



OFFICE OF THE PUBLIC AUDITOR

PROCUREMENT APPEAL

In the Appeal of:)
)
) **Appeal No.: OPA-PA-06-002**
)
Far East Equipment Company, LLC) **ORDER OF DISMISSAL**
)
_____)

Whereas, on December 21, 2006, Joseph W. Duenas, General Manager of the Jose D. Leon Guerrero Commercial Port, cancelled Bid Invitation PAG 06-001 re Multi Step Bid for The Fabrication and Installation of One (1) or Two (2) New Dockside Container Handling Gantry Cranes.

The Public Auditor does hereby order the above-captioned appeal DISMISSED.

Dated this 27th day of December, 2006.

By:

DORIS FLORES BROOKS, CPA, CGFM
PUBLIC AUDITOR



Office of the Attorney General
 Douglas B. Moylan
 Attorney General of Guam
 Solicitors Division
 The Justice Building
 287 West O'Brien Drive
 Hagåtña, Guam 96910 • USA
 (671) 475-3324 • (671) 472-2493 (Fax)
 www.guamattorneygeneral.com • guamattorneygeneral@hotmail.com

Attorneys for the Government of Guam

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 PROCUREMENT APPEALS

DEC 26 2006

TIME: 1:37 pm
 BY: JA
 FILE No. OPA-PA 06-002

**BEFORE THE PUBLIC AUDITOR OF GUAM
 HAGÁTÑA, GUAM**

FAR EAST EQUIPMENT COMPANY,)
 LLC)
 Appellant,)
 vs.)
 PORT AUTHORITY OF GUAM,)
 Purchasing Agency.)

Docket No. OPA-PA-06-002

**STIPULATION AND ORDER FOR
 DISMISSAL OF APPEAL**

Purchasing Agency Jose D. Leon Guerrero Commercial Port (the "Port"), by notice issued December 21, 2006, having announced cancellation of the invitation for bids in this matter as provided by 5 GCA §5225 and 2 GAR §3115 having determined such action is in the territory's best interest for the reason to ensure no further delays and the most expedient acquisition of the much needed gantry cranes, and having further announced it will re-issue the

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Stipulation and Order re Dismissal of Appeal

ORIGINAL

bid, It Is Hereby Stipulated by and between the parties hereto, by counsel, that the appeal in the above-captioned matter be dismissed.

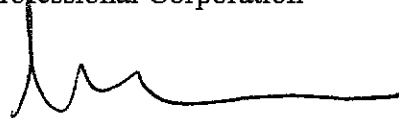
SO STIPULATED.

Date: 12/22/2006

Date: 12/26/2006

Mair, Mair, Spade & Thompson
A Professional Corporation

OFFICE OF THE ATTORNEY GENERAL
Douglas B. Moylan, Attorney General

By: 

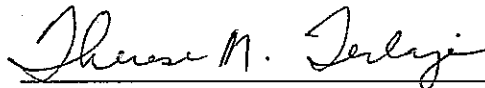
By: 

DAVID A. MAIR
Attorneys for Appellant Far East
Equipment Company LLC

PHILIP D. ISAAC
Assistant Attorney General
Attorneys for Purchasing Agency Jose
D. Leon Guerrero Commercial Port

The foregoing stipulation of the parties is hereby approved; the appeal in this matter is hereby dismissed. SO ORDERED.


Date: 12/27/06



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

Dated this 22nd day of December, 2006.

OFFICE OF THE ATTORNEY GENERAL
Douglas B. Moylan, Attorney General

By: 

PHILIP ISAAC
Assistant Attorney General
Attorneys for Defendant Jose D. Leon
Guerrero Commercial Port



PORT AUTHORITY OF GUAM
ATURIDAT I PUEYTON GUAHAN
 Jose D. Leon Guerrero Commercial Port
GOVERNMENT OF GUAM
 1026 Cabras Highway, Suite 201
 Piti, Guam 96915



FELIX P. CAMACHO
 Governor of Guam

KALEO S. MOYLAN
 Lieutenant Governor

December 21, 2006

Telephone: (671) 477-5931/35
 (671) 477-2683/85
 Facsimile: (671) 477-2689/4445
 Webpage: www.netpci.com/~pag4

BID STATUS

Rex International
 P.O. Box 4382
 Agana, Guam 96932

BID INVITATION: PAG 06-001 Submission Date: November 3, 2006
DESCRIPTION: Multi Step Bid for The Fabrication and Installation of One (1) or Two (2) New Dockside Container Handling Gantry Crane.


The following is the result of the above mentioned bid. Refer to the items checked below:

/ X / canceled (in its entirety), or partially canceled due to:
 () Insufficient funds;
 () Change of specifications; or
 () Insufficient number of bidders
 (X) Other: After further review, Management feels it is in the best interest of the Port and the Territory to cancel and re-issue the bid to ensure no further delays and the most expedient acquisition of the much needed gantry cranes.

/ / Rejected due to:
 () Late submission of bid;
 () No bid security or insufficient bid security amount submitted; as required by Section 11 of the General Terms and Conditions;
 () Not meeting the delivery requirement as stated in the IFB;
 () Non-conformance with the specification;
 () Inability to provide future maintenance and service to the equipment;
 () High price; or
 () Others:

/ / Bid is recommended for award to:

Thank you for your participation with bid PAG 06-001.


 JOSEPH W. DUENAS
 General Manager

cc: Doris F. Brooks, OPA
 Phil Isaac, Esq.
 Claudia Acfalle, CPO

OFFICE OF THE PUBLIC AUDITOR
GOVERNMENT OF GUAM
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