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OPA-PA-20-004 - GMHA's Submission

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Wed, Sep 16, 2020 at 11:16 AM

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3 attachments **2002-09-16 Submission Following Sept. 14 Status Conference (OPA-PA_20-004).pdf**
84K **2020-09-16 Declaration of Hospital Administrator (OPA-PA 20-004).pdf**
68K **2020-09-16 Declaration of Assoc Admin of Operations (OPA-PA-20-004).pdf**
105K

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4 *Counsel for Purchasing Agency GMHA*

5 **BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY**
6 **GOVERNMENT OF GUAM**

7 IN THE APPEAL OF:

8 JRN Air Conditioning & Refrigeration, Inc.

9 Appellant.

CASE NO: OPA-PA 20-004

**DECLARATION OF HOSPITAL
ADMINISTRATOR**

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12 I, Lillian Perez-Posadas, declare and state as follows:

13 1. I am the Hospital Administrator/CEO of the Guam Memorial Hospital Authority
14 (“GMHA”), the Purchasing Agency in the above-captioned case, and respectfully submit this
15 declaration in support of the GMHA’s intent to reject all bids and cancel IFB No. 002-2020: *Removal*
16 *and Replacement of One (1) Boiler Unit and Piping System.*

17 2. Since the Governor of Guam declared a State of Emergency on March 14, 2020, the
18 GMHA’s priority and focus has been on pandemic response.

19 3. Although the COVID positive patient census decreased during the month of May 2020,
20 non-COVID patient census increased. The GMHA saw an increase of patients who were sick and
21 unable to get to their primary care physicians during PCOR1 thereby worsening their conditions. Many
22 non-COVID patients had no option but to be seen at the Emergency Department and were often
23 admitted for hospitalization in the Intensive Care and Telemetry Units.

24 4. GMHA is also the only public hospital in Guam that provides Maternal Child Health
25 (MCH) services for Labor & Delivery, Nursery/Neonatal Intensive Care (OBN/NICU), Post-Partum
26 Maternal care; and, Pediatrics/Pediatric Intensive Care Unit (PICU) for newborns and children under
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1 age seventeen. The census for these patients has not decreased.

2 5. Since March 2020 and throughout this ongoing public health emergency, GMHA has
3 also been tasked with providing cleaning, decontamination, housekeeping, and linen services at the
4 government-sponsored Isolation Facility located off-site and away from the main Hospital compound.

5 6. There has been no down time for the GMHA since March 2020 to date. In addition to
6 pandemic response, we have dealt with staffing shortages, internal renovations for COVID care
7 staging, negotiations with an insurance provider for millions of dollars owed, and a multitude of other
8 daily issues which we could not have anticipated or have been prepared.

9 7. There has been an influx of COVID positive hemodialysis patients because there is no
10 “Outpatient Hemodialysis” clinic or facility available throughout the island. These individuals had no
11 other option but to either miss their hemodialysis treatment or be admitted to Emergency Department.
12 GMHA was inundated with these patients which challenged not only the hospital’s acute-care inpatient
13 bed capacity but available Registered/Staff Nurses with a hemodialysis specialty.

14 8. Many of GMHA’s employees, registered nurses and staff including physicians became
15 infected with the COVID virus including those working in the Emergency Department, ICU, Medical
16 Telemetry, and Hemodialysis.

17 9. When the Governor of Guam placed the island back in PCOR1 on August 15, 2020,
18 the GMHA was already overwhelmed with COVID positive patients who had serious underlying
19 illnesses.

20 10. Management of this procurement appeal was given to the Law Offices of Minakshi V.
21 Hemlani, PC in July 2020. I spoke with Attorney Hemlani about this case sometime early August
22 when she completed the initials filing for our Agency Report.

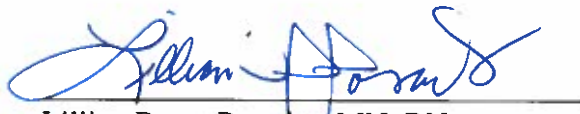
23 11. I did not speak with Attorney Hemlani about this case again until about a month later,
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1 in early September, after she had filed hearing materials on behalf of the GMHA and reminded us of
2 the upcoming hearing. We did not discuss the GMHA's intent to reject all bids and cancel the IFB
3 until Sept. 10, 2020.

4 12. We did not purposefully plan or intentionally strategize an idea to reject bids and cancel
5 the IFB at the last minute. It just so happened that way because we had not previously considered or
6 thought about the option or the possibility to repair of Boiler No. 1.

7 13. We are constantly refocusing and reprioritizing each day, sometimes at the last minute,
8 based on the many different and changing circumstances and issues we face on a daily basis.

9 I declare under penalty of perjury that the statements contained herein are true and correct and
10 to the best of my knowledge, except as to matters alleged upon information or belief; and as to those
11 matters I believe them to be true.
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14 Lillian Perez-Posadas, MN, RN
15 Hospital Administrator/CEO

16 Date: 9/16/2020
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