



GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM

EXECUTIVE ORDER NO. 87-2

WHEREAS, bringing fiscal integrity and stability to the Government of Guam is the most important task facing the Territory; and

WHEREAS, the deficit of the government hurts each and everyone living on Guam today; and

WHEREAS, the deficit has made it increasingly difficult for this government to meet its current obligations and provide the level of quality service deserved by the people of this Territory; and

WHEREAS, immediate actions are required to stabilize the government's precarious financial situation; and

WHEREAS, it is essential that cost-containment measures be implemented by all executive agencies; and

WHEREAS, it is vital that all executive agencies exercise budget discipline;

NOW, THEREFORE, I, JOSEPH F. ADA, by virtue of the authority vested in me as Governor of Guam, do hereby order:

1. Executive Order 84-13 amending Executive Orders 83-7 and 84-4 is rescinded;
2. As used in this Executive Order "executive agency" includes but is not limited to any office, department, institution, board, bureau, commission, council, authority, committee of territorial government, branch and the Guam Visitors' Bureau;
3. All executive agencies shall comply with the following:
 - I. PERSONNEL ACTIONS:
 - A. Filling Vacancies: All executive agencies desiring to fill a vacant position or create a new position shall submit a recruitment request to the Bureau of Budget and Management Research for approval to ensure that only positions essential to public health, safety and welfare or vital to government

operations are filled. Any action taken in violation of this Executive Order shall be null and void. Approval of filling any vacancy or a new position may be granted if:

(1) the position is critical to the agency's operation and failure to fill such a position will result in the program or agency's inability to fulfill major agency objectives; or

(2) the position is vital for the provision of essential government functions directly related to public health, safety or welfare; or

(3) the position is fully funded by the federal government and approved in the grant application as evidenced in writing by the appropriate federal official; or

(4) the position is essential to the collection of revenue; or

(5) the position is mandated by local or federal law or a contract.

B. Promotions: Any promotion or position upgrading by any executive agency may be approved by the Bureau of Budget and Management Research only if the guidelines established in Paragraph A are met.

II. TRAVEL REQUESTS:

All off-island travel shall be subject to the Bureau of Budget and Management Research's final approval. All air travel taken by government employees, officers and officials shall be at the lowest fare possible. Except for unusual circumstances no more than one traveler shall attend the same seminar or training session. All travel requests shall be submitted to the Bureau of Budget and Management Research for review at least fifteen (15) working days prior to the commencement date of travel. The guidelines for approving travel shall be:

A. The travel is essential to the conduct of pending important government business. (This includes accompanying patients or inmates to off-island institutions); or

B. The travel may result in securing additional revenues to the Territory, achieve current or future cost-savings for

government operations, programs or relate to the agency's priority work program activities; or

C. The travel is required per existing contracts, public law or rule; or

D. The travel is paid from a federal grant;

III. OVERTIME AND NIGHT DIFFERENTIAL PAY:

All executive agencies shall minimize the scheduling of employees which may result in accrual of overtime or night differential payment. Payment for overtime or night differential shall be made only if claims are documented and presented within two (2) weeks of work. Each executive agency shall adopt an overtime plan for approval of Bureau of Budget and Management Research. Overtime should be a management tool of last resort.

IV. CONTRACTS:

All contracts proposed by any executive agency shall be approved by the Bureau of Budget and Management Research. Each agency must certify that all laws and regulations governing a contract be complied with. After approval, such contract shall be submitted to the Attorney General. All contracts shall be submitted to the Bureau at least thirty (30) days prior to their effective date.

A. Office Space: All proposed contracts or renewals for office space shall be approved only if:

1. adequate space is not available in any public building; and
2. the space requested is the minimum space required; and
3. the lowest responsible bidder has been selected; and
4. funding is available for the entire length of the contract;

B. Procurement: All executive agencies shall submit each procurement contract for approval by the Bureau of Budget and Management Research. Such contracts shall be accompanied by:

1. a copy of the bid specifications; and

2. a copy of the prior year's agreement, if a renewal; and

3. evidence of funding to meet the obligations; and

4. justification showing that procurement from the supplier is the most cost-effective means.

C. Off-Island Recruitment and Consultant Contracts:

All off-island recruitment and consultant contracts shall be approved by the Bureau of Budget and Management Research. Such contracts shall comply with laws and regulations. The agency shall submit proof that the funding for the contract is available throughout the entire contract period.

D. Services and All Others: Executive agencies seeking contractual arrangements shall submit proposals to the Bureau of Budget and Management Research for approval. The proposals shall indicate:

1. the agency's inability to perform the services sought in-house; and

2. a cost-savings assessment; and

3. that funding is available for the entire contractual period.

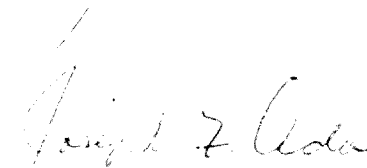
V. AUTHORIZATION TO RELEASE CERTAIN FUNDS.

The Director of the Bureau of Budget and Management Research is authorized to release appropriated funds to entities other than those covered within the definition of "executive agency" above, only upon compliance with the requirements set out in this executive order.


VI. MONITORING FOR NON-GENERAL FUND ENTITIES.

All executive agencies operating without appropriation from the General Fund shall submit quarterly cash flow statements, financial statements and staffing patterns to the Bureau of Budget and Management Research. Agencies shall also submit copies of their current fiscal year budgets to the Bureau upon approval by their respective boards or commissions.

Signed and promulgated at Agana, Guam this 8th day of January,
1987.


JOSEPH F. ADA
Governor of Guam

COUNTERSIGNED:


FRANK F. BLAS
Lieutenant Governor of Guam