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
369-38 (LS)	Sabina Flores Perez	AN ACT TO *ADD* A NEW § 58D104.1 TO CHAPTER 58D, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE USE OF AN EXPEDITED PROCESS TO RESOLVE PROTESTS FOR THE CONSTRUCTION OF SIMON SANCHEZ HIGH SCHOOL.	10/12/26 3:31 p.m.	10/15/26	Committee on Finance and Government Operations.	Request: 10/15/26 10/26/26			

COMMITTEE ON RULES

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

October 26, 2026

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

From: **Vice Speaker V. Anthony Ada**
Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 369-38 (LS)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 369-38 (LS).

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. 369-38 (LS)

AN ACT TO *ADD* A NEW § 58D104.1 TO CHAPTER 58D, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE USE OF AN EXPEDITED PROCESS TO RESOLVE PROTESTS FOR THE CONSTRUCTION OF SIMON SANCHEZ HIGH SCHOOL.

Department/Agency Appropriation Information		
Dept./Agency Affected: Guam Department of Education (GDOE)	**Dept./Agency Head:** Judith T. Won Pat Ed.D., Superintendent	
Department's General Fund (GF) appropriation(s) to date: P.L. 38-136: Operations ($230,851,101); School Maintenance & Repairs ($15,000,000); Chamoru Studies ($513,824); Menstrual Hygiene Products ($25,000); Textbooks re-appropriated to the UOG Press ($280,000); and High School Graduation ($39,000)		246,708,925
Department's Other Fund (Specify) appropriation(s) to date: Guam Educational Facilities Fund ($10,954,752); Public School Library Resources Fund ($790,635); Healthy Futures Fund ($891,754); School Lunch/Child Nutritional Meal Reimbursement Fund ($12,504,000); Limited Gaming Fund ($345,503)		25,486,644
		272,195,569

Fund Source Information of Proposed Appropriation	General Fund:	(Special Fund): 1/	Total:
FY 2026 Unreserved Fund Balance		$0	$0
FY 2027 Adopted Revenues	$0	$0	$0
FY 2027 Appro. (P.L. 38-136)	$0	$0	$0
Sub-total:	$0	$0	$0
Less appropriation in Bill	$0	$0	$0
Total:	$0	$0	$0

Estimated Fiscal Impact of Bill	One Full Fiscal Year	For Remainder of FY 2027 (if applicable)	FY 2028	FY 2029	FY 2030	FY 2031
General Fund	$0	1/	1/	1/	1/	1/
Special Fund	$0	1/	1/	1/	1/	1/
Total	$0	1/	1/	1/	1/	1/

1. Does the bill contain "revenue generating" provisions?		/ / Yes	/ X / No
If Yes, see attachment 1/			
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? $ _____	/ X / 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?		/ / Yes	/ X / 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: _____ Date: 10/24/24 Director: _____ Date: OCT 26 2026
William P. Taitingfong, Acting BMA Supvr Lester L. Carlson, Jr., Director

Footnotes:

1/ Bill 369-38 (LS) is primarily administrative in nature, though it is designed to mitigate negative financial impacts caused by project delays. The core mechanism of the bill focuses on the government procurement framework. It alters the regulatory procedure by establishing an expedited administrative process specifically to handle and resolve legal or vendor protests. Its implementation aims to address an indirect financial impact. Procurement protests often stall large-scale government infrastructure works, leading to increased construction costs, prolonged inflation impacts, and legal fees. By legally streamlining the timeline for resolution, the bill aims to safeguard the existing budget allocated for the construction of Simon Sanchez High School. Also, a copy of GDOE's Testimony on Bill No. 369-38 (LS) is attached for information.

DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT

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JUDITH T. WON PAT, Ed.D.
Superintendent of Education

October 20, 2026

Honorable Senator Sabina Perez
Vice Chairperson, Committee on Economic Investment, Military Buildup, Regional Relations, and Regulatory Affairs
I Liheslaturan Guåhan
38th Guam Legislature
Hagåtña, Guam

Re: Testimony on Bill No. 369-38 (LS)-Prevent Further Delays in Rebuilding Simon Sanchez High School

Håfa Adai, Honorable Chairperson and Members of the Committee:

Thank you for the opportunity to provide written testimony regarding Bill No. 369-38 (LS), specifically the proposed provisions relating to the authority to resolve procurement protests.

COMMENTS:

(b) Authority to resolve Protests.

The Chief Procurement Officer, the Director of Public Works, the head of purchasing agency, or a designee of one of these officers shall have the authority, prior to the commencement of an appeal to the Public Auditor concerning the controversy, to settle or resolve a protest of an aggrieved offeror or contractor, actual or prospective, concerning the solicitation or award of a contact. This authority shall be exercised in accordance with regulations promulgated by the Policy Office.

DISCUSSION/OBSERVATIONS:

1. If the intent is to resolve offeror protests timely and in an equitable manner I suggest the Authority to Resolve Protests be assigned to a Protest Resolution Committee (PRC).

2. This PRC will be created with a minimum of three voting seats and two advisory seats. Any candidate to fill a seat or the PRC must disclose in advance any potential conflicts of interest which may or may not excuse them from PRC membership.
   a) The Government of Guam Chief Procurement Officer (voting member).
   b) The Head of a Government of Guam Agency which engages in procurements at the same level or above the level of the procurement being protested. For example, if a GOVGUAM Agency or Department issued the procurement activity