

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN  
2013 (FIRST) Regular Session

2013 JAN 30 AM 11: 34

Bill No. 32-32 (COR)

Introduced by:

V. Anthony Ada

**AN ACT TO ADD A NEW (e) TO §5008 of CHAPTER 5 OF  
5GCA RELATIVE TO PROHIBITING GOVERNMENT OF  
GUAM BRANCHES, DEPARTMENTS, AGENCIES AND  
INSTRUMENTALITIES FROM EXCLUDING LOCAL  
BUSINESSES FROM THE PROCUREMENT PROCESS.**

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

**Section 1.** A new Paragraph (e) is *added* to Section 5008 of Chapter 5 of  
5GCA to read as follows:

"(e) The specifications, terms, conditions and qualifications for all solicitations shall be drafted to promote participation in the solicitation by local bidders and offerors to the maximum extent practicable consistent with the needs of the Territory. No specification, term, condition or qualification shall preclude due consideration of a bidder or offeror on the basis of Guam-only experience provided the experience of such bidder or offeror is otherwise responsive to the solicitation. No specification, term, condition or qualification of a solicitation shall require off-island experience or past performance unless there is a written determination of the Chief Procurement Officer, the Director of Public Works, or the Head of the procuring agency or Government of Guam branch conducting the solicitation which justifies the need for such experience or performance, and such written determination is made part of the solicitation documents."