EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

MAY 1 2 2017

GL# 34-17-514
Speaker Benjamin J.F. Cruz

Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Time 5:06 [ ] AM [ ] PM File No. ____
Received By

2017 MAY 15 AM 8:17

Dear Mr. Speaker:

Transmitted herewith is Bill No. 15-34 (COR), **"AN ACT TO REQUIRE THAT A COMPREHENSIVE COST-BENEFIT AND SPACE UTILIZATION STUDY BE CONDUCTED BY THE GOVERNMENT OF GUAM PRIOR TO THE AUTHORIZATION, FUNDING, OR CONSTRUCTION OF A UNIFIED GOVERNMENT OFFICE FACILITY,"** which lapsed into law on May 11, 2017, as **Public Law 34-08.**

Senseramente,

RAY TENORIO
I Maga'låhen Guåhan, para pa'go
Acting Governor of Guam

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

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

This is to certify that **Substitute Bill No. 15-34 (COR), "AN ACT TO REQUIRE THAT A COMPREHENSIVE COST-BENEFIT AND SPACE UTILIZATION STUDY BE CONDUCTED BY THE GOVERNMENT OF GUAM PRIOR TO THE AUTHORIZATION, FUNDING, OR CONSTRUCTION OF A UNIFIED GOVERNMENT OFFICE FACILITY,"** was on the 27th day of April 2017, duly and regularly passed.

Benjamin J.F. Cruz
Speaker

Attested:

Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 28 day of APRIL, 2017, at 6:02 o'clock P.M.

POI J. RECHUCK H735

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: MAY 11 2017

Public Law No. 34-08

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

Bill No. 15-34 (COR)
As corrected by the Primary Sponsor;
and substituted and amended on the Floor.

Introduced by: B. J.F. Cruz
Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Dennis G. Rodriguez, Jr.
Joe S. San Agustin
Michael F.Q. San Nicolas
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO REQUIRE THAT A COMPREHENSIVE COST-BENEFIT AND SPACE UTILIZATION STUDY BE CONDUCTED BY THE GOVERNMENT OF GUAM PRIOR TO THE AUTHORIZATION, FUNDING, OR CONSTRUCTION OF A UNIFIED GOVERNMENT OFFICE FACILITY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Comprehensive Cost-Benefit and Space Utilization Study Required. Notwithstanding any other provision of law, rule or regulation, the construction of any government office space within the municipality of *Hagåtña* for

the executive branch of the government of Guam *shall* be prohibited without the completion of a Comprehensive Cost-Benefit and Space Utilization Study (the Study) procured by the Department of Public Works, pursuant to Section 2 of this Act. The Study *shall* determine if it is cost-beneficial to the government of Guam to relocate all or some of the executive branch department and agency office spaces, including, but not limited to, those identified in the OPA Report 17-02 to a unified government office facility in *Hagåtña*. The Study *shall* contain, *at a minimum*, the following information:

(a) a comprehensive cost analysis of current government of Guam leases, including space requirements for all departments and/or agencies that are currently leasing or renting office space, available lease space and market lease rates, ongoing operating and maintenance costs, one-time costs upon relocation, lease periods, expected price escalation factors, cost projections, and other relevant cost considerations;

(b) a comprehensive cost analysis on the construction of a government office facility in the municipality of *Hagåtña*, including building area, parking requirements, potential impact on current traffic in the proposed location, impact on existing businesses and residents, construction costs, construction timelines, ongoing operating and maintenance costs, one-time costs upon relocation, additional income from subleases, if any, construction and new building operating periods, expected price escalation factors, cost projections, and other relevant cost considerations;

(c) a comprehensive cost-benefit analysis of various options, including a status quo scenario. The options presented *shall* take into consideration and enumerate the costs, potential benefits, and potential limitations and drawbacks of each option; and

(d) a presentation of various financing alternatives for any proposed

government office facility, including, but not limited to, bond issuance, commercial bank loan, and design, build, operate and transfer schemes. The cost and benefits of each of the financing alternatives *shall* also be presented. The Study required under this Section *shall* be subject to the Guam Procurement Law, 5 GCA Chapter 5, and *shall* be procured through the General Services Agency of the Department of Administration.

Section 2. Funding. *I Liheslaturan Guåhan shall* identify a funding source of *up to* Three Hundred Thousand Dollars ($300,000) in the Fiscal Year 2018 Budget Act to fund the Comprehensive Cost-Benefit and Space Utilization Study required in Section 1 of this Act. Subsequent to the enactment of the FY 2018 Budget Act, the Department of Public Works *shall* issue a procurement solicitation for the Study required by this Act; and, the Study *shall* be transmitted to the Speaker of *I Liheslaturan Guåhan*. No construction of any executive branch department and agency office space in *Hagåtña,* except for those enumerated in Section 3, shall commence until ninety (90) days after the submission of the Study to the Speaker of *I Liheslaturan Guåhan*. Nothing herein shall authorize the construction of any executive branch department and agency office space in *Hagåtña.*

Section 3. Nothing in this Act shall be construed so as to prevent, de-authorize, or otherwise abrogate the following authorizations:

(a) Public Law 29-135 (Department of Land Management Building);

(b) Public Laws 30-201, 31-229, 31-277, 32-063, and 32-120 (University of Guam Student Services Center and Engineering Annex and Guam Community College Laboratory and Buildings);

(c) Public Laws 31-229, 32-120, and 32-121 (Guam Department of Education Public Schools);

(d) Public Laws 32-204 and 33-151 (Guam Memorial Hospital

Authority Labor and Delivery Ward); and

(e) Public Law 33-66 (Unified Judiciary of Guam Judicial Building Fund Refinancing and Related Buildings).

Section 4. Effective Date. This Act *shall* be effective upon enactment.

Section 5. Severability. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity *shall not* affect other provisions or applications of this act that can be given effect without the invalid provision or application and to this end the provisions of this act are severable.