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

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

Edward M. Birn
Director
Edith C. Pangelinan
Deputy Director

March 29, 2019

35GL-19-0286
Speaker Tina Rose Muña Barnes

MAR 29 2019
Time 1029 (X)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 21, 2019, enabling the Government of Guam to procure Telecommunications Services. The government must continue telecommunications without a delay or interruption to ensure the public safety, health and welfare. We requested for a thirty (30) day Emergency on a month to month basis to allow implementation of the bid.

If you have any questions, please do not hesitate to contact me at 475-1700 or 475-1707.

2019 MAR 29 AM 11:11

CLAUDIA S. ACFALLE

Attachment

0286

COMMITTED TO EXCELLENCE

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

March 21, 2019

Robert H. Kono
Chief Procurement Officer
General Services Agency
148 Route 1 Marine Corp. Drive
Piti, Guam 96915

Re: Emergency Request for Telecommunications Services

Dear Mr. Kono:

Transmitted herewith, please find the Emergency Request for Telecommunications Services signed by the Governor of Guam.

If you have any questions, please contact my office at # 475-9475.

Senseramente,

HAIG T. HUYNH
Legal Counsel
Office of the Governor of Guam

Doc. No. 35GL-19-0286.

DEPARTMENT OF ADMINISTRATION
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(Ahensian Setbision Hinirat)
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Tel: (671) 475-1707/475-1700 * Fax: (671) 475-1727/472-4217
Email: gsaprocurement@gsadoa.guam.gov

Eddie Baza Calvo
Governor
Ray Tenorio
Lieutenant Governor

Edward M. Birn
Director
Vincent P. Arriola
Deputy Director

2019-1462
RCVD AT CENTRAL FILE
MAR 21'19 PM2:09
Jessica Cruz

March 21, 2019

MEMORANDUM

To: Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Governor of Guam

From: Robert H. Kono, Acting Chief Procurement Officer
General Services Agency *(Ahensian Setbision Hinirat)*

Subject: Emergency Request for Telecommunications Services

Please find attached two (2) memorandums from the Office of Technology, requesting for emergency procurement for telecommunications services. This request is for a thirty (30) day period

GovGuam telecommunications services has been tied up in litigation since 2011. Procurement has been stayed, as a result of Protests, Appeals, Court Hearings, etc. While procurement is stayed, GovGuam has been under emergency procurement for continued services. In February 2019, the OPA issued a ruling in the Appeal case OPA-PA-18004, to cancel the bid (GSA-064-11). GovGuam must now execute new procurement for telecommunications services. However, in the mean time we need to sustain current services without disruption until the new procurement is executed and awarded.

GTA and PDS has been providing continued services issuing invoices for such services to all of the GovGuam line agencies. There have been GTA and PDS invoices for October 2018 through March 2019 rendered without a respective purchase order. We are at a high risk of losing support and services because of nonpayment. There are many interdependencies in place supporting GovGuam daily operations. Telecom services include:

- Centrex Phone Services (Digital)
- Regular POTS line services (Plain old telephone service) Analog
- Mobile Wireless Phone Services
- Primary Rate Interface (PRI), Basic Rate Interface (BRI), Session Initiation Protocol (SIP), Integrated Services Digital Networking (ISDN) Trunks
- Broadband/DSL connectivity services for internet world wide web access
- Multiprotocol Label Switching (MPSL) for intranet access services

A very high percentage of GovGuam's operations depends on the telecom services listed above. The Department of Administration, Department of Public Health and Social Services, Guam Police Department, Guam Fire Department, Department of Corrections, etc. would lose basic phone connectivity with the public should these telecom services be suspended or terminated. The impact of the loss of this service would be catastrophic.

There are many interdependencies in place with the operation of the GGWAN. A mission critical example is our GovGuam-wide complex integration of OTECH's network services to each line agency.
A very high percentage of GovGuam's operations depends on the GGWAN interconnectivity throughout our network. The Department of Revenue and Taxation would lose over 90 percent of basic phone connectivity with the public should the GGWAN services be suspended or terminated. Other services transported through the GGWAN include email, internet, the AS400 financial applications, the DPHSS PHPro system, and DRT's core services for the taxpayers. The impact of the loss of this service would be catastrophic.

I respectfully request your approval for Emergency Procurement for the above-mentioned services to avert a planned suspension of services by GTA TeleGuam, which will result in major disruption of GovGuam operations.

Based upon the facts provided by the Department, I, Robert H. Kono, Acting 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.

3/21/19

Robert H. Kono
Chief Procurement Officer, Acting

APPROVED

3/21/2019

Lourdes A. Leon Guerrero, **Date**
Governor of Guam

OFFICE OF TECHNOLOGY
GOVERNMENT OF GUAM
(GUBETNOMENTON GUÅHAN)
Post Office Box 884 • Hagåtña, Guam 96932

OFFICE OF TECHNOLOGY
GOVERNMENT OF GUAM

Lourdes A. Leon Guerrero
Governor
I Maga' Hågan Guåhan

Joshua F. Tenorio
Lieutenant Governor
I Segundu Maga' låhi Guåhan

Frank LG Lujan, Jr
Chief Technology Officer

Joseph C. Manibusan
Data Processing Manager

March 20, 2019

From: Chief Technology Officer

To: Chief Procurement Officer

Subject: **Request for Emergency Procurement for core Telecom Services**

Buenas yan Håfa Adai! GovGuam telecommunications services has been tied up in litigation since 2011. Procurement has been stayed, as a result of Protests, Appeals, Court Hearings, etc. While procurement is stayed, GovGuam has been under emergency procurement for continued services. In February 2019, the OPA issued a ruling in the Appeal case OPA-PA-18-004, to cancel the bid (GSA-064-11). GovGuam must now execute new procurement for telecommunications services. However, in the mean time we need to sustain current services without disruption until the new procurement is executed and awarded.

GTA and PDS has been providing continued services issuing invoices for such services to all of the GovGuam line agencies. There have been GTA and PDS invoices for October 2018 through March 2019 rendered without a respective purchase order. We are at a high risk of losing support and services because of nonpayment. There are many interdependencies in place supporting GovGuam daily operations. Telecom services include:

- Centrex Phone Services (Digital)
- Regular POTS line services (Plain old telephone service) Analog
- Mobile Wireless Phone Services
- Primary Rate Interface (PRI), Basic Rate Interface (BRI), Session Initiation Protocol (SIP), Integrated Services Digital Networking (ISDN) Trunk Services
- Broadband, Multiprotocol Label Switching (MPLS), Digital Subscriber Line (DSL) connectivity services for intranet and internet access services

A very high percentage of GovGuam's operations depends on the connectivity of the telecom services listed above. The Department of Administration, Department of Public Health and Social Services, Guam Police Department, Guam Fire Department, Department of Corrections, etc. would lose basic phone connectivity with the public should these telecom services be suspended or terminated. The impact of the loss of this service would be catastrophic.

I respectfully request your approval for Emergency Procurement for the above-mentioned services to avert a planned suspension of services by GTA TeleGuam or Pacific Data Systems, which will result in major disruption of GovGuam operations.

Your approval and support are greatly appreciated.

Si' Yu'os Ma'åse',

OFFICE OF TECHNOLOGY
GOVERNMENT OF GUAM
(GUBETNOMENTON GUAHAN)
Post Office Box 884 • Hagatna, Guam 96932

Lourdes A. Leon Guerrero
Governor

Joshua F. Tenorio
Lieutenant Governor

Frank LG Lujan, Jr
Chief Technology Officer

Joseph C. Manibusan
Data Processing Manager

March 19, 2019

From: Chief Technology Officer

To: Chief Procurement Officer

Subject: **Request for Emergency Procurement for core GGWAN Services**

Buenas yan Håfa Adai! GovGuam telecommunications services has been tied up in litigation since 2011. Procurement has been stayed, as a result of Protests, Appeals, Court Hearings, etc. While procurement is stayed, GovGuam has been under emergency procurement for continued services. In February 2019, the OPA issued a ruling in the Appeal case OPA-PA-18-004, to cancel the bid (GSA-064-11). GovGuam must now execute new procurement for telecommunications services. However, in the mean time we need to sustain current services without disruption until the new procurement is executed and awarded.

GTA has been providing continued services issuing invoices for such services to OTECH. We have GTA invoices for October 2018 through March 2019 for a sum total of $75,421.47. We are at a high risk of losing support and services for the GGWAN because of nonpayment. There are many interdependencies in place with the operation of the GGWAN. A mission critical example is our GovGuam-wide complex integration of OTECH's network services to each line agency.

A very high percentage of GovGuam's operations depends on the GGWAN interconnectivity throughout our network. The Department of Revenue and Taxation would lose over 90 percent of basic phone connectivity with the public should the GGWAN services be suspended or terminated. Other services transported through the GGWAN include email, internet, the AS400 financial applications, the DPHSS PHPro system, and DRT's core services for the taxpayers. The impact of the loss of this service would be catastrophic.

I respectfully request your approval for Emergency Procurement for the above-mentioned services to avert a planned suspension of services by GTA TeleGuam, which will result in major disruption of GovGuam operations.

Your approval and support are greatly appreciated.

Si' Yu'os Ma'åse',

OFFICE OF THE GOVERNOR
GOVERNOR'S CHAMBER