Eddie Baza Calvo
Governor

Edward M. Birn
Acting Director

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Ray Tenorio
Lieutenant Governor

Vincent P. Arriola
Deputy Director

FEBRUARY 28, 2018

GL#34-18-1580
Speaker Benjamin J.F. Cruz

FEB 2 8 2018
Time: 11:08 AM PM File No 34-1586
Received By

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 February 28, 2018, enabling the Department of Public Health & Social Services (DPHSS) to procure the Elderly Nutrition Program (ENP), Congregate Meals (C1) component and the Home-Delivered Meals (C2) component to ensure the continuation of Title III Nutrition Services, for up to 90 days.

2018 FEB 28 PM 12:17

Claudia S. Acfalle

Attachment

1580

COMMITED TO EXCELLENCE

Eddie Baza Calvo
Governor

GSA

GENERAL SERVICES AGENCY
(Ahensian Setbision Hinirat)
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Ray Tenorio
Lt. Governor

Edward M. Birn
Acting Director,
Dept. of Administration

Vincent P. Arriola
Deputy Director
Dept. of Administration

February 26, 2018

MEMORANDUM

To: Governor of Guam

From: Chief Procurement Officer, General Services Agency

SUBJECT: Request for Emergency Procurement for the Elderly Nutrition Program: Congregate and Home-Delivered Meals

Attached is a request from the Director of the Department of Public Health and Social Services seeking your approval for the Emergency Procurement of the Elderly Nutrition Program (ENP), Congregate Meals (C1) component and ENP, Home-Delivered Meals (C2) component for the anticipated service period effective June 1st for up to ninety (90) days. The reason for the 90-days is that both parties have filed a Request for Reconsideration from the Office of Public Accountability of her decision on the initial appeal for the Congregate and Home-Delivered Meals Program. Additionally, the current food vendor has filed an appeal in the Superior Court of Guam questioning the OPA's decision.

The Elderly Nutrition Program ensures the provision of a hot, nutritious meal that provides a minimum of 33 1/3 percent of the current Recommended Dietary Allowance, as established by the Food and Nutrition Board of the National Academy of Sciences, National Research Council to seniors who access one of the 14 congregate meals sites or those who have been determined by our Case Management Services program to be homebound. The Congregate component or C1 of the ENP provides for approximately 780 seniors, Monday through Friday, while the Home-Delivered component or C2 provides for approximately 1,180 homebound seniors, Monday through Sunday, for a combined total of approximately, 1,960 seniors; however, meals are not provided on 10 recognized holidays. For many seniors who access this meal service, this is perhaps the one balanced meal they will receive on any service day of the program.

The procurement of these services through an Emergency Procurement under 5 G.C.A. §5215 is necessary in order to avert a threat to the health, welfare and safety of our seniors who rely on this meal at either the designated congregate sites or at their home.

OEP 0218-1218

Based upon the facts provided by the Department, I, CLAUDIA S. ACFALLE, Chief Procurement Officer for the General Services Agency do certify under penalty of perjury, that a certificate of emergency is not being used solely for the purpose of avoidance of the provisions of Title 5, Guam Code Annotated, Chapter 5, the Guam Procurement law.

2/24/18

CLAUDIA S. ACFALLE
Chief Procurement Officer

APPROVED

EDDIE BAZA CALVO, Date
Governor of Guam