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**RECEIVED**  
OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEALS

DATE: July 7, 2020

TIME: 2:10  AM  PM BY: Unif

FILE NO OPA-PA: 19-011 / 20-003

Attorney for Appellant

BASIL FOOD INDUSTRIAL SERVICES CORPORATION

BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY

In the Appeal of

BASIL FOOD INDUSTRIAL SERVICES  
CORPORATION,

Appellant.

Appeal No. OPA-PA-19-011

Appeal No. OPA-PA-20-003

CONSOLIDATED

**NOTICE OF DISQUALIFICATION OF  
PROCUREMENT APPEALS HEARING  
OFFICER ANTHONY CAMACHO**

COMES NOW, Basil Industrial Foods Services (“Basil”), by and through its counsel of record, Camacho Calvo Law Group, with its notice of disqualification of Procurement Appeals Hearing Officer Anthony Camacho to this matter.

**I. FACTS**

Plaintiff Basil Food Industrial Service Corporation (“Plaintiff”) filed a Notice of Procurement Appeal on December 16, 2019 relative to GSA Bid No. GSA-056-19 (the “IFB”). The Office of Public Accountability (“OPA”) designated this appeal as OPA-PA-19-011.

On December 31, 2020, the Public Auditor recused himself from OPA-PA-19-011 to avoid the appearance of impropriety caused by his social relationship with Joyce Tang, Esq., who was

the then-counsel for S.H. Enterprises. Anthony Camacho, Esq. was designated as the hearing officer to preside over this appeal.

S.H. Enterprises filed a Motion for Summary Judgment on February 3, 2020. Thereafter, Basil filed its Opposition on February 7, 2020 and S.H. Enterprises filed its Reply on February 14, 2020.

Hearing Officer Camacho presided over the Motion Hearing set on February 26, 2020 in relation to the Motion for Summary Judgment.

The next day, on February 27, 2020, Basil filed a Second Notice of Procurement Appeal relative to GSA Bid No. GSA-056-19. The OPA designated this appeal as OPA-PA-20-003.

The Public Auditor recused himself from OPA-PA-20-003 on March 10, 2020 to avoid the appearance of impropriety caused by his familial relationship with S.H. Enterprises' current counsel, Vanessa Williams, Esq. Anthony Camacho, Esq. was again designated as the hearing officer to preside over this appeal.

On March 12, 2020, Hearing Officer Camacho consolidated Appeal Nos. OPA-PA-19-011 and OPA-PA-20-003 as both matters concerned the identical parties and similar issues.

On June 10, 2020, GSA filed a Motion for Summary Judgment relative to the Second Notice of Procurement Appeal (OPA-PA-20-003) and Basil filed its Opposition on July 1, 2020. GSA's Reply, if any, is due on July 10, 2020.

To date, Hearing Officer Camacho has not issued his Decision on the Motion for Summary Judgment in OPA-PA-19-011. Further, a hearing relative to the merits of both OPA-PA-19-011 and OPA-PA-20-003 is set for August 10, 2020.

**II. BASIS FOR DISQUALIFICATION OF HEARING OFFICER ANTHONY CAMACHO**

The undersigned has recently learned that Hearing Officer Camacho is now the legal counsel for the University of Guam (“UOG”), a government entity. His role as a government official for both UOG and the OPA signifies his loyalty and obedience to the government and reasonably calls into question his impartiality, bias and prejudice to preside over these proceedings. The Procurement Appeals Hearing Officer is primarily responsible for ensuring that the proper procedures are followed, that the rights of the parties are protected, and that a fair and impartial decision is rendered. However, his dual role leads Basil to reasonably question his ability to remain impartial in this matter.

Further, in the alternative, if Hearing Officer Camacho is found to be employed by the Office of Public Accountability in his capacity as a private attorney, then this would violate 5 G.C.A. § 30113 which prohibits government attorneys from engaging in private practice.

Accordingly, based on the foregoing, and similar to the Public Auditor’s recusal pursuant to 2 GAR, Div. 4, § 12116, Hearing Officer Camacho should be disqualified and he should recuse himself from this matter to alleviate Basil’s justifiable concerns regarding his impartiality.

DATED: Hagåtña, GU, July 7, 2020.

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BASIL FOOD INDUSTRIAL SERVICES  
CORPORATION