

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
300-38 (COR)	Sabina Flores Perez Telo T. Taitague Therese M. Terlaje Chris Barnett Shelly V. Calvo Frank F. Blas, Jr.	AN ACT TO <i>AMEND</i> § 5141 OF CHAPTER 5, TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PROCUREMENT TRAINING OPTIONS IN ORDER TO BUILD A SUFFICIENT WORKFORCE, PROMOTE FAIRNESS AND INTEGRITY THAT CAN REDUCE PROTESTS, AND STREAMLINE GOVERNMENT PROCUREMENT.	3/31/26 3:05 p.m.						

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

Bill No. 300-38 (COR)

Introduced by:

Sabina Flores Perez *SFP*
Telo T. Taitague *TTT*
Therese M. Terlaje *TMT*
Chris Barnett *CB*
Shelly V. Calvo *SC*
Frank F. Blas, Jr. *FFB*

**AN ACT TO *AMEND* § 5141 OF CHAPTER 5, TITLE 5
GUAM CODE ANNOTATED, RELATIVE TO
EXPANDING PROCUREMENT TRAINING OPTIONS IN
ORDER TO BUILD A SUFFICIENT WORKFORCE,
PROMOTE FAIRNESS AND INTEGRITY THAT CAN
REDUCE PROTESTS, AND STREAMLINE
GOVERNMENT PROCUREMENT.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that the procurement training module courses offered by Guam Community
4 College (GCC) have been effective tools for preparing General Service Agency
5 and the Department of Public Works personnel, administrative service officers,
6 administrative assistants and other personnel, involved in the procurement process,
7 to competently and effectively administer the procurement laws of Guam in
8 procuring supplies, equipment, vehicles, services, and construction for agencies of
9 the Government of Guam.

1 *I Liheslatura* finds the need to expand the GCC Procurement Program to
2 include practical application in order to build a sufficient workforce of proficient
3 procurement professionals that meets the needs of the Government of Guam.

4 *I Liheslatura* finds that training offered by National Association of State
5 Procurement Officials (NASPO), which Guam is a member, offers procurement
6 training free of charge to its members.

7 It is the intent of *I Liheslaturan Guåhan* to expand the GCC Procurement
8 Program to include practical application under the basic training requirement, to
9 maintain and develop procurement institutional knowledge within GCC and other
10 cooperating entities, and expand and coordinate training options with the
11 University of Guam through an Articulation Agreement in order to build a
12 sufficient workforce of proficient professionals within the Government of Guam.

13 **Section 2.** § 5141 of Chapter 5, Title 5 Guam Code Annotated is hereby
14 *amended* to read as follows:

15 **“§ 5141. Training and Certification of Purchasing Procurement**
16 **Personnel and Vendors.**

17 (a) Guam Community College Procurement Program. The Guam
18 Community College (GCC, College), in consultation with the Guam Procurement
19 Advisory Council, shall establish and administer an integrated program of
20 academic, research, practical training, and continuing education, and provide the
21 same on a full cost recovery basis, for government of Guam procurement personnel
22 and other interested private or public participants, to be known as the “GCC
23 Procurement Program.” The College may adopt rules to provide appropriate
24 criteria for the training, continuing education and certification authorized by this
25 Section, and to administer this Section, including rules related to monitoring a
26 certified purchaser's compliance with the continuing education requirements of this
27 Section. The College may, under the GCC Procurement Program, establish a

1 library, publish papers and journals, hold conferences and seminars, and do such
2 other things as it deems reasonable to improve the government of Guam's
3 acquisition and asset management strategies, practices and effectiveness. The
4 primary focus of the activities of the GCC Procurement Program shall be building
5 a workforce of proficient procurement professionals to meet the needs of the
6 Government of Guam that includes ~~on the study and~~ instruction and application of
7 the procurement laws and regulations of Guam, ensuring continual assessment and
8 improvement of the Program, and maintaining institutional knowledge ~~but may~~
9 ~~include the examination and comparison of other procurement regimes for the~~
10 ~~purpose of better understanding of procurement philosophy and best practices and~~
11 ~~the improvement of Guam's procurement regime.~~ The College shall establish such
12 equivalent training, education, experience and certification, and such prerequisites,
13 tests, attendance, and standards as it determines are necessary to qualify for any
14 certification required by this Section, and is solely responsible for bestowing such
15 certification in such form as it determines. ~~It is not the intent, however, to require~~
16 ~~that tests be standardized or to prevent variation in subject matter tested, method of~~
17 ~~testing or the use of other pedagogical techniques.~~ The College, in consultation
18 with the Guam Procurement Advisory Council, shall review all qualification
19 criteria annually, and may revise any of the same as it deems appropriate to
20 improve the standards and proficiency of government of Guam procurement
21 personnel. The College shall maintain records of enrollment and of the training,
22 continuing education, and certification in same or similar manner, and subject to
23 the same or similar rules as its regularly enrolled student records. The College may
24 provide training, assistance, and coordination with other states and nations of
25 Micronesia on a cost recovery basis on the subject matter as covered under this
26 Section.

1 (b) Mandatory Certification and Continuing Education. Notwithstanding
2 any other provision of law or this Chapter ~~and effective October 1, 2016~~, all
3 government of Guam personnel tasked with the responsibility of ~~purchasing or~~
4 ~~otherwise~~ procuring goods, or services, or construction, including those employed
5 by agencies with authority to conduct their own procurement, as well as any person
6 within the Office of Public Accountability responsible for administering
7 procurement appeals or auditing of the ~~purchasing~~ procurement activities of the
8 government of Guam, must receive the training and continuing education to the
9 extent required under this Section and offered by the College in consultation with
10 the Guam Procurement Advisory Council. A government of Guam employee who
11 is required to receive the training may not participate in ~~purchases~~ procurement by
12 the employing agency unless the employee has received the required training or
13 received equivalent training from a national association recognized by the College
14 and the Guam Procurement Advisory Council, which shall be the judge of
15 equivalency. The equivalent training may count toward the continuing education
16 requirements of this Section, as determined by the College, in consultation with the
17 Guam Procurement Advisory Council.

18 (c) Consultation with the Guam Procurement Advisory Council. The Guam
19 Procurement Advisory Council shall, on an annual basis and to the extent of its
20 resources, advise and consult with the Guam Community College regarding the
21 professional education programs contained in this Section, as they relate to the
22 educational needs of government of Guam employees and vendors, and provide
23 such other counsel and assistance as the College may request.

24 (d) Promulgation of Fees and Rules. The College, pursuant to the
25 Administrative Adjudication Law, shall promulgate a fee schedule for students,
26 departments and agencies, and vendors in order to recover the College's costs
27 under this Section. The operations budget of each government of Guam department

1 or agency for staff development may be used to pay for fees provided herein. The
2 College shall also promulgate any rules authorized by this Section, or which it may
3 deem necessary or appropriate to give effect to this Section, pursuant to the
4 Administrative Adjudication Law.

5 (e) Cooperation with Other Entities. The College may provide training and
6 continuing education under this Section using its own personnel and facilities, or
7 through contracts with other public or private entities or personnel, including the
8 federal government Procurement Technical Assistance Program, ~~the Hawaii~~
9 ~~Procurement Institute~~, the National Association of State Procurement Officials
10 (NASPO), and other local, state and international institutions. The College is
11 authorized to create an Articulation Agreement with the University of Guam to
12 develop and administer procurement curriculum, pursuant to this Section.

13 (f) Basic Training Requirements. The College shall provide at least ~~four (4)~~
14 five (5) modules of procurement basic training conducted in sequence within an in-
15 person or virtual classroom setting, each with ~~at least~~ eighteen (18) hours of study
16 and instruction, ~~or more~~, as the College may determine as necessary, and shall
17 award a Certificate of Enrichment of training to those qualifying, as required by
18 this Section, for each module of the following subject matter areas:

19 Module 1. Fundamentals and Principles of Procurement (Basic).

20 Module 2. The Procurement Solicitation Process (Advanced).

21 Module 3. The Procurement Review and Remedies (~~Administrative~~)
22 (Advanced).

23 Module 4. ~~The Management and Administration of Procurement~~
24 (Administrative) Practical Application (Advanced).

25 Module 5. The Management and Administration of Procurement
26 (Administrative).

1 (g) Continuing Education for Procurement Training. In consultation with the
2 Guam Procurement Advisory Council, the College shall require a reasonable
3 number of hours of continuing education to maintain a certification level for each
4 Certificate of Enrichment required in this Section. The College may allow
5 attendance at an equivalent certification training recognized by the College, in
6 consultation with the Guam Procurement Advisory Council, to count toward the
7 required number of hours. ~~Maintenance of the certification level may be by yearly~~
8 ~~renewal or another reasonable renewal period comparable to nationally recognized~~
9 ~~certification requirements~~ The Mandatory Certification for each module will be
10 good for five years. Recertification is required after five (5) years. Afterwards,
11 recertification will be required if there are significant changes to the Guam
12 Procurement Law.

13 (h) Requirement of Certificate of Enrichment (Basic). The College's
14 prerequisites for awarding a Certificate of Enrichment (Basic) must include the
15 completion of the first module of procurement basic training and passage of a
16 written examination prescribed by the College. ~~From October 1, 2016, no~~ No
17 person shall serve in the capacity of a level-one purchaser, and no person shall sign
18 for any procurement requisition, without the Certificate of Enrichment (Basic)
19 provided by the College.

20 (i) Requirement of Certificate of Enrichment (Advanced). The College's
21 prerequisites for awarding a Certificate of Enrichment (Advanced) must include
22 the completion of the first, ~~and second,~~ third, and fourth modules of procurement
23 basic training and passage of a written examination prescribed by the College.
24 ~~From October 1, 2016, no~~ No person shall serve in the capacity of a level-two
25 purchaser, without a Certificate of Enrichment (Advanced) provided by the
26 College, and a minimum number of years of purchasing procurement experience as
27 prescribed by the Department of Administration. ~~Recognizing that the College has~~

1 ~~been providing procurement basic training since 2012 that covers the subject~~
2 ~~matter in the first and second basic training modules required in this Section, the~~
3 ~~College may allow attendance at any such training given as credit toward any~~
4 ~~certification required without examination until such time as the College has~~
5 ~~implemented testing for such training.~~

6 (j) Requirement of Certificate of Enrichment (Administrative). The
7 College's prerequisites for awarding a Certificate of Enrichment (Administrative)
8 must include the completion of the first, second, third, ~~and fourth,~~ and fifth
9 modules of procurement basic training and passage of a written examination
10 prescribed by the College. ~~From October 1, 2016, no~~ No person shall serve in the
11 capacity of a Chief Procurement Officer or Procurement Administrator, or as a
12 classified employee in the position of supply management administrator,
13 procurement officer, or otherwise as the responsible head of procurement, or a
14 level-three purchaser, of any government of Guam entity, including any
15 governmental body, public corporation, semi- autonomous or autonomous agency,
16 within or under the purview of the Executive Branch, without a Certificate of
17 Enrichment (~~Advanced~~) (Administrative) provided by the College and a minimum
18 number of years of purchasing procurement experience as prescribed by the
19 Department of Administration.

20 (k) Requirement of Industry Certification. The College may ~~an Industry~~
21 ~~Certification which may require completing the required number of college credit~~
22 ~~courses to include the four (4) subject matter areas covered under this Section and~~
23 ~~passage of a written examination as developed, prescribed, and administered by the~~
24 College provide courses to prepare individuals for Industry Certification, in
25 consultation with the Guam Procurement Advisory Council.

26 (l) Requirement of Certificate of Procurement Management Program. The
27 College's requisites for providing a GCC Certificate of Procurement Management

1 may include completing seventeen (17) college credit(s), or more, as the College
2 may determine necessary, to include the four (4) subject matter areas covered
3 under this Section and meeting all the general requirements for a certificate
4 program and a Certificate of Completion to be awarded by the College.

5 (m) Requirement of an Associate’s Degree. The College's requisites for
6 providing an Associate’s Degree in Procurement Administration may include
7 completing the required college credits as the College may determine necessary, to
8 include the four (4) subject matter areas covered under this Section and meeting all
9 the general requirements for an Associate’s Degree to be awarded by the College.

10 (n) Procurement Training Compliance Report.

11 (1) Timeline for Submission. No later than thirty (30) days after the
12 end of each fiscal year, every director, administrator, president or head of a
13 government of Guam agency, including line agencies, autonomous and
14 semi-autonomous agencies, public corporations, the Mayors’ Council of
15 Guam, the Courts of the Judiciary of Guam, and *I Liheslaturan Guåhan* shall
16 electronically submit to the Public Auditor of Guam, in an electronic
17 portable document format, a “Procurement Training Compliance Report.”

18 (2) Content Guidelines. Said report shall at minimum list the
19 employees by name, job title, each procurement training module completed,
20 and the date of completion.”

21 **Section 3. Implementation.** Implementation shall occur upon enactment,
22 except for implementation of “Module 4: Practical Application” found in
23 Subsections (f), (i) and (j) may be delayed until October 1, 2028.

24 **Section 4. Effective Date.** This Act shall be effective upon enactment.