



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

DEC 01 2009

2009 DEC -2 PM 2:32 MZ

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 220-30(COR) "AN ACT TO AMEND §5150, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE DUTIES OF THE ATTORNEY GENERAL IN PROCUREMENT OVERSIGHT AND ADVISEMENT" which I signed into law on November 27, 2009 as **Public Law 30-72**.

Sins eru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy of Bill

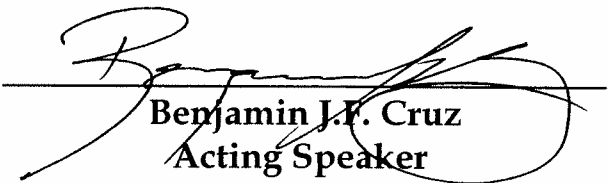
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12/02/09
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I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

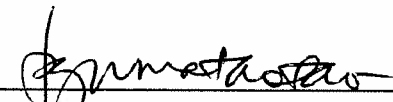
This is to certify that **Bill No. 220-30 (LS)**, "AN ACT TO AMEND §5150, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE DUTIES OF THE ATTORNEY GENERAL IN PROCUREMENT OVERSIGHT AND ADVISEMENT," was on the 13th day of November, 2009, duly and regularly passed.


Benjamin J.F. Cruz
Acting Speaker

Attested:


Rory J. Respicio
Acting Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 17 day of Nov., 2009, at
4:25 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 27 Nov 2009

Public Law No. 30-72

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 220-30 (LS)

As amended on the Floor.

Introduced by:

B. J.F. Cruz
T. C. Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
J. V. Espaldon
Judith P. Guthertz, DPA
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
M. J. Rector
R. J. Respicio
Ray Tenorio
Telo Taitague
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* §5150, TITLE 5, GUAM CODE
ANNOTATED, RELATIVE TO THE DUTIES OF THE
ATTORNEY GENERAL IN PROCUREMENT
OVERSIGHT AND ADVISEMENT.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that there exists a need for greater scrutiny in the preparation of bid documents and
4 in the awarding of bids for major purchases and contracts for services. *I*
5 *Liheslatura* finds that such involvement of the Office of the Attorney General in
6 the procurement process would ensure proper and expeditious procurement of

1 goods and services and would minimize protests of bid awards and allow for a
2 more expeditious procurement process.

3 *I Liheslatura* further finds that Guam stands to lose considerable amounts of
4 federal funding due to questionable procurement practices. It is the intent of *I*
5 *Liheslatura*, therefore, to ensure the fair and equitable treatment of all who are
6 involved in the procurement process and to preserve the integrity of the
7 procurement system.

8 **Section 2.** §5150 of Chapter 5 of Title 5, Guam Code Annotated, is hereby
9 *amended* to read:

10 **“§5150. Duties of the Attorney General.** The Attorney General,
11 the Deputy Attorney General *or* such Assistant Attorneys General as the
12 Attorney General may designate, *shall* serve as legal counsel and provide
13 necessary legal services to the Policy Office and the General Services
14 Agency. Whenever the Chief Procurement Officer, the Director of Public
15 Works, or the head of any executive branch agency, autonomous agency,
16 instrumentality or public corporation of the government of Guam conducts
17 any solicitation or procurement which is estimated to result in an award of
18 Five Hundred Thousand Dollars (\$500,000) or more, the Attorney General
19 *shall* act as legal advisor during all phases of the solicitation or procurement
20 process. The Attorney General *shall*, in addition, when he approves
21 contracts, determine *not* only the correctness of their form, but their legality.
22 In making such a determination of legality, he *may* require any *or* all
23 agencies involved in the contract to supply him with evidence that the
24 required procedures precedent to executing the contract were carried out.
25 He *may* prescribe the forms and format required to be followed by the
26 agencies in aiding him in his determination of form and legality.”