DEPARTMENT OF ADMINISTRATION
(DIPATTAMENTON ATMENESTRASION)
GENERAL SERVICES AGENCY
(Ahensian Setbision Hinirat)
148 Route 1 Marine Corp Drive, Piti Guam 96915
TEL: (671) 475-1707/475-1700 * FAX: (671) 475-1727/472-4217

Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lieutenant Governor

Edward M. Birn
Director
Edith C. Pangelinan
Deputy Director

March 8, 2019

35GL-19-0219
Speaker Tina Rose Muña Barnes

MAR 0 8 2019
Time 401 ( )AM ( )PM
Received By:

MEMORANDUM

To: Hon. Tina Muña Barnes
Speaker, 35 Guam Legislature

From: Claudia S. Acfalle
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 1, 2019 enabling the Office of the Governor to procure for medical referral services to continue providing Guam medical patients who require medical treatment and services outside of Guam, with assistance in coordinating appropriate medical appointments, as well as coordinating temporary housing and transportation; and for the Guam Medical Referral Assistance Office to continue its statutory mandate that it provide medical assistance services to the people of Guam.

If you have any questions, please do not hesitate to contact me at 475-1700/07.

CLAUDIA S. ACFALLE

Attachment

2019 MAR -8 PM 4:15

0219

March 5, 2019

MEMORANDUM

To: Claudia S. Acfalle, Chief Procurement Officer

From: Haig T. Huynh, Governor's Legal Counsel

Subject: Request for Emergency Procurement
(Guam Medical Referral Assistance Office)

The Governor has received and approved your request for emergency procurement. Please proceed pursuant to 5 GCA § 5215.

ACKNOWLEDGEMENT COPY
RECEIVE BY
DATE 3/6/19

Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lieutenant Governor

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Edward M. Birn
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Deputy Director

March 01, 2019

MEMORANDUM

ACKNOWLEDGEMENT COPY
RECEIVED BY _____
DATE _____

To: Governor of Guam, Acting

From: Chief Procurement Officer

Subject: Request for Emergency Procurement
(Guam Medical Referral Assistance Office)

Buenas Yan Hafa Adai! Please find attached a memorandum from the Director of the Guam Medical Referral Assistance Office, requesting for emergency procurement to provide the critical need of Guam citizens who must travel thousands of miles off-island to receive medical treatment, often alone.

I would like to provide some history relative to declaring and emergency for the Guam Medical Referral Assistance Office.

WHEREAS, the contract for Guam Medical Referral Services under Thomas Fisher did not go through the normal procurement process under the Guam Procurement Law. It is currently being paid through a Remedies After an award process; and

WHEREAS, the Guam Medical Referral Assistance Office (MRAO or GMRO) was originally created in 1988 by the enactment of Public Law 1943 (codified as 10 G.C.A. Section 1103) to address the critical need of Guam citizen who must travel thousands of miles off-island to receive medical treatment, often alone; and

WHEREAS, effective July 13, 2017, the Guam Legislature enacted Public Law 34-21 which restructured the MRAO as an entity within the Office of the Governor and established specific eligibility terms and provisions for assistance; and

WHEREAS, the Government's existing contract with a private vendor for medical referral services expired naturally by its terms on March 25, 2017, and a new procurement and an award were pending prior to the enactment of P.L. 34-24 on July 13, 2017. However, the procurement was nullified upon the enactment of P.L. 34-24; and

WHEREAS, according to reports provided by the MRAO, approximately 2,425 Guam patients and their escorts have utilized the services of the MRAO thus far in FY2017; and

WHEREAS, Guam patients are continuing to require medical treatment and services outside the territory, and until the MRAO can fully implement the new requirements established by P.L. 34-24, a critical emergency condition exists 2 which imminently threatens the public health, welfare, or safety of those patients; and

WHEREAS, an emergency procurement is urgently needed in order to continue the MRAO's statutory mandate of providing assistance to Guam patients traveling off-island for medical services and to assure that medical services to such patients are not threatened or interrupted.

Based upon the facts provided by the Department, I CLAUDIA S. ACFALLE, Chief Procurement Officer 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.

CLAUDIA S. ACFALLE
Chief Procurement Officer

APPROVED BY:

3/1/2019
LOURDES A. LEON GUERRERO
GOVERNOR OF GUAM

ACKNOWLEDGEMENT COPY
RECEIVE BY _____