



Office of the Public Auditor

Commonwealth of the Northern Mariana Islands

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IN RE APPEAL OF

FABRICLEAN OF THE CNMI, INC.

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APPEAL NO. BP-A041

APPEAL NO. BP-A042

ORDER DISMISSING APPEAL

(Protest Decision No. 03-006)

I. Summary

This is a dismissal of the two appeals filed by Fabriclean CNMI, Inc.¹ ("Fabriclean") currently pending before the Office of the Public Auditor ("OPA") pertaining to the solicitation of laundry services for the Commonwealth Health Center ("CHC") under Request for Proposal No. RFP 03-CHC-0041 by the Department of Public Health ("DPH"). The decisions appealed were issued by the then Acting Secretary of Finance. OPA has jurisdiction of this appeal pursuant to Section 6-102 of the CNMI Procurement Regulations ("CNMI-PR").

II. Stipulated Motion to Dismiss

On April 5, 2005, the parties filed a Stipulated Motion to Dismiss Appeals to the Office of the Public Auditor ("Stipulated Motion"). The Stipulated Motion was signed by counsel for the Appellant, counsel for DPH and counsel for the Secretary of Finance, Department of Finance, and the Office of Procurement and Supply and provided that it was in "everyone's best interest to dismiss" the appeals.

III. Decision

As Fabriclean, the appellant, wishes to have both appeals dismissed and there is no objection from the CNMI Government parties to the appeals,

The Office of the Public Auditor hereby dismisses Appeal No. BP-A041 and Appeal No. BP-A042.

¹ The name of the company is listed as "Fabriclean of CNMI, Inc. Marianas Cleaners" on the business licenses submitted with the proposal.

Section 6-102(9) of the revised CNMI-PR provides that Fabriclean, any interested party who submitted comments during consideration of the Protest, the Director, 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.



Michael S. Sablan, CPA
Public Auditor

May 16, 2005