Serve Guam Commission
Office of the Governor
(Oversees AmeriCorps Programs in Guam)
414 West Soledad Avenue, GCIC Building - Suite 205
Hagatna, Guam 96910
Phone: (671) 300-4599
Website: serveguam.com

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Governor of Guam

Joshua F. Tenorio
Lieutenant Governor

Anthony M. Babauta
Chief of Staff

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SERVE GUAM COMMISSION
Doris Aguon
SGC Executive Director
12-11-19

March 11, 2020

356L-20-1650
Speaker Tina Rose Muña Barnes

MAR 12 2020
Time 11:57 ( )AM ( )PM
Received By:

The Honorable Tina Rose Muna-Barnes
Speaker
I Mina' Trentai Singko Na Liheslaturan Guahan
35th Guam Legislature
163 Chalan Santo Papa
Hagatna, Guam 96910

Hafa Adai Honorable Speaker Muna-Barnes

2020 MAR 12 PM 12:23

In compliance with P.L. 34-35, the Serve Guam Commission (SGC) submits the following report:

For the months of JANUARY and FEBRUARY 2020:

SUPPLIES AND SERVICES EXCEEDING $15,000			
Date	**Vendor**	**Type**	**Amount**
	None		

CONSTRUCTION EXCEEDING $50,000			
Date	**Vendor**	**Type**	**Amount**
	None		

If you have any questions, you may contact me at 300-4599 or doris.aguon@sgc.guam.gov.

Yours in Service,

Doris M. Aguon
Executive Director

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OFFICE OF PUBLIC ACCOUNTABILITY

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February 28, 2020

To: **All Directors, Administrators, Presidents, and Heads of Line Agencies, Public Corporations, the Mayors' Council of Guam, the Judiciary of Guam, and I Liheslaturan Guåhan**

From: **Benjamin J.F. Cruz, Public Auditor**

Re: **Monthly Reports Due in Compliance with P.L. 34-35, Relative to Small Purchases**

The Office of Public Accountability (OPA) would like to remind all Government of Guam (GovGuam) agency heads of the law provisions with respect to small purchases. In summary, Title 5 Guam Code Annotated (GCA), Chapter 5, §5213, defines "small purchases" as any procurement that does not exceed $25,000 for supplies or services, and does not exceed $100,000 for construction. Section 5213 also warns that procurement requirements must not be artificially divided so as to qualify for "small purchase" procedures under Guam Procurement Law.

To control the risk of artificial small purchases, Public Law (P.L.) 34-35 added a reporting requirement to 5 GCA §5213, relative to small purchases. The law requires that the Chief Procurement Officer, the Department of Public Works Director, or the agency head making small purchases submit **monthly** reports to the Speaker of the Guam Legislature, disclosing any procurement exceeding $15,000 for supplies and services or exceeding $50,000 for construction. Whether or not these procurement thresholds are exceeded, monthly reports should be submitted.

It has come to my attention that only three agencies have replied to this reporting requirement since it was signed into law on August 7, 2017 – Guam International Airport Authority (GIAA), Guam Power Authority (GPA), and Guam Solid Waste Authority (GSWA). No other GovGuam agencies have responded to this reporting requirement, including OPA. Furthermore, a review of the submitted reports reveals identical (or similar) supplies, services, or construction that were split among two or more vendors and/or different months with costs at (or closely below) the $25,000 or $100,000 threshold. While not conclusive, it is suggestive of an artificial division of procurement. For reference on the only reports submitted relative to P.L. 34-35, small purchases, please see the Guam Legislature's website.

Should you have any questions, please contact Michele Brillante at (671) 475-0390 ext. 217. Thank you.