

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
90-36 (COR)	James C. Moylan	AN ACT TO <i>AMEND</i> § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS.	3/19/21 8:39 a.m.	3/19/21	Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning	4/15/21 9:00 a.m.	5/19/21 10:11 a.m.	Request: 3/22/21. Waiver: 3/26/21	



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

May 13, 2021

The Honorable Therese M. Terlaje

Speaker

I Mina'trentai Sais Na Liheslaturan Guåhan

163 Chalan Santo Papa

Hagåtña, Guam 96910

VIA: The Honorable Tina Rose Muña Barnes

Chairperson, Committee on Rules

RE: Committee Report on Bill No. 90-36 (COR)

Håfa adai Speaker Terlaje,

Transmitted herewith is the Committee Report on Bill No. 90-36 (COR) - James C. Moylan – **“AN ACT TO AMEND § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS.”**

Committee votes are as follows:

<u>3</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>2</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

COMMITTEE ON RULES

RECEIVED:

May 13, 2021

12:25 P.M.

Si Yu'os ma'åse',

Sabina Flores Perez
Sabina Flores Perez



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

COMMITTEE REPORT

Bill No. 90-36 (COR)

Introduced by: James C. Moylan

“AN ACT TO *AMEND* § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS.”



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

May 12, 2021

MEMORANDUM

To: **All Members**
Committee on Environment, Revenue and Taxation, Labor, Procurement, and
Statistics, Research, and Planning

From: **Senator Sabina Flores Perez** *SFP*
Committee Chairperson

Subject: **Committee Report on Bill No. 90-36 (COR)**

Håfa Adai,

Transmitted herewith for your consideration is the Committee Report on Bill No. 90-36 (COR) - James C. Moylan – **“AN ACT TO AMEND § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS.”**

This report includes the following:

- COR Referral of Bill No. 90-36 (COR)
- Notices of Public Hearing
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Testimonies and Supporting Documents
- Committee Report Digest
- Bill No. 90-36 (COR)
- Fiscal Note Waiver by Bureau of Budget & Management Research
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guahan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGATNA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

March 19, 2021

MEMO

To: **Rennae Meno**
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Referral of Bill No. 90-36 (COR)**

Buenas yan Hafa adai.

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d), Rule VI of our Standing Rules, I am forwarding the referral of Bill No. 90-36 (COR) - James C. Moylan – "AN ACT TO AMEND § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS."

Please ensure that the subject bill is referred to the **Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning**, chaired by **Senator Sabina Flores Perez**.

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,


Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules

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Charlene Flores <charlene@senatorperez.org>

1st Notice of Virtual Public Hearing: Thursday, April 15, 2021 at 9:00 a.m. and 3:00 p.m.

Office of Senator Sabina Perez <office@senatorperez.org>

Thu, Apr 8, 2021 at 10:08 AM

To: reporters@kuam.com, Sabrina Salas Matanane <sabrina@kuam.com>, nestor@kuam.com, Chris Barnett <malafunkshun@kuam.com>, joan@kuam.com, mindy@postguam.com, editor@postguam.com, John O'Connor <john@postguam.com>, Nick Delgado <nick@postguam.com>, reporters@postguam.com, news@sorensenmediagroup.com, news@guampdn.com, news@k57.com, rlimtiaco@guampdn.com, haidee@postguam.com, kstokish@gmail.com, editor@pacificislandtimes.com, Maureen Maratita <publisher@glimpsesofofguam.com>, reporter2@glimpsesofofguam.com, Guam Progress <guamprogress@yahoo.com>, colinperez@gmail.com, Gabejereza@gmail.com, "Alexandra Elizabeth T. Benavente" <aebenavente@gdoe.net>, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, mar_vic_cagurangan@yahoo.com, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <newsdirector@kuam.com>, slimtiaco@guampdn.com, raygibsonshow@gmail.com, pattiontheradio@yahoo.com, news@kanditnews.com

Cc: phnotice@guamlegislature.org, ag@oagguam.org, Guam MIS <mis@guamlegislature.org>, Geri Leon Guerrero <geri@senatorperez.org>, "Cara C. Mays" <cara@senatorperez.org>, Ibarra Hernandez <ihernandez@guamlegislature.org>

April 8, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, Chairperson Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning

Subject: 1st Notice of Virtual Public Hearing: Thursday, April 15, 2021 at 9:00 a.m. and 3:00 p.m.

The Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research and Planning will be conducting a virtual confirmation hearing on **Thursday, April 15, 2021 at 9:00 a.m. and 3:00 p.m.** This virtual public hearing will take place via Zoom Video Conference platform. The agenda is as follows:

9:00 a.m.

Executive Appointment of Mr. Richard T. Gutierrez to serve as a Member (General Public Representative) of the Guam Real Estate Commission.

Bill No. 90-36 (COR) – James C. Moylan - AN ACT TO AMEND § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS.

Bill No. 65-36 (COR) – Amanda L. Shelton, Mary Camacho Torres, Tina Rose Muña Barnes, Jose "Pedro" Terlaje and Sabina Flores Perez - AN ACT TO AMEND SUBSECTIONS (a)(4), (c)(1), (d)(2), AND (d)(4), ALL OF § 7120.1, CHAPTER 7, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE DATE OF EXPIRATION ON REMOVABLE WINDSHIELD PLACARDS AND EXTENDING THE PERIOD OF TIME FOR PHYSICIAN CERTIFICATION ON TEMPORARY REMOVABLE WINDSHIELD PLACARDS.

Bill No. 71-36 (COR) – Amanda L. Shelton, Telen Cruz Nelson, Tina Rose Muña Barnes, Mary Camacho Torres and Joanne Brown - AN ACT TO ADD NEW §§ 5013 AND 5012 TO PART A OF ARTICLE 1, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING A PROCUREMENT POLICY IN FAVOR OF WOMEN OWNED BUSINESSES, AND TO CITE THIS ACT AS "THE SUPPORT FOR WOMEN-OWNED BUSINESSES ACT."

Bill No. 69-36 (COR) – Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth and Senior Citizens by request of I Kongressun Manhoben Guåhan, the Guam Youth Congress, in accordance with 2 GCA § 7102 - AN ACT TO ADD A NEW CHAPTER 54C TO DIVISION 2 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE SALE OF POLYSTYRENE FOAM CONTAINERS AND SERVING OF PREPARED FOODS USING POLYSTYRENE FOAM CONTAINERS.

3:00 p.m.

Resolution No. 55-36 (COR) - Sabina Flores Perez, Therese M. Terlaje, Telena Cruz Nelson, Clynton E. Ridgell, Jose "Pedro" Terlaje, Tina Rose Muña Barnes, Telo T. Taitague - Relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021, and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.

Those interested in participating, please confirm your attendance by contacting the Office of Senator Sabina Flores Perez via email at office@senatorperez.org or via phone at 989-2968, no later than April 13, 2021, for further guidance.

Testimonies should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 163 Chalan Santo Papa, Hagåtña, Guam 96910, or via email to office@senatorperez.org, no later than 4pm April 20, 2021. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 112-4, and stream online via I Liheslaturan Guåhan's live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation!

Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, Labor, Procurement, and Statistics, Research, and Planning
I Mina'trentai Sais na Liheslaturan Guåhan
36th Guam Legislature
O: 194 Hernan Cortez Avenue, First Floor, Terlaje Professional Building, Hagåtña, Guam 96910
M: Guam Congress Building, [163 Chalan Santo Papa, Hagåtña, Guam 96910](#)


T: (671) 989-2968
E: office@senatorperez.org


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 **Referral of Appointment- Gutierrez, Richard T..pdf**
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OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

April 8, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, Chairperson *SFP*
Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics,
Research, and Planning

Subject: **1st Notice of Virtual Public Hearing: Thursday, April 15, 2021 at 9:00 a.m. and 3:00 p.m.**

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ANNOTATED, RELATIVE TO PROHIBITING THE SALE OF POLYSTYRENE FOAM CONTAINERS AND SERVING OF PREPARED FOODS USING POLYSTYRENE FOAM CONTAINERS.

3:00 p.m.

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Charlene Flores <charlene@senatorperez.org>

2nd Notice of Virtual Public Hearing: Thursday, April 15, 2021 at 9:00 a.m. and 3:00 p.m.

Office of Senator Sabina Perez <office@senatorperez.org>

Tue, Apr 13, 2021 at 8:00 AM

To: reporters@kuam.com, Sabrina Salas Matanane <sabrina@kuam.com>, nestor@kuam.com, Chris Barnett <malafunkshun@kuam.com>, joan@kuam.com, mindy@postguam.com, editor@postguam.com, John O'Connor <john@postguam.com>, Nick Delgado <nick@postguam.com>, reporters@postguam.com, news@sorensenmediagroup.com, news@guampdn.com, news@k57.com, rlimtiaco@guampdn.com, haidee@postguam.com, kstokish@gmail.com, editor@pacificislandtimes.com, Maureen Maratita <publisher@glimpsesofofguam.com>, reporter2@glimpsesofofguam.com, Guam Progress <guamprogress@yahoo.com>, colinperez@gmail.com, Gabejereza@gmail.com, "Alexandra Elizabeth T. Benavente" <aebenavente@gdoe.net>, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, mar_vic_cagurangan@yahoo.com, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <newsdirector@kuam.com>, slimtiaco@guampdn.com, raygibsonshow@gmail.com, pattiontheradio@yahoo.com, news@kanditnews.com

Cc: phnotice@guamlegislature.org, ag@oagguam.org, Geri Leon Guerrero <geri@senatorperez.org>, "Cara C. Mays" <cara@senatorperez.org>

April 13, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, Chairperson Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning

Subject: **2nd Notice of Virtual Public Hearing: Thursday, April 15, 2021 at 9:00 a.m. and 3:00 p.m.**

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Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, Labor, Procurement, and Statistics, Research, and Planning
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OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

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April 13, 2021

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10K more vaccines, mostly J&J, arriving this week

By Haidee Eugenio Gilbert
haidee@postguam.com

The government expects to receive this week 10,840 additional COVID-19 vaccines that are mostly the single-dose Johnson & Johnson Janssen, boosting the government's goal of fully vaccinating at least 62,500 adults by May 1 to reopen tourism and lift post-travel quarantine.

And this week, residents have more options to get vaccinated.

George Reyes, 61, opted for his first dose because he wanted an additional layer of protection for his mother, a World War II survivor, he said.

"I came back to take care of my 86-year-old mother," Reyes, who recently returned from Florida, said.

Reyes was among those who got vaccinated on Monday at the Our Lady of Assumption Church in Piti, the latest village-based vaccination clinic by the Department of Public Health and Social Services.

"We always put family first. She's the family matriarch and we want to be able to take care of her. She took care

of us and raised all of us to become productive members of the community," Reyes, a retired Air Force aviation specialist and a retired federal government employee, said.

The oldest of five siblings, Reyes hopes that more people will avail of the free vaccines for Guam to rid of the pandemic that's caused a lot of hardships.

Chalan Pago resident Michael Binuya, 43, and his wife Jenney, took their second Pfizer-BioNTech dose, in the hopes of providing a safer home for their 4-year-old and 10-month old children.



READY?: Eleventh-grader Joshua Delampuri, who is accompanied by his mother Anna Delampuri, from Barrigada is screened for his first dose of the Pfizer-BioNTech COVID-19 vaccine at the Tiyan High School vaccination clinic Monday in Tiyan. David Castro/The Guam Daily Post

"We do it for our family. We all have the option to help Guam move forward, by taking this vaccine," the father said.

More vaccines

Krystal Paco-San Agustin, the governor's director of communications, on Monday said Public Health ordered additional 10,840 vaccines that are expected to arrive later this week:

- 8,500 doses of Johnson & Johnson Janssen
- 2,340 doses of Pfizer-BioNTech

These are in addition to the 53,170 doses that arrived on the first week-end of April.

As of Saturday, 38,705 residents who are at least 16 years old have been fully vaccinated.

That means 23,795 more or about 1,250 a day must still be fully vaccinated to meet Gov. Lou Leon Guerrero's Path to Half goal by May 1 to reopen tourism and lift post-travel quarantine.

Parents and kids

Willy Magdalera, of Asan, took his 16-year-old daughter Aubrey to get her first vaccine on Monday in Piti.

Where to go for vaccination

- The University of Guam Calvo Field House, from noon to 6:30 p.m., Tuesday to Saturday, operated by the Guam National Guard.
- Paseo de Susana Park in Hagåtña, near the playground, from 1 a.m. to 2 p.m., Tuesday, for homeless individuals.
- Hyatt Regency Guam, from 4 to 7 p.m., Wednesday, in collaboration with the Guam Hotel and Restaurant Association.
- Gov. Joseph Flores Memorial Beach Park, or Ypao Beach, main pavilion, 9 a.m. to 2 p.m., Friday, for homeless individuals.

"Looking at the odds, it's better to get the vaccine as a protection rather than not having any at all. And the pope also said it's okay to get vaccinated and we trust the pope," Magdalera said.

His daughter, a sophomore at the Academy of Our Lady of Guam, said among her friends, she's the first one to take the COVID-19 vaccine.

"I'm setting an example. For me, this gives me an assurance that I am more protected from COVID-19," she said.

Piti resident Michelle Perez, 52, also took her 16-year-old son Rees to get his first vaccine.

"I got fully vaccinated in February as someone who works in a law enforcement agency. But before that, I was on the fence line whether to take it or not but my husband convinced me that it's better to get this added protection," she said.



JON J.P. FERNANDEZ
Superintendent of Education

GUAM DEPARTMENT OF EDUCATION
OFFICE OF SUPPLY MANAGEMENT
501 MARINER AVENUE, SUITE 116
BARRIGADA, GUAM 96913-1608
TELEPHONE 671-475-0438
FAX 671-472-5001
WEBSITE: www.gdoe.net



CARMEN T. CHARFAUROS
Supply Management Administrator

INVITATION FOR BID GDOE IFB 026-2021 (MULTI-STEP) INDOOR AND OUTDOOR WIRELESS LOCAL AREA NETWORK (WLAN) INFRASTRUCTURE INSTALLATION PROJECT

SUBMISSION DATE: Tuesday, May 11, 2021 at 2:00 p.m. CHST

Note: It is solely the Bidder's responsibility to review the website on a daily basis for the issuance of Amendments/Clarifications for any possible changes to the IFB.

IFB packages are available for download on the GDOE website at
www.gdoe.net/District/Department/12-Office-of-Supply-Management.

*A hard copy may also be picked up at the GDOE Office of Supply Management at
**501 Mariner Avenue, Suite 116
Barrigada, Guam 96913-1608.**

*Please contact procurement@gdoe.net to schedule curb-side pick-up of hard copy.
*A non-refundable fee of \$10.00 (cash only) is required upon hard copy pick-up.

Administered by the Guam Department of Education (GDOE) - Federal Programs Division (FPD)
- State Education Agency (SEA) & funded by the Educational Stabilization Fund - State Education Agency II (ESF-SEA II) under the CARES Act.

/S/ CARMEN T. CHARFAUROS
SUPPLY MANAGEMENT ADMINISTRATOR
For: JON J. P. FERNANDEZ
SUPERINTENDENT OF EDUCATION



SENATOR SABINA FLORES PEREZ

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

VIRTUAL PUBLIC HEARING • THURSDAY, APRIL 15, 2021

9:00 A.M.

Executive Appointment of Mr. Richard T. Gutierrez to serve as a Member (General Public Representative) of the Guam Real Estate Commission.

Bill No. 90-36 (COR) - James C. Moylan - AN ACT to AMEND § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS.

Bill No. 65-36 (COR) - Amanda L. Shelton, Mary Camacho Torres, Tina Rose Muña Barnes, Jose "Pedro" Terlaje and Sabina Flores Perez - AN ACT to AMEND SUBSECTIONS (a)(4), (c)(1), (d)(2), AND (d)(4), ALL OF § 7120.1, CHAPTER 7, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE DATE OF EXPIRATION ON REMOVABLE WINDSHIELD PLACARDS AND EXTENDING THE PERIOD OF TIME FOR PHYSICIAN CERTIFICATION ON TEMPORARY REMOVABLE WINDSHIELD PLACARDS.

Bill No. 71-36 (COR) - Amanda L. Shelton, Telena Cruz Nelson, Tina Rose Muña Barnes, Mary Camacho Torres and Joanne Brown - AN ACT to ADD NEW §§ 5013 AND 5012 TO PART A OF ARTICLE 1, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING A PROCUREMENT POLICY IN FAVOR OF WOMEN OWNED BUSINESSES, AND TO CITE THIS ACT AS "THE SUPPORT FOR WOMEN-OWNED BUSINESSES ACT."

Bill No. 69-36 (COR) - Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth and Senior Citizens by request of I Kongressun Manhoben Guahan, the Guam Youth Congress, in accordance with 2 GCA § 7102 - AN ACT to ADD A NEW CHAPTER 54C TO DIVISION 2 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE SALE OF POLYSTYRENE FOAM CONTAINERS AND SERVING OF PREPARED FOODS USING POLYSTYRENE FOAM CONTAINERS.

Bill No. 69-36 (COR) - Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth and Senior Citizens by request of I Kongressun Manhoben Guahan, the Guam Youth Congress, in accordance with 2 GCA § 7102 - AN ACT to ADD A NEW CHAPTER 54C TO DIVISION 2 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE SALE OF POLYSTYRENE FOAM CONTAINERS AND SERVING OF PREPARED FOODS USING POLYSTYRENE FOAM CONTAINERS.

3:00 P.M.

Resolution No. 55-36 (COR) - Sabina Flores Perez, Therese M. Terlaje, Telena Cruz Nelson, Clynton E. Ridgell, Jose "Pedro" Terlaje, Tina Rose Muña Barnes, Telo I. Taigute - Relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021, and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.

Those interested in participating, please confirm your attendance by contacting the Office of Senator Sabina Flores Perez via email at office@senatorperez.org or via phone at 989-2968, no later than April 13, 2021, for further guidance. Testimonies should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 163 Chalan Santo Papa, Hagåtña, Guam 96910, or via email to office@senatorperez.org, no later than 4pm April 20, 2021. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968.

The hearing will broadcast on local television, G1A Channel 21, Docomo Channel 112-4, and stream online via 1 Liheslaturan Guahan's live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation!



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

AGENDA

VIRTUAL PUBLIC HEARING

Thursday, April 15, 2021

Zoom Video Conference

The agenda is as follows:

9:00 a.m.

Executive Appointment of Mr. Richard T. Gutierrez to serve as a Member (General Public Representative) of the Guam Real Estate Commission.

Bill No. 90-36 (COR) – James C. Movlan - AN ACT TO AMEND § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS.

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Bill No. 69-36 (COR) – Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth and Senior Citizens by request of I Kongressun Manhoben Guåhan, the Guam Youth Congress, in accordance with 2 GCA § 7102 - AN ACT TO ADD A NEW CHAPTER 54C TO DIVISION 2 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE SALE OF POLYSTYRENE FOAM CONTAINERS AND SERVING OF PREPARED FOODS USING POLYSTYRENE FOAM CONTAINERS.

3:00 p.m.

Resolution No. 55-36 (COR) - Sabina Flores Perez, Therese M. Terlaje, Telen Cruz Nelson, Clynton E. Ridgell, Jose “Pedro” Terlaje, Tina Rose Muña Barnes, Telo T. Taitague - Relative to reaffirming our human right to safe drinking and clean water in observance of World Water Day 2021, and recognizing the importance of protecting our Northern Guam Lens Aquifer and precious water resource in ensuring the health of our people.



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

Virtual Public Hearing

Thursday, April 15, 2021, 9:00am

Zoom Video Conference

Bill No. 90-36 (COR) – James C. Moylan - AN ACT TO AMEND § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT INFORMATION
Attorney Robert Kono	General Services Agency	✓	✓			
Attorney John Thos. Brown		✓				



EDWARD M. BIRN
Director (Direktot)

BERNADINE C. GINES
Deputy Director (Sigunda Direktot)

DEPARTMENT OF ADMINISTRATION GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)

148 Route 1 South Marine Corps Drive, Piti, GU 96915

Telephone (Telifon): (671) 475-1707/1708 • Fax (Faks): (671) 472-4217/1727

Email: gsaprocurement@gsadoa.guam.gov; Website: www.gsa.doa.guam.gov



LOURDES A. LEON GUERRERO
Governor (Maga'håga)

JOSHUA F. TENORIO
Lt. Governor (Sigunda Maga'låhi)

March 29, 2021

Memorandum

The Honorable Sabina Perez
36th Guam Legislature
Chair, Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research and Planning
Terlaje Professional Building
194 Hernan Cortes Avenue, 1st Fl.
Hagatna, GU 96910

Dear Senator Perez:

Thank you for allowing us to comment on bills 84-36, 90-36, 69-35 and 71-36, all relating to actions to be taken by the General Services Agency. Below is our comments for each proposed bill:

Bill 84-36 "An Act to add a new Section 1102.04 to Chapter 1, Division 4, Title 2, Guam Administrative Rules and Regulations, relative to incentivizing the Procurement of Zero Emission Vehicles by the Government of Guam". In your proposed language, it states that the cost of a zero-emission vehicle may be as much as three percent (3%) greater than the cost of similarly performing vehicle with internal combustion engines. Said costs shall include expected lifecycle costs including maintenance lifespan, and costs associated with refueling and recharging. Is it the intent of this proposed rule that the cost factor be similar to an internal combustion cost?

Also, in the next paragraph, you state: "The Chief Procurement Officer, the Director of Public Works, or the head of a Purchasing Agency shall determine the authenticity of any statement that a vehicle is zero-emission, and whether such vehicle meets the performance needs of the government of Guam". Should it not be a single determination rather than the possibility of many different views?"

Bill 90-36, "An Act to Amend Section 5248 of Chapter 5, Title 5, Guam, Code Annotated, Relative to Requiring Monthly Reports and Justification Summaries when Purchases are Made Through a Sole Source or Emergency Procurement Process". This Proposed Change will make reporting of Sole Source or Emergency Procurement monthly rather than annually. Further, it is requiring a summary justifying how the procurement was determined to be Sole Source or Emergency.

The General Services Agency has no problems in complying with this section. However, we note that it requires additional administrative work and as such, we would request that additional staffing needs be provided to our agency.

Bill 69-36 "An Act to Add a New Chapter 54C to Division 2 of Title 10, Guam Code Annotated, Relative to Prohibiting the Sale of Polystyrene Foam Containers and Serving of Prepared Foods Using Polystyrene Foam Containers." We have no comments regarding this bill.

Bill 71-37 "An Act to Add New Section 5013, Sections 5113 and 5012 to Part A of Article 1, Chapter 5, Title 5 Guam Code Annotated, Relative to Adopting a Procurement Policy in Favor of Women Owned Businesses, and to Cite this Act as "Thee Support for Women-Owned Businesses Act" We are in support of this bill.

Thank you for allowing us to comment on these bills.


CLAUDIA S. ACFALLE
Chief Procurement Officer



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 90-36 (COR) was introduced on March 19, 2021 by Senator James C. Moylan and was subsequently referred by the Committee on Rules to the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning on March 19, 2021.

The Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning convened a public hearing on Bill No. 90-36 (COR) on Thursday, April 15, 2021 at 9:00 A.M. via Zoom Video Conference Platform.

Public Notice Requirements

Virtual Public Hearing notices were disseminated via email to all Senators and all main media broadcasting outlets on April 8, 2021 and again on April 13, 2021, fulfilling the 5-Day Notice and 48 Hour Notice of the Open Government Law requirements respectively.

Senators Present

Senator Sabina Flores Perez

Senator Telo Taitague

Senator James C. Moylan

Senator Mary Camacho Torres

Senator Joanne Brown

Senator V. Anthony Ada

Senator Jose "Pedro" Terlaje

Committee Chairperson

Committee Member

Committee Member

Legislative Member

Legislative Member

Legislative Member

Legislative Member

II. SUMMARY OF TESTIMONY AND DISCUSSION

The public hearing was Called-to-Order at 9:00 AM.

Chairperson Perez: The rules of conduct for this virtual hearing: the host will mute all participants until called upon by the Chair and virtual background should not be utilized during the hearing. Participant's face must be visible at all times. When called to speak, please remember to unmute yourself and that you are speaking into the microphone. Members of the committee wishing to speak may indicate their desire to do so, to the Chair through the in-app chat feature. The order of questioning will begin with the Chairperson followed by Senators. Each Senator will be allowed to pose questions to anybody on the panel. Individuals testifying shall first be recognized by the Chair before speaking and they shall state their name for record-keeping purposes. Questions and testimony shall be confined to the substance or nature of the agenda. Personal inference as to the character or the motive of any Senator, any individual testifying is not permitted. Any violations of this rule will result in the removal of from the host.

The next item on this agenda is Bill 90-36 (COR) sponsored by Senator James C. Moylan. It's an act to amend § 5248 of Chapter 5, Title 5, Guam Code Annotated, relative to requiring monthly reports and justification summaries when purchases are made through sole source or emergency procurement process. I'd like to invite the sponsor for a brief introduction. Senator Moylan, you're recognized.

Senator Moylan: Thank you, Madam Chair, thank you colleagues and those here for the public hearing today on Bill 90-36. As Madam Chair read the title of the bill, basically, we're looking at an adjustment to a report that we all recently received. An annual report dated March 15, 2021 where the General Service Agency (GSA) provides, through the Speaker and the Guam Legislature, the contracts on sole source procurement and emergency procurement and the reports are a reflection of those that have submitted their procurements from January 1, 2020 through December 31, 2020. So, by the first quarter we get these reports as last year. We recognized after reviewing these reports, which were not really specific on what we received, but a couple of things: the importance of having these reports submitted monthly would be much better than waiting for it for an entire year, in addition, where the bill also addresses to provide a summary justifying the reason for the procurement transaction, and how they determine the sole source procurement or the emergency procurement in this chapter, so that's what the bill really does. Just two things: changes the reporting period from annual to monthly and from and to further explain the details on the justification for coming to the sole source or the emergency procurement justification. This should be able to allow the Legislature and others to review these reports on a monthly basis so we can have more frequency and be able to really look at how the taxpayer's money is being spent and anything questionable that comes out upon about through these reports versus waiting for one year to address something that has passed a while back. There will be greater transparency in moving this bill forward. We are not taking away from the agency's authority in pursuing a sole source or the emergency procurement, only that we're requiring the report now to be monthly instead of annually. So just a brief introduction on the bill Madam Chair, I'm looking forward to any conversation on this. Thank you.

Chairperson Perez: Thank you Senator Moylan. At this time, I would like to recognize Attorney Kono from GSA, as well as Attorney Brown that are here today. They're here to answer any questions or perhaps provide testimony as well. If any of you would like to provide any comments or testimony regarding Bill 90-36 you are recognized. Attorney Kono, I don't know if you can hear me, we can't hear you. If you are speaking, but if you can turn on your video that would be appreciated.

Robert Kono, Administrative Counsel, General Services Agency: Can you hear me now?

Chairperson Perez: Yes, I can hear you. Attorney Kono, is there a way we can see you visually at this time?

Attorney Kono: No, I don't know how to start my video. Yes, but we had already submitted our comments on Bill 90-36. First though let me just say the Chief Procurement Officer asked me to sit in because she got called into a meeting.

Chairperson Perez: Well, I appreciate your taking the time. I know how busy you guys are down there. We do appreciate you being present. If you would like to say your comments or I could just do a paraphrase of it.

Attorney Kono: The comments were very simple. It was just that we recognize the request, and we just want to point out that any additional work that's done is always going to be a cost factor. The cost factor is it's going to take away from other work that we have to do by pointing someone else to put together the documentation so it's going to take a little bit longer. We would request that the Legislature look at the requirements that they are putting upon us and we would like to get more assistance.

Chairperson Perez: Yes, absolutely, and that's something I'm trying to work with your office, to make sure you have the funding, and that's definitely important to help assist with this effort. We also did send notices to DPW as well, so we're hoping to hear back from them since they are part of procurement for construction as well as the Office of the Public Auditor. Is there anyone else who would like to provide testimony on Bill 90-36? I don't see anybody at this time, but, yes, I think it's really important especially in seeing the number of emergency procurements in the latest report. I believe there's over 300. I think a larger workload than previously and the amount of sole source procurement, I think it's necessary to have a close eye on how this was processed considering the value of over 16 million dollars were spent through this and these types of procurements generally can cost more and require a premium, so we do appreciate your assistance with this. I don't have any questions at this time. I would like to open up the floor to my colleagues. Senator Tony Ada, no questions. Senator Pedro Terlaje, if you have any comments or questions, none. I see we have Attorney John Brown who has come before us, if you have any comments or testimony for this bill you're welcome.

John Thos. Brown, Attorney-at-Law: Thank you very much, Madam Chairman and the rest of you as well. I take to heart Attorney Kono's comments about resourcing this thing. You're looking for monthly reports; it's going to be 12 times more than what we're doing at the moment on a cost basis.

Chairperson Perez: Sorry, Attorney Brown, I think you're coming in [bad connection]. Okay, we just lost Attorney Brown. I think he's going to try to sign back on. We'll give him a couple minutes, maybe we can recess for a moment. I'm sure my colleagues have questions for Attorney Brown, maybe for a five-minute recess.

RECESS

Chairperson Perez: *Håfa adai*, the Committee on Environment, Revenue and Taxation, Labor Procurement, and Statistics, Research and Planning is back from recess. We left off with Attorney Brown, with his testimony or your comment. I would like to welcome him to provide his testimony. Attorney Brown.

Attorney Brown: Thank you. I was saying that I really appreciate Attorney Kono's comments about the cost effect that this will have. I mean we're going from doing this one time a year to doing it 12 times a year and that's going to have some costs involved, and they're not going to be

able to do it any better than they're doing it now, which needs to be greatly improved because the report that I saw in many cases just did not describe what the occasion was that justified, sole source or emergency procurement. Both of those sections require specific determinations that it is the sole source or that it is an emergency in order to proceed down those paths so that information should be in the file and why it isn't in the report is a bit of a mystery. I think that there's room to clean that up and perhaps we don't need it monthly perhaps quarterly, but I agree that if you don't catch this pretty quickly in real time it's a done deal. It's already happened, and there's no way to correct it, and it needs to be corrected in real time, but I don't have any real problem with the substance of the bill.

Chairperson Perez: Thank you Attorney Brown for your comments and testimony. I'd like to open up the floor to the rest of my colleagues. Senator Torres, if you have any questions for the panel.

Senator Torres: I don't have any questions, but Attorney Kono and Attorney Brown you bring up some very practical implications of this legislation which is what I had wondered too because a sole source and an emergency are very specific types of circumstances. I know that there tends to be a need to know and all of that but that would drive this type of legislation, but I want to ask you though Mr. Brown, is it a normal thing or has it occurred in the past where people actually protest sole source procurements or how does that usually work, or does it generally begin and end and there's not much to it?

Attorney Brown: I don't recall. In fact, my very first germane case back when I didn't even know procurement was a protesting of the sole source contract. I won that eventually because there were other sources, and it was known to them and the events that came up following that. Eventually, the Public Auditor, Doris Brooks, said there is no sole source, just don't go there because it is so problematic and people just abuse it, and they also abuse the emergency procurement. They're both... anytime you don't have competition you're going to have abuse, and neither one of those are competitive source selection procedure.

Senator Torres: I mean it's that sort of thing, whether you want to give the benefit of the doubt. It's always a situation when it's a sole source, in an emergency, especially. It's kind of hard to reconcile that sometimes because oftentimes you'll hear about it way after the fact. It's like how you undo that, but I just thought it was a curious thing, but I don't have any further questions. It's just a very interesting type of dilemma, when you're trying to figure out what the cure for the potential problems or even past problems are, and how to prevent it going forward, that's always a million-dollar question, but thank you Madam Chair.

Chairperson Perez: Thank you, Senator Torres. Senator Brown, if you have any questions to the panel.

Senator Brown: Thank you very much, Madam Chair. I certainly appreciate Senator Moylan sponsoring this legislation because, I think, many of us, certainly when we saw the listing, I mean 27 pages of microprint of procurement, that has occurred with regards to... I'm sure most of it will be related to this time frame during this pandemic, but quite a substantial list. I think it does raise that concern because as was previously discussed with regards to justifying sole source

procurement, I mean there has to be a very good valid reason as to why one particular company is selected. Of course, there are only certain companies that perhaps may do business with the government of Guam, but when you look at what little information was provided on that list, other than a list. I mean there should be a justification because we know there are many other companies on Guam, in some cases, that can provide a certain commodity or service and yet it's listed as sole source, and then also with regards to emergency procurement. I mean we understand certainly the challenges that we've been through this past year but again that opportunity to abuse emergency procurement by virtue of the fact that it can be claimed as an emergency, and then you end up finding only certain companies even though we know other companies on Guam can provide that service.

The report doesn't provide us any explanation as to why that particular company was selected over anyone else. I don't think we should use these challenging times of emergencies as a means to not follow a process that the public can be comfortable with to ensure that there's not abuse in the procurement process. I'm sure GSA and others that are involved will want to say that we followed all the proper steps, these are all good procurements, and we're not concerned because we followed all the steps and yet for those of us on the outside and certainly as a legislator looking at this, we have to ensure that good standards are followed because there's an awful lot of money involved. Let's get right down to it, there's an awful lot of money involved and particularly under these circumstances right now that we're going through. It's an unusual situation because you have the executive by virtue of all this federal funding having such control over vast amounts of money that are coming in on behalf of the people of Guam, that the legislative body has no say in or shall they say the legislative body has no say in how those funds are expended. Of course, it's our hope that those monies are being spent properly, but how do we know that? How do we have some sense of comfort? How does the public have some sense of comfort with regards to that so I think it does bring up questions.

I don't agree that this is a more cumbersome process because I'm assuming if GSA has to continue to maintain a list of all their sole source procurements and their emergency procurements, all it means is that they start the list at the beginning of the fiscal year and each month provide that list with a summary explanation as required in the bill of information regarding that transaction. I mean we were told when the question came up. I know when Speaker Terlaje had also raised the question that the listing did not provide us any summary information with regards to these procurements that the response is going to be cumbersome to go back. They'd have to go back individually on each one of these cases to provide that information then I would assume there should be a summary explanation that exists that simply could be reproduced and included in a packet and forward it to the Legislature, to anyone in the public who has interest because certainly to do sole source procurement you would have to have the head of that agency justify as to why they're pursuing sole source procurement and not going through the regular and it might not even be an emergency related matter. Why are they going through the sole source procurement process?

I think to move that cloud away and, I think, it's a significant concern with regards to these types of issues. I think it's important that the information be readily available and as was mentioned earlier that as Attorney Brown said within a time sensitive manner so that we're aware of it because months and a year later, what we're going to go back and look at, a procurement that occurred 12 months ago, because the information just came to light publicly. I'm very supportive of this

legislation. I think anything that adds more transparency and accountability and sheds more light on how this government operates and certainly more importantly these funds that were intended including CARES funding that is intended for our people. It's a little hard to play around with that kind of money. If it becomes publicly known much quicker how that money is being spent and ensure that there's accountability with regards to how that money's being spent because I was not pleased looking at that extensive list. I'm sure perhaps GSA can justify every single procurement but just looking at it raises questions. The fact that summary explanations cannot be readily generated or reproduced and provided to the lawmakers, it's concerning. I don't see any reason why not that summary page should exist in all these procurements especially because it's being done outside of what you would call the norm of procurement. I did want to ask Attorney Brown with regards to, as he mentioned a little earlier perhaps that maybe because these types of procurements can be problematic what are his thoughts? Is this something that we actually need to have available as a process in government or is it something we should remove? Or what are his thoughts on how we can more effectively have the government get the services or products that it needs, but do it in a way that we're not having to walk around with a big question mark in our mind on what those processes are that currently exist? If he's able to respond to that.

Attorney Brown: I can happily report that the emergency procurement statute was redrafted, rewritten, and passed by, I think it was the last Legislature which makes it much more friendly to the users of it, to the people who require it, and the current one requires that limits your emergency procurements to 30 days' supply. That's it, do it again, only one per emergency. Well, this one allows now, it's for 90 days, but there's also a requirement that as soon as you give effect, that you award the contract, emergency contract, you have a team that is planning to do a regular procurement of those sources so that you're not avoiding the competitive processes. Other process in continuing to rely on an emergency. After a while when is an emergency still an emergency, this does speak to that. I think that it's a huge improvement. I guess I was going to mention that because you were talking mostly about the emergency procurement, sole source is always going to be a problem. I think that you start with Doris Brook's statement that there is no sole source as your working idea and then see if you can prove it, but we don't do an awful lot of that. There are occasions where sole source is really the only way you can go, but that even can be "schmoos", maybe you wait two months. If you're not doing the market research to know what's available and most places aren't, then you can't even answer the question. The supposition is this the sole source because you haven't done the research, so they need to have and keep that research. One of the things that when I went through the annual report, I wasn't certain that it covered all the agencies you know 5248 requires the CPO and Department of Public Works to issue that annual statement for everybody, for the entire Territory, and it looked to me like... I can sit corrected, but it looked to me like there are a lot of autonomous agencies who don't procure through GSA who were not involved in this, but they should be reported, and I don't think they were as I said. There are a lot of acronyms and stuff in there that I just wasn't familiar with, but it's another improvement that's required.

Senator Brown: I wanted to ask one other question with regards to sole source and we've heard stories in the government that some of these procurements are sole source have existed over a period of years for the same company. You've got to wonder about that unless it's some really unique commodity that isn't available anywhere else there's only one company in all of Guam that's providing it. Do you think that's something that should be eliminated and, like you said,

require that market research to be done and then determine if there's no other source? And I guess they can if that's the one that's bidding or whatever then that's who they can procure from rather than how this in the past has become identifying selective companies and that's the one company that can bring a certain commodity in because they're in favor with the government at the time. I've known of that and we've known it exists and we've known abuses and in substantial amounts of money we're not talking a few dollars here and there, we're talking hundreds and thousands of dollars within a couple months for example and that just continues because that's their favorite vendor so what are your thoughts on that?

Attorney Brown: My thought is that's the beauty of this requirement in the first place. The one that we have now even no changes were made to it, is that even if once a year you're seeing the same product being purchased from the same sole source at that point somebody ought to be watching to say well is this still a sole source we're not doing anything to go out you know we're supposed to go out and create competition where we can and that would that's the complete utility of this this kind of reporting so it is a problem though my first one as a sole source. It had been going on for five years and then they renewed it and in neither case any competition, any compared to solicitation, although there were, there was a sufficient uh competition from other sources on island available willing and ready, so it exists.

Senator Brown: It would be fair to say that there's a lot of companies on Guam probably that don't even deal with the government just because of the hassle or even if they wanted to challenge, if they were also a vendor probably with similar products or service. I'm sure some of them just don't want to challenge the government in fear of being blacklisted or it's a costly project you know costly process for them to even if they're going to appear before the Public Auditor an issue or maybe ultimately take the issue to court it can be very time consuming and very expensive so it doesn't really leave the private sector parties a lot of options with regards to dealing with the government if they're dissatisfied. I mean maybe bigger companies can, but you know, a smaller business I think it'd probably be difficult for them in wanting to even challenge the process or simply maybe say I don't want to deal with the government and we know a lot of companies provide good services out there, but some of them will tell you I'm sorry we don't do business with GovGuam and I've encountered that just in my short time here at the Guam Legislature just getting my office set up, finding you know something that I need that is probably the lower price that I could want to purchase something here and then realize that you know we're sorry we don't deal with GovGuam you know I'm like, okay, well understandable, but what if I could ask that as my last question?

Attorney Brown: Sure, someone who's not wanting to deal with the Government has little or nothing to do with the actual selection process, the solicitation process. It has to do with the fact that the government doesn't pay on time.

Senator Brown: That's a very important point, yes

Attorney Brown: If that were done, we probably have a lot more competition than what we are now enjoying or not enjoying so that's the main thing. The other thing is the competitors who might protest these things aren't aware of what's going on. Someone in the Government should be aware of what's going on and put a spotlight on that you know; the Federal Government, we can't

be them because they have a big budget and all that kind of stuff, but every major division of every major agency has a competition officer whose job it is to make sure that there's adequate competition for every solicitation that they handle and that's their job. So that's what they're looking for, that's what they're paid for is to find it you know; they're not paid for not finding stuff, so you know if the government takes a little bit more interest in being aware of these things making themselves and this is again, this is a spotlight right here. This report should tell us an awful lot of trails.

Senator Brown: I appreciate the opportunity, but you know it's ironic because one of the things you're required to do before you can go out on bid is you have to have the money available in order to do the bid, at least certainly being the head of an agency, a few rounds that was a very basic requirement. You could not move forward to procurement unless funds had been identified to pay for that procurement so it seems kind of strange that services are being procured, and yet timely payments are not being made to vendors when that's a very basic requirement so you have to wonder about that and understandable but I think you're right we should be addressing timely payments so that you know we have more competition and interest of private sector out there and wanting to deal with the government. Thank you very much, Attorney Brown. It's always a pleasure to talk to you even though I don't always agree with the whole cumbersome process of procurement, the 120-something checklist you have to do, and because I've been certainly to some of the presentations that you've made. I certainly appreciate your continued support and interest in engaging with the government with regards to this issue I think it's fair to say you're looked at as the authority at least from the private sector, just because of your history of not just teaching these courses and the modules to our government employees that are required to have the modules, but just your continued interest in assisting the government and providing greater awareness about the whole procurement process so thank you. It's always a pleasure to talk to you and thank you very much, Madam Chair, for the indulgence of being able to ask these questions of Attorney Brown.

Chairperson Perez: Thank you, Senator Brown, and thank you Attorney Brown as well. I would like to recognize Senator Moylan. I do apologize. I was going to reserve you for last, but if you have any questions, if you would like to have your questioning, at this time.

Senator Moylan: Thank you, Madam Chair. Let's see, Attorney Kono, I appreciate your comments and testimonies. Thank you for the submittal on that, and I can really say that I'm sure even without possibly this bill 90 that you would agree your department, GSA, needs additional help with or without this bill. You need more personnel; you've been short I'm not sure how long and you'll probably continue to be short unless this including your budget the opportunity to hire more people. The federal government has given us over 600 million dollars, and I can just imagine how much procurement is going to be done that's going to come across your desk so I have no disagreement and I would support the additional help necessary but I would have to say that it's your increase in manpower would probably be more of your current responsibilities not necessarily just because of Bill 90 but because of what you must produce to provide the services for the Government of Guam and getting the procurement things going. Going back to this, the report itself which how it comes out to us, it really does not provide information we need as the Legislatures. We really had to scrutinize the sole source and the emergency procurement as well so we will need additional information and hopefully through the system this will provide that for

us. In an earlier interview with the Chief Procurement Officer, Claudia Acfalle, she said this is a system's generated report so it will produce, it just needs to be reprogrammed to instead of quarterly, I'm sorry, instead of annually, it would be monthly, a monthly report that it's just in the system that it can produce. Will we have further questions about this? well, most likely, after we get the reports on a timely basis as Attorney Brown has discussed, but it would also give us the opportunity to address things right away and in the bill also it requires a summary justifying that which is in the description clause here which we can probably go through and make sure it's written better so we can address so I just wanted to say to Attorney Kono there that, yes I do support that you additional staff and I think now is a great time for the Chief Procurement Officer through DOA to request for this, and see how possibly the American relief monies can assist in hiring because you're gonna have additional workload whether Bill 90 gets passed or not. You will see additional workload that's for sure so I just wanted to give those comments before I give my closing remarks after that. Thank you, Madam Chair.

Chairperson Perez: Thank you, Senator Moylan. Senator Taitague, you're recognized.

Senator Taitague: *Si Yu'os ma'åse*, Madam Chair, I apologize for stepping out earlier, stepping away. I'm hoping that these questions that I have are not redundant and hasn't been asked so I do have a question with regards to GSA and that is our emergency and sole source procurement, sole source procurement transactions subject to annual which is subject to annual audits by the Office of Public Accountability and does a mechanism exist at GSA or at any of the other agency levels allowing for regular monitoring of these transactions to protect against potential fraud and abuse? This is for Attorney Kono.

Attorney Kono: Hello, can you hear me?

Senator Taitague: I can hear you now. Thank you, Attorney Kono.

Attorney Kono: Your first question regarding whether OPA reviews or not reviews, they can come in and review anything,

Senator Taitague: okay.

Attorney Kono: Have they in the past looked at our sole sources and emergency procurements? Yes, they have as part of their regular review of audits.

Senator Taitague: Right, and they come in annually to review. You know the OPA does, but is there a mechanism that already exists at GSA or at an agency level allowing for regular monitoring of these transactions to protect the potential fraud and abuse?

Attorney Kono: I'm sorry, I do not understand the question very well. Could you kindly repeat it?

Senator Taitague: The Attorney General's office goes in annually to review the sole source procurement that we received recently, but is there something already, a mechanism that exists already at GSA that monitors these transactions monthly or on a regular basis if not at GSA, at the

agency level when allowing for these purchases. That way it's be sure on top of it to protect any kind of potential fraud or abuse.

Attorney Kono: It sounds sort of so self-serving, but we do try to look at any requests provided by an agency for anything over ten thousand dollars at the moment, because we handle things over ten thousand. Under is handled by the agency themselves for whether or not something is sole source or emergency we need to find out their justification and we determine if it's correct or not or we agree with it or not. So at the first stage we do try to review what an agency provides as their justification and we do not always agree with them.

Senator Taitague: Okay. I don't think you're getting what I'm trying to ask and that is just you know reports not just summaries but reports that are issued out monthly to review on these procurements through sole sourcing is my question, and it's not being answered, because GSA, I'm sure you keep records every time there's something that comes in that's, like you said, over ten thousand dollars. You keep records of it, and you should have this report generated monthly on whatever comes in at least. I'm hoping at least GSA has some kind of mechanism to do that, monitoring of these and can pull these records at a whim. I mean if you were to be FOIA'd at any time to request for a record. I just don't want to continue if he keeps answering... go ahead.

Chairperson Perez: Senator Taitague, if I may, there's a position that is needed that hasn't been filled and that's the Compliance Officer, and this is something that we brought up in the past with the Director to see if they can fill positions in addition to filling more buyer positions. There definitely is a critical shortage within GSA and what this Compliance Officer position would do, it would do that very thing. It would help to ensure that the procurement is done properly and so we're dealing with many issues as far as oversight, whether it's the legislation, or whether it's just the staffing itself, and this is critical especially now we're going into budget. I think it's important that the budget cycle to really advocate for these positions.

Senator Taitague: Thank you, Madam Chair. I do, I am aware of the shortage there of those who have left GSA. I've heard that it's very hard to retain those individuals at that agency. They're being requested at other agencies for a higher pay, and so I do understand the shortage, but you know record keeping is fundamental and it's needed at all times regardless. You need to cross your t's and dot your i's, and have it all recorded as you have nothing else to report on and so it's just there is also a shortfall at GSA with regards to this, but at an agency level there should also be that type of requirement of regular monitoring on these and providing that information to GSA on a monthly basis and maybe it's as simple as putting it into a computer or spreadsheet from each agency to monitor this and instead of waiting until the end of the year for this type of information. It's talking about what is in this legislation, I think where it says summary. I think it's important that we and Mr. Brown, if I may, the difference between, as an Attorney, a summary and a report. What would you say would be a better verbiage to require this kind of report instead of a summary? You know what I'm saying here.

Attorney Brown: Yeah, I think that it's not necessary to have more of a summary than is asked for in the statute, but we don't get that. We don't even get that. We get a bare conclusion: we needed it because it was an emergency, so we needed it because we couldn't get it any place else. What have you done to look anyplace else? What was the nature of the emergency? And so I think

that this is not meant to be an audit report. This is meant to be an alarm bell, so that you then dig deeper and this has the potential for being that if we just follow through, and also I would really like to know whether this is the information that all agencies on Guam are experiencing or is this only the stuff that goes through the GSA right. Yeah, that's the statute requires the CPO to report this stuff, so they must then have to collect that stuff. That's right exactly to the other agencies, as well.

Senator Taitague: That's what my question was, not just at GSA, but at an agency level, you know, this type of monitoring. Mr. Brown, I greatly appreciate you always being here, and giving your time and service to helping the Legislature when it comes to procurement. I do have a question for you, will the non-compliant compliance with the provisions proposed in bill 90-36 result in the responsible Procurement Officer being charged with perjury, and if not, is the bill as drafted sufficient to hold a person or persons liable for non-compliance? Basically in 5 GCA 5250, it requires a responsible procurement officer to certify in writing under penalty of perjury that he or she may maintain the record required by 5 GCA 5249, which includes 5249(e), the requesting agency's determination of need. Do you think will non-compliance with this provision proposed in Bill 90-36 result in responsible Procurement Officer being charged with perjury, and if not, is this bill as drafted sufficient to hold persons liable for non-compliance?

Attorney Brown: I don't think that if you start doing that you've still got a procurement law. You're then delving into criminal activity. Criminal or the kind of stuff that is a civil complaint where someone is founded with funds. Those things don't have a place in procurement. We don't want to be bogged down in all that stuff. We've got enough stuff to do. Just to put the goods on the table, and I don't think that Mr. Kono's talking about we're gonna need more sources, but they would need a whole lot more if they were then to go after every perjury that the government commits, and I've seen a few of those in the bill, but they're not, but that's why we have the protest. The protest is the only way that we get real-time policing of what's going, what's actually happening in procurement and what we've done, and it's been very effective, is to outsource that policing to the private sector. The private sector is not going to do it unless it's effective use of their time, so we can't stand in the way of those protests getting handled with integrity and efficiently so otherwise you are relying on the Attorney General's office to become more involved.

Senator Taitague: Thank you for that insight, and I appreciate what you have to say, but sometimes you need something in place to ensure that it's done before you even attempt to do any kind of process going forward. That you follow the law, and if you don't there are going to be repercussions you know and sometimes people just tend to do that knowing that it's not even going to be a slap in the hand. It's just a simple protest and we're, you know, let's see if we can get away with it and what we want to do is stop that practice that's been going on letting people try and try to see if they can get away with something so I appreciate your time as well and thank you, Madam Chair, for the opportunity to speak on this legislation. Thank you so much. Thank you, Attorney Brown, and Robert Kono, thank you so much as well.

Chairperson Perez: Thank you Senator Taitague. Just a couple quick questions for Attorney Kono, so how much staff would you need to carry out the mandate of this bill should it be passed, or would you task another buyer to do this activity? Or do you see perhaps updating of the system or reprogramming it? How much funding would you need to appropriately implement this bill?

Attorney Kono: I see this is more of an administrative action rather than a buyer action because the buyer put the information into the system but gathering it is more of a, seems to me, more of an administrative action, but in terms of people, I would say we would need at least one more administrative person for this.

Chairperson Perez: Okay and then regards to the report itself, is there an easy fix to produce reports that can provide greater detail such as the determination of need for both of these types of procurement? Is that something that can be done easily, or do you have to contract that out or what do you see as the resources that are needed?

Attorney Kono: The determination need would be basically when the request comes in by an agency as to their determination, and I assume that's what you would want on your report but so it's just a matter of combining everything at some point to get it all done.

Chairperson Perez: Is there a process in place to digitize the procurement records?

Attorney Kono: Our records are already. Everything comes in on what they call the On-Base system. So first you send in your requisition and all supporting documentation into our system, we receive that and then we go from there in terms of trying to find bidders to submit or try to get quotes.

Chairperson Perez: All of that is in the system correct, but to have access for the public exactly can the public easily access this information if they would like to?

Attorney Kono: I would not recommend the public getting it because I'm worried about security.

Chairperson Perez: In regard to determination of need, is that something that could be perhaps placed on a website, similar to what other agencies have? In regard to minutes of meetings or other things. Is this something that could be perhaps developed at GSA?

Attorney Kono: I assume it could be.

Chairperson Perez: All right, thank you. Now I'd like to recognize Senator Moylan for his closing.

Senator Terlaje: Madam, can I share my thoughts?

Chairperson Perez: Oh, of course, Senator Pedro.

Senator Terlaje: Okay, first off, I want to, I'm in support of Bill 90-36 (COR), and I want to thank the author of the bill, but there's something that I have in my mind on in as far as purchasing authority and I guess Senator Mary Torres knows about this, and what I'm trying to do is give the Mass Transit Authority to make their own purchases. That's because I have no qualms with GSA, but my problem is you know the Mass Transit Authority, the bulk of the money that comes into Mass Transit Authority is Federal funds and the only reason why I wanted to initiate some kind of

bill to expedite the purchasing because of the timeline that these Federal funds is available. I'm just afraid that if we don't have, if we don't give the Mass Transit Authority you know to do their own purchasing it might defeat the purpose of getting the Federal funds and there's like nine million dollars right now on hold and I just wanted to find out from Mr. Kono if that thing would suffice if I do a bill and have Mass Transit Authority just do their own purchasing to expedite whatever they need and most of the money is going to be spent on infrastructure and transportation so I just wanted to find out from Mr. Kono is that appropriate to do or is it possible that we can do that?

Attorney Kono: It's always possible that you can pass a bill to take out GRTA from the generalized procurement and make it somewhat like what some autonomous agencies have.

Senator Terlaje: Because I know you see some of the autonomous agencies does have that.

Attorney Kono: However, if you're asking why is there a delay, I would suggest that it's not GSA in the delaying of procuring if the delay is in the GRTA submission of documentation and other issues relating to their purchases.

Chairperson Perez: Sorry, thank you. If I can interject, Senator Pedro, I do appreciate I know we have GSA here to provide testimony for Bill 90-36, and I do appreciate your interest and I hope we can table this discussion for perhaps an informational hearing which I plan to or oversight hearing at which I plan.

Senator Terlaje That's fine. Thank you.

Chairperson Perez: Thank you though for your concern. Senator James Moylan if you'd like to close on your Bill.

Senator Moylan: Thank you, Madam Chair. Thank you, Attorney Brown and Attorney Kono, for your testimony, and thank you to my colleagues for our questioning. Again, as a summary and in closing we're discussing the sole source and emergency procurement report, which we know, on March 15th we received the latest report on last year's information just this year. When we reviewed those reports, we saw some red flags that many of our Senators were interested in finding out more about. This bill allows us to look at these reports on a monthly basis, not on an annual basis so we can quickly go back and see and learn what the sole source or the emergency procurement was all about if we need an oversight hearing to address it, to protect the taxpayers' money then that's what we need to do. This bill is about transparency and helping us monitor the money.

Last year's report was based on 117 million dollars coming in from the CARES Act. If by passing this bill I think it should be a priority because we know we're expecting over 660 million or close to that with the American Recovery Plan. We're going to be expected to wait one year for a report next March 15, 2021 to look at purchases then I think we're already way behind and where we could have corrected some issues ahead of time and looked at things that are important for example on an Executive Order 20-44 it just the governor has item number three. The Governor has noted in the Executive Order emergency procurement for financial and human resource management

system. I can imagine the amount of money that will be invested in this and it could be helpful for the island, but I think we should be on top of this.

We recognize the emergency management system is going to be very expensive and also very important to have but the fact that it's on an executive order for emergency procurement could be questionable or it could be the right thing to do but we need to address this right away and moving Bill 90 to allow this body to review sole source and emergency procurements on a monthly basis I think is the right thing to do if we provide the support that GSA needs then that that will be the right thing to do as well but whether it be this bill or another bill GSA needs support now so I'm hoping this bill would also assist them in getting that support as well so thank you Madam Chair and thank you to the panel for the public hearing today on Bill 90-36. Thank you very much.

Chairperson Perez: *Si Yu'os ma'åse'* Senator Moylan, and so there being that there are no more testimonies or questions, Bill 90-36, sponsored by Senator James Moylan is duly heard.

Chairperson Perez adjourned the public hearing for Bill No. 90-36 (COR) at 9:42 a.m.

Written Testimonies:

- Claudia S. Acfalle, *Chief Procurement Officer, General Services Agency*

III. FINDINGS AND RECOMMENDATION

The Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning received the following testimony for Bill No. 90-36 (COR):

- General Services Agency states they have no problem in complying with this section. However, note that it requires additional administrative work and would request that additional staffing be provided to the agency.

The Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning hereby reports out Bill No. 90-36 (COR) - James C. Moylan, with the recommendation **TO DO PASS.**

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 90-36 (COR)

Introduced by:

James C. Moylan 

**AN ACT TO AMEND § 5248 OF CHAPTER 5, TITLE 5,
GUAM CODE ANNOTATED, RELATIVE TO
REQUIRING MONTHLY REPORTS AND
JUSTIFICATION SUMMARIES WHEN PURCHASES
ARE MADE THROUGH A SOLE SOURCE OR
EMERGENCY PROCUREMENT PROCESS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that § 5248 of 5 GCA mandates that the General Services Agency provide annual reports to *I Liheslaturan Guåhan* when it comes to any procurement which was transacted through a sole source or emergency procurement process. It is also at this point, that the report is made available for public inspection.

With over \$660 million in federal funds being provided to the government of Guam, courtesy of the American Recovery Plan, it is a fair assessment that many purchases will be made under the premise of a sole source or emergency procurement, and unfortunately the public will be unaware of these transactions until the first quarter of 2022. The 2020 report, inclusive of a number of expenses from the federal CARES Act was provided to *I Liheslaturan Guåhan* on March 15, 2021, and contains several questionable expenses which may warrant a legislative oversight hearing.

1 Mandating monthly reports would provide a frequency in the public's
2 understanding of how taxpayer dollars are being expended. It could also reduce
3 questionable expenditures in the long run, as public scrutiny and/or oversights
4 would take place more frequently versus the following year, hence any problematic
5 transactions could be rectified at the onset. Further this Act promotes a greater
6 level of transparency by requiring justification summaries for agencies in outlining
7 how a purchase was qualified as a sole source or emergency procurement.

8 This Act does not take away an agency's authority in pursuing a sole source
9 or emergency procurement when justified, rather it assures that accountability is in
10 place by establishing a more rigid and routine reporting requirement.

11 **Section 2.** § 5248 of Chapter 5, Title 5, Guam Code Annotated, is hereby
12 *amended* to read as follows:

13 **§ 5248. Record of Procurement Actions Taken Under §§ 5214 and 5215**
14 **of this Chapter.**

15 (a) Contents of Record. The Chief Procurement Officer or the
16 Director of Public Works *shall* maintain a record listing of all
17 contracts made under § 5214 or § 5215 of this Chapter for a minimum
18 of five (5) years. The record *shall* contain:

- 19 (1) each contractor's name;
20 (2) the amount and type of each contract; ~~and~~
21 (3) a listing of the supplies, services or construction
22 procured under each contract; and-
23 (4) a summary justifying how the procurement
24 transaction was determined to be a Sole Source Procurement or
25 an Emergency Procurement, pursuant to this Chapter.

1 (b) Submission to Legislature. A copy of such record *shall* be
2 submitted to the Legislature on an monthly ~~annual~~ basis. The record
3 *shall be* available for public inspection.

4 **Section 3. Severability.** If any provision of this Act or its application to
5 any person or circumstance is found to be invalid or contrary to law, such
6 invalidity *shall not* affect other provisions or applications of this Act that can be
7 given effect without the invalid provision or application, and to this end the
8 provisions of this Act are severable.

9 **Section 4. Effective Date.** The Act *shall* be effective upon enactment.



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÅTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

March 26, 2021

MEMO

To: **Rennae Meno**
Clerk of the Legislature

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Fiscal Note Waivers**

Buenas yan Håfa adai.

Attached, please find the fiscal note waivers for the following bills:

Bill No. 86-36 (COR)

Bill No. 89-36 (COR)

Bill No. 90-36 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

MAR 25 2021

Vice Speaker Tina Muña Barnes
Chairperson, Committee on Rules
I Mina'trentai Sais Na Liheslaturan Guåhan
Thirty-Sixth Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai Vice Speaker Barnes:

The Bureau requests that Bill No. 90-36 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill 90-36 (COR) is an act to amend §5248 of Chapter 5, Title 5, Guam Code Annotated, relative to requiring monthly reports and justification summaries when purchases are made through a sole source or emergency procurement process.

In addition to amending the reporting requirement from an annual basis to a monthly basis, the proposed legislation amends the reporting mandate to also include a summary justifying how the procurement transaction was determined to be a sole source procurement or an emergency procurement.

As such, the Bill is administrative in nature and poses no fiscal impact upon any funds of the Government of Guam.

Senseramente,

LESTER L. CARLSON, JR.



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

I Mina'trentai Sais Na Liheslaturan Guåhan • 36th Guam Legislature

COMMITTEE VOTE SHEET

Bill No. 90-36 (COR) – James C. Moylan - “AN ACT TO *AMEND* § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS.”

COMMITTEE MEMBERS	SIGNATURE AND DATE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR SABINA FLORES PEREZ Chairperson	<i>SFP</i> 5/12/2021	✓				
SENATOR THERESE M. TERLAJE Vice Chairperson						
VICE SPEAKER TINA ROSE MUÑA BARNES Member						
SENATOR TELENA CRUZ NELSON Member	E-Vote 5.13.21	✓				
SENATOR JOE S. SAN AGUSTIN Member	E-Vote 5.13.21			✓		
SENATOR TELO T. TAITAGUE Member	E-Vote 5.12.21			✓		
SENATOR JAMES C. MOYLAN Member	E-Vote 5.12.21	✓				



Charlene Flores <charlene@senatorperez.org>

Request for E-VOTE: Bill No. 90-36 (COR)

5 messages

Charlene Flores <charlene@senatorperez.org>

Wed, May 12, 2021 at 9:05 AM

To: Senator Therese Terlaje <senatorterlajegum@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Office of Senator Telen Cruz Nelson <senatortcnelson@guamlegislature.org>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Telo Taitague <senatortelot@gmail.com>, Office of Senator Moylan Guam Legislature <officeofsenatormoylan@guamlegislature.org>
Cc: Sabina Perez <sabina@senatorperez.org>
Bcc: Evan San Nicolas <evan@senatorperez.org>

Håfa Adai Committee Members,

Please see attached Committee Report for **Bill No. 90-36 (COR) - "AN ACT TO AMEND § 5248 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MONTHLY REPORTS AND JUSTIFICATION SUMMARIES WHEN PURCHASES ARE MADE THROUGH A SOLE SOURCE OR EMERGENCY PROCUREMENT PROCESS."**

Please indicate your preferred action, based on the following options:

- To Do Pass;
- To Not Pass;
- To Report Out Only;
- To Abstain; or
- To Place in Inactive File.

Please submit your response as soon as possible. Your responses will be logged into the Committee Report Vote Sheet for Bill No. 90-36 (COR), which will be filed with the Committee on Rules.

—
Charlene Flores

Office of Senator Sabina Perez

I Mina'trentai Sais na Liheslaturan Guåhan - 36th Guam Legislature

671.989.2968

 **Committee Report - Bill No. 90-36 (COR).pdf**
5821K

Senator Telo Taitague <senatortelot@gmail.com>

Wed, May 12, 2021 at 9:12 AM

To: Charlene Flores <charlene@senatorperez.org>

To report out only.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

36th Guam Legislature

Suite 309 DNA Building

238 Archbishop Flores St.
Hagatna, Guam 96910
Tel: (671) 989-8356
Email: senatortelot@gmail.com

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Office of Senator Moylan Guam Legislature
<officeofsenatormoylan@guamlegislature.org>
To: Charlene Flores <charlene@senatorperez.org>

Wed, May 12, 2021 at 9:13 AM

To do pass.

SYM.

[Quoted text hidden]

Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>
To: Charlene Flores <charlene@senatorperez.org>

Thu, May 13, 2021 at 10:10 AM

To do Pass.

[Quoted text hidden]

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The Office of Senator Telena Cruz Nelson

Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature

173 Aspinall Avenue, Suite 202A Ada Plaza Center, Hagåtña, Guam 96910

Phone: (671) 989-7696/4678

Email: senatortcnelson@guamlegislature.org

Joe S. San Agustin <senatorjoessanagustin@gmail.com>
To: Charlene Flores <charlene@senatorperez.org>

Thu, May 13, 2021 at 11:52 AM

Cc: Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, Office of Senator Moylan Guam Legislature <officeofsenatormoylan@guamlegislature.org>, Sabina Perez <sabina@senatorperez.org>

To Report Out Only

The Office of Senator Joe S. San Agustin

Committee on General Government Operations, Appropriations & Housing

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 989-5445 F: (671) 969-6737 E: senatorjoessanagustin@gmail.com

Website: www.senatorjoessanagustin.com

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On Wed, 12 May 2021 at 09:05, Charlene Flores <charlene@senatorperez.org> wrote:

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