

Notice

Pursuant to A.S.C.A. § 4.1010 and the authority vested in the Office of Procurement by A.S.C.A. §§ 12.0208(b) and 12.0214, the Office of Procurement hereby promulgates Rule # 2022-0001 as an emergency rule in order to increase the threshold for small purchases.

The Chief Procurement Office finds that an imminent peril to the public health, safety, or welfare requires adoption of this rule on fewer than 20 days public notice because the Director of Health has confirmed community spread of COVID-19 and it is necessary to streamline the procurement process to obtain necessary resources.

Pursuant to A.S.C.A. 4.1010, this rule will be in effect for 120 days unless it is amended.

Emergency Rule # 2022-0001

The Office of Procurement amends A.S.A.C. §10.0214 as follows:

“10.0214 Duties of the Attorney General.

- (a) The Attorney General, or such officer as the Attorney General may designate, shall serve as legal counsel and provide legal services to the chief procurement officer.
- (b) The Attorney General shall approve all government contracts for construction, leases of real property, other goods and services exceeding ~~\$10,000~~ \$25,000, ~~and services~~ as to legal sufficiency prior to execution, regardless of the authority for execution and administration.”

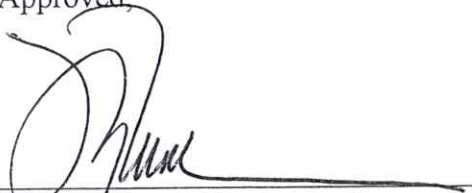
The Office of Procurement amends A.S.A.C. § 10.0231(c) as follows:

“(c) Simplified Purchases

- (1) Small Purchases. Any procurement not exceeding \$10,000 with a dollar value of \$10,000.01 to \$25,000 including purchases made using imprest funds shall be competed by soliciting three (3) quotes which may be done by the requesting department, the Office of Procurement, or joint effort between the two made using simplified small purchase procedures promulgated by the chief procurement officer.

- (2) Micropurchases. One quote only is required for any procurement for \$10,000 or less, but and Departments shall rotate vendors for procurements that are made without multiple bids or quotes.
- (3) Procurement requirements shall not be artificially divided so as to constitute a simplified small purchase under this subsection and circumvent other source selection rules required under this section.”

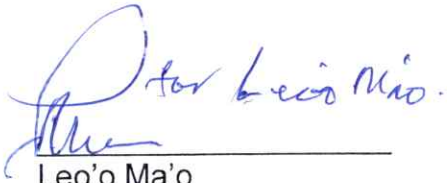
Approved,



T'alemasunu Mikaele Etuale
Chief Procurement Officer
Office of Procurement

4/13/22
Date

Acknowledgment of Filing


Leo'o Ma'o

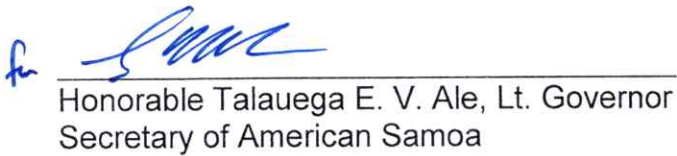
Secretary of the Senate

Date: 4/20/22


Vaiaitu Mulinu'u Maluia

Clerk of the House of Representatives

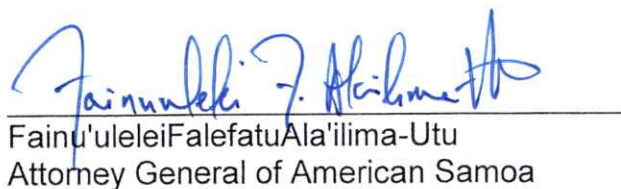
Date: 4/20/2022


Honorable Talauega E. V. Ale, Lt. Governor

Secretary of American Samoa

Date: 4/20/2022

Rule # 2022-0001 (Emergency Rule), a rule increasing the threshold for small purchases by the Office of Procurement becomes effective on: 4/20/22.


Fainu'ulelei Falefatu Ala'ilima-Utu

Attorney General of American Samoa

Lemanu P. S. Mauga
Governor
American Samoa

Talauega E. V. Ale
Lieutenant Governor
American Samoa



Dr. Ti'alemasunu Mikaele Etuale
Chief Procurement Officer

Sapia'i Ma'o Ena
Deputy Chief Procurement Officer

Serial: 042-22

Office of Procurement
American Samoa Government
Pago Pago, AS 96799

April 13, 2022

Honorable Talauega E.V. Ale
Secretary of American Samoa
A.P. Lutali Executive Office Building
Pago Pago, AS 96799

Re: Adoption of Office of Procurement Rules Pursuant to A.S.C.A. §§ 4.1010, 12.0208(b) and 12.0214 Administrative Rule # 2022-0001 (Emergency Rule)

Dear Talauega:

Enclosed is a copy of the Office of Procurement's emergency rule changes made pursuant to A.S.C.A. §§ 4.1010, 12.0208(b) and 12.0214. These rules are intended to increase the threshold for small purchases. This rule is being promulgated as an emergency rule, and it will only be in effect for 120 days.

Should you have any questions about these new standards, please contact me.

Sincerely,



Ti'alemasunu Mikaele Etuale
Chief Procurement Officer

Lemanu P. S. Mauga
Governor
American Samoa

Talauega E. V. Ale
Lieutenant Governor
American Samoa



Dr. Ti'alemasunu Mikaele Etuale
Chief Procurement Officer

Sapia'i Ma'o Ena
Deputy Chief Procurement Officer

Serial: 041-22

Office of Procurement
American Samoa Government
Pago Pago, AS 96799

April 13, 2022

Mr. Vaiaitu Mulinu'u Maluia
Chief Clerk of the House of Representatives
Legislature of American Samoa
Pago Pago, AS 96799

Re: Adoption of Office of Procurement Rules Pursuant to A.S.C.A. §§ 4.1010, 12.0208(b) and 12.0214 Administrative Rule # 2022-0001 (Emergency Rule)

Dear Mr. Maluia:

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Sincerely,



Ti'alemasunu Mikaele Etuale
Chief Procurement Officer

cc: Honorable Talauega E. V. Ale, Secretary of American Samoa

Lemanu P. S. Mauga
Governor
American Samoa

Talauega E. V. Ale
Lieutenant Governor
American Samoa



Dr. Ti'alemasunu Mikaele Etuale
Chief Procurement Officer

Sapia'i Ma'o Ena
Deputy Chief Procurement Officer

Serial: 040-22

Office of Procurement
American Samoa Government
Pago Pago, AS 96799

April 13, 2022

Mr. Leo'o Va'a Ma'o
Secretary of the Senate
Legislature of American Samoa
Pago Pago, AS 96799

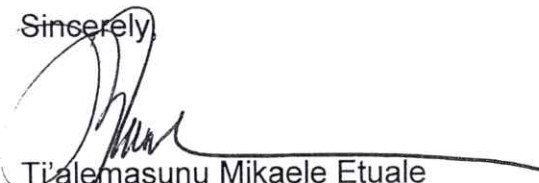
Re: Adoption of Office of Procurement Rules Pursuant to A.S.C.A. §§ 4.1010, 12.0208(b) and 12.0214 Administrative Rule # 2022-0001 (Emergency Rule)

Dear Mr. Ma'o:

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Should you have any questions about these new standards, please contact me.

Sincerely,



Ti'alemasunu Mikaele Etuale
Chief Procurement Officer

cc: Honorable Talauega E. V. Ale, Secretary of American Samoa

Received in Governor's Office
On 4/14/22 at 10:50AM
By 