

EDDIE BAZA CALVO  
Governor



RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

April 12, 2013

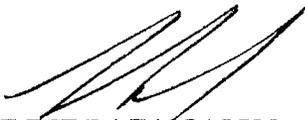
Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Dos Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

RE: Bill No. 32-32 (LS) – Public Law No. 32-016

Dear Madame Speaker:

Transmitted herewith is Bill No. 32-32 (LS), "AN ACT TO ADD A NEW SUBSECTION (e) TO §5008 OF PART A, ARTICLE 1 OF CHAPTER 5 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING GOVERNMENT OF GUAM BRANCHES, DEPARTMENTS, AGENCIES AND INSTRUMENTALITIES FROM EXCLUDING LOCAL BUSINESS FROM THE PROCUREMENT PROCESS", which I signed into law on April 11, 2013, as Public Law 32-016.

*Senseramente,*

  
EDDIE BAZA CALVO

Attachment: Copy of Bill

2013 APR 12 PM 4:28

32-13-278  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 4/12/13  
Time 4 PM  
Received by LF

0278

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

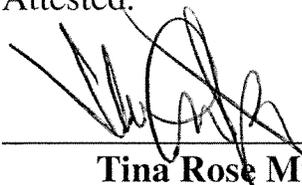
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Bill No. 32-32 (COR)**, "AN ACT TO ADD A NEW SUBSECTION (e) TO §5008 OF PART A, ARTICLE 1 OF CHAPTER 5 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING GOVERNMENT OF GUAM BRANCHES, DEPARTMENTS, AGENCIES AND INSTRUMENTALITIES FROM EXCLUDING LOCAL BUSINESSES FROM THE PROCUREMENT PROCESS", was on the 1<sup>st</sup> day of April, 2013, duly and regularly passed.



Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

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This Act was received by *I Maga'lahaen Guåhan* this 2 day of April, 2013, at 12:10 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:



EDWARD J.B. CALVO  
*I Maga'lahaen Guåhan*

Date: APR 1 1 2013

Public Law No. 32-016

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

**Bill No. 32-32 (COR)**

As amended on the Floor.

Introduced by:

V. Anthony Ada  
Vicente (ben) C. Pangelinan  
T. C. Ada  
Frank B. Aguon, Jr.  
B. J.F. Cruz  
Chris M. Dueñas  
M. T. Limtiaco  
Brant T. McCreadie  
Tommy Morrison  
T. R. Muña Barnes  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
Michael F. Q. San Nicolas  
Aline A. Yamashita, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO ADD A NEW SUBSECTION (e) TO §5008 OF PART A, ARTICLE 1 OF CHAPTER 5 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING GOVERNMENT OF GUAM BRANCHES, DEPARTMENTS, AGENCIES AND INSTRUMENTALITIES FROM EXCLUDING LOCAL BUSINESSES FROM THE PROCUREMENT PROCESS.**

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

2        **Section 1.** A new Subsection (e) is *added* to § 5008 of Part A, Article 1 of  
3 Chapter 5 of Title 5, Guam Code Annotated, to read as follows:

4                “(e) The specifications, terms, conditions and qualifications for all  
5 solicitations *shall* be drafted to promote participation in the solicitation by

1 local bidders and offerors to the maximum extent practicable consistent with  
2 the needs of Guam. No specification, term, condition or qualification shall  
3 preclude due consideration of a bidder or offeror on the basis of Guam-only  
4 experience; provided, the experience of such bidder or offeror is otherwise  
5 responsive to the solicitation. No specification, term, condition or  
6 qualification of a solicitation shall require off-island experience or past  
7 performance *unless* there is a written determination of the Chief  
8 Procurement Officer, the Director of Public Works, or the head of the  
9 procuring agency or government of Guam branch conducting the solicitation  
10 which justifies the need for such experience or performance, and such  
11 written determination is made part of the solicitation documents.”