



**OFFICE OF THE GOVERNOR
HAGÅTÑA, GUAM 96910
U.S.A.**

EXECUTIVE ORDER NO. 2015-07

**RELATIVE TO AMENDING EXECUTIVE ORDER NO. 90-03
TO DESIGNATE THE CHIEF PROCUREMENT OFFICER
AS THE CERTIFYING OFFICER OF THE
GENERAL SERVICES AGENCY SPECIAL FUND**

WHEREAS, the General Services Agency was created by the Guam Procurement Act (Public Law 16-124, as amended); and

WHEREAS, the Act mandated the centralization of Procurement for the Government of Guam and transferred personnel from certain agencies to the Department of Administration, General Services Agency; and

WHEREAS, the General Services Agency requires:

- (a) supplies, equipment and services necessary to support the procurement process;
- (b) training which would enhance the performance of the personnel of General Services Agency and the support staff of the Department of Administration who are entrusted with the accounting, inventory and the assets administered by the General Services Agency; and
- (c) an independent audit for transactions of General Services Agency; and

WHEREAS, no legislative mandate exists for the establishment of any separate fund or account for these purposes and requirements; and



WHEREAS, Executive Order No. 90-03 established a General Services Agency Special Fund to be maintained and properly administered by the Chief Procurement Officer; and

WHEREAS, as the administer of the General Services Special Fund, the Chief Procurement Officer is properly an individual to certify funds for the procurement of goods, services, and supplies required by the General Services Agency.

NOW, THEREFORE, I, EDDIE BAZA CALVO, I Maga'lāhen Guåhan, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, and by Chapter 22, Section 22108, Title 5 Guam Code Annotated, do hereby order that Executive Order 90-03, be and is, amended as set forth herein as follows:

1. There is hereby re-established a General Services Agency Special Fund ("Fund") to be maintained and properly administered by the Chief Procurement Officer. The Chief Procurement Officer shall issue a written statement to the Governor of Guam concerning the conditions of the Fund at the end of each quarter, by the fifteenth day of the succeeding month.

2. The Fund shall be maintained separate and apart from all other funds of the Government of Guam and independent records and accounts concerning it, shall be maintained by the Director of Administration who shall provide the Governor with an annual fiscal year report by December 1st of each year.

3. The following monies shall be deposited into the Fund:
- (a) Liquidated damages assessed to vendors for delay in the delivery of items ordered or in the performance of specific services, default or failure to deliver items ordered or to perform specific services; and
 - (b) Charges for the photocopying of bid documents and other items at a rate permitted by law.



4. The Fund shall be expended upon the written order of the Chief Procurement Officer, who shall also be designated as the Certifying Officer, for the following:

- (a) supplies, equipment and services necessary to support the procurement process;
- (b) training which would enhance the performance of the personnel of the General Services Agency and the support staff of the Department of Administration who are entrusted with the accounting, inventory and other assets of the Agency;
- (c) an independent audit for transactions of the General Services Agency; and
- (d) for other operational costs, including personnel.

SIGNED AND PROMULGATED at Hagåtña, Guam, this 6th day of March, 2015.





EDDIE BAZA CALVO

I Maga'Låhen Guåhan
Governor of Guam