

Felix P. Camacho
Governor



GENERAL SERVICES AGENCY

(Ahensian Setbision Hinirat)
Department of Administration
Government of Guam

148 Route 1 Marine Drive, Piti, Guam 96915

Tel: (671) 475-1707 thru 1729 • Fax Nos: (671) 472-4217/475-1727/475-1716

Micheal W. Cruz, M.D.
Lt. Governor

Lourdes M. Perez
Director
Department of Administration

Joseph C. Manibusan
Deputy Director
Department of Administration

August 28, 2009

Memorandum

To: Hon. Judith T. Won Pat
Speaker, 30th Guam Legislature

From: Chief Procurement Officer

Subject: Emergency Procurement
Guam Department of Education – Food Services Management

Buenas Yan Hafa Adai! Pursuant to the 5GCA §5215: Emergency Procurement attached is the copy of emergency certifications for the Guam Department of Education – Food Services Management Contract to include the statement of facts given rise to the emergency.

If you have any questions, please do not hesitate to contact me at 475-1713/10.


CLAUDIA S. ACFALLE

30-09-1115
Office of the Speaker
Judith T. Won Pat, Ed.D.
Date: 9/14/09
Time: 3P
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2009 SEP 15 AM 10:34
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DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

P.O. Box DE

Hagåtña, Guam 96932

Telephone: (671) 300-1547 / 300-1536

Fax: (671) 472-5003

Email: nbunderwood@gdoe.net

www.gdoe.net



Nerissa Bretania Underwood, Ph.D.
Superintendent of Education

August 26, 2009

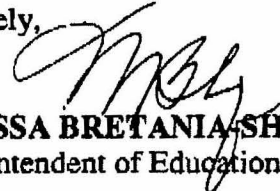
Memorandum

TO: Chief Procurement Officer, GSA
FROM: Superintendent of Education
Subject: Request for Emergency Procurement, Food Services

Hafa Adai! Based on the attached Attorney General Opinion returning the proposed contract between King's Restaurant and DOE I am requesting for an emergency procurement of food services for 31 of our public schools. I have notified the current vendor to immediately cease serving food until we have both the funds and contract in place.

Your assistance in expediting this matter is appreciated. If you have any questions please do not hesitate to call me at (671) 475-0457

Sincerely,


NERISSA BRETANIA SHAFER, Ph.D.
Superintendent of Education

Attn: Ms. Claudia

↑ 75 17-27

EDUCATION SUPT'S OFFICE +6714725003
DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

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P.O. Box DE
Hagåtña, Guam 96932
Telephone: (671) 300-1547 / 300-1536
Fax: (671) 472-5003
Email: nbunderwood@gdoc.net
www.gdoe.net



Nerissa Bretania Underwood, Ph.D.
Superintendent of Education

CERTIFICATE OF EMERGENCY

WHEREAS, the Organic Act of Guam requires the Government of Guam to provide a free and adequate public education to the students of Guam (48 U.S.C.A. §1421(g)(b); and

WHEREAS, Public Law 28-45 created the Every Child is Entitled to a Public Education Act; and

WHEREAS, to provide an adequate public education public schools must provide at a minimum a healthful, safe and sanitary learning environment (1 G.C.A. §715(1)); and

WHEREAS, breakfast and lunch is an integral part of providing an adequate education; and

WHEREAS, the continuance of the breakfast and lunch programs is the highest priority; and

WHEREAS, the previous contract for food services ended at the close of school year 2009; and

WHEREAS, the Attorney General has returned the new proposed contract for various deficiencies; and

WHEREAS, the students of the Department of Education must be fed while the procurement and funding issues for the food service contract are being resolved. and

NOW THEREFORE, based on the aforementioned laws and need for the students to be fed, I **NERISSA BRETANIA UNDERWOOD, Ph.D.**, Superintendent of Education, find that the Department of Education is in a state of emergency jeopardizing the education of the students of the Department of Education; and

FURTHERMORE, upon the approval of the Governor and the transfer of funds, I authorize the emergency procurement of the food services management as necessary to ensure the continued breakfast and lunch programs in our schools; and

FINALLY, pursuant to 5 G.C.A. §5215 and under penalty of perjury, I certify that the facts stated above are true and that this statement of emergency is not being used solely for the purpose of avoidance of the provisions of Chapter 3 of the Procurement Regulations.

Signed this 26th day of August, 2009

Approved

Disapproved

NERISSA BRETANIA UNDERWOOD, Ph.D.
Superintendent of Education

FELIX P. CAMACHO
Governor of Guam

Transmission Report

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Felix P. Camacho Governor Lourdes M. Perez Director Department of Administration	GENERAL SERVICES AGENCY (Ahensian Serbision Himirat) Department of Administration Government of Guam 148 Route 1 Marine Drive, Piti, Guam 96915 Tel: (671) 475-1707 thru. 1729 • Fax Nos: (671) 472-4217/475-1727/475-1716	Michael M. Cruz, M.D. Lt. Governor Joseph C. Manibusan Deputy Director Department of Administration
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CLAUDIA S. ACFALLE

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Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	TU: Terminated by user
HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system
WS: Waiting send	MS: Mailbox save	FA: Fail	RP: Report
			G3: Group 3
			EC: Error Correct