



Office of the Public Auditor

Commonwealth of the Northern Mariana Islands

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IN RE APPEAL OF
North Pacific Enterprises, Inc.

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)
) APPEAL NO. BP-A059
) DISMISSAL ORDER

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) (DPW 09-IFB-24)

This is an order dismissing the appeal filed with the Office of the Public Auditor (OPA) by North Pacific Enterprises, Inc., regarding the denial of its protest on the basis of lack of timeliness by the Director of Procurement and Supply for DPW 09-IFB-24 for the Supply, Delivery, and Installation of Emergency Generators for the WIC Clinic and Administration Building.

North Pacific Enterprises, Inc. protested on September 1, 2009 that the lowest bidder on the IFB was not qualified. On September 22, 2009, the Director of Procurement and Supply denied the protest based on the lack of timeliness of the protest.

On September 28, 2009, North Pacific Enterprises, Inc., appealed the denial of its protest to the Office of the Public Auditor.

On October 8, 2009, the Director of Procurement and Supply notified the Office of the Public Auditor that the IFB had been canceled since the obligation of funds expired on September 30, 2009. Thus, the appeal is moot, and North Pacific Enterprises, Inc.'s appeal is dismissed.

North Pacific Enterprises, Inc., any interested party that submitted comments during consideration of the protest, the Director of Procurement and Supply, or any agency involved in the protest may request reconsideration of a decision by the Public Auditor. The request must contain a detailed statement of the factual and legal grounds for which reversal or modification is deemed warranted, specifying any errors of law made or information not previously considered. Such a request must be received by the Public Auditor not later than ten (10) days after the date of this decision. NMIAC § 70-30.3-505(i).

Dated this 13th day of October 2009.

Rosauro Zapanta for Michael Pai
Public Auditor