



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U. S. A.
EXECUTIVE ORDER NO. 99-19

DECLARING A STATE OF EMERGENCY FOR EMERGENCY PROCUREMENT, AND FOR EMERGENCY EXPENSES RELATIVE TO THE PROVISION OF GOODS AND SERVICES BY THE DEPARTMENT OF PUBLIC WORKS TO REPAIR AND REPLACE BUILDINGS AT C. L. TAITANO ELEMENTARY SCHOOL DUE TO STRUCTURAL DAMAGE.

WHEREAS, C. L. Taitano Elementary School was originally constructed in 1957, and over the years structural problems have been experienced with the 4 buildings (A, B, C, and D) comprising the campus; and

WHEREAS, C. L. Taitano Elementary School serves children from the Villages of Piti, Asan, Anigua, and Nimitz Hill, as well as children from Sinajana, with 770 students and 100 faculty and staff; and

WHEREAS, in the 1980's corrosion and concrete spalling off the ceilings and walls was beginning to exist; and

WHEREAS, some repairs were conducted between 1985-1991, however more work was needed; and

WHEREAS, the severe August 1993 8.2 earthquake created new and obvious damage to the school, and the firm of Winzler and Kelly Consulting Engineers prepared a report in 1994 indicating the needed repairs; and

WHEREAS, an update of the Winzler and Kelly report in November, 1999 determined that although it would not be expensive to repair Buildings C and D, that it would cost almost 70% of the cost of replacing Buildings A and B to repair Buildings A and B, therefore making it more cost effective to replace Buildings A and B;

WHEREAS, it is desirable to utilize school bond proceeds to repair and reconstruct this elementary school, as authorized in Public Law No. 25-25, yet, in order to move immediately to take down the existing structures during the intercession time between now and January 18, 1999, while students are not attending school, this executive order will provide the authority;

NOW, THEREFORE, I, CARL T. C. GUTIERREZ, I Maga'lahañ Guåhan, 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 state of emergency.** Whereas the Governor, I Maga'lahañ Guåhan, hereby declares a state of emergency relative to the use of buildings A and B of C. L. Taitano Elementary School, which the Department of Public Works indicates should not be inhabited due to structural problems which were exacerbated by the 6.1 and 5.3 earthquakes which occurred Sunday, December 19, 1999.

2) **Emergency procurement and emergency expenses.** Pursuant to §5215 of Title 5, Guam Code Annotated, authorizing emergency procurement upon executive order, and pursuant to §22402 of Title 5, Guam Code Annotated authorizing the

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Department of Public Works -
C. L. Taitano Elementary
School emergency

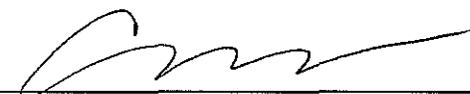


Governor to utilize up to Two Hundred Fifty Thousand Dollars (\$250,000) of outstanding appropriations within the General Fund for expenses caused by civil defense, public safety or health emergencies, the Director of the Bureau of Budget and Management Research is authorized to transfer to the Department of Public Works an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) from outstanding appropriations within the General Fund for immediate procurement by the Department of Public Works to provide goods and services relative to the structural damage at C. L. Taitano Elementary School.

3) **Further authorization for emergency procurement unnecessary.** The authorization for the certification, approval, and expenditure of necessary funds pursuant to §5215 of Title 5, Guam Code Annotated and §22402 of Title 5, Guam Code Annotated, shall be this Executive Order, subject only to the exhaustion of identified funds. Any funds not so expended shall revert to the General Fund.

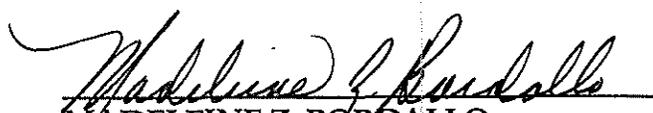
4) **Purpose of emergency procurement and expenditure of funds.** Emergency procurement may be used for procurement of any goods and services provided by the Department of Public Works in the provision of goods and services of the Department relative to construction, repairs, and other necessary work relative to the structural damage at C. L. Taitano Elementary School exacerbated by the two earthquakes of December 19, 1999 and continuing for Thirty (30) days after the date of this executive order as provided in §5215 of Title 5, Guam Code Annotated.

SIGNED AND PROMULGATED at Hagåtña, Guam this 24th day of December, 1999.



CARL T. C. GUTIERREZ
I Maga'lahaen Guåhan
Governor of Guam

COUNTERSIGNED:



MADELEINE Z. BORDALLO
Segunda na Maga'lahaen Guåhan
Lieutenant Governor of Guam

