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

DEPARTMENT OF ADMINISTRATION
DIPATTAMENTON ATMENESTRASION
DIRECTOR'S OFFICE
(Ufisinan Direktot)

Telephone (*Telifon*): (671) 475-1101/1250 • Fax (*Faks*): (671) 477-6788

LOURDES A. LEON GUERRERO
Governor (Maga'håga)
JOSHUA F. TENORIO
Lt. Governor (Sigundo Maga'låhi)

August 27, 2019

35GL-19-0954

Speaker Tina Rose Muña Barnes

AUG 2 8 2019
Time 9:22 AM ( )PM
Received By: Matt

MEMORANDUM

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

From: Chief Procurement Officer, Acting
General Services Agency

Subject: Emergency Declaration Request for the Department of Public Health and Social Services.

AUG 28 AM 10:34

Madame Speaker,

Hafa Adai, Pursuant to the 5GCA §5215: Emergency Procurement, attached is a copy of the Emergency Request approved by the Acting Governor Joshua F. Tenorio dated August 28, 2019. The request is from Department of Public Health and Social Services dated August 27, 2019 for an emergency request to provide continued Meal Services for both the Congregate and Home Delivery programs.

The reason for the thirty (30) day request is the contract has just been received in our office after review with the Office of the Attorney General Office which must comply with 5 GCA § 5150 which is over the cost of $500,000.

If you should have any questions, please do not hesitate to contact me at 475-1728 or 475-1700.

8/27/19
Robert H, Kono
Acting

0954

OFFICE OF LEGAL COUNSEL

Ufisinan I Maga'hågan Guåhan
Office of the Governor of Guam

LOURDES A. LEON GUERRERO
Governor of Guam

JOSHUA F. TENORIO
Lieutenant Governor of Guam

Transmitted Via Central Files

August 27, 2019

ROBERT H. KONO
Chief Procurement Officer Acting
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 and Home-Delivered Meals (for September 2019)

Dear Mr. Kono:

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

> **General Services Agency Memorandum dated August 27, 2019**: Request for Emergency Procurement of food/meal services for Department of Public Health and Social Services' Elderly Nutrition Program, Congregate and Home-Delivered Meals for a minimum of 30 days starting September 1, 2019.

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,

for **HAIG T. HUYNH**
Legal Counsel

Enclosure: Original signed Request for Emergency Procurement

cc: *Åkto Maga'låhen Guåhan* (via email)
Maga'hågan Guåhan (via email)

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

DEPARTMENT OF ADMINISTRATION
DIPATTAMENTON ATMENESTRASION
GENERAL SERVICES AGENCY
(Ahensian Setbision Hinirat)

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

2019-53352
RCVD AT CENTRAL FILI
AUG 27 '19 AM10:13
Jessica Cruz

August 27, 2019

MEMORANDUM

To: Joshua F. Tenorio
Honorable Governor of Guam, Acting

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 September 1, 2019 for a period of thirty (30) days. The reason for the 30-days is 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 is with the Office of the Attorney General for review.

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
Chief Procurement Officer Acting

SO APPROVED:

8/27/19

JOSHUA F. TENORIO Date
GOVERNOR OF GUAM, Acting

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

AUG 2 6 2019

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 September 1, 2019. The current Emergency Procurement expires on August 31, 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.

LINDA UNPINGCO DENORCEY, MPH

Attachments

xc: Director's Chrono, DSC Administrator's File, ASO Taitague
ENP C1 Requisition File, ENP C2 Requisition File
BPAD: FY19 (C1) (C2)