Eddie Baza Calvo
Governor

Christine W. Baleto
Director
Dept. of Administration

GSA

GENERAL SERVICES AGENCY
(Ahensian Setbision Hinirat)
Department of Administration
148 Route 1 Marine Corps Drive, Piti, Guam 96915
Tel: (671) 475-1707 Fax Nos: (671) 475-1727 / 472-4217

Ray Tenorio
Lieutenant Governor

Vincent P. Arriola
Deputy Director
Dept. of Administration

March 9, 2017

MEMORANDUM

To: Hon. Benjamin J. F. Cruz
Speaker, 34th Guam Legislature

From: Chief Procurement Officer

Subject: **Emergency Procurement – Certificate of Emergency**

Buenas yan Hafa Adai! Pursuant to the 5GCA §5215: Emergency Procurement, attached is a copy of the Certificate of Emergency dated March 7, 2017 enabling the Department of Correction (DOC) to procure air conditioning units for the Mangilao facilities to ensure an adequate and controlled temperature environment in addition to adequate ventilation to the affected facilities for the health and safety of the inmates/detainees and DOC officers relative to the affected units.

If you have any questions, please do not hesitate to contact me at 475-1707/20.

3/8/17

CLAUDIA S. ACFALLE

Attachment

2017 MAR -9 PM 4:40

Speaker Benjamin J.F. Cruz

MAR 09 2017

Time: 4:40 [ ] AM [✓] PM File No. _____

Received By _____

GL # 34-17-279

0279

Eddie Baza Calvo
Governor

Christine W. Baleto
Director
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March 7, 2017

Ray Tenorio
Lieutenant Governor

Vincent P. Arriola
Deputy Director
Dept. of Administration

MEMORANDUM

To: Governor of Guam

From: Chief Procurement Officer, General Services Agency

SUBJECT: Request for Emergency Procurement for the Department of Corrections Air Conditioning Units.

Attached is a request from the Department of Corrections seeking your approval for the Emergency Procurement of air conditioning units for the Mangilao facility. The request is for a total of six (6) units. One which is a request for a ten (10) ton package unit is for the Medical Facility. The failure to have adequate ventilation is a violation. Attached also is a copy from the Guam Memorial Hospital Authority stating that this is a violation of the United States Pharmacopeia standards for maintaining drugs in a facility.

Two (2) five ton ducted air conditioning units are required for the women's facility. This would be to replace the current air conditioning units which are not working. As it is a closed unit, the facility has no ventilation.

One (1) five-ton split air conditioning unit is for the Inmates/Detainees that are situated in the Administrative Segregation unit (Post 7). Finally two (2) five ton split air conditioning units for the Local Detainees unit (Post 17). All of these Posts are closed quartered and without an open ventilation. The failure to have adequate ventilation would case both health and safety factor.

The approval of this request would prevent issues that could be raised in the on-going Consent Decree case before the US District Court.

3/7/17

CLAUDIA S. ACFALLE
Chief Procurement Officer

SO AGREED:

MAR 9 2017

EDDIE BAZA CALVO Date
GOVERNOR OF GUAM

CFD0317 1014

COMMITED TO EXCELLENCE

DEPARTMENT OF CORRECTIONS
DEPATTAMENTON MANGNGURIHI
GOVERNMENT OF GUAM

P.O. BOX 3236 HAGATNA, GUAM 96932
#1 MASHBURN LANE DAIRY ROAD, MANGILAO, GUAM 96913
TELEPHONE NO.: (671)735-5170/5176
FAX NO.: (671)734-4051
WEBSITE: WWW.DOC.GUAM.GOV

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

ALBERTO "TONY" LAMORENA V
DIRECTOR

KATE G. BALTAZAR
DEPUTY DIRECTOR

Reply to:
DOC2017-03-054

March 1, 2017

RECEIVED
Gov't of Guam

MEMORANDUM

To: Chief Procurement Officer

From: Director, Department of Corrections

Subject: **Request for Emergency Procurement**
Ref: Replacement of Air Conditioning System Units at the Department of Corrections Facilities

Hafa Adai. This is to request approval for emergency procurement for replacement and supply of air conditioning system units for the Department of Corrections. The following is our factual basis of Determination that Emergency Procurement is Necessary:

1. Replacement of a 10-ton package unit at the Medical Clinic located within the Adult Correctional Facility in Mangilao. The current unit is not working at all and the Department of Corrections Medical Clinic is in violation for not having an adequate and controlled temperature facility such as the medical exam rooms for the inmates and detainees to be seen for their medical needs. The Medical Clinic must be a clean, safe and healthy environment.

   Attached is a letter of support from the Guam Memorial Hospital Authority for they have oversight of the DOC Healthcare Clinic.

2. Replacement of two (2) each 5-ton ducted air conditioning system at POST 8 which is the Women's Facility. The current unit is not working at this time and there is no ventilation for this facility is closed quarters. The Women's Facility is not an open bay area and there is no ventilation.

3. Replacement of one (1) each 5-ton split air conditioning system at POST 7 facility for Inmates/Detainees that are on Administrative Segregation; and replacement of two (2) each 5-ton split air conditioning system at POST 17 which houses Local Detainees. Both facilities are closed quarters; they are not an open bay area and there is no ventilation. The current air conditioning systems are also not working at this time.

March 1, 2017

MEMORANDUM
To: Chief Procurement Officer
Subject: Request for Emergency Procurement
Ref: Replacement of Air Conditioning System Units at the Department of Corrections

STATEMENT OF NO PROPER PURPOSES

The emergency procurement set forth above is not being used solely for the purpose of avoiding any provisions in Guam's Procurement Laws and Regulations. As we continue to work on these issues there still exists an immediate need to ensure that these facilities are ventilated properly to avoid further court action with regard to the Munson Order, Civil Case No. 91-00020.

The Department of Corrections has determined that a clear and present threat to the health, welfare and safety of the Inmates and Detainees, to include the Correction Officers assigned to these Units, exists based on housing capacity and potential lack of adequate ventilation.

So determined, declared, and certified, this 1ST day of March 2017 by

ALBERTO A. LAMORENA V

Attachment

Guam Memorial Hospital Authority
Aturidåt Espetåt Mimuriåt Guåhan

2/15/17
OVi

850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96911
TEL: 647-2444 or 647-2330
FAX: (671) 649-0145

DATE: February 9, 2017

TO: General Services Agency
Chief Procurement Officer

FR: Jason Boyd, PharmD., Director of Pharmacy

RE: Letter of Support – Emergency HVAC Procurement

Hafa Adai,

Please accept this letter of support for the emergency procurement of a replacement HVAC system at the Department of Corrections (DOC) Healthcare Clinic.

All medication parameters are regulated by the United States Pharmacopeia (USP), which is the legally recognized standards that all pharmacies, and areas of medication storage, are held accountable to. The USP mandates that medications be stored between 68 °F to 77 °F. Additionally, the USP recommends that ambient humidity be controlled at 35% to 60% to mitigate the proliferation of mold, mildew, and fungi.

Due to a non-functioning HVAC system in the DOC Clinic, we are currently in violation of the USP standards for medication storage. These standards are enforced by the U.S. Food and Drug Administration, and the Guam Board of Pharmacy. The Guam Board of Pharmacy has been noted to direct pharmacies in non-compliance with these standards to find off-site storage for medications.

The DOC clinic stores medications of high value, such as anti-hemophiliac factors, vaccines, injectable antibiotics, and insulins. Thus, the emergency procurement of a replacement HVAC system is fully justified.

Thank You

JB/ rlp