

## PROCUREMENT RATIFICATION AND AFFIRMATION

### CONTRACT BETWEEN THE ATTORNEY GENERAL OF GUAM & THE TROPICAL PALM HOTEL OPIOID RECOVERY ADVISORY COUNCIL - THE DIGNITY PROJECT

Pursuant to Guam law, including 5 GCA § 5452 and 2 GAR § 9106, I ratify and affirm the contract dated April 15, 2025 between the **Attorney General of Guam and the Tropical Palm Hotel** based upon the following facts:

On August 29, 2025 the Opioid Recovery Advisory Council ("ORAC") met, approved and funded The Dignity Project, an *overnight only*, opioid-addicted homeless shelter with accommodations & social service assistance for 20 beds for a 365 day period for **Meal, Shower, Sleep and Work**.

On or about September 24, 2024 a Request for Proposal ("RFP"), No. OAG RFP-005-2024 was published requesting for potential vendors to submit proposals which at a minimum included professional services of administering the program and appropriate professional services (*peer counselors, social workers, case workers*), and non-professional services to include a hotel room for one night, shower, food, laundry service, social support services, security and possible job placement. Only one vendor responded to the RFP. The vendor was unable negotiate a contract as their program was not designed to accommodate a one night stay.

On February 7, 2025 Invitation for Bid ("IFB") No. GSA-014-25 was issued & advertised to secure the non-professional services portion of The Dignity Project, specifically Lodging & Accommodations, consistent with the design developed by the AG's staff in connection with members of ORAC, including representatives from the Department of Public Health and Social Services and Guam Behavioral Health and Wellness Center. The administration, professional services element would be handled by the AG's Office. On February 26, 2025 the IFB was extended an additional two weeks as no potential bidder picked up bid packets. No bids were submitted to the IFB.

On or about March 26, 2025 the Attorney General, as an agency head of the Office of the Attorney General, exercised his authority under 5 GCA §§ 5211 & 5214, and other laws, including 2 GAR § 3112, to utilized the sole source procurement method to procure the before-mentioned non-professional services elements because the IFB failed to garner any bids. In an effort to comply with the policy of maximum competition a total of 5 potential bidders were contacted. Only Tropical Palm Hotel responded with a bid price of \$155 per night to consist of a one-night stay to include food, access to a laundry services, use of a conference room and armed security (ORAC design elements). The price was reasonable and under budget estimated and funded by ORAC.

Sole source solicitations require certain conditions be met by the procuring agency before a contract is awarded. After the contract between the Attorney General of Guam and the Tropical Palm Hotel was awarded it appears that certain conditions, including requiring a written determination(s), publication and possibly others may not have been met. As a result a violation(s) of law in the solicitation may have occurred in this and other respects.

The only bidder, Tropical Palm Hotel, did not act in bad faith. Further, persons acting on behalf of the Government of Guam in procuring this service and related materials as a sole source procurement acted in good faith in attempting full compliance with the sole source laws, and acting in the best interests of ORAC and the Office of the Attorney General. In fact the contract awarded sets a

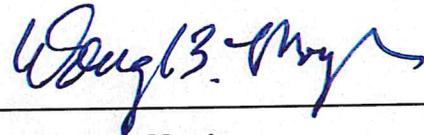
minimum of 20 rooms wherein the government will incur no additional cost should more than 20 rooms be used up to 30 rooms that would be made available. The price negotiated with the Tropical Palm Hotel is under budget, especially when compared against funding estimates provided to ORAC on August 29, 2024 of similar lodging and accommodations.

Ratifying this procurement is in the best interests of the Territory of Guam and the People of Guam, especially benefiting the intended beneficiaries of ORAC's Project Dignity, specifically the homeless suffering from opioid-addiction who are in crisis.

I am the Attorney General of Guam in making my decision as the Attorney General and head of the purchasing agency (Office of the Attorney General). I consulted with employees in this law firm before making a final decision. I must now come to decision.

After carefully considering all the factors above, it is my final decision that the Tropical Palm Hotel was the only bidder (vendor) to submit a bid. That the bid price was reasonable and under budget. That the bidder did not act in bad faith or fraud. That persons in the employ of the Government of Guam and involved in this procurement acted in good faith. That this contract is in the best interest of the Government of Guam, and thus notwithstanding the possible violations in solicitation, I hereby **ratify and affirm** the April 15, 2025 contract between the Attorney General of Guam and the Tropical Palm Hotel as authorized by Guam law, including but not limited to 5 GCA § 5452 and 2 GAR § 9106.

**Duly considered, approved and executed** this 15<sup>th</sup> day of May, 2025.

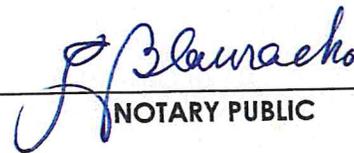


**Douglas B. Moylan**  
Attorney General of Guam

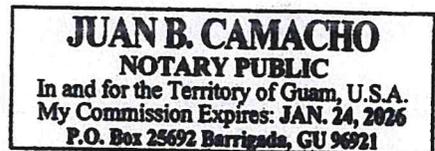
U.S. Territory of Guam )  
 ) ss:  
City of Hagåtña )

On this 15<sup>th</sup> day of May, 2025, before me a Notary Public in and for the U.S. Territory of Guam, personally appeared **DOUGLAS B. MOYLAN** whose name is subscribed to in the foregoing instrument, and acknowledged to me that this person executed the same as her own free act and deed for the uses and purposes therein set forth.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed my official seal the day and year first above written.

  
NOTARY PUBLIC

) SEAL (



Legally reviewed & approved:



**Joseph A. Guthrie**  
Chief Deputy Attorney General

5/15/25  
Date