



**ISLAND OF GUAM
OFFICE OF THE GOVERNOR
HAGÁTÑA, GUAM 96932
U.S.A.**

EXECUTIVE ORDER NO. 2005 - 24

**RELATIVE TO DECLARING AN EMERGENCY FOR PROCUREMENT
OF LEGAL SERVICES SPECIALIZING IN MARITIME LAW RELATIVE
TO ONGOING GOVERNMENT OF GUAM MARITIME CASES**

WHEREAS, the government of Guam has been involved in ongoing cases before the Surface Transportation Board and the Federal Maritime Commission for several years, both requiring legal services specializing in maritime law procured through the Attorney General of Guam, and both of which are heard in the Washington, D.C. area; and

WHEREAS, the Surface Transportation Board has just issued a notice of an Order to Show Cause to the government of Guam to show why the case before it should not be dismissed unless the government shows its readiness to argue the rate reasonableness issue, and the hearing is scheduled for June 28, 2005; and

WHEREAS, the government of Guam does not want the case before the Board dismissed because the public's welfare will be jeopardized; and

WHEREAS, an emergency exists for the government with respect to the procurement of legal services to handle the maritime cases, predominantly because of the order to show cause hearing scheduled in less than two weeks, but also because the government needs representation in general for the two cases, all of which should be handled by the same legal representative;

NOW, THEREFORE, I, FELIX P. CAMACHO, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, and the laws of Guam, do hereby order the following:

- 1) **Declaration of Emergency.** A state of emergency that threatens the island's welfare exists for the government of Guam because the government must procure legal representation prior to June 28, 2005 or have an important maritime case dismissed.
- 2) **Emergency procurement and emergency expenses.** Pursuant to 5 G.C.A § 5215, authorizing emergency procurement upon executive order, and pursuant to 5 G.C.A § 22402, authorizing the Governor to utilize no more than Two Hundred Fifty Thousand Dollars (\$250,000.00) from General Fund appropriations for the Executive Branch for expenses resulting from civil defense, public safety or health care emergencies, the Director of Bureau of Budget and Management Research is authorized to transfer to the Office of the Governor an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) from outstanding appropriations within the General Fund for immediate use by the Office of the Governor to acquire legal representation with a specialty in maritime law in the Washington, D.C. area using emergency procurement procedures, and the services may be acquired for a period to exceed thirty days because the thirty-day limitation in the emergency procurement procedures applies only to goods and



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supplies, and not services. This emergency is not being declared to circumvent the regular procurement procedures, but a genuine emergency threatening the public's welfare exists for the government of Guam.

- 3) **Documentation of expenses.** The Office of the Governor is hereby instructed to keep appropriate documentation on all emergency expenses for inspection by the Executive and Legislative Branches and by the Public Auditor of Guam.

SIGNED AND PROMULGATED at Hagåtña, Guam this 24th day of **June, 2005.**

A handwritten signature in cursive script, which appears to read "F. Camacho", written over a horizontal line.

FELIX P. CAMACHO
I Maga' Låhen Guåhan
Governor of Guam