









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
301-38 (COR)	Christopher M. Dueñas Jesse A. Lujan Tina Rose Muña-Barnes Vincent A.V. Borja Joe S. San Agustin Eulogio Shawn Gumataotao V. Anthony Ada William A. Parkinson	AN ACT TO <i>AMEND</i> § 5141 OF CHAPTER 5, TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO EXPANDING THE GOVERNMENT OF GUAM PROCUREMENT TRAINING AND CERTIFICATION PROGRAM TO WIDEN AVAILABILITY AND OPPORTUNITY FOR PROCUREMENT PROFESSIONALS WITHIN THE GOVERNMENT OF GUAM	4/2/26 12:15 p.m.						

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

Bill No. 301-38 (COR)

Introduced by:

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**AN ACT TO AMEND § 5141 OF CHAPTER 5, TITLE 5
GUAM CODE ANNOTATED, RELATIVE TO
EXPANDING THE GOVERNMENT OF GUAM
PROCUREMENT TRAINING AND CERTIFICATION
PROGRAM TO WIDEN AVAILABILITY AND
OPPORTUNITY FOR PROCUREMENT
PROFESSIONALS WITHIN THE GOVERNMENT OF
GUAM**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the effective administration of procurement laws is critical to ensuring
4 transparency, accountability, efficiency, and public confidence in the use of
5 government resources. The professionalization of procurement personnel through
6 standardized training and certification has been a cornerstone of strengthening
7 procurement practices across the government of Guam.

1 *I Liheslaturan Guåhan* further finds that §5141 of Chapter 5, Title 5, Guam
2 Code Annotated currently establishes a comprehensive framework for procurement
3 training and certification, currently administered through the Guam Community
4 College (“GCC”). While this program has provided substantial benefit to the
5 government, capacity and scheduling limitations have resulted in delays in training
6 availability, thereby impacting the timely certification of procurement personnel
7 and, in some cases, hindering operational efficiency within government agencies.

8 *I Liheslaturan Guåhan* recognizes that expanding the statutory framework to
9 authorize both the GCC and the University of Guam (“UOG”) to each administer
10 the Government of Guam Procurement Program is intended to increase instructional
11 capacity, improve access to training, and reduce delays in certification while
12 maintaining consistent standards.

13 It is the intent of *I Liheslatura* that the inclusion of the UOG as an authorized
14 provider will leverage the strengths of both institutions of higher education,
15 including expanded faculty resources, flexible course delivery methods, and
16 enhanced academic and professional development opportunities. This dual-
17 institution model will allow for greater scalability of training programs while
18 preserving quality and rigor.

19 *I Liheslaturan Guåhan* further finds that the Guam Procurement Advisory
20 Council will continue to serve as the central body responsible for advising on
21 curriculum standards, ensuring consistency, and maintaining the integrity of
22 certification requirements across both institutions. Accordingly, the inclusion of the
23 UOG as an authorized training provider *shall not* compromise uniformity in training
24 but rather enhance the delivery of a standardized and high-quality procurement
25 education program.

26 Therefore, it is the intent of *I Liheslaturan Guåhan* to strengthen procurement
27 workforce development by including the UOG in the Government of Guam

1 Procurement Program thereby increasing training capacity, improving accessibility,
2 and ensuring that government personnel are equipped with the knowledge and skills
3 necessary to carry out procurement responsibilities effectively and in full
4 compliance with Guam law.

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

7 **“§ 5141. Training and Certification of Purchasing Personnel and**
8 **Vendors.**

9 (a) ~~Guam Community College~~ Government of Guam Procurement Program.
10 For the purposes of this § 5141, “Institution” shall mean ~~the~~ the Guam Community
11 College (GCC, College) or the University of Guam (UOG, University). Each
12 Institution, in consultation with the Guam Procurement Advisory Council, shall
13 establish and administer an integrated program of academic, research, practical
14 training, and continuing education, and provide the same on a full cost recovery
15 basis, for government of Guam procurement personnel and other interested private
16 or public participants, to be known as the ~~GCC~~ Government of Guam Procurement
17 Program.” The ~~College~~ Institution may adopt rules to provide appropriate criteria
18 for the training, continuing education and certification authorized by this Section,
19 and to administer this Section, including rules related to monitoring a certified
20 purchaser's compliance with the continuing education requirements of this Section.
21 The ~~College~~ Institution may, under the ~~GCC~~ Government of Guam Procurement
22 Program, establish a library, publish papers and journals, hold conferences and
23 seminars, and do such other things as it deems reasonable to improve the government
24 of Guam’s acquisition and asset management strategies, practices and effectiveness.
25 The primary focus of the activities of the ~~GCC~~ Government of Guam Procurement
26 Program shall be on the study and instruction of the procurement laws and
27 regulations of Guam but may include the examination and comparison of other

1 procurement regimes for the purpose of better understanding of procurement
2 philosophy and best practices and the improvement of Guam's procurement regime.
3 ~~The College~~ Each Institution shall establish such equivalent training, education,
4 experience and certification, and such prerequisites, tests, attendance, and standards
5 as it determines are necessary to qualify for any certification required by this Section,
6 and is solely responsible for bestowing such certification in such form as it
7 determines. It is not the intent, however, to require that tests be standardized or to
8 prevent variation in subject matter tested, method of testing or the use of other
9 pedagogical techniques. ~~The College~~ Each Institution, in consultation with the Guam
10 Procurement Advisory Council, shall review all qualification criteria annually, and
11 may revise any of the same as it deems appropriate to improve the standards and
12 proficiency of government of Guam procurement personnel. ~~The College~~ Each
13 Institution shall maintain records of enrollment and of the training, continuing
14 education, and certification in same or similar manner, and subject to the same or
15 similar rules as its regularly enrolled student records. ~~The College~~ Institution may
16 provide training, assistance, and coordination with other states and nations of
17 Micronesia on a cost recovery basis on the subject matter as covered under this
18 Section.

19 (b) Mandatory Certification and Continuing Education. Notwithstanding any
20 other provision of law or this Chapter and effective October 1, 2016, all government
21 of Guam personnel tasked with the responsibility of purchasing or otherwise
22 procuring goods, or services, or construction, including those employed by agencies
23 with authority to conduct their own procurement, as well as any person within the
24 Office of Public Accountability responsible for administering procurement appeals
25 or auditing of the purchasing activities of the government of Guam, must receive the
26 training and continuing education to the extent required under this Section and
27 offered by the ~~College~~ Institution in consultation with the Guam Procurement

1 Advisory Council. A government of Guam employee who is required to receive the
2 training may not participate in purchases by the employing agency unless the
3 employee has received the required training or received equivalent training from a
4 national association recognized by the ~~College~~ Institution and the Guam
5 Procurement Advisory Council, which shall be the judge of equivalency. The
6 equivalent training may count toward the continuing education requirements of this
7 Section, as determined by ~~the College~~ each Institution, in consultation with the
8 Guam Procurement Advisory Council.

9 (c) Consultation with the Guam Procurement Advisory Council. The Guam
10 Procurement Advisory Council shall, on an annual basis and to the extent of its
11 resources, advise and consult with ~~the Guam Community College~~ each Institution
12 regarding the professional education programs contained in this Section, as they
13 relate to the educational needs of government of Guam employees and vendors, and
14 provide such other counsel and assistance as ~~the College~~ each Institution may
15 request.

16 (d) Promulgation of Fees and Rules. ~~The College~~ Each Institution, pursuant to
17 the Administrative Adjudication Law, shall promulgate a fee schedule for students,
18 departments and agencies, and vendors in order to recover ~~the College's~~ the
19 Institution's costs under this Section. The operations budget of each government of
20 Guam department or agency for staff development may be used to pay for fees
21 provided herein. ~~The College~~ Each Institution shall also promulgate any rules
22 authorized by this Section, or which it may deem necessary or appropriate to give
23 effect to this Section, pursuant to the Administrative Adjudication Law.

24 (e) Cooperation with Other Entities. The ~~College~~ Institution may provide
25 training and continuing education under this Section using its own personnel and
26 facilities, or through contracts with other public or private entities or personnel,

1 including the federal government Procurement Technical Assistance Program, the
2 Hawaii Procurement Institute, and other state and international institutions.

3 (f) Basic Training Requirements. ~~The College~~ Each Institution shall provide
4 at least four (4) modules of procurement basic training, each with at least eighteen
5 (18) hours of study and instruction, or more, as the ~~College~~ Institution may
6 determine as necessary, and shall award a Certificate of Enrichment of training to
7 those qualifying, as required by this Section, for each module of the following
8 subject matter areas:

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

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

11 Module 3. The Procurement Review and Remedies (Administrative).

12 Module 4. The Management and Administration of Procurement
13 (Administrative).

14 (g) Continuing Education for Procurement Training. In consultation with the
15 Guam Procurement Advisory Council, ~~the College~~ each Institution shall require a
16 reasonable number of hours of continuing education to maintain a certification level
17 for each Certificate of Enrichment required in this Section. The ~~College~~ Institution
18 may allow attendance at an equivalent certification training recognized by the
19 ~~College~~ Institution, in consultation with the Guam Procurement Advisory Council,
20 to count toward the required number of hours. Maintenance of the certification level
21 may be by yearly renewal or another reasonable renewal period comparable to
22 nationally recognized certification requirements

23 (h) Requirement of Certificate of Enrichment (Basic). ~~The College~~ Each
24 Institution's prerequisites for awarding a Certificate of Enrichment (Basic) must
25 include the completion of the first module of procurement basic training and passage
26 of a written examination prescribed by the ~~College~~ Institution. From October 1,
27 2016, no person shall serve in the capacity of a level-one purchaser, and no person

1 shall sign for any procurement requisition, without the Certificate of Enrichment
2 (Basic) provided by ~~the College~~ the Institution.

3 (i) Requirement of Certificate of Enrichment (Advanced). ~~The College~~ Each
4 Institution's prerequisites for awarding a Certificate of Enrichment (Advanced) must
5 include the completion of the first and second modules of procurement basic training
6 and passage of a written examination prescribed by the ~~College~~ Institution. From
7 October 1, 2016, no person shall serve in the capacity of a level-two purchaser,
8 without a Certificate of Enrichment (Advanced) provided by the ~~College~~ Institution,
9 and a minimum number of years of purchasing experience as prescribed by the
10 Department of Administration. ~~Recognizing that the College has been providing~~
11 ~~procurement basic training since 2012 that covers the subject matter in the first and~~
12 ~~second basic training modules required in this Section, the College may allow~~
13 ~~attendance at any such training given as credit toward any certification required~~
14 ~~without examination until such time as the College has implemented testing for such~~
15 ~~training.~~

16 (j) Requirement of Certificate of Enrichment (Administrative). ~~The College~~
17 Each Institution's prerequisites for awarding a Certificate of Enrichment
18 (Administrative) must include the completion of the first, second, third, and fourth
19 modules of procurement basic training and passage of a written examination
20 prescribed by the ~~College~~ Institution. From October 1, 2016, no person shall serve
21 in the capacity of a Chief Procurement Officer or Procurement Administrator, or as
22 a classified employee in the position of supply management administrator,
23 procurement officer, or otherwise as the responsible head of procurement, or a level-
24 three purchaser, of any government of Guam entity, including any governmental
25 body, public corporation, semi- autonomous or autonomous agency, within or under
26 the purview of the Executive Branch, without a Certificate of Enrichment

1 (Advanced) provided by the College Institution and a minimum number of years of
2 purchasing experience as prescribed by the Department of Administration.

3 (k) Requirement of Industry Certification. The College Institution may
4 provide an Industry Certification which may require completing the required number
5 of college credit courses to include the four (4) subject matter areas covered under
6 this Section and passage of a written examination as developed, prescribed, and
7 administered by the College, in consultation with the Guam Procurement Advisory
8 Council.

9 (l) Requirement of Certificate of Procurement Management Program. The
10 College's Institution's requisites for providing a ~~GCC~~-Certificate of Procurement
11 Management may include completing seventeen (17) college credit(s), or more, as
12 the College Institution may determine necessary, to include the four (4) subject
13 matter areas covered under this Section and meeting all the general requirements for
14 a certificate program and a Certificate of Completion to be awarded by the College
15 Institution.

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

21 (n) Procurement Training Compliance Report.

22 (1) Timeline for Submission. No later than thirty (30) days after the end
23 of each fiscal year, every director, administrator, president or head of a
24 government of Guam agency, including line agencies, autonomous and semi-
25 autonomous agencies, public corporations, the Mayors' Council of Guam, the
26 Courts of the Judiciary of Guam, and *I Liheslaturan Guåhan* shall

1 electronically submit to the Public Auditor of Guam, in an electronic portable
2 document format, a “Procurement Training Compliance Report.”

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

6 **Section 3. Effective Date.** This Act shall be effective upon enactment.