Eddie Baza Calvo
Governor

Ray Tenorio
Lt. Governor

GENERAL SERVICES AGENCY
(Ahensian Setbision Hinirat)
Government of Guam
148 Rt. 1 Marine Corps Dr. Piti Guam 96915
Ph: 475-1707/ 1720 Fax:475-1727/472-4217
Email: gsaprocurement@gsadoa.guam.gov

Edward M. Birn
Acting Director,
Dept. of Administration

Vincent P. Arriola
Deputy Director
Dept. of Administration

MEMORANDUM

June 11, 2018

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

(GCA 34-18-1981)
Speaker Benjamin J.F. Cruz

From: Chief Procurement Officer

JUN 11 2018
Time: 2:30 [ ] AM [ ] PM File No.
Received By:

Subject: Emergency Procurement-Certificate of Emergency

Buenas yan Hafa Adai! Pursuant of the 5GCA §5215: Emergency Procurement, attached is a copy of the Certificate of Emergency dated June 01, 2018, enabling the Government of Guam to procure Telecommunication Services. The government must continue telecommunications without a delay or interruption to ensure the public safety, health and welfare. We requested for a ninety (90) day emergency on a month to month basis to allow implementation of the bid.

We apologize for the delay.

CLAUDIA S. ACFALLE

2018 JUN 11 PM 3:06

Attachment

Eddie Baza Calvo
Governor

GSA

GENERAL SERVICES AGENCY
(Ahensian Setbision Hinirat)
Government of Guam
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Ray Tenorio
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Edward M. Birn
Director

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Deputy Director

June 1, 2018

MEMORANDUM

To: Governor of Guam

From: Chief Procurement Officer, General Services Agency

SUBJECT: Request for Emergency Procurement for the Telecommunication Services for the Government of Guam

On May 14, 2018, the Supreme Court of Guam issued its decision on in the TeleGuam LLC v. Guam (2018 Guam 5) upholding part of and reversing part of the Office of Public Accountability(OPA) determination as to the award of communication services that the government put out in 2010. Since the initial appeal to the OPA, the government has been prevented from moving forward with the award of the bid. During this time period, the parties have entered into an agreement to stay any action until 'a judgement has been rendered by the court" On May 14th, a decision was rendered addressing all of the issues raised in the lower courts. The decision of the court does not give the government adequate time to award and implement fully the contract award. As for the GGWAN portion of the bid, the decision of the Supreme Court now requires the government to re-solicit the bid.

As such, the government must continue telecommunications without a delay or interruption to ensure the public safety, health and welfare. We are requesting for a ninety (90) day emergency on a month to month basis to allow for the implementation of the bid.

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 government and the community as a while.

Based upon the facts 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.

6/1/18

CLAUDIA S. ACFALLE
Chief Procurement Officer

APPROVED

RAYMOND S. TENORIO
Acting Governor of Guam

JUN 0 1 2018