

*I Mina'Trentai Dos Na Liheslaturan Guahan*

**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>201-32 (COR)</b>	B. J.F. Cruz	AN ACT TO ADD A NEW §5141 TO CHAPTER 5 OF TITLE 5 OF THE GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING SYSTEM OF TRAINING, CONTINUING EDUCATION, AND CERTIFICATION FOR GOVERNMENT OF GUAM PROCUREMENT PERSONNEL.	9/30/13 2:36 p.m.	9/30/13	Committee on General Governmental Operations and Cultural Affairs			



## COMMITTEE ON RULES

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September 30, 2013

### MEMORANDUM

**To:** **Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From:** **Senator Rory J. Respicio**   
*Majority Leader & Rules Chair*

**Subject:** **Referral of Bill No. 201-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 201-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.


*Si Yu'os Ma'åse!*

Attachment

*I MINA TRENTAI DOS NA LIHESLATURAN GUAHAN*  
2013 (First) Regular Session

Bill No. 201-32(COF)

Introduced by:

B. J.F. Cruz 

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**AN ACT TO *ADD* A NEW §5141 TO CHAPTER 5 OF TITLE 5  
OF THE GUAM CODE ANNOTATED; RELATIVE TO  
ESTABLISHING SYSTEM OF TRAINING, CONTINUING  
EDUCATION, AND CERTIFICATION FOR GOVERNMENT  
OF GUAM PROCUREMENT PERSONNEL.**

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

**Section 1.** A new section §5141 is hereby *added* to Part E of Chapter 5 of Title 5, Guam Code Annotated to read:

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

(a) The Guam Community College (“College”) shall establish and administer a system of training, continuing education, and certification for Government of Guam procurement personnel. The College may establish and offer appropriate training to vendors on a cost recovery basis. The College may adopt rules to administer this section, including rules relating to monitoring a certified purchaser's compliance with the continuing education requirements of this section.

(b) Notwithstanding any other provision of law and effective October 1, 2017, all Government of Guam personnel tasked with the responsibility of purchasing or otherwise procuring goods or services, including those employed by agencies exempted from the procurement authority of the General Services

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1 Agency or Department of Public Works, must receive the training and  
2 continuing education to the extent required by rule of the College. A  
3 Government of Guam employee who is required to receive the training may not  
4 participate in purchases by the employing agency unless the employee has  
5 received the required training or received equivalent training from a national  
6 association recognized by the College. The equivalent training may count, as  
7 provided by Subsection (i), toward the continuing education requirements.

8 (c) The College, pursuant to the Administrative Adjudication Law, shall  
9 promulgate a fee schedule for students, department and agencies, and vendors  
10 in order to recover the College's costs under this section. The operation budget  
11 of each Government of Guam department or agency for staff development may  
12 be used to pay for fees provided herein.

13 (d) The College may provide training and continuing education under  
14 this section using its own personnel or through contracts with private entities.  
15 The College may also, by agreement with a public entity, use the services of  
16 persons employed by the public entity to provide training and continuing  
17 education under this section.

18 (e) The College shall provide at least three levels of training under this  
19 section.

20 (f) The basic training level must include an introduction to contract  
21 purchasing methods, ethical issues affecting purchasing decisions, and  
22 instruction in any other processes and issues that the College considers  
23 appropriate for introductory purchasing training.

24 (g) The second training level must include advanced instruction in  
25 formal and informal bidding methods, introduction to negotiation methods,  
26 instruction in writing specifications, and instruction in any other processes and

1 issues that the College considers appropriate for the second level of purchasing  
2 training.

3 (h) The third training level must include an introduction to complex  
4 negotiations, instruction in the criteria for determining which product or service  
5 offers the best value for the contract award, and instruction in any other  
6 processes and issues that the College considers appropriate for advanced  
7 purchasing training.

8 (i) The College shall require a reasonable number of hours of continuing  
9 education to maintain a certification level. The College may allow attendance  
10 at equivalent certification training recognized by the College to count toward  
11 the required number of hours. Maintenance of the certification level may be by  
12 yearly renewal or another reasonable renewal period comparable to nationally  
13 recognized certification requirements.

14 (j) The College's prerequisites for receiving a level-two purchaser  
15 certification must include completion of the basic training level, passage of a  
16 written examination, and a minimum number of years of purchasing experience  
17 prescribed by the College.

18 (k) The College's prerequisites for receiving a level-three purchaser  
19 certification must include completion of the second training level, passage of a  
20 written examination, and a minimum of three (3) years of purchasing  
21 experience.”

22 **Section 2. Effective Date.** This Act shall be effective upon enactment.