

I Mina Trentai Kuattro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
229-34 (LS)	Dennis G. Rodriguez, Jr. Joe S. San Agustin	AN ACT TO MANDATE THE CREATION OF THE REGIONAL CENTER ON PUBLIC POLICY UNDER THE PURVIEW AND ADMINISTRATION OF THE UNIVERSITY OF GUAM, WHICH IS TASKED TO ASSIST THE GOVERNMENT OF GUAM AND ALL BRANCHES OF GOVERNMENT, BY CONDUCTING POLICY REVIEW AND STUDIES TASKED TO IMPROVE GOVERNANCE, LEADERSHIP, AND PUBLIC POLICY FOR THE PEOPLE AND INSTITUTIONS OF GUAM, AND THE ASIA-PACIFIC REGION AND IS TASKED TO "CONDUCT A COMPREHENSIVE STUDY ON GOVERNMENT PROCUREMENT".	1/11/18 2:08 p.m.						

I MINA' TRENTAI KUÁTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) REGULAR SESSION

Bill No. 229 - 34 (LS)

Introduced by:

Dennis G. Rodriguez, Jr. *DR*
Joe S. San Agustin *JS*

AN ACT TO MANDATE THE CREATION OF THE REGIONAL CENTER ON PUBLIC POLICY UNDER THE PURVIEW AND ADMINISTRATION OF THE UNIVERSITY OF GUAM, WHICH IS TASKED TO ASSIST THE GOVERNMENT OF GUAM AND ALL BRANCHES OF GOVERNMENT, BY CONDUCTING POLICY REVIEW AND STUDIES TASKED TO IMPROVE GOVERNANCE, LEADERSHIP, AND PUBLIC POLICY FOR THE PEOPLE AND INSTITUTIONS OF GUAM, AND THE ASIA-PACIFIC REGION AND IS TASKED TO “CONDUCT A COMPREHENSIVE STUDY ON GOVERNMENT PROCUREMENT”

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

2 **Section 1. Legislative Findings and Intent.** There are many issues facing
3 the Territory of Guam and its people pertaining to governance, leadership and
4 public policy. Issues such the lack of financial support from the U.S. Federal
5 Government to fully fund the Compact of Free Associations (COFA), which
6 has allowed thousand of COFA migrants to come to Guam, equal citizenship
7 rights for Guam U.S. Citizens, the ability to get equal representation within
8 U.S. Congress through our Congressional delegate, or the long-standing issue
9 pertaining to Guam’s right of self-determination, are just a few of the many
10 issues pertaining to governance and public policy, that our people and
11 government is facing to-date. From a government operations standpoint,
12 procurement protests has plagued the Territory of Guam for the past three (3)

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1 decades, and although there is a constant outcry for government procurement
2 reform, only piecemeal legislation have been introduced to address
3 procurement issues plaguing the territory. Public Law 31-93, introduced by
4 Speaker BJ Cruz created the Guam Procurement Advisory Council tasked to
5 *“conduct studies, research, and analysis on all matters relating to the*
6 *effectiveness, responsiveness, and timeliness of government procurement;*
7 *including the review and comparison with model procurement code legislation*
8 *and consultation with division heads, school principals and other mid-level*
9 *managers, and end users of government procured goods and services”* to name
10 a few of the duties of this council. Since the passing of the law, the Guam
11 Procurement Advisory Council is no longer in existence, nor has any tangible
12 recommendations and/or suggestions have been made to both the Legislative
13 and the Executive branches of government to improve government
14 procurement, warranting a better approach to conduct this much-needed
15 procurement study, with the goal of improving government procurement for
16 the Territory of Guam.

17 **Section 2.** A new Section 90.26 is added to Chapter 90 of Title 9, Guam
18 Code Annotated, to read as follows:

19 **“§ 90.26. (a). REGIONAL CENTER FOR PUBLIC POLICY.** There is
20 hereby established the Regional Center for Public Policy (RCPP), which is an
21 established research organization under the purview and administration of the
22 University of Guam, which is tasked with conducting policy review and studies
23 tasked to improve governance, leadership, and public policy for the people and
24 institutions of Guam, and the Asia-Pacific Region. The Regional Center for
25 Public Policy will have the power to work with all governmental
26 instrumentalities, of which are tasked to provide logistical and informational
27 support in order for the RCPP to effectively and efficiently conduct the

1 required policy review or research study that will have a substantial impact on
2 the effective and efficient operation of the Government of Guam.

3 **Section 3. Implementation of Study on Government Procurement and**
4 **Transfer of duties Previously Assigned to the Guam Procurement**
5 **Advisory Council in Reference to conducting a Study on Government**
6 **Procurement within the Territory of Guam, to the Regional Center for**
7 **Public Policy, and programs under the auspices of the University of**
8 **Guam's School of Business and Public Administration (SBPA) .**

9 The Regional Center for Public Policy (RCPP) and collaborative programs
10 under the University of Guam's School of Business and Public Administration
11 is tasked to conduct a "comprehensive and holistic" study on government
12 procurement on Guam, highlighting the following duties previously assigned to
13 the defunct Guam Procurement Advisory Council:

- 14 a. Conduct studies, research, and analysis on all matters relating to the
15 effectiveness, responsiveness, and timeliness of government
16 procurement; including the review and comparison with model
17 procurement code legislation and consultation with division heads,
18 school principals and other mid-level managers, and end users of
19 government procured goods or services;
- 20 b. To critically examine the substantive and procedural aspects of the Guam
21 Procurement Act and existing administrative rules and regulations
22 governing procurement, including the legal authorities, composition, and
23 effectiveness of the Procurement Policy Office;
- 24 c. To review the legal infrastructure of the government procurement system
25 to ensure to uniformity of law, regulation and practice;

- 1 d. To propose recommendations for the improvement and modernization
- 2 and the use of “best value” and “performance-based” methods as the
- 3 basis for evaluation of government procurement activities;
- 4 e. To make recommendations and identify methods to address new
- 5 industries and technologies and financial systems, while maintaining the
- 6 general principles of procurement law;
- 7 f. To review, make recommendations and provide advice on any aspect of
- 8 law, regulation or policy that affect procurement, including the laws and
- 9 processes not directly found in the Guam Procurement Act;
- 10 g. To review the statutes and process for procurement appeals and
- 11 recommend improvements, if any.