

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN

2023 (FIRST) Regular Session

VOTING RECORD

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Bill No. 8-37 (COR) As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning and further amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building April 28, 2023					
Senator Chris Barnett	✓					
Senator Frank Blas, Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator Thomas J. Fisher	✓					
Senator Jesse A. Lujan	✓					
Vice Speaker Tina Rose Muña Barnes					✓	✓
Senator William A. Parkinson	✓					
Senator Sabina Flores Perez	✓					
Senator Roy A. B. Quinata	✓					
Senator Joe S. San Agustin	✓					
Senator Dwayne T. D. San Nicolas	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Speaker Therese M. Terlaje	✓					

TOTAL

14

0

1

1

Aye

Nay

Not
Voting/
Abstained

Out
During
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:



JOAQUIN P. TAITAGUE

Substitute Clerk of the Legislature

I = Pass

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

Bill No. 8-37 (COR)

As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning; and further amended on the Floor.

*

Introduced by:

Jesse A. Lujan
Joanne Brown
Telo T. Taitague
Christopher M. Dueñas
Joe S. San Agustin
Sabina Flores Perez
Dwayne T. D. San Nicolas
Chris Barnett
Thomas J. Fisher
Frank Blas, Jr.
Amanda L. Shelton
Therese M. Terlaje
Tina Rose Muña Barnes
William A. Parkinson
Roy A. B. Quinata

AN ACT TO *ADD* A NEW §5221, §5222, §5223, § 5224, and § 5225 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 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that as it currently stands, there is no official website in existence that may be

1 accessed online, by the public in regards to viewing all Invitations For Bids (IFBs)
2 or Requests For Proposals (RFPs) in one place. Under the principles of a transparent
3 and open government, this legislation is to establish an internet-centric public service
4 for the people of Guam in regards to viewing all and any Requests For Proposals
5 (RFPs) and Invitations For Bids (IFBs) that are announced by the Government of
6 Guam. Presently, there exists a website for all public notices, spearheaded by the
7 Governor’s Office of Technology. This legislation adds a new §5221, §5222, §5223,
8 §5224, and §5225 to Subarticle B, Article 3, Chapter 5, Title 5, Guam Code
9 Annotated, thus amending the Guam Procurement Law. And in doing so, amend by
10 expanding the law to read that the Office of Technology shall establish, secure and
11 maintain a web-based system for Government of Guam agencies to accurately
12 publish in a manner consistent with Chapter 8 of this title, any and all Invitations For
13 Bids (IFBs) and Requests For Proposals (RFPs) on the officially recognized Public
14 Notices Portal of the Government of Guam. The announcements shall be posted on
15 the website at the same time as the posting on the respective agency’s website and
16 the newspaper postings.

17 **Section 2.** § 5221, §5222, §5223, §5224, and §5225 of Subarticle B, Article
18 3, Chapter 5, Title 5, Guam Code Annotated is hereby *added* to read as follows:

19 **“§ 5221. Procurement Announcement Website.**

20 The Government of Guam Office of Technology shall create or cause
21 to create an Executive branch-wide website known as the “Procurement
22 Announcement Website” that contains the descriptions of the goods, services,
23 or construction to be procured, announcement dates, the closing dates, and
24 hyperlinks for all Invitations for Bids (IFB) and Requests for Proposals (RFP)
25 procurement solicitations of departments, agencies, instrumentalities and
26 public corporations of the Executive Branch of the Government of Guam
27 inclusive of autonomous agencies enumerated in 12 GCA, including the

1 Guam Visitor’s Bureau and the Judiciary of Guam. The website shall also
2 include procurement solicitations of the Guam Department of Education, the
3 University of Guam, the Guam Community College and the Guam Election
4 Commission.

5 The Government of Guam Office of Technology shall implement or
6 cause to implement the requisite systems to afford procuring agencies the
7 capability of posting to the Procurement Announcement Website. This
8 website and its underlying systems shall conform to internationally
9 recognized information security controls, standards and best practices, or at
10 least National Institute of Standards and Technology (NIST) standards,
11 guidelines and requirements for cloud-based services.

12 **§ 5222. Posting of Information on the Procurement**
13 **Announcement Website.**

14 The Guam General Services Agency, the Department of Public Works
15 and all other purchasing agencies, with procurement authority, shall post all
16 IFB and RFP procurement solicitations, on their respective websites. The
17 Guam General Services Agency, the Department of Public Works and all
18 other purchasing agencies with procurement authority shall also post the
19 required procurement information, *infra*, on the Procurement Announcement
20 Website by the end of the business day, on the same date that the procurement
21 solicitation is publicly announced. The following information shall be posted
22 on the Procurement Announcement website for each procurement solicitation:

- 23 (a) The solicitation’s announcement name, a unique
24 designation for the Procurement Announcement Website and the
25 closing date of the solicitation hyperlinked to their matching
26 procurement solicitations on the source agencies’ websites;

1 (b) A general description of the goods, services, or
2 construction being procured;

3 (c) The name of the procuring agency hyperlinked to the
4 procuring agency's official website;

5 (d) The name, position title, phone number and email address
6 for at least one procurement-certified primary point of contact for the
7 solicitation;

8 (e) Any other relevant information pertaining to the solicitations
9 including special requirements and conditions; and

10 (f) Any related notices or pertinent information.

11 **§ 5223. Length of Time for Posts on Procurement**
12 **Announcement Website.**

13 All information required to be posted on the Procurement
14 Announcement Website shall be posted for the same amount of time the
15 information is required to be posted on the General Services Agency's, the
16 Department of Public Works' and the purchasing agency's websites.

17 **§ 5224. Administrative Rules and Regulations.**

18 The Director of Administration shall promulgate administrative rules
19 and regulations pursuant to the provisions of Chapter 9, Title 5 Guam Code
20 Annotated consistent with this Act.

21 **§ 5225. Retention of Procurement Records.**

22 All procurement records shall be retained and disposed of pursuant to
23 § 5247, Chapter 5, Title 5 Guam Code Annotated."

24 **Section 3. Effective Date.** This Act shall be effective one hundred twenty
25 (120) days following enactment.