



OFFICE OF PUBLIC ACCOUNTABILITY
Doris Flores Brooks, CPA, CGFM
Public Auditor

PROCUREMENT APPEALS

IN THE APPEAL OF,) APPEAL NO: OPA-PA-11-009
HUBTEC INTERNATIONAL, CO.)
Appellant) ORDER DENYING REQUEST TO
CONTINUE HEARING RE
APPELLANT'S APPEAL

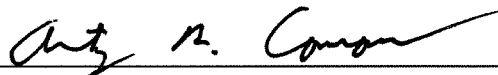
To: **Purchasing Agency:**
Department of Public Works
C/O Sandra E. Cruz-Miller, Esq.
Civil Division, Office of the Attorney General
287 West O'Brien Drive
Hagåtña, Guam, 96910
Facsimile: (671) 472-2493

Appellant:
Hubtec International Company
C/O Phillip Torres, Esq.
Tekker Torres & Tekker, P.C.
130 Aspinall Ave., Ste 2A
Hagåtña, Guam, 96910
Facsimile: (671) 472-2601

THIS MATTER came before the Office of Public Accountability on August 15, 2011 pursuant to the Parties request, via their draft Stipulation and Order to Continue Scheduled Dates filed that same day, to continue and extend the hearing dates and deadlines set forth in the July 26, 2011 Scheduling Order in this matter for six (6) weeks. The Hearing Officer has the authority to rule on motions and other procedural items and the authority to fix time limits for submission of written documents. 2 G.A.R., Div. 4, Chap. 12, §12109(d) and (g). The Hearing Officer notes that on June 24, 2011 the Appellant requested a hearing on its appeal, and that both

1 parties were represented by their respective counsel at July 22, 2011 Pre-Hearing Conference and
2 stated their availability for the August 25, 2011 Hearing on Appellant's Appeal and they
3 participated in the development of and agreed to the various filing deadlines associated with said
4 hearing. Further, the Hearing Officer notes that the contract under dispute in this matter
5 concerns federal funding made pursuant to the American Recovery and Reinvestment Act of
6 2009 (Hereafter Referred to as "ARRA"), and that such funds will lapse if not used by
7 September 30, 2011. Finally, a procurement appeal and the rules of procedure governing such
8 appeals are expedited matters meant to be decided in a short period of time. 5 G.C.A. §5701.
9 Based on the foregoing, the Parties' August 15, 2011 request for a six (6) week continuance is
10 hereby DENIED because this matter is an expedited proceeding, the parties collaboratively
11 agreed to the dates set forth in the July 26, 2011 Scheduling Order, and, should the Parties
12 settlement negotiations fail, any continuance will severely jeopardize the Office of Public
13 Accountability's ability to hear this appeal and decide it prior to the project's September 30,
14 2011 lapse of funding.
15
16
17

18
19 **SO ORDERED** this 16th day of August, 2011 by:

20
21
22 
23 ANTHONY R. CAMACHO, ESQ.
24 Hearing Officer
25
26
27
28