

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

2024 (SECOND) Regular Session

VOTING RECORD

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Chris Barnett	✓					
Senator Frank Blas, Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator Thomas J. Fisher					✓	✓
Senator Jesse A. Lujan	✓					
Vice Speaker Tina Rose Muña Barnes	✓					
Senator William A. Parkinson		✓				
Senator Sabina Flores Perez	✓					
Senator Roy A. B. Quinata	✓					
Senator Joe S. San Agustin					✓	✓
Senator Dwayne T. D. San Nicolas	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Speaker Therese M. Terlaje	✓					

TOTAL

12

1

2

2

Aye

Nay

**Not
Voting/
Abstained**

**Out
During
Roll Call**

Absent

Excused

CERTIFIED TRUE AND CORRECT:

JOAQUIN P. TAITAGUE
Clerk of the Legislature

I = Pass

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I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN
2024 (SECOND) Regular Session

Bill No. 362-37 (COR)

[As amended in the Committee of the Whole.](#)

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Introduced by:

Frank F. Blas Jr.
Joanne M. Brown
Jesse A. Lujan

AN ACT TO ADD A NEW SUBSECTION 5215.1 TO SUB ARTICLE B (METHODS OF SOURCE SELECTION) OF ARTICLE A, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO SPECIAL CRISIS PROCUREMENT AUTHORITY FOR THE GUAM FIRE DEPARTMENT TO MEET THE CRITERIA SET BY THE NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 1710 AND TO ENSURE THAT THERE ARE SUFFICIENT STOCKED AND EQUIPPED AMBULANCES FOR EMERGENCY MEDICAL RESPONSES.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings. *I Liheslatura* finds that on
3 October 11, 2024, the Guam Fire Department had only four (4) operational
4 ambulances to deploy for emergency medical operations throughout the island. The
5 eleven (11) other ambulances were removed from operational status and are awaiting
6 part replacements and repairs. In discussions with fire personnel, it was revealed that
7 the purchase orders for the needed parts and repairs have been awaiting processing,
8 many since May 2024. The fire personnel expressed frustration in the prolonged

1 process and feared that the inadequacy of the emergency medical operations may
2 result in the tragic and avoidable loss of life.

3 The Guam Fire Department's criteria for their emergency medical response
4 and operations is set by the National Fire Protection Association Standard 1710
5 (Standard for the organization and deployment of fire suppression operations,
6 emergency medical operations and special operations to the public by career fire
7 departments). This standard specifies requirements for effective and efficient
8 organization and deployment of fire suppression operations, emergency medical
9 operations, and special operations to the public by fire departments to protect
10 citizens and the occupational safety and health of fire department employees.

11 According to GFD personnel, a minimum of eight (8) ambulances are
12 necessary to provide adequate emergency response coverage for the island and to
13 meet the standard set by NFPA Standard 1710. A special crisis procurement process
14 will aid in the ability to repair and equip ambulances when the number of operational
15 vehicles falls below eight (8). Furthermore, the process will help to ensure that the
16 ambulances are adequately stocked and equipped to perform the emergency medical
17 procedures that may be necessary to conduct.

18 The absence of adequate and operational ambulances for emergency medical
19 response poses significant risk to our island residents. In critical situations where
20 every second counts, such as heart attacks, strokes, sepsis, and severe trauma,
21 delayed response times can drastically affect patient outcomes, increasing the
22 likelihood of death or long-term disability. The challenges are particularly acute in
23 rural areas, where distances are greater and resources more limited.

24 Ambulance services are essential for providing immediate care and transport
25 to medical facilities, and when they are insufficient, the entire emergency medical
26 system's ability to respond effectively is compromised. This can lead to overcrowded
27 hospital emergency rooms, increased pressure on healthcare systems, and a higher

1 burden on community resources. The situation calls for a comprehensive approach
2 that includes improved infrastructure and policies that recognize the vital role of
3 emergency medical services as an essential public service.

4 The value of special crisis procurement authority, as opposed to standard
5 procurement procedures, becomes particularly evident in the context of ambulances
6 and their operational needs. This authority is designed to expedite the procurement
7 process in situations where time is of the essence, such as the unanticipated repairs
8 to ambulances, breakdowns of life-saving equipment, or the urgent replenishment of
9 medical supplies.

10 Under standard procedures, the procurement process can be lengthy due to the
11 need for competitive bidding and compliance with various regulations, which, while
12 ensuring fairness and transparency, may not be conducive to the immediacy required
13 in emergency situations.

14 Special emergency procurement allows for a more streamlined process, with
15 increased thresholds for micro-purchases and simplified acquisition, enabling
16 quicker response times to procure essential items. This agility is crucial in
17 maintaining the readiness and effectiveness of emergency services, ensuring that
18 ambulances are equipped to provide the highest level of care without delay.

19 Ultimately, the use of special crisis procurement authority can lead to
20 significant savings in both time and resources, directly impacting the quality of
21 emergency healthcare services and the ability to save lives.

22 Granting special crisis procurement authority to the Guam Fire Department
23 for the acquisition of services and supplies is a critical step in ensuring that
24 ambulances remain equipped and operational.

25 This authority can streamline the purchasing process, allowing for the quick
26 acquisition of essential items such as vehicle parts and repairs, medical supplies, and
27 other necessary equipment.

1 It will enable the Guam Fire Department to respond more effectively to
2 emergencies by reducing the time typically required for the standard procurement
3 process.

4 Furthermore, special procurement authority can empower GFD to negotiate
5 better terms with suppliers, potentially leading to cost savings and more efficient
6 use of resources.

7 It will be important that such authority will be exercised with transparency and
8 accountability, adhering to strict ethical standards to prevent any misuse of funds
9 or resources.

10 Overall, this specialized crisis procurement process is a strategic measure
11 that can significantly enhance the capabilities of emergency medical services,
12 ultimately contributing to the well-being and safety of the community.

13 **Section 2.** A new Subsection 5215.1 of Sub-article B, Article A of Chapter 5,
14 Title 5 Guam Code Annotated is added to read:

15 **§5215.1. Special Crisis Procurement Authority for the Guam Fire**
16 **Department.**

17 (1) For purposes of this Article, Crisis is defined to be a critical event or period
18 that precipitates an unstable and potentially hazardous situation affecting an
19 individual, group, or community. It is further defined to encompass any
20 situation that requires urgent attention and action to manage extreme risk or
21 dire consequences.

22 (2) Notwithstanding any other provision of this Chapter, a contract with the Guam
23 Fire Department may be awarded through a special crisis procurement as
24 defined by rules:

25 (a) When there is an imminent threat to public health, welfare, or safety; or

1 (b) To prevent or minimize serious disruption in emergency response
2 operations as prescribed in National Fire Protection Association (NFPA)
3 rule 1710; and

4 (c) To meet the minimum compliance standard as set by the NFPA rule 1710
5 and determined by the Fire Chief of the Guam Fire Department.

6 (3) Special Crisis Procurements shall be made with as much competition as is
7 practicable under the circumstances, based on the judgement and
8 determination of the Fire Chief or his designee.

9 (4) The Fire Chief may issue oral orders or notices to proceed with a special
10 crisis procurement for to contractors to provide services or goods to GFD;
11 provided, that the directive shall be in writing within three (3) business days
12 after issuance and funding for the services or goods provided shall be certified
13 by the appropriate fiscal officer.

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14 (4) Special Crisis Procurement procedures shall not be used for contracts
15 exceeding 60 days; provided, that if the development time for the good or
16 service exceeds 60 days, the contract shall not exceed 120 days.

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Deleted: The Fire Chief may issue oral orders or notices to proceed to contractors to provide services or goods to GFD; provided, that the directive shall be in writing within three (3) business days after issuance and funding for the services or goods provided shall be certified by the appropriate fiscal officer.

17 (5) The Fire Chief shall make a determination and finding justifying the special
18 crisis procurement.

19 (6) Notice of all special crisis procurements shall be made available on the GFD
20 and the Department of Administration websites no more than seven (7) days
21 after a contract is awarded. The notice shall include:

22 (a) The determination and finding required by subsection (5) of this section;

23 (b) A description of the item or service procured;

24 (c) The designated contractor; and

25 (d) A copy of the contract.

26 (7) This section only applies to procurement necessary to meet the minimum
27 compliance criteria set with NFPA Standard 1710 and as determined by the

1 Fire Chief or when there is an imminent threat to public health, welfare, and
2 safety of members of the community.

3 **Section 3. Enactment.** This Act shall be effective upon enactment.

4 **Section 4. Severability.** If any provisions 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.

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Passed FA No. 1
Date: 10/24/24 Time: 4:46 p.m.

FILE NAME B362 sfp COTW PFA1

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN

2024 (SECOND) Regular Session
COMMITTEE OF THE WHOLE
FLOOR AMENDMENT

Bill No. 362-37 (COR)

**SFP
Senator Proposing Amendment**

LINES 9-10 PAGE 5

To *amend* the Bill to read:

“(4) The Fire Chief may issue oral orders or notices to proceed with a special crisis procurement for ~~to contractors to provide~~ services or goods to GFD; provided that the directive shall be in writing within three (3) business days after issuance and funding for the services or goods provided shall be certified by the appropriate fiscal officer.”

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(Below only for Clerk of Legislature's use and processing)

Date: 10/24/24 Floor Amendment No. 1

AMENDMENT PASSED: 7 Votes For 8 Votes Against 2 (4 Out, 1 E.A.) Failed: _____ Withdrawn: _____

APPROVED AS TO FORM PASSED SFP Concur (initial) OK
AUTHOR OF AMENDMENT Chairperson

____ Committee Staff _____ Clerk Staff

Date of Session