




I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
267-38 (COR)	Sabina Flores Perez Joe S. San Agustin V. Anthony Ada	AN ACT TO AMEND §5150 OF SUBARTICLE F, ARTICLE 2, CHAPTER 5, DIVISION 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE DUTIES OF THE ATTORNEY GENERAL BY INCREASING THE THRESHOLD FOR PROCUREMENT OVERSIGHT AND ADVISEMENT FOR AN AMOUNT OF EIGHT HUNDRED THOUSAND (800,000) TO ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) OR MORE.	2/4/26 4:17 p.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 267-38 (COR)

Introduced by:

Sabina Flores Perez 
Joe S. San Agustin 
V. Anthony Ada 

AN ACT TO *AMEND* §5150 OF SUBARTICLE F, ARTICLE 2, CHAPTER 5, DIVISION 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE DUTIES OF THE ATTORNEY GENERAL BY INCREASING THE THRESHOLD FOR PROCUREMENT OVERSIGHT AND ADVISEMENT FOR AN AMOUNT OF EIGHT HUNDRED THOUSAND (800,000) TO ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) OR MORE.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*

3 finds that the involvement of the Office of the Attorney General in determining the
4 legality of and approving major procurement contracts is an essential aspect of
5 checks and balances in our government. This involvement ensures an in-depth
6 analysis and an increased degree of legal scrutiny of our government's
7 procurement.

8 *I Liheslatura* further finds that adjusting for inflation in the procurement
9 process is necessary to support efficiency in our government. As the buying power
10 of money lessens over time, and the threshold amount for what was considered
11 major purchases and contracts for services has increased, the threshold amount that

1 prompts the involvement of the Office of the Attorney General in the procurement
2 process should also be increased. In addition to expediting the purchases of many
3 much-needed goods and services, this update to the procurement statute ensures
4 that the duties of the Office of the Attorney General in the procurement process are
5 reserved exclusively for the procurement of major purchases and contracts for
6 services.

7 *I Liheslatura* further finds that the Chief Procurement Officer or the
8 Director of Public Works is authorized, pursuant to § 5114 Chapter 5, Title 5
9 Guam Code Annotated and regulations, to delegate procurement authority.
10 Delegation could facilitate procurement, upon approval based on demonstration of
11 compliance and competency by the purchasing agency.

12 *I Liheslaturan Guåhan* intends to increase the threshold requiring oversight
13 by the Office of the Attorney General in the procurement process from Five
14 Hundred Thousand Dollars (\$500,000) to Eight Hundred Thousand Dollars
15 (\$800,000) or, upon delegation, any amount between Eight Hundred Thousand to
16 One Million Five Hundred Thousand Dollars (\$1,500,000).

17 **Section 2.** § 5150 of Subarticle F, Article 2, Chapter 5, Division 1, Title 5,
18 Guam Code Annotated is hereby *amended* to read as follows:

19 **“§ 5150. Duties of the Attorney General.**

20 The Attorney General, the Deputy Attorney General or such Assistant
21 Attorneys General, or such Special Assistant Attorneys General as the Attorney
22 General may designate, shall serve as legal counsel and provide necessary legal
23 services to the Policy Office and the General Services Agency. Whenever the
24 Chief Procurement Officer, the Director of Public Works, or the head of any
25 executive branch agency, autonomous agency, instrumentality or public
26 corporation of the government of Guam conducts any solicitation or procurement
27 which is estimated to result in an award of the following:

- 1 1) Five Eight Hundred Thousand Dollars (\$500,000) (\$800,000) or more; or
2 2) Any amount between Eight Hundred Thousand Dollars (\$800,000) and
3 One Million Five Hundred Thousand Dollars (\$1,500,000) or more, upon
4 delegation by the Chief Procurement Officer or Director of Public Works,
5 who shall require that:

- 6 a. all procurement officials have successfully completed
7 procurement training, pursuant to §5141 of Title 5 Guam Code
8 Annotated, and additional training deemed necessary by the Chief
9 Procurement Officer, Director of Public Works, and the Attorney
10 General;
11 b. the head of the purchasing agency shall maintain active
12 procurement certification in order to exercise this authority;
13 c. procurement records are digitally submitted to the Chief
14 Procurement Officer, Director of Public Works, Attorney General,
15 or the Public Auditor within ten (10) business days upon request;
16 and
17 d. delegation shall be rescinded if requirements are not met.

18 the The Attorney General or his designees, including one (1) or more Special
19 Assistant Attorneys General who may be so designated or appointed by the
20 Attorney General and subject to any reasonable requirements or conditions
21 determined by the Attorney General, shall act as legal advisor during all phases of
22 the solicitation or procurement process. The Attorney General, or his designee,
23 including one (1) or more Special Assistant Attorneys General shall, in addition,
24 when he approves contracts, determine not only the correctness of their form, but
25 their legality. In making such a determination of legality, he may require any or all
26 agencies involved in the contract to supply him with evidence that the required
27 procedures precedent to executing the contract were carried out. He or his

1 designees may prescribe the forms and format required to be followed by the
2 agencies in aiding him in his determination of form and legality.”

3 **Section 3. Promulgation of Rules and Regulations.** The Procurement
4 Policy Office, pursuant to 5 GCA § 5130(a), shall promulgate rules and regulations
5 in accordance with this Act, no later than one hundred eighty (180) calendar days
6 after enactment.

7 **Section 4. Severability.** If any provision of this Act or its application
8 to any person or circumstance is found to be invalid or inorganic, such invalidity
9 shall not affect other provisions or applications of this Act that can be given effect
10 without the invalid provision or application, and to this end the provisions of this
11 Act are severable.

12 **Section 5. Enactment Date.** This Act shall be effective upon enactment.