I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Substitute Bill No. 431-31 (COR), "AN ACT TO PROVIDE FOR A LIMITED EXTENSION OF THE CONTRACT BETWEEN THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPHSS) AND THE GOVGUAM ASSOCIATION OF RETIRED PERSONS/*SERVICIO PARA I MANAMKO* (GGARP/SPIMA) TO PROVIDE *SENIOR CENTER SERVICES FOR THE COMPREHENSIVE MANAGEMENT, OPERATIONS, AND MAINTENANCE OF THE SENIOR CENTER OPERATIONS PROGRAM* FOR THE DIVISION OF SENIOR CITIZENS, DPHSS",** was on the 28th day of February, 2012, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 28th day of FEB, 2012, at 5:50 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 431-31 (COR)
As substituted on the Floor.

Introduced by: Dennis G. Rodriguez, Jr.
Judith T. Won Pat, Ed.D.
Adolpho B. Palacios, Sr.
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
v. c. pangelinan
R. J. Respicio
M. Silva Taijeron
Aline A.Yamashita, Ph.D.

AN ACT TO PROVIDE FOR A LIMITED EXTENSION OF THE CONTRACT BETWEEN THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPHSS) AND THE GOVGUAM ASSOCIATION OF RETIRED PERSONS/*SERVICIO PARA I MANAMKO* (GGARP/SPIMA) TO PROVIDE *SENIOR CENTER SERVICES FOR THE COMPREHENSIVE MANAGEMENT, OPERATIONS, AND MAINTENANCE OF THE SENIOR CENTER OPERATIONS PROGRAM* FOR THE DIVISION OF SENIOR CITIZENS, DPHSS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Department of Public Health and Social Services (DPHSS) has *not*

initiated the requisite bid solicitation process to provide *Senior Center Services for the Comprehensive Management, Operations, and Maintenance of the Senior Center Operations Program* of the Division of Senior Citizens, Department of Public Health and Social Services (DPHSS). Further, the current contract, as amended and extended, is due to expire on February 29, 2012, without a new bid and contract having been duly solicited and awarded pursuant to applicable procurement law. The current service provider is the GovGuam Association of Retired Persons/*Servicio Para I Manamko* (GGARP/SPIMA), a non-profit corporation.

Section 2. The Governor is authorized to amend and extend the Contract awarded pursuant to the Invitation for Bid, as per General Services Agency Bid #GSA-031-10 (Reference POs: P106A03220, and P116A00312), as amended, and extended through February 29, 2012, for an additional period of ninety (90) days from the date of enactment of this Act, or until such time as a new contract is awarded.

Section 3. Severability. *If* any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall *not* affect other provisions or applications of this Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are severable.

Section 4. Effective Date. This Act *shall* become effective upon enactment.

OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.
CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR
COMMITTEE ON TOURISM, MUNICIPAL AFFAIRS, HOUSING AND RECREATION

COMMITTEE ON TAXATION, APPROPRIATIONS, PUBLIC DEBT, BANKING, INSURANCE, RETIREMENT AND LAND

COMMISSIONER
GUAM COMMISSION ON DECOLONIZATION

GUAM FIRST COMMISSION

VICE PRESIDENT
ASSOCIATION OF PACIFIC ISLAND LEGISLATURES (APIL)

BOARD MEMBER
PACIFIC RESOURCES FOR EDUCATION AND LEARNING (PREL)

LEGISLATIVE REPRESENTATIVE
PACIFIC ISLAND DEVELOPMENT BANK (PIDB)

FESTIVAL OF THE PACIFIC ARTS (FESTPAC)

February 27, 2012

MEMORANDUM

To: Honorable Rory Respicio
Chairperson, Committee on Rules

From: Speaker Judith T. Won Pat, Ed.D.

Subject: Waiver of Public Hearing

After carefully evaluating the request to waive the requirement of a public hearing on Bill No. 431-31 (COR) "An act to provide for a limited extension of the contract between the Department of Public Health & Social Services and GovGuam Association of Retired Persons / Servicio Para I Manamko (GCARP/SPIMA), to provide senior center services for the comprehensive management, operations, and maintenance of the senior center operations program for the Division of Senior Citizens, DPHSS."

I certify that Bill No. 431-31 (COR) meets one of the requirements set forth in §2103(a) of Title 2 Guam Code Annotated and the requirement for a public hearing is hereby waived.

Senseramente,

Judith T. Won Pat, Ed.D.
Speaker

cc: Clerk of the Legislature

SENATOR DENNIS G. RODRIGUEZ, JR.

Chairman,
Committee on Health & Human Services, Senior Citizens, Economic Development, & Election Reform

Member,
Committee on Public Safety, Law Enforcement, & Judiciary

Member,
Committee on Youth, Cultural Affairs, Procurement, General Government Operations, & Public Broadcasting

Member,
Committee on Municipal Affairs, Tourism, Housing & Recreation

Member,
Committee on Rules, Federal, Foreign & Micronesian Affairs, & Human & Natural Resources

Member,
Committee on the Guam Military Buildup & Homeland Security

Member,
Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, & Land

Member,
Committee on Utilities, Transportation, Public Works, & Veterans Affairs

Assistant Majority Whip

February 24, 2012

Honorable Judith T. Won Pat
Speaker
I Mina'Trentai Una na Liheslaturan Guåhan
155 Hesler Place
Hagatña, Guam 96910

Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 2/24/12
Time 5:19 PM
Received by

RE: 1) Request for Speaker's Emergency Declaration Relative to Bill No. 431-31 (COR); An Act To Provide For A Limited Extension Of The Contract Between The Department Of Public Health & Social Services And Guam Association Of Retired Persons / Servicio Para I Manamko (GGARP/Spima), To Provide *Senior Center Services For The Comprehensive Management, Operations, And Maintenance Of The Senior Center Operations Program* For The Division Of Senior Citizens, DPHSS.
2) Request for Special Session.

Dear Speaker Won Pat:

I wish to respectfully request your consideration of an emergency declaration relative to Bill No. 431-31 (COR), for the purpose of its expeditious consideration by *I Liheslaturan Guåhan* during a special legislative session.

As you are aware, the contract between the Department of Public Health and Social Services (DPHSS), Division of Senior Citizens, and the GovGuam Association of Retired Persons (GGARP/SPIMA) is due to expire on February 29, 2012, without a new Invitation for Bid and contract having been duly solicited and awarded pursuant to applicable procurement law.

This request is made with due consideration of:

§ 2103. Public Hearings Mandatory. (a) No bill may be passed by I Liheslatura unless it has received a public hearing, except that when the presiding officer of I Liheslatura certifies that emergency conditions exist, involving danger to the public health or safety, the requirement for a public hearing may be waived and in the event the bill is identical to a bill introduced earlier, which later bill received a public hearing, then a public hearing for the identical bill may be waived.

The urgency lies in the unfortunate fact that DPHSS has not initiated the requisite bid solicitation process to provide for *Senior Center Services For The Comprehensive Management, Operations, And Maintenance Of The Senior Center Operations Program* of

the Division of Senior Citizens, DPHSS. So as not to unduly disrupt these vital services for our Manamko, the Bill proposes to provide for a limited extension of the current contract, pending the mandated issuance of a new Invitation For Bid by DPHSS.

I respectfully offer that time is of the essence and request your consideration to call *I Liheslatura* into special session to deliberate Bill 431-31.

Si Yu'os Ma'ase.

Senseramente,

Dennis G. Rodriguez, Jr.

CC: All Senators

Attachment: Bill No. 431-31 (COR)