



**THE UNITED STATES VIRGIN ISLANDS
OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE
Charlotte Amalie, V.I. 00802
340-774-0001**

EXECUTIVE ORDER NO. 491-2019

**EXECUTIVE ORDER TO DECLARE A STATE OF EMERGENCY FOR EXIGENCY
WITHIN THE UNITED STATES VIRGIN ISLANDS DEPARTMENT OF EDUCATION**

WHEREAS, the Revised Organic Act of 1954 (as amended) Section 11 confers upon the Governor all executive powers, more particularly general supervision and control of all departments, bureaus, agencies, and other instrumentalities of the executive branch, in particular; the Virgin Islands Department of Education; and the power to issue executive orders, including declarations of emergency and exigency; and

WHEREAS, the Virgin Islands Department of Education is responsible for promoting the cause of education, and achieving a high level of general education, and administering and operating all publicly supported educational facilities throughout the Virgin Islands, and is authorized to exercise such powers, and perform such other duties and functions, as may be prescribed by law, to fulfill this duty pursuant to Title 3 Section 96, of the Virgin Islands Code; and

WHEREAS, the public schools of the Virgin Islands were severely damaged by the passing of Hurricanes Irma and Maria in September of 2017 and repairs have been ongoing while unforeseen circumstance such as identification of funding sources have delayed the procurement of construction services and supplies;

WHEREAS, summer maintenance of the public school campuses, such as the Charlotte Amalie High School, has revealed critical unforeseen additional repairs which must be completed for the health and safety of our students and teachers;

WHEREAS, the public schools of the Virgin Islands are scheduled to open on September 3, 2019 for the 2019-2020 school year and the critical construction and repairs to the schools have not yet been completed to allow for the proper facilities to teach our Virgin Islands students;

WHEREAS, the Governor, pursuant to Section 11 Revised Organic Act of 1954, as amended has general supervision and control over the Virgin Islands Department of Education and

the Department of Property and Procurement, to do all that is necessary for the orderly and faithful execution of the laws pertaining to the operation of the Virgin Islands schools throughout the entire Territory of the U.S. Virgin Islands;

WHEREAS, there is a strong policy basis for facilitating the immediate and emergency procurement of supplies and services for the completion of the repairs to the schools throughout the entire Territory of the U.S. Virgin Islands;

NOW THEREFORE, I, Tregenza A. Roach, Acting Governor of the Virgin Islands of the United States, by virtue of the authority vested in me by the Revised Organic Act of 1954, as amended, and the laws of the United States Virgin Islands, it is hereby ordered as follows:

SECTION 1. An Emergency is hereby DECLARED to exist due to the exigent need of the V.I. Department of Education for the procurement of supplies and services for the completion of the repairs to the public schools of the Virgin Islands and the procurement of additional goods and services prior to the commencement of the 2019-2020 school year.


SECTION 2. The Virgin Islands Department of Education shall qualify for exemption of the procurement requirements of Title 31 Virgin Islands Code, Section 236 based on Title 31 Virgin Islands Code, Section 239 (a)(1) or (a)(2), for the purposes stated herein.

SECTION 3. Effective Date; Expiration

- a. This Order shall take immediate effect.
- b. Unless sooner modified, this Order shall automatically and without further Order expire on September 30, 2019


IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Government of the Virgin Islands to be affixed at Charlotte Amalie, St. Thomas, Virgin Islands, this day of 2 August, A.D., 2019.





Tregenza A. Roach
Acting Governor

Attest:



Novelle E. Francis Jr.
Acting Lieutenant Governor