DEPARTMENT OF ADMINISTRATION
DIPATTAMENTON ATMENESTRASION

LOURDES A. LEON GUERRERO, *Governor (Maga'hâga)*
JOSHUA F. TENORIO, *Lt. Governor (Sigundo Maga'lâhi)*

EDWARD M. BIRN
Director (Direktot)
EDITH C. PANGELINAN
Deputy Director (Sigundo Direktot)

GENERAL SERVICES AGENCY (Ahensian Setbision Hirnirat)

June 24, 2019

MEMORANDUM

35GL-19-0647
Speaker Tina Rose Muña Barnes
JUN 24 2019
Time 10:11 (/)AM ( )PM
Received By: Alan

2019 JUN 24 AM 10:32

To: Honorable Speaker, Tina Muña Barnes
I Mina'trentai Kuåttaro Na Liheslaturan Guåhån
Guam Congress Bldg. 163 Chalan Santo Papa,
Hagåtña, Guahan, 96932

From: Chief Procurement Officer, General Services Agency
Division of Department of Administration

Subject: **Emergency Procurement Request for Department of Public Health & Social Services**
Ref**: Elderly Nutrition Program: Congregate (C1) and Home-Delivered Meals (C2)**

Madame Speaker,

Hafa Adai, Pursuant to the 5GCA §5215: Emergency Procurement, see attached is a copy of the Emergency Procurement request approved by I Maga'hågan Guahan dated May 21, 2019. The request is from Department of Public Health & Social Services dated May 15, 2019 for an emergency request to provide Elderly Nutrition Program (ENP), Congregate Meals (C1) component and ENP, Home-Delivered Meals (C2) component for the anticipated service period effective July 1, 2019.

The reason for the thirty (30) day request, is to allow implementation of the bid that, has been in review with the Office of the Attorney General Office which must comply with 5 GCA § 5150 which is over the cost of $500,000.00

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

6/24/19
Robert H. Kono
Acting Chief Procurement Officer

Enclosure:
06/19/2019 DPHSS Emergency Request
06/20/2019 General Services Agency
06/21/2019 Signed Approved Emergency Procurement

0647

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

Transmitted Via Central Files

June 21, 2019

CLAUDIA S. ACFALLE
Chief Procurement Officer
General Services Agency
Ahensian Setbision Hirnirat
148 Route 1 Marine Corps Drive
Piti, Guam 96915

Re: GSA Request for Emergency Procurement re DPHSS Elderly Nutrition Program (Memo dated 6-20-2019)

Dear Ms. Acfalle:

The following document is transmitted with the signature of *Maga'hågan Guåhan*:

> **General Services Agency Memorandum dated June 20, 2019**: Request for Emergency Procurement for Department of Public Health and Social Services re Elderly Nutrition Program: Congregate and Home Delivered Meals (CF# 2019-3760)

Any questions or concerns can be sent directly to the Legal Counsels via email (haig.huynh@guam.gov or sophia.diaz@guam.gov) or call 475-9475/9476.

Senseramente,

SOPHIA SANTOS DIAZ
Legal Counsel

Enclosure: Original signed Request for Emergency Procurement

cc: *Maga'hågan Guåhan* (via email)
Sigundo Maga'låhi (via email)

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GENERAL SERVICES AGENCY (*Ahensian Setbision Hinirat*)

RCVD AT GEN'L SVCS
JUN 20 '19 PM 2:03

Tina Sanchez
2019-3760

June 20, 2019

MEMORANDUM

To: Lourdes A. Leon Guerrero
Honorable Governor of Guam

From: Chief Procurement Officer, Acting
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 July 1, 2019 for a period of thirty (30) days. The reason for the 30-days is that the current food vendor has filed an appeal in the Supreme Court of Guam questioning both the Superior Court and the OPA's decision. The government is intending to issue a new food bid, but the review has currently with the Office of the Attorney General for review of the Phase II process.

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.

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, Section 5125 of the Guam Procurement law.

Robert H. Kono 4/24/19
Robert H. Kono
Chief Procurement Officer, Acting

SO APPROVED:

Lou de Guerrero 6.21.19
LOURDES A LEON GUERRERO, DATE
GOVERNOR OF GUAM

GOVERNMENT OF GUAM
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT

LOURDES A. LEON GUERRERO
GOVERNOR, MAGA'HÅGA'

JOSHUA F. TENORIO
LT GOVERNOR, SIGUNDO MAGA'LÅHI

LINDA UNPINGCO DENORCEY, MPH
DIRECTOR

LAURENT SF DUENAS, MPH, BSN, RN
DEPUTY DIRECTOR

JUN 19 2019

Tina Sanchez

MEMORANDUM

TO: Chief Procurement Officer, General Services Agency

FROM: Director, Department of Public Health and Social Services

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

The Department of Public Health and Social Services is seeking your agency's assistance for the Emergency Procurement of the Elderly Nutrition Program (ENP), Congregate Meals (C1), and Home-Delivered Meals (C2) components for the anticipated service period of 30 Calendar Days effective July 1, 2019. The current Emergency Procurement expires on June 30, 2019. The reason for the 30-days is there remains an on-going appeal for Congregate and Home-Delivered Meals Programs with the Supreme Court of Guam, CVA No. 18-030 Superior Court of Guam, CV0995-16.

The Department completed its Phase 1 Planning and Drafting Phase on March 14, 2019 and is in coordination with General Services Agency to issue a new bid through Phase 2 Solicitation and Bidding Phase.

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 15 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; 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.

Attached for the procurement activity for both ENP Congregate Meals (C1) and Home-Delivered

Meals (C2) components are the following: 1) Procurement Specifications for ENP C1 and ENP C2; 2) Requisitions for the Emergency Procurement for ENP C1 and ENP C2; and 3) Declaration re Compliance with 5 GCA §5150 (AG Procurement Form 014).

Should you have any questions, please contact Ms. Charlene D. San Nicolas, Program Coordinator IV or Mr. Arthur U. San Agustin, MHR at 735-7415 or 735-7421.

for LINDA UNPINGCO DENORCEY, MPH

Attachments

123 CHALAN KARETA, MANGILAO, GUAHAN 96913-6304
www.dphss.guam.gov • Ph: 1 671 735 7102 • Fax: 1 671 473 5910