

I Mina'trentai Siette 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
8-37 (COR)	Jesse A. Lujan	AN ACT TO ADD A NEW §5221 TO SUBARTICLE B OF ARTICLE 3, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, ENSURING THE ONLINE ACCESSIBILITY AND TIMELY POSTING OF ANY AND ALL GOVERNMENT OF GUAM INVITATIONS FOR BIDS (IFBs) AND REQUESTS FOR PROPOSALS (RFPs) ON A DEDICATED GOVERNMENT WEBSITE	1/17/23 8:44 a.m.						

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 8-37 (COR)

Introduced by:

Jesse A. Lujan 

AN ACT TO ADD A NEW §5221 TO SUBARTICLE B OF ARTICLE 3, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, ENSURING THE ONLINE ACCESSIBILITY AND TIMELY POSTING OF ANY AND ALL GOVERNMENT OF GUAM INVITATIONS FOR BIDS (IFBs) AND REQUESTS FOR PROPOSALS (RFPs) ON A DEDICATED GOVERNMENT WEBSITE.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that as it currently stands, there is no official website in existence that may be accessed online, by the public in regards to viewing all Invitations For Bids (IFBs) or Requests For Proposals (RFPs) in one place. Under the principles of a transparent and open government, this legislation is to establish an internet-centric public service for the people of Guam in regards to viewing all and any Requests For Proposals (RFPs) and Invitations For Bids (IFBs) that are announced by the Government of Guam. Presently, there exists a website for all public notices, spearheaded by the Governor's Office of Technology. This legislation adds a new §5221 to Subarticle B, Article 3, Chapter 5, Title 5, Guam Code Annotated, thus amending the Guam Procurement Law. And in doing so, amend by expanding the law to read that the Office of Technology shall create and add official web pages and sections dedicated to any and all Invitations For Bids (IFBs) and Requests For Proposals (RFPs) on the

1 website <https://notices.guam.gov>, or a separate website dedicated to announcing all
2 IFBs and RFPs, with timely updates and maintenance of said announcement pages.
3 The announcements shall be posted on the website at the same time as the posting
4 on the respective agency's website and the newspaper postings.

5 **Section 2.** §5221 of Chapter 5, Title 5, Article 3, Subarticle B, Guam Code
6 Annotated is hereby added to read as follows:

7 **§5221. Publication of IFB and RFP Documents on One Central Website.**

8 (a) The Office of Technology shall create and add official web pages and
9 sections dedicated to any and all Invitations For Bids (IFBs) and Requests For
10 Proposals (RFPs) on the website <https://notices.guam.gov>, or a separate
11 website created exclusively for the purpose of announcing all IFBs and RFPs,
12 with timely updates and maintenance of said announcement pages. These
13 announcements shall be posted at the same time as the posting on the
14 respective agency's website and the newspaper announcements.

15 (b) Requests For Proposals (RFPs) and Invitations For Bids (IFBs) are
16 defined as requests open to the general public, for proposals and bids to
17 complete projects announced by the Government of Guam. The present
18 situation forces businesses and potential vendors to search for such requests
19 and invitations in various places, while never knowing if they have discovered
20 all bids. If it is the Government of Guam's intent to acquire the best proposals
21 and bids from all and any interested vendors, it falls short in its effectiveness.
22 If prospective vendors, and possibly the best vendors, are hindered in their
23 search and submission due to inaccessibility to public requests for proposals
24 and or missed deadlines due to delayed posting of announcements, then the
25 current method of distribution must be improved. As it is in the Government
26 of Guam's best interest to stimulate a competitive market and to encourage a
27 variety of alternative proposals for government selection and therefore the

1 people of Guam, this legislation is to ensure that by creating one such central
2 webpage or webpages (internet-based digital reference center) that is easily
3 accessible to the public and current on timeframes and periods, then we can
4 ensure we receive the best proposals and bids from quality vendors.

5 (c) The manner of posting all and any Invitations For Bids (IFBs) and
6 Requests For Proposals (RFPs) online shall be in accordance with Guam
7 Procurement Law regarding §5220 of Subarticle B, Article 3, Chapter 5, Title
8 5, Guam Code Annotated. For the sake of effective communication, this
9 requires each posting to be accurate in information, precise in the purpose of
10 the announcement, and timely in that each posting shall be accessible on the
11 website no later than the same day it is announced by the Government of
12 Guam as well as posted on the respective agency's website and announced in
13 newspapers. The term "timely" also includes the speed and manner of updates
14 pertaining to the status of said announcements. The web pages to be created
15 and established in this legislation are in addition to, and not instead of, the
16 current distribution methods. Therefore, the practice of placing Requests For
17 Proposals and Invitations For Bids on the procuring agency's website and in
18 newspaper outlets shall continue.

19 (d) The development, creation, and maintenance of the aforementioned
20 web pages referenced in this legislation shall be under the authority and
21 guidance of the Government of Guam Office of Technology and executed in
22 a timely manner on the website <https://notices.guam.gov>, or a separate website
23 established entirely for the sole purpose of posting all Invitations For Bids
24 (IFBs) and Requests For Proposals (RFPs).

25 **Section 5. Effective Date.** This Act shall go into effect 120 days following
26 enactment.