Speaker's Office <speaker@guamlegislature.org>

M&C Fwd: REVISED EMAIL : Emergency Procurement Request for Department of Correction Meal Services.

1 message

Speaker's Office <speaker@guamlegislature.org> Wed, Feb 26, 2020 at 10:23 AM
To: Clerks Office <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>
Bcc: Tina Muna Barnes <tinamunabarnes@gmail.com>

02-25-20	5:05 PM	02-25-20	Emergency Procurement Request for Department of Correction Meal Services.*	Department of Administration	35GL-20-1592

35GL-20-1592
Speaker Tina Rose Muña Barnes

FEB 2 5 2020
Time 5:05 ( )AM ( )PM
Received By: Matt

Sinseru yan Minagâhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
speaker@guamlegislature.org

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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

---------- Forwarded message ---------
From: **Christine Tedtaotao** <Christine.Tedtaotao@gsadoa.guam.gov>
Date: Tue, Feb 25, 2020 at 5:05 PM
Subject: REVISED EMAIL : Emergency Procurement Request for Department of Correction Meal Services.
To: Speaker@guamlegislature.org <Speaker@guamlegislature.org>
Cc: Joseph Carbullido <joseph.carbullido@doc.guam.gov>, Claudia Acfalle <Claudia.Acfalle@gsadoa.guam.gov>, Edward M. Birn <Edward.Birn@doa.guam.gov>

Apologies , attach is the 9 pages and 1 page for the acknowledgement.

Thank you

Christine M. Tedtaotao

Buyer II
General Services Agency

Department of Administration

Phone No. 671-475-1705

Email: christine.tedtaotao@gsadoa.guam.gov

gsaprocurement@gsadoa.guam.gov

Web Site: www.gsa.doa.guam.gov

2020 FEB 26 AM 10:33

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From: Christine Tedtaotao
Sent: Tuesday, February 25, 2020 4:55 PM
To: Speaker@guamlegislature.org
Cc: Joseph Carbullido <joseph.carbullido@doc.guam.gov>; Claudia Acfalle <Claudia.Acfalle@gsadoa.guam.gov>; Edward M. Birn <Edward.Birn@doa.guam.gov>
Subject: Emergency Procurement Request for Department of Correction Meal Services.
Importance: High

Buenas yan Hafa Adai

Bernice Rivera c/o Madame Speaker,

The following documents is attached and transmitted for your copy File.

Subject Re: Emergency Procurement Request for Department of Correction Meal Services for Inmates and Detainees.

- ***Memorandum dated February 19, 2020,***

To: Chief Procurement Officer, General Services Agency /D.O.A

From: Acting Director, Department of Correction

1592

- ***Memorandum dated February 20, 2020,C***

To: Honorable Governor of Guam (Hregu'lulgan Guåhan)

From: Chief Procurement Officer General Services Agency

- ***Memorandum dated February 25, 2020,***

To: Chief Procurement Officer General Services Agency

From: Honorable Governor of Guam (Hregu'lulgan Guåhan)

- ***Memorandum dated February 20, 2020,***

To: Honorable Speaker of 35th Guam Legislature

From: Chief Procurement Officer General Services Agency

I kindly ask upon receiving this email and reviewing the attachment to please fill out "Acknowledgement Receipt" and you may forward back to GSA via email to gsaprocurement@gsadoa.guam.gov or fax to 475-1727.

Thank you

Christine M. Tedtaotao

Buyer II
General Services Agency

Department of Administration

Phone No. 671-475-1705

Email: christine.tedtaotao@gsadoa.guam.gov

gsaprocurement@gsadoa.guam.gov

Web Site: www.gsa.doa.guam.gov

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2 attachments

Dept. of Correction Emergency Procurement for March 2020 (2).pdf
129K

Dept. of Correction Emergency Procurement for March 2020.pdf
310K

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

DEPARTMENT OF ADMINISTRATION
DIPATTAMENTON ATMENESTRASION
GENERAL SERVICES AGENCY
(Ahensian Setbision Hinirat)
Telephone (*Telifon*): (671) 475-1707/1729 • Fax (*Faks*): (671) 472-4217/1727
Email: gsaprocurement@gsadoa.guam.gov • Web Site: www.gsa.doa.guam.gov

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

February 25, 2020

MEMORANDUM

Pages 1 thru 9

Please Print
ACKNOWLEDGEMENT COPY (Re-fax to GSA)
Received By: _____
Date: _____
Company Name: _____
Fax to: 475-1727 or 472-4217
E-mail to: gsaprocurement@gsadoa.guam.gov

To: Honorable Speaker, Tina Muna Barnes
I Mina'trentai Sinko Na Liheslaturan Guahan

From: Claudia S. Acfalle, Chief Procurement Officer
General Services Agency *(Ahensian Setbision Hinirat)*

Subject: Emergency Procurement for the Department of Correction
Meal Services for Inmates and Detainees

Buenas yan Hafa Adai Madame Speaker,

Pursuant to the 5GCA §5215: Emergency Procurement, please find attach is a copy of the Certificate of Emergency request dated February 25, 2020, a memorandum from the Director of the Department of Corrections requesting for an emergency procurement to provide food services for the inmates and detainees at the Department of Corrections Mangilao and the Hågåtña Facility. As the Department is required to provide basic food services to the inmates and detainees under its jurisdiction, a failure to do would cause a violation of their civil rights and may lead the government back into another federal receivership.

The current emergency expires on February 29, 2020. GSA recently opened the bid and must submit it to the Attorney General's Office for review as the amount is over the $500,000. This emergency request will be effectuated March 01, 2020 for a period up to a thirty (30) day period. 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 the inmates/detainees.

Based upon the facts provided by the Department, I, Claudia S. Acfalle, 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.

Claudia S. Acfalle
Chief Procurement Officer

Enclose: Memorandums
Cc: Jose Carbullido, Acting Director of Dept. of Correction
Edward M. Birn, Director of Administration
Claudia S. Acfalle, Chief Procurement Officer

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

DEPARTMENT OF ADMINISTRATION
DIPATTAMENTON ATMENESTRASION
GENERAL SERVICES AGENCY
(Ahensian Setbision Hinirat)
Telephone (*Telifon*): (671) 475-1707/1729 • Fax (*Faks*): (671) 472-4217/1727
Email: gsaprocurement@gsadoa.guam.gov • Web Site: www.gsa.doa.guam.gov

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

February 25, 2020

MEMORANDUM

To: Honorable Speaker, Tina Muna Barnes
I Mina'trentai Sinko Na Liheslaturan Guahan

From: Claudia S. Acfalle, Chief Procurement Officer
General Services Agency *(Ahensian Setbision Hinirat)*

Subject: Emergency Procurement for the Department of Correction
Meal Services for Inmates and Detainees

Buenas yan Hafa Adai Madame Speaker,

Pursuant to the 5GCA §5215: Emergency Procurement, please find attach is a copy of the Certificate of Emergency request dated February 25, 2020, a memorandum from the Director of the Department of Corrections requesting for an emergency procurement to provide food services for the inmates and detainees at the Department of Corrections Mangilao and the Hågåtña Facility. As the Department is required to provide basic food services to the inmates and detainees under its jurisdiction, a failure to do would cause a violation of their civil rights and may lead the government back into another federal receivership.

The current emergency expires on February 29, 2020. GSA recently opened the bid and must submit it to the Attorney General's Office for review as the amount is over the $500,000. This emergency request will be effectuated March 01, 2020 for a period up to a thirty (30) day period. 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 the inmates/detainees.

Based upon the facts provided by the Department, I, Claudia S. Acfalle, 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.

Claudia S. Acfalle
Chief Procurement Officer

Enclose: Memorandums
Cc: Jose Carbullido, Acting Director of Dept. of Correction
Edward M. Birn, Director of Administration
Claudia S. Acfalle, Chief Procurement Officer

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

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

Telephone (*Telifon*) (671) 475-1707/1729 • Fax (*Faks*) (671) 472-4217/1727

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

2020-9769
RCVD AT CENTRAL FILES
FEB 20 '20 AM10:18

February 20, 2020

Elaine Tajalle

Memorandum

To: Governor of Guam

From: Chief Procurement Officer, Acting
General Services Agency

Re: Request for Emergency Procurement for the Department of Corrections

Please find attached a memorandum received from the Director of the Department of Corrections dated February 19, 2020, requesting for an emergency procurement to provide food services for the inmates and detainees at the Department of Corrections and the Hagatna Facility. As the Department is required to provide basic food services to the inmates and detainees under its jurisdiction, a failure to do would cause a violation of their civil rights and may lead the government back into another federal receivership, as well as the possibility of rioting, if the inmates and prisoners are not fed.

The current emergency expires on February 28,2020. GSA recently opened the bid and must submit it to the Attorney General's office for review as the amount is over $500,000. This emergency request will be for a period of up to thirty (30) days. 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 to the island if the prisoners and inmates who are under the government's control are not fed.

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

CLAUDIA S. ACFALLE
Chief Procurement Officer

APPROVED

LOURDES A. LEON GUERRERO
Governor of Guam

RECEIVED BY
DATE 2/25/2020 2:09pm

Doc. No. 35GL-20-1592.*

OFFICE OF THE GOVERNOR
GOVERNOR'S CHAMBER

DATE: 2/20/20

TIME: 10:38 am

RECEIVED BY:

2020-1297

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
Licutenant Governor of Guam

Transmitted via Central Files

February 25, 2020

CLAUDIA S. ACFALLE
Chief Procurement Officer
Department of Administration –
General Services Agency
590 South Marine Corps Drive
ITC Building, Suite 219
Tamuning, Guam 96913

Re: Request for Emergency Procurement for the Department of Corrections (CF#2020-9769)

Dear Ms. Acfalle:

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

> **Department of Administration – General Services Agency Memorandum dated February 20, 2020:** Request for Emergency Procurement for Food Services to DOC Inmates and Detainees for March 2020.

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,

HAIG T. HUYNH
Legal Counsel

Enclosure(s): Memorandum

cc via email: *Maga'hågan Guåhan*
Sigundo Maga'låhen Guåhan

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

DEPARTMENT OF CORRECTIONS
DEPATTAMENTON MANGNGURIHI
GOVERNMENT OF GUAM

P.O. BOX 3236 HAGATNA, GUAM 96932
#1 MASHBURN LANE DAIRY ROAD, MANGILAO, GUAM 96913
TELEPHONE NO.: (671)735-5170/5176
FAX NO.: (671)734-4051
WEBSITE: WWW.DOC.GUAM.GOV

JOSEPH S. CARBULLIDO
ACTING DIRECTOR

DEPUTY DIRECTOR

In Reply to:
DOC2020-02-056

February 19, 2020

Memorandum

To: Chief Procurement Officer

From: Acting Director, Department of Corrections

Subject: **Request for Emergency Procurement**
Ref: Food Services to DOC Inmates and Detainees (for March 2020)

Håfa Adai. This is to request approval for emergency procurement for food services to Department of Corrections' (DOC) Inmates and Detainees for a minimum of thirty (30) days.

Statement of Facts Giving Rise to the Emergency:

1) The current food services under GSA-035-12 expired March 31, 2018 under Purchase Order No. P186A00982. The contract was already extended in 2016 from its original expiration date for two (2) years;

2) The Department of Corrections has been operating under an Emergency Procurement since March 2018 to present.

3) DOC submitted in March 2018 to GSA along with its requirements / specifications for an Invitation for Bid (IFB); however, the bid was canceled in its entirety;

4) In 2019, DOC re-submitted its IFB for Food Services to the Office of the Attorney General and the review of the draft bid proposal for Food Services for the Department of Corrections Inmates and Detainees was finalized and approved by the Office of the Attorney General on May 16, 2019 thus completing Phase One of the IFB process. The IFB for Food Services was submitted to GSA on May 17, 2019.

5) The IFB bid opening for Food Services to DOC Inmates and Detainees was scheduled on September 13, 2019. On 9/22/2019, GSA informs DOC there were only two (2) bidders, however, the bids were rejected due to non-conformance of the IFB from both bidders and a "Re-Bid" for the Food Services for DOC Inmates and Detainees will be re-announced.

6) For Fiscal Year 2020, emergency purchase orders were issued to cover the following months: Purchase Order Number P206E00001 was issued to cover the month of October 2019; Purchase Order Number P206E000MS was issued to cover the month of November 2019; Purchase Order Number P206E00032 was issued to cover the month of December 2019; Purchase Order Number P206E00068 was issued to cover the month of January 2020; and Purchase Order Number P206E00069 was issued to cover the month of February 2020.

7) The IFB bid opening for Food Services to DOC Inmates and Detainees was scheduled on February 17, 2020 at 10:00 a.m. GSA will conduct their analysis and submit to DOC the results and will therefore announce the successful bidder.

Statement of No Proper Purposes:

The emergency procurement set forth above is not being used solely for the purpose of avoiding any provisions in Guam's Procurement Laws and Regulations. As we continue to work on these issues, there still exists an immediate need to ensure that food services are provided to DOC's inmate population of over 700+/- and most importantly, to avoid any future court action.

The Department of Corrections has determined there is an emergency need to ensure that Inmates and Detainees are provided their daily breakfast, lunch and dinner meals, dietary snacks and dietary meals (as prescribed by medical physician) while in DOC's custody.

So determined, declared, and certified, this 19th day of February 2020 by,

JOSEPH S. CARBULLIDO