

*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 |
|--------------|--|--|----------------------|---------------|--|---------------------------------|---------------------|-----------------------------|-------|
| 314-38 (COR) | Committee on Rules<br>by request of <i>I Akto</i><br><i>Maga'lahañ Guahan</i> , the Acting<br>Governor of Guam, in accordance with<br>the Organic Act of Guam. | AN ACT TO BUILD SIMON SANCHEZ HIGH SCHOOL NOW. | 5/6/26<br>11:02 a.m. | 5/14/26       | Committee on Finance and Government<br>Operations. | Request: 5/14/26<br><br>5/19/26 |                     |                             |       |



## COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson  
*I Mina'trentai Ocho Na Liheslaturan Guåhan*  
38<sup>th</sup> Guam Legislature

May 19, 2026

**To:** **Rennae V. C. Meno**  
Clerk of the Legislature

**From:** **Senator Christopher M. Dueñas** *CD*  
Acting Chairperson, Committee on Rules

**Subject:** **Fiscal Note for Bill No. 314-38 (COR)**

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*Håfa Adai!*

Find the attached, Fiscal Note for the following bill:

**Bill No. 314-38 (COR).**

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly copy the same to Management Information Services (MIS) for posting on our website.



**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 314-38 (COR)**

**AN ACT TO BUILD SIMON SANCHEZ HIGH SCHOOL NOW.**

**Department/Agency Appropriation Information**

|  |  |  |                     |
|--|--|--|---------------------|
| <b>Dept./Agency Affected: Department of Public Works (DPW)</b>   |  | <b>Dept./Agency Head: Vincent P. Arriola, Director</b> |                     |
| <b>Department's General Fund (GF) appropriation(s) to date:</b>  |  |  | <b>4,114,670</b>    |
| <b>Department's Other Fund (Specify) appropriation(s) to date: Guam Highway Fund (\$10,274,822); Guam Educational Facilities Fund (\$7,907,558);</b> |  |  | <b>18,182,380</b>   |
|  |  |  | <b>\$22,297,050</b> |

**Fund Source Information of Proposed Appropriation**

|  | <b>General Fund:</b> | <b>(Specify Special Fund):</b> | <b>Total:</b> |
|--|----------------------|--------------------------------|---------------|
| <b>FY 2025 Unreserved Fund Balance</b> |                      | \$0                            | \$0           |
| <b>FY 2026 Adopted Revenues</b>        | \$0                  | \$0                            | \$0           |
| <b>FY 2026 Appro. (P.L. 38-60)</b>     | \$0                  | \$0                            | \$0           |
| <b>Sub-total:</b>                      | \$0                  | \$0                            | \$0           |
| <b>Less appropriation in Bill</b>      | \$0                  | \$0                            | \$0           |
| <b>Total:</b>                          | \$0                  | \$0                            | \$0           |

**Estimated Fiscal Impact of Bill**

|                     | <b>One Full Fiscal Year</b> | <b>For Remainder of FY 2026 (if applicable)</b> | <b>FY 2027</b> | <b>FY 2028</b> | <b>FY 2029</b> | <b>FY 2030</b> |
|---------------------|-----------------------------|---|----------------|----------------|----------------|----------------|
| <b>General Fund</b> | \$0                         | 1/  | 1/             | 1/             | 1/             | 1/             |
| <b>Special Fund</b> | \$0                         | 1/  | 1/             | 1/             | 1/             | 1/             |
| <b>Total</b>        | \$0                         | 1/  | 1/             | 1/             | 1/             | 1/             |

1. Does the bill contain "revenue generating" provisions? / / Yes / X / No  
 If Yes, see Attachment.
2. Is amount appropriated adequate to fund the intent of the appropriation? / X / N/A / / Yes / / No  
 If no, what is the additional amount required? \$ \_\_\_\_\_ / / N/A
3. Does the Bill establish a new program/agency? / / Yes / X / No  
 If yes, will the program duplicate existing programs/agencies? / X / N/A / / Yes / / No  
 Is there a federal mandate to establish the program/agency? / / Yes / X / No
4. Will the enactment of this Bill require new physical facilities? / X / Yes / / No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / X / Yes / / No  
 / / Requested agency comments not received by due date / / Other:

Analyst: William P. Taitingong, Acting BMA Supvr. Date: 5/18/24 Director: Lester L. Carlson, Jr., Director Date: **MAY 19 2026**

**Comments:**

1/ See attached comments on Bill 314-38 (COR).

**BUREAU OF BUDGET AND MANAGEMENT RESEARCH  
COMMENTS ON BILL NO. 314-38 (COR)**

The proposed Bill No. 314-38 (COR) is in an act to build Simon Sanchez High School (SSHS) now.

Bill No. 314-38 (COR) was introduced at the request of the Acting Governor of Guam Joshua Tenorio which would authorize the Department of Public Works (DPW) to proceed with awarding a contract for the SSHS project and also allow any protest or appeal to it to proceed.

At the end of 2025, a protest was filed relative to the SSHS project, which triggered an automatic stay in the awarding of the contract to the selected contractor. A full administrative review by the DPW led to the determination that any more delays on the SSHS contract would cause material harm to the interests of the Government of Guam and the community. This substantial interest determination or SID was transmitted to the Office of Public Accountability (OPA) as mandated, however, it was rejected by the OPA.

Under Bill 314-38 (COR), any relief would be limited to monetary damages or other nondisruptive remedies and shall not invalidate or stop the performance of the SSHS construction contract, absent a clear showing of fraud or bad faith. The fiscal impact as to the monetary damages or other remedies will be determined by the OPA decision and can still be appealed to the Superior Court of Guam.

According to comments received, the DPW supports the intent of Bill No. 314-38 (COR) which is to move the SSHS project forward without further unnecessary delay. The DPW notes that continued delay prolongs the displacement of SSHS students and extends the operational burden on both SSHS and John F. Kennedy High School. In addition, the DPW supports the Bill's recognition that further delay will increase the project costs, extend the delivery schedule, and affect the Government's ability to timely implement the project. Although no details were provided regarding the increase in the project costs noted, the DPW has also indicated their intention to submit its own testimony in support of Bill No. 314-38 (COR).

It should be noted that the Governor's FY2027 Executive Budget Request includes an appropriation request in the amount of \$16,377,125 from the General Fund to the Department of Administration to provide for the SSHS Pre-development, Construction Leaseback Period associated costs.



*The Honorable*  
**LOURDES A. LEON GUERRERO**  
*Maga' Håga · Governor*

*The Honorable*  
**JOSHUA F. TENORIO**  
*Sigundo Maga' Låhi · Lieutenant Governor*



**VINCENT P. ARRIOLA**  
*Director*  
**LINDA J. IBANEZ**  
*Deputy Director*  
**ERNEST G. CANDOLETA, JR.**  
*Deputy Director*

(DATE)

TO: BBMR DIRECTOR  
FR: DPW DIRECTOR  
SUBJECT: COMMENTS ON BILL 314-38 (COR)


***Buenas yan Hafa Adai!*** As requested, attached you will find DPW's initial comments on the above subject bill related to Simon Sanchez High School.

DPW supports the intent of Bill No. 314-38 (COR), which is to move the Simon Sanchez High School project forward without further unnecessary delay.

- The project is a critical public school infrastructure project affecting students, families, teachers, and school operations.
- Continued delay prolongs the displacement of Simon Sanchez High School students and extends the operational burden on both Simon Sanchez High School and John F. Kennedy High School.
- Temporary or interim arrangements do not provide a complete substitute for a permanent, safe, and adequate Simon Sanchez High School campus.
- DPW supports the bill's recognition that further delay will increase project costs, extend the delivery schedule, and affect the Government's ability to timely implement the project.
- DPW supports the bill because it preserves lawful protest and appeal rights while preventing those proceedings from indefinitely stopping a critical public project.
- DPW recommends that the bill continue to maintain a careful balance between procurement accountability, judicial review, and the Government's responsibility to protect the public interest.
- DPW supports the bill's reporting requirement to the Legislature, as it provides transparency and accountability while allowing the project to proceed.
- DPW recommends framing the bill as a public-interest measure focused on students, school operations, fiscal responsibility, and timely delivery of critical infrastructure.

In closing, DPW will submit its own testimony in support of Bill No. 314-38 (COR) as a necessary measure to allow the Government of Guam to move forward with the Simon Sanchez High School project while preserving appropriate legal review.

Sincerely,

  
VINCENT P. ARRIOLA  
Director