Bordallo, P.C., by Darleen E. Hiton, respectfully moves the appointed hearing officer, Attorney Peter C. Perez, and Public Auditor, Doris Flores Brooks, for an Order granting leave to extend the Motion filing deadline by 30 days now set for December 22, 2017. This Motion is made pursuant to 2 G.A.R § 12109 (a) and (d) which provides the appointed Hearing Officer authority to fix issues in a proceeding; consider matters that may aid in the expeditious disposition of the proceeding; and rule on motions and other procedural items on matters pending before such officer.

1 **MOTION FOR LEAVE TO EXTEND MOTION FILING DEADLINE**  
2 **Mid Pac Far East vs. General Services Agency, Port Authority of Guam**  
3 **OPA Procurement Appeal Case No. OPA-PA-17-012**

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5 Appellant, Mid Pac Far East, LLC, filed its Notice of Appeal to the OPA on November  
6 27, 2017. Thereafter, the OPA filed its Notice of Receipt of Appeal on November 28 and issued  
7 a Notice of Pre-hearing Conference and Motion Filing Deadline on December 12, 2017.  
8

9 The November 27, 2017, Notice of Appeal alleged that a protest was lodged by  
10 Appellant, Mid Pac Far East, LLC, on October 12, 2017, for matters relating to Invitation for Bid  
11 No. GSA/PAG-025-017 for the purchase of 5.5 Ton Fork Trucks. A decision on the protest was  
12 issued on November 14, 2017, by General Services Agency (“GSA”) Chief Procurement Officer,  
13 Claudia S. Acfalle.

14 On November 28, 2017, one day after the Notice of Appeal was filed, counsel for the  
15 Port accepted an appointment as Special Assistant Attorney General for procurement matters  
16 above \$500,000.00 for the Port. On December 12, 2017, counsel for the Port also entered her  
17 appearance via correspondence filed to the OPA by GSA. On or about the same date, counsel  
18 also first received a copy of GSA’s Agency Report on the referenced procurement, the appealed  
19 protest, and now pending appeal. Since counsel’s receipt of the Agency Report on or about  
20 December 13 counsel has not been able to interview key management at the Port with intricate  
21 knowledge of the procurement details and reasons supporting the outcome of the decision on the  
22 protest issued by GSA on November 14, 2017.  
23

24 A reasonable time to prepare, conduct legal review, and consult with client  
25 representatives is required to aid the expeditious disposition of the proceedings and the filing of  
26 any Motion or Motions on behalf of the Port. Given the upcoming holidays, counsel’s recent  
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**MOTION FOR LEAVE TO EXTEND MOTION FILING DEADLINE**  
**Mid Pac Far East vs. General Services Agency, Port Authority of Guam**  
**OPA Procurement Appeal Case No. OPA-PA-17-012**

appointment as Special Assistant Attorney General, and counsel’s recent entry of appearance, as filed by GSA on December 12, 2017, a short 30-day period is requested to the extend Motion filing deadlines now set for today, Thursday, December 21, 2017. This Motion for leave to extend the December 22, 2017, Motion Filing deadlines is brought for good cause and is not intended for any unreasonable delay.

Respectfully submitted this 21<sup>st</sup> day of December, 2017.

**PHILLIPS & BORDALLO, P.C.**  
*Attorneys for Purchasing Agency*  
*Port Authority of Guam*

By:   
**DARLEEN E. HITON**