UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

VIA HAND-DELIVERY

November 27, 2019

3SGL-19-1268
Speaker Tina Rose Muña Barnes

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HONORABLE TINA MUÑA BARNES
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
Guam Congress Building
Hagåtña, Guam 96910

Re: Executive Order No. 2019-26

Dear Madam Speaker:

Pursuant to Public Law 34-16, transmitted herewith is the following Executive Order:

EXECUTIVE ORDER 2019-26:
RELATIVE TO DECLARING A STATE OF EMERGENCY FOR THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES AS A RESULT OF DAMAGE SUFFERED TO ITS MANGILAO MAIN FACILITY

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

Senseramente,

SOPHIA SANTOS DIAZ
Legal Counsel

Enclosure(s): Executive Order No. 2019-26

cc: Honorable Lourdes A. Leon Guerrero, *I Maga'hagan Guahan* (via email)
Honorable Joshua F. Tenorio, *I Sigundo Maga'låhen Guahan* (via email)
Compiler of Law, via email
Central Files, via email

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1268

ISLAND OF GUAM
OFFICE OF THE GOVERNOR
HAGÅTÑA, GUAM 96932
U.S.A.

Executive Order No. 2019-26

RELATIVE TO DECLARING A STATE OF EMERGENCY FOR THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES AS A RESULT OF DAMAGE SUFFERED TO ITS MANGILAO MAIN FACILITY

WHEREAS, on November 27, 2019, the Guam Fire Department ("GFD") responded to a request for an assessment of the Department of Public Health and Social Services' ("DPHSS") Main Mangilao Facility located at 123 Chalan Kareta ("Mangilao Main Facility") because of reports of suspicious odor; and

WHEREAS, as a result of the assessment conducted by GFD, it has been determined that the Mangilao Main Facility, in its current state, cannot adequately function as a DPHSS facility and that all services must be relocated to alternative sites immediately.

NOW, THEREFORE, I, LOURDES A. LEON GUERRERO, *I Maga'hågan Guåhan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, and the laws of Guam, do hereby order:

1. **Declaration of a State of Emergency.** An emergency exists at the Department of Public Health and Social Services in order to relocate services and ensure that operations continue with minimal disruption.

2. **Agency Coordination.** All government departments, agencies, instrumentalities, and other public entities are directed to assess their offices to determine whether they have capacity to co-locate any DPHSS offices or operations on a temporary basis. The Department of Public Works is specifically directed to undertake any and all necessary public works projects deemed necessary to support the Department of Public Health and Social Services' efforts in this regard.

3. **Emergency Procurement and Emergency Expenses.** Pursuant to 5 G.C.A. § 5215, authorizing emergency procurement of supplies, services, and construction upon executive order, and 5 G.C.A. § 22402 authorizing the Governor to utilize no more than Two Hundred Fifty Thousand Dollars ($250,000.00) from General Fund appropriations for the Executive Branch for expenses resulting from civil defense, public safety, or healthcare emergencies, this Executive Order authorizes the Director of Bureau of Budget and Management Research to transfer to the Department of Public Works an amount not to exceed Two Hundred Fifty Thousand Dollars ($250,000.00) from outstanding appropriations within the General Fund for funding the activities authorized under this Executive Order. This Executive Order further authorizes the utilization of emergency procurement for any services or projects for the purpose of relocating operations from the Mangilao Main Facility to alternative sites. Emergency procurement is not being used solely for the purpose of avoidance of the provisions of the Guam Procurement Law.

4. **Documentation of Expenses.** The Department of Public Works is hereby instructed to keep appropriate documentation on all emergency expenses for inspection by the Executive and Legislative branches of the government of Guam and by the Public

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Auditor of Guam. The Department of Public Works, via the Bureau of Budget and Management Research shall provide a written report of the emergency expenditures and its source to the Legislature and the Public Auditor within five (5) days of such transactions.

5. **Purpose of Emergency Procurement.** Emergency procurement may be used for procurement of any supplies, services or construction projects in support of efforts to relocate operations from the Mangilao Main Facility to alternative sites. As provided in 5 G.C.A. § 5215, the use of such emergency procurement is authorized for a period of thirty (30) days following the date of this Executive Order.

Signed and Promulgated at *Hagåtña*, Guam, this 27th day of November, 2019.

LOURDES AFLAGUE LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Attested by:

JOSHUA FRANQUEZ TENORIO
Sigundo Maga'låhen Guåhan
Lieutenant Governor of Guam

Doc. No. 35GL-19-1268.