

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
236-36 (COR)	Sabina Flores Perez Therese M. Terlaje Joanne Brown Telena Cruz Nelson James C. Moylan Joe S. San Agustin Clynton E. Ridgell Telo T. Taitague	AN ACT TO AMEND § 5213 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE REQUIREMENTS OF SMALL PURCHASES.	12/27/21 12:38 p.m.						

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 236-36 (COR)

Introduced by:

Sabina Flores Perez *SFP*

Therese M. Terlaje *TML*

Joanne Brown

Telena Cruz Nelson

James C. Moylan *J. moylan*

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Telo T. Taitague *Telo*

**AN ACT TO AMEND § 5213 OF CHAPTER 5, TITLE 5,
GUAM CODE ANNOTATED, RELATIVE TO
STRENGTHENING THE REQUIREMENTS OF SMALL
PURCHASES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds the practicality of small purchases to move quickly on supplies, services
4 and construction meeting the required threshold.

5 *I Liheslaturan Guåhan* also finds that small purchases may be
6 mistreated with the acquirement of a “no quote” quotation.

7 *I Liheslaturan Guåhan* intends to prevent that mistreatment by
8 specifying a positive quotation and providing verification that three (3)
9 positive quotations were not possible.

10 **Section 2.** § 5237 of Article 3, Chapter 5, Title 5, Guam Code
11 Annotated, is hereby amended to read as follows:

12 **“§ 5213. Small Purchases.**

1 Any procurement not exceeding Twenty-five Thousand Dollars
2 (\$25,000) for supplies or services, and not exceeding One Hundred
3 Thousand Dollars (\$100,000) for construction, may be made in
4 accordance with small purchase ~~procedures~~ regulations, promulgated
5 by the Policy Office, which shall include three (3) positive quotations
6 from qualified sources to the maximum extent practicable. A "no
7 quote" quotation will not be considered a positive quotation. Should
8 the minimum of three (3) positive quotations not be obtained, an
9 attestation is required by the Chief Procurement Officer, the Director
10 of the Department of Public Works, or any Procurement Officer
11 utilizing this Section, which shall also be part of the procurement
12 record; ~~provided, however, that~~ The procurement requirements shall
13 not be artificially divided so as to constitute a small purchase under
14 this Section. The Chief Procurement Officer, the Director of the
15 Department of Public Works, or any Procurement Officer ~~the head of~~
16 ~~an agency~~ utilizing this Section, shall submit a report to the Speaker of
17 *I Liheslaturan Guåhan* monthly as to procurement exceeding Fifteen
18 Thousand Dollars (\$15,000) for supplies and services, or exceeding
19 Fifty Thousand Dollars (\$50,000) for construction, pursuant to this
20 Section.

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

23 **Section 4. Severability.** If any of provision of this law or its
24 application to any person or circumstance is found to be invalid or contrary to
25 law, that invalidity *shall not* affect other provisions or applications of this law,
26 which can be given effect without the invalid provisions or applications and
27 to this end the provisions of this act are severable.