



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U. S. A.

EXECUTIVE ORDER NO. 94-10

**PROCEDURES RELATIVE TO THE ACQUISITION OF LOCALLY
GROWN AGRICULTURAL PRODUCE AND FISH**

WHEREAS, the Department of Education, operating the Guam Public School System, has a constant need for locally grown and harvested fresh agricultural produce and fish; and

WHEREAS, the Government supports the efforts of the local farmers and fishermen to sell their commodities locally which, in turn, contributes to the economic development of Guam; and

WHEREAS, the purchase of fresh agricultural produce and fish by the Department of Education contributes to the economical growth of the local industry and provides health benefits to the children of Guam; and

WHEREAS, no one farmer or fisherman has in the past met the required quantity demands of the Department of Education for fresh agricultural produce or fish;

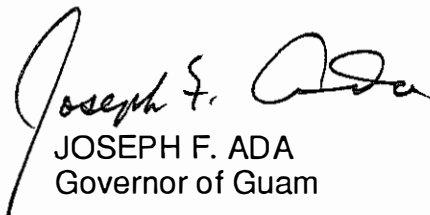
NOW, THEREFORE, I, JOSEPH F. ADA, Governor of the Territory of Guam, pursuant to the authority vested in me by the Organic Act and the laws of Guam, order that:

1. The Department of Education shall prepare an annual quantity and consumption schedule for each upcoming school year, as soon as practical, but no later than the end of the month of August. This schedule shall indicate the type of commodity, total quantity required, delivery schedule, and allocation by school.
2. The Department of Education shall submit the annual quantity and consumption schedule to the Department of Agriculture for statistical and forecast projections of commodity requirements. The Department of Agriculture will utilize the information provided by the Department of Education to negotiate prices with the local farmers and fishermen in order to provide the Department of Education with an annual price list.
3. Once the annual price list is prepared by the Department of Agriculture, the Department of Education shall invite all registered farmers and fishermen to submit their offers to the Department detailing the ability of the offeror to provide the quantity of the commodity at the time required as detailed in the quantity and consumption schedule. The invitation shall state that the quantities may increase or decrease during the course of the school year, subject to the availability of funds and availability of the commodity.



4. The basis of award shall be to any one farmer or fisherman that can provide the total quantity of the commodity(ies) at the time required as detailed in the schedule, provided they are also the sole offeror. In the event that no one farmer or fisherman can provide the total quantity of the commodity(ies) at the time required, award shall be pro-rated among those farmers or fishermen that collectively can meet the total quantity of the commodity at the time required. If the collective offers exceed the required amount of the commodity(ies) and a mutual agreement regarding distribution among the offerors cannot be met, the Department shall reserve the right to formally bid those commodity(ies) in question, provided the bid submittal price does not exceed the 'standard of pricing' as established by the Department of Agriculture. In the event of a formal bid, all bidders must comply with the terms and conditions of the bid.
5. Executive Order No. 93-17 is rescinded.

SIGNED AND PROMULGATED at Agana, Guam, this 25th day of August,
in the year of Our Lord, Nineteen Hundred and Ninety-Four.


JOSEPH F. ADA
Governor of Guam

COUNTERSIGNED:


FRANK F. BLAS
Lieutenant Governor of Guam