clerks@guamlegislature.org

From: Speaker's Office <speaker@guamlegislature.org>
Sent: Monday, December 21, 2020 8:49 AM
To: Clerks Office
Cc: Rennae Meno
Subject: M&C Fwd: OPA Report No. 20-09, Government of Guam Procurement Training and Certification Follow-up Audit
Attachments: Transmittal to Speaker.pdf; Executive Summary.pdf; Procurement Training Follow-up Audit.pdf

12/20/20	12:27 PM	12/20/20	OPA Report No. 20-09; Government of Guam Procurement Training and Certification Follow-Up Audit.*	Office of Public Accountability	35GL-20-2527

Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
speaker@guamlegislature.org

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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

---------- Forwarded message ---------
From: **Frederick Jones** <fjones@guamopa.com>
Date: Sun, Dec 20, 2020 at 12:27 PM
Subject: OPA Report No. 20-09, Government of Guam Procurement Training and Certification Follow-up Audit

To: Speaker's Office <speaker@guamlegislature.org>
Cc: Benjamin J.F. Cruz <bjcruz@guamopa.com>, Jerrick Hernandez <jhernandez@guamopa.com>

Hafa Adai!

Transmitted electronically is OPA Report No. 20-09, Government of Guam Procurement Training and Certification Follow-up Audit.

Please see attached for:

1. Official transmittal
2. OPA Report No. 20-09 Executive Summary
3. OPA Report No. 20-09 (full report)

--
Senseramente,

Frederick D. Jones, MBA
Accountability Auditor II
Office of Public Accountability (OPA)
www.opaguam.org
Tel. (671) 475-0390 ext. 216
Fax (671) 472-7951
This e-mail transmission and accompanying attachment(s) may contain confidential or privileged information. If you are not the intended recipient of this e-mail, please inform the sender and delete it and any other electronic or hard copies immediately. Please do not distribute or disclose the contents to anyone. Thank you.

December 20, 2020

Tina R. Muna-Barnes
Speaker
Chairperson:
Committee on Public Accountability,
Human Resources & The Guam Build-Up
163 Chalan Santo Papa
Hagåtña, Guam 96913

Dear Speaker Barnes:

Hafa Adai! Transmitted electronically is the OPA Report No. 20-09, Government of Guam Procurement Training and Certification Follow-up Audit.

We found that as of September 30, 2020, an additional 201 GovGuam employees have obtained training in Module 1, 31 have obtained Module 2, 27 have obtained Module 3, and 31 have obtained Module 4. This brings the overall total of GovGuam employees to 575 for Module 1, 228 for Module 2, 201 for Module 3 and 204 for Module 4.

Since the last audit report, GCC saw an increase in demand for the procurement training when the new administration began in January 2019. Seventeen of the 56 newly appointed directors and administrators obtained Module 1 certification. However, only the Guam Department of Education's Superintendent obtained procurement training certification in all four modules. Compared to the previous administration, nine appointed directors and administrators obtained procurement training in all modules. No agency head may act as the responsible head of procurement (Level 3) without receiving training in Module 3 or 4.

- Of the 11 GovGuam autonomous agencies, only five directors/administrators obtained Module 1 certification. However, five autonomous agencies have a deputy or Chief Procurement Officer (CPO) who obtained all four modules.
- 10 of the 11 autonomous agencies have employees who obtained certification on all four modules.
- Of the 50 line agencies, 13 directors/administrators obtained Module 1 certification, with only one obtaining certification in all four modules. However, most line agencies' procurement goes through the General Services Agency (GSA). Only four of the 12 employees who obtained certification in Module 1 remain with GSA. Of the four employees, only the CPO and Buyer Supervisor obtained certification in all four modules. Based on GSA's September 30, 2020 staffing pattern, 11 additional employees have not taken any procurement training.

Our review also found that the:

- MCOG has 19 employees who obtained Module 1 certification, but no employee is certified in all four modules.
- The Judiciary has seven employees certified in all four modules.

- The Legislature has five employees certified in all four modules.
- OPA has eight of the 11 employees who obtained certification in all four modules.

Other than the compliance audits issued by OPA, there is no entity monitoring agency compliance with the procurement training. Until such time an entity is established to determine program compliance, we recommend the Legislature amend the law to require all agencies to submit a report summarizing its employees responsible with procurement compliance with the procurement training annually to OPA 30 days after the end of each fiscal year.

We recommend all directors and administrators of the line and autonomous agencies, mayors, all executive, legislative, and judicial branch officials, and their procurement personnel to obtain the required training and certifications according to their procurement capacity; and review their procurement teams and ensure that each employee has the required training and certifications according to their procurement activity. We also recommend GCC implement the continuing education program in consultation with the Procurement Policy Office.

For your convenience, you may also view and download the report in its entirety at www.opaguam.org. Should you want a physical copy of the report of have any questions, please contact Jerrick Hernandez, Audit Supervisor, at 475-0390 ext. 209 or Frederick Jones, at 475-0390 ext. 216.

Senseramente,



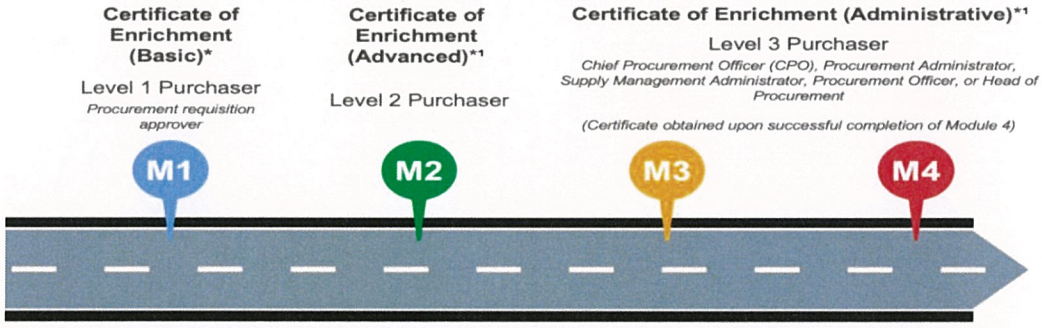
Benjamin J.F. Cruz
Public Auditor

EXECUTIVE SUMMARY
Government of Guam Procurement Training and Certification Follow-Up Audit
OPA Report No. 20-09, December 2020

Our follow-up review of the Government of Guam's (GovGuam) compliance with the Guam Community College (GCC) Procurement Training and Certification Program found that as of September 30, 2020, an additional 201 GovGuam employees obtained Module 1 training, 31 obtained Module 2, 27 obtained Module 3, and 31 obtained Module 4. This brings the overall total of GovGuam employees to 575 for Module 1, 228 for Module 2, 201 for Module 3, and 204 for Module 4.

Title 5 of the Guam Code Annotated (GCA) Chapter 5 §5141 mandates all GovGuam personnel responsible for procuring goods, services, or construction to receive the training and continuing education through the GCC Procurement Training and Certification Program or equivalent. GCC has administered this program since Calendar Year 2012. GovGuam purchasing personnel are required to complete the following modules depending on the purchasing capacity they perform.

Procurement Training & Certification Program Roadmap



* Pass written examination(s)
¹ Obtain minimum number of years of purchasing experience as prescribed by the Department of Administration (DOA)

Increased Demand for More Training and Continuing Education Program

GCC saw an increase in demand for the procurement training when the new administration began in January 2019. Unfortunately, GCC has been facing challenges meeting the demand due to the limited number of instructors coupled with the Coronavirus Pandemic. To address these challenges, GCC moved towards an e-learning platform to provide the procurement training modules online. During January 2019 to September 2020, GCC conducted seven Module 1 classes, one Module 2 class, one Module 3 class, and one Module 4 class. GCC is working on scheduling more trainings in all four modules to meet the demand.

As GCC continues providing the mandated procurement training, they also need to implement the continuing education program for the 149 GovGuam employees already certified in all four modules as recommended in the prior audit. According to GCC, an alternative to achieve the continuing education requirement is for those certified individuals to attend Modules 2 to 4 as a refresher course.

Procurement Training and Certification Statistics
Seventeen of the 56 newly appointed directors and administrators obtained Module 1 certification. However, only the Guam Department of Education Superintendent obtained procurement training certification in all four modules. Compared to the previous administration, with nine having obtained procurement training in all modules. No agency head may act as the responsible head of procurement (Level 3) without receiving training in Module 3 or 4.

- Of the 11 GovGuam autonomous agencies, only five directors/administrators obtained Module 1 certification.
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- 10 of the 11 autonomous agencies have employees who obtained certification on all four modules.

Of the 50 line agencies, 13 directors/administrators obtained Module 1 certification, with only one obtaining certification in all four modules. However, most line agencies' procurement goes through the General Services Agency (GSA). Only four of the 12 employees who obtained certification in Module 1 remain with GSA. Of the four employees, only the CPO and Buyer Supervisor obtained certification in all four modules. Based on GSA's September 30, 2020 staffing pattern, 11 additional employees have not taken any procurement training.

Our review also found that the:

- Mayor's Council of Guam (MCOG) has 19 employees who obtained Module 1 certification, but no employee is certified in all four modules.
- Judiciary of Guam has seven employees certified in all four modules.
- Guam Legislature has five employees certified in all four modules.
- Office Public Accountability (OPA) has eight of the 11 employees who have obtained certification in all four modules.

Conclusion and Recommendations
Other than the OPA compliance audits, there is no entity monitoring agency compliance with the procurement training. Until such time an entity is established to monitor compliance, we recommend the Legislature amend the law to require all agencies to submit a report summarizing procurement training compliance of its employees responsible for procurement annually to OPA, 30 days after the end of each fiscal year.

We recognize that GovGuam agencies are continuing to work on complying with the procurement training and certification requirements. This training program's continued purpose is to ensure that employees are knowledgeable of the Guam Procurement Law to effectively and efficiently perform their agency procurement functions. GovGuam's continued compliance with the procurement training and certifications may have contributed to the continued decline in procurement appeals and the likelihood of protests.

Benjamin J.F. Cruz
Public Auditor

Government of Guam
Procurement Training and Certification Program

Performance Audit
January 1, 2019 through September 30, 2020

OPA Report No. 20-09
December 2020

Government of Guam
Procurement Training and Certification Program

Performance Audit
January 1, 2019 through September 30, 2020

OPA Report No. 20-09
December 2020

Distribution:

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President, Guam Community College
Guam Media via E-Mail

Table of Contents

EXECUTIVE SUMMARY **1**

Glossary of Acronyms **3**

Introduction **4**

Background 4

Results of Audit **6**

Increased Demand for More Training and Continuing Education Program 7

Continuing Education Program Requirement 8

Procurement Training Certification Statistics 8

Executive Office, Line Agencies, and GSA 8

Autonomous Agencies 10

MCOG 10

Judiciary 11

OPA 11

Legislature 12

No Entity Monitoring Compliance 12

Continued Decreasing Trend in Procurement Appeals 13

Conclusion and Recommendations **14**

Classification of Monetary Amounts **15**

Management Response and OPA Reply **16**

Appendix **17**

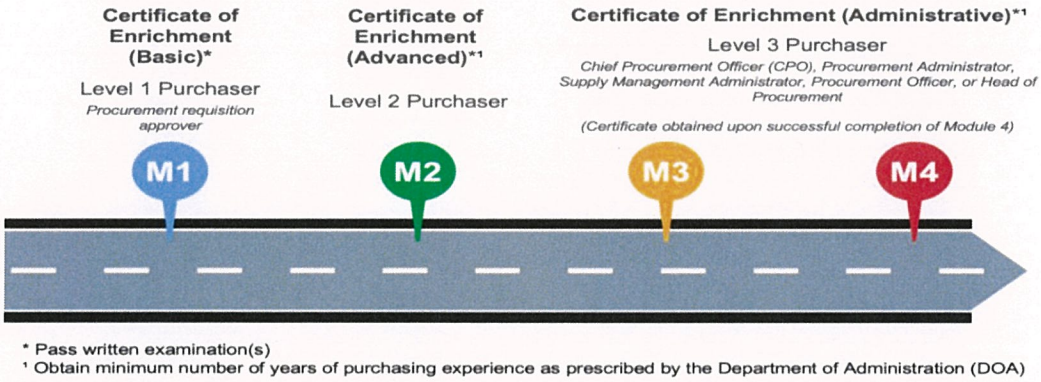
1. Objective, Scope, & Methodology 17
2. Prior Audit Coverage 18
3. Excerpts of 5 GCA Chapter 5 19
4. GCC Management Response 23
5. Oversight Committee on Procurement Chairperson Response 26
6. Status of Audit Recommendations 27

EXECUTIVE SUMMARY
Government of Guam Procurement Training and Certification Follow-Up Audit
OPA Report No. 20-09, December 2020

Our follow-up review of the Government of Guam's (GovGuam) compliance with the Guam Community College (GCC) Procurement Training and Certification Program found that as of September 30, 2020, an additional 201 GovGuam employees obtained Module 1 training, 31 obtained Module 2, 27 obtained Module 3, and 31 obtained Module 4. This brings the overall total of GovGuam employees to 575 for Module 1, 228 for Module 2, 201 for Module 3, and 204 for Module 4.

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Procurement Training & Certification Program Roadmap



* Pass written examination(s)
1 Obtain minimum number of years of purchasing experience as prescribed by the Department of Administration (DOA)

Increased Demand for More Training and Continuing Education Program

GCC saw an increase in demand for the procurement training when the new administration began in January 2019. Unfortunately, GCC has been facing challenges meeting the demand due to the limited number of instructors coupled with the Coronavirus Pandemic. To address these challenges, GCC moved towards an e-learning platform to provide the procurement training modules online. During January 2019 to September 2020, GCC conducted seven Module 1 classes, one Module 2 class, one Module 3 class, and one Module 4 class. GCC is working on scheduling more trainings in all four modules to meet the demand.

As GCC continues providing the mandated procurement training, they also need to implement the continuing education program for the 149 GovGuam employees already certified in all four modules as recommended in the prior audit. According to GCC, an alternative to achieve the continuing education requirement is for those certified individuals to attend Modules 2 to 4 as a refresher course.

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Seventeen of the 56 newly appointed directors and administrators obtained Module 1 certification. However, only the Guam Department of Education Superintendent obtained procurement training certification in all four modules. Compared to the previous administration, with nine having obtained procurement training in all modules. No agency head may act as the responsible head of procurement (Level 3) without receiving training in Module 3 or 4.

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- 10 of the 11 autonomous agencies have employees who obtained certification on all four modules.

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Our review also found that the:

- Mayor's Council of Guam (MCOG) has 19 employees who obtained Module 1 certification, but no employee is certified in all four modules.
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- Guam Legislature has five employees certified in all four modules.
- Office Public Accountability (OPA) has eight of the 11 employees who have obtained certification in all four modules.

Conclusion and Recommendations
Other than the OPA compliance audits, there is no entity monitoring agency compliance with the procurement training. Until such time an entity is established to monitor compliance, we recommend the Legislature amend the law to require all agencies to submit a report summarizing procurement training compliance of its employees responsible for procurement annually to OPA, 30 days after the end of each fiscal year.

We recognize that GovGuam agencies are continuing to work on complying with the procurement training and certification requirements. This training program's continued purpose is to ensure that employees are knowledgeable of the Guam Procurement Law to effectively and efficiently perform their agency procurement functions. GovGuam's continued compliance with the procurement training and certifications may have contributed to the continued decline in procurement appeals and the likelihood of protests.

Benjamin J.F. Cruz
Public Auditor

Glossary of Acronyms

BBMR	Bureau of Budget and Management Research	**GGRF**	Government of Guam Retirement Fund
BSP	Bureau of Statistics & Plans	**GHC**	Guam Housing Corporation
CAHA	Council on the Arts & Humanities Agency	**GHS**	Guam Homeland Security
CLTC	Chamorro Land Trust Commission	**GHURA**	Guam Housing & Urban Renewal Authority
OCME	Office of the Chief Medical Examiner	**GIAA**	Guam International Airport Authority
CLB	Guam Contractors License Board	**GMHA**	Guam Memorial Hospital Authority
CME	Office of the Chief Medical Examiner	**GOV**	Office of the Governor
CQA	Customs & Quarantine Agency		
CSC	Civil Service Commission	**GPA**	Guam Power Authority
DECOL	Guam Commission on Decolonization	**GPD**	Guam Police Department
DCA	Department of Chamorro Affairs	**GPLS**	Guam Public Library System
DISID	Department of Integrated Services for Individuals with Disabilities	**GRTA**	Guam Regional Transit Authority
DLM	Department of Land Management	**GuamPDSC**	Guam Public Defender Service Corporation
DMA	Department of Military Affairs	**GSWA**	Guam Solid Waste Authority
DOA	Department of Administration	**GVB**	Guam Visitors Bureau
DOAG	Department of Agriculture	**GWA**	Guam Waterworks Authority
DOC	Department of Corrections	**HRRA**	Hagatna Restoration & Redevelopment Authority
DOL	Department of Labor	**ILACS**	iLearn Academy Charter School
DPHSS	Department of Public Health and Social Services	**Judiciary**	Judiciary of Guam
DPR	Department of Parks and Recreation	**Legislature**	Guam Legislature
DPW	Department of Public Works	**KGTF**	Guam Educational Telecommunications Corporation
DRT	Department of Revenue and Taxation	**LT. GOV**	Office of the Lieutenant Governor
DYA	Department of Youth Affairs	**MCOG**	Mayors Council of Guam
GACS	Guam Academy Charter School	**OAG**	Office of Attorney General
GALC	Guam Ancestral Lands Commission	**OPA**	Office of Public Accountability
GBHWC	Guam Behavioral Health & Wellness Center	**OTECH**	Office of Technology
GBOA	Guam Board of Accountancy	**OCD**	Office of Civil Defense
GCC	Guam Community College	**PAG**	Port Authority of Guam
GCEC	Guam Commission for Educator Certification	**PEALS**	Professional Engineers, Architects and Land Surveyors
GDDC	Guam Developmental Disabilities Council	**PDSC**	Public Defender Services Corporation
GDOE	Guam Department of Education	**PUC**	Public Utilities Commission
GEC	Guam Election Commission	**SGC**	Serve Guam Commission
GEDA	Guam Economic Development Agency	**SIFA**	Science if Fun and Awesome Learning Academy
GEO	Guam Energy Office	**UOG**	University of Guam
GEPA	Guam Environmental Protection Agency	**VAO**	Veteran's Affairs Office
GFD	Guam Fire Department		

Introduction

This report presents the results of our follow-up review of the Government of Guam (GovGuam) entities' compliance with the procurement training and certification required by Public Law (P.L.) 32-131. Our objective was to report GovGuam agencies' compliance with the procurement training and certification requirement of P.L. 32-131. Our scope covered January 1, 2019 to September 30, 2020, a supplement to the prior audit issued in April 2019. The scope included all line and autonomous agencies, MCOG, OPA, OAG, the Judiciary, and the Legislature.

Refer to Appendices 1 and 2 for the objective, scope, methodology, and prior audit coverage.

Background

The objective of GovGuam procurement is to provide agencies with goods and services needed to carry out their public duties efficiently and effectively. These goods and services must be of the right quality and quantity, obtained at the lowest overall cost, and delivered in a timely manner. The procurement process should involve as much competition as possible, to ensure that the opportunity to compete is open and fair to all who choose to do business with GovGuam.

GovGuam procurement activities are governed by the Guam Procurement Law and Regulations. Due to the complexity of these laws and regulations surrounding the procurement process, P.L. 32-131 requires personnel tasked with procurement to be knowledgeable of the procurement law and regulations to ensure the effectiveness and efficiency of the procurement process. Refer to Appendix 3 for excerpts of P.L. 32-131.

Training and Certification of GovGuam Procurement Personnel

P.L. 32-131 requires the GCC to establish and administer an integrated program of academic, research, practical training, and continuing education, known as the "GCC Procurement Training and Certification Program" for GovGuam procurement personnel and other interested private or public participants. GCC has been administering the GCC Procurement Training and Certification Program since Calendar Year (CY) 2012.

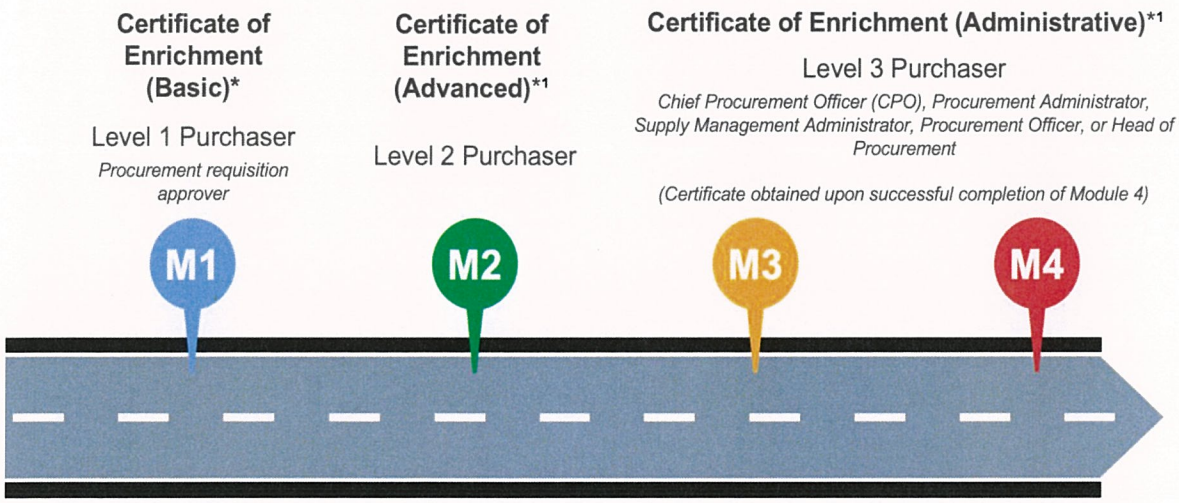
In accordance with procurement law, GCC is required to administer at least four modules of procurement basic training, each with at least 18 hours of study and instruction. Refer to Chart 1 for a description of each module. In addition, procurement law requires the administration of a continuing education program in consultation with the Guam Procurement Advisory Council (the Council). This is to ensure that individuals certified in procurement training obtain reasonable hours of continuing education needed to maintain certification for each section.

Chart 1: GCC Procurement Training and Certification Program



GovGuam employees tasked to procure goods, services, or construction, as well as OPA employees responsible for administering procurement appeals or auditing the GovGuam purchasing activities, are required to receive the training and continuing education through the GCC Procurement Training and Certification Program or equivalent. Both GovGuam purchasing personnel and OPA are required to take these modules depending on the capacity they perform. Chart 2 below describes the purchaser levels.

Chart 2: GCC Procurement Training and Certification Program Certification Roadmap



* Pass written examination(s)
[1] Obtain minimum number of years of purchasing experience as prescribed by the Department of Administration (DOA)

Results of Audit

Our follow-up review audit of the GovGuam compliance with GCC's Procurement Training and Certification Program found that as of September 30, 2020, an additional 201 GovGuam employees obtained Module 1 training, 31 obtained Module 2, 27 obtained Module 3, and 31 obtained Module 4. This brings the overall total of GovGuam employees to 575 for Module 1, 228 for Module 2, 201 for Module 3, and 204 for Module 4.

Since the last audit report, GCC saw an increase in demand for the procurement training when the new administration began in January 2019. Seventeen of the 56 newly appointed directors and administrators obtained Module 1 certification. However, only the GDOE Superintendent obtained procurement training certification in all four modules. Compared to the previous administration, nine appointed directors and administrators obtained procurement training in all modules. No agency head may act as the responsible head of procurement (Level 3) without receiving training in Module 3 or 4.

- Of the 11 GovGuam autonomous agencies, only five directors/administrators obtained Module 1 certification.
- Five autonomous agencies have a deputy or Chief Procurement Officer (CPO) who obtained all four modules.
- 10 of the 11 autonomous agencies have employees who obtained certification on all four modules.

Of the 50 line agencies, 13 directors/administrators obtained Module 1 certification, with only one obtaining certification in all four modules. However, most line agencies' procurement goes through the General Services Agency (GSA). Only four of the 12 employees who obtained certification in Module 1 remain with GSA. Of the four employees, only the CPO and Buyer Supervisor obtained certification in all four modules. Based on GSA's September 30, 2020 staffing pattern, 11 additional employees have not taken any procurement training.

Our review also found that the:

- MCOG has 19 employees who obtained Module 1 certification, but no employee is certified in all four modules.
- The Judiciary has seven employees certified in all four modules.
- The Legislature has five employees certified in all four modules.
- OPA has eight of the 11 employees who obtained certification in all four modules.

Other than the compliance audits issued by OPA, there is no entity monitoring agency compliance with the procurement training. GCC is only mandated to establish and administer the program, and while they do maintain a database of individuals who completed the training modules, they are not responsible for monitoring compliance

We recognize that GovGuam agencies are continuing to work on complying with the procurement training and certification requirements. This training program's continued purpose is to ensure that employees are knowledgeable of the Guam Procurement Law to effectively and efficiently

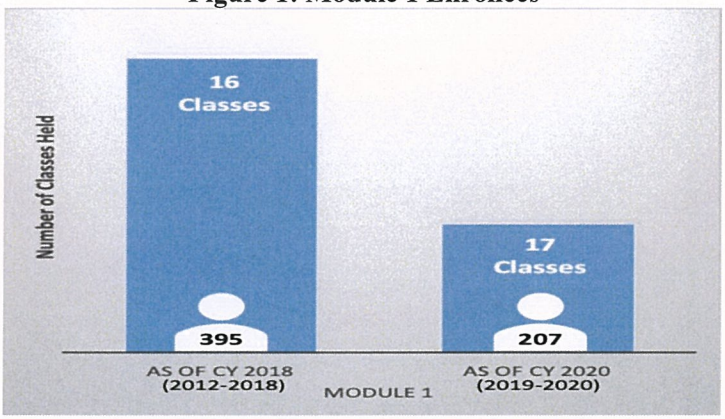
perform the agency procurement functions. GovGuam employees properly trained in procurement may also prevent or reduce the number of procurement protests and appeals.

Increased Demand for More Training and Continuing Education Program

GCC saw an increase in demand for the procurement training when the new administration began in January 2019. Unfortunately, GCC has been facing challenges meeting the demand due to the limited number of instructors coupled with the Coronavirus Pandemic. To address these challenges, GCC moved towards an e-learning platform to provide the procurement training modules online. GCC is also working on scheduling more trainings for all modules to meet the demand.

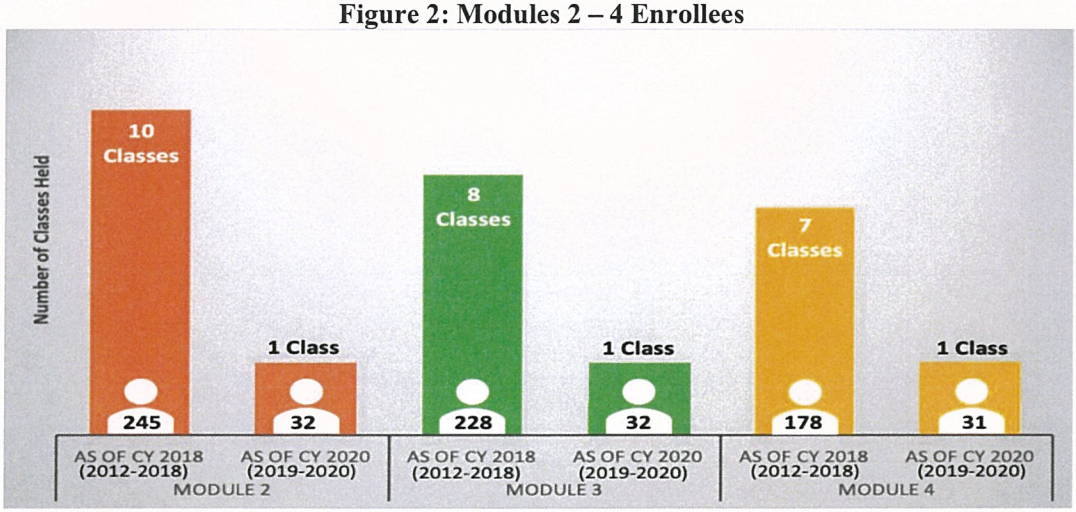
From January 2019 to September 2020, GCC conducted seven Module 1 classes, with an average of three or four classes per year. During these periods, enrollment totaled 207 employees with only 201 obtaining certification. Refer to Figure 1.

Figure 1: Module 1 Enrollees



From January 2019 to September 2020, GCC administered only one class each for Modules 2, 3, and 4. Each class totaled 32, 32, and 31 enrollees, respectively. Refer to Figure 2.

Figure 2: Modules 2 – 4 Enrollees



Continuing Education Program Requirement

Title 5 GCA §5141(g) requires GCC, in consultation with the Council, to administer a continuing education program for those who were granted certification for Modules 1, 2, 3, and 4. The renewal of the certification may be on a yearly basis or another reasonable renewal period.

We learned that there is no specific continuing education program in place. As GCC continues providing the procurement training to meet the mandate, they also need to implement the continuing education program for the 149 GovGuam employees already certified, as recommended in the prior audit. According to GCC, an alternative to achieving the continuing education requirement is for those certified individuals to attend Modules 2 to 4 as a refresher course.

Procurement Training Certification Statistics

We reviewed the GCC database from January 1, 2020 through September 30, 2020. However, there is a scope limitation to the database as it only is updated based on the individual and does not reflect true compliance by an agency. We compared the agency staffing patterns of the following selected agencies: Executive Office, GSA, Autonomous Agencies, MCOG, OPA, OAG, Judiciary, and Guam Legislature employees listed in GCC's file as of September 30, 2020.

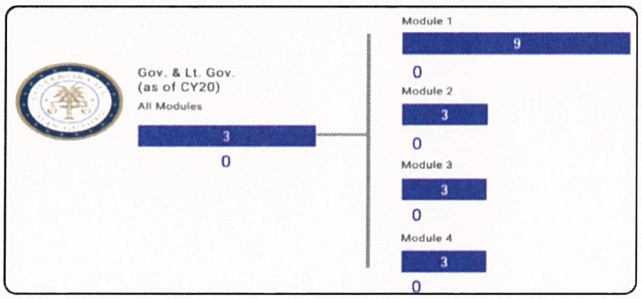
Executive Office, Line Agencies, and GSA

The executive branch comprises five divisions: executive office, autonomous agencies, line agencies, MCOG, OAG, and OPA. Since the current administration transition in January 2019, only seventeen agency executives obtained Module 1.

Executive Office

Training program data showed nine employees attended the Module 1 procurement training of the combined offices of the Governor and Lieutenant Governor. Refer to Figure 3. However, only three employees are from the current administration with the remaining six employees from the previous administration and no longer within the executive branch.

Figure 3: Executive Office (Governor & Lt. Governor)



Line Agencies

Since the current administration's transition, only thirteen Line Agency Directors/Administrators obtained the Module 1 certification. The GDOE Superintendent is the only GovGuam Line Agency executive to obtain the procurement training certification for all four modules. The training program data showed that only 40 of 50 total line agencies have employees who obtained Module 1 certification. Of the 40, only twelve agencies have at least one employee with certification in all four modules, no changes identified since initial audit. Refer to Figure 4.

Figure 4: Line Agencies

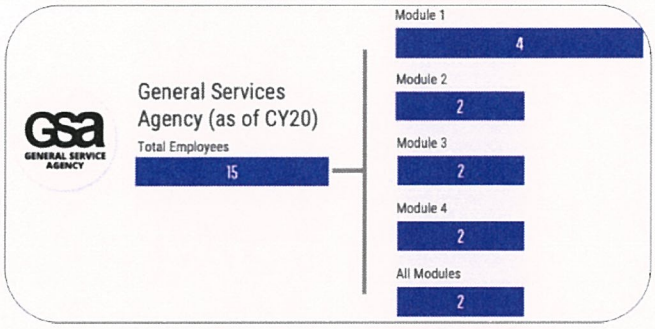
No.	Agency	Module 1	Module 2	Module 3	Module 4	All Modules
1	BBMR	1	1	0	1	0
2	BSP	5	0	0	0	0
3	DECOL	2	0	0	0	0
4	CLB	3	1	0	0	0
5	CQA	4	0	0	0	0
6	DOA	20	7	5	7	2
7	DOAG	4	0	0	0	0
8	DCA	1	0	0	0	0
9	DOC	7	0	2	3	0
10	DOL	2	0	0	0	0
11	DLM	3	2	2	2	2
12	DMA	4	0	0	0	0
13	DPHSS	71	17	19	19	11
14	DPW	8	0	1	0	0
15	DRT	1	0	0	0	0
16	DYA	12	4	2	4	2
17	GGRF	5	0	0	0	0
18	GACS	6	0	2	3	0
19	GBHWC	8	1	1	1	0
20	GBOA	2	1	1	1	1
21	PEALS	4	2	2	2	2
22	GDOE	40	16	17	19	13
23	GDDC	1	0	0	0	0
24	GEC	7	6	5	6	5
25	GEO	2	0	0	0	0
26	GEPA	7	0	1	2	0
27	GFD	2	0	0	0	0
28	GHS	2	1	1	1	1
29	GPD	7	3	5	5	3
30	GPT	2	0	0	0	0
31	GuamPDSC	1	0	0	0	0
32	GRTA	8	3	1	2	1
33	GSWA	7	3	2	1	0
34	HRRA	1	0	0	0	0
35	ILACS	4	0	0	0	0
36	OTECH	4	0	0	0	0
37	OAG	6	3	4	4	3
38	SGC	3	0	0	0	0
39	CAHA	1	0	0	0	0
40	CLTC	2	0	0	0	0
41	CSC	0	0	0	0	0
42	DISID	0	0	0	0	0
43	DPR	0	0	0	0	0
44	GCEC	0	0	0	0	0
45	VAO	0	0	0	0	0
46	CME	0	0	0	0	0
47	PUC	0	0	0	0	0
48	SIFA	0	0	0	0	0
49	GALC	0	0	0	0	0
50	OCD	0	0	0	0	0

General Services Agency

GSA handles most of the procurement for the executive line agencies, except for professional services. For goods and services, GSA requires agencies to submit purchase requisitions through the AS400 system that are approved by the respective director.

The training program data showed that 12 GSA employees obtained Module 1 certification. However, as of September 30, 2020, only four of the 12 employees obtained certification in Module 1 remain with GSA. Of the four employees, only the CPO and Buyer Supervisor obtained certification in all four modules. Based on GSA's September 30, 2020 staffing pattern, 11 additional employees have not taken any procurement training. Refer to Figure 5.

Figure 5: General Services Agency



Autonomous Agencies

Eight of the 11 autonomous agencies, which include GEDA, GMHA, GPA, GHURA, GVB, UOG, GWA, and GCC, handle their own procurement. All other autonomous agencies, such as GHC procure through GSA, GIAA, and PAG, whom have delegated authority to handle their own procurement. Refer to Figure 6.

- Of the 11 autonomous agencies, only five directors/administrators obtained Module 1 certification.
- Five autonomous agencies have a deputy or CPO who obtained all four modules.
- 10 of the 11 autonomous agencies have employees who obtained certification on all four modules.
- GHC has one employee handling their procurement and continues to be the only autonomous agency with no employees finishing all four procurement training modules.
- GVB has only one employee who obtained certification on all four modules.

Figure 6: Autonomous Agencies

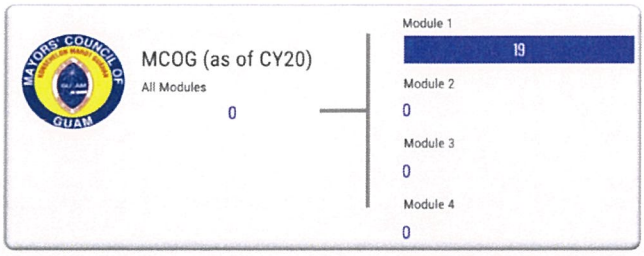
No.	Agency	Module 1	Module 2	Module 3	Module 4	All Modules
1	GCC	12	8	7	8	7
2	GEDA	10	7	5	5	4
3	GHURA	20	14	12	14	11
4	GHC	3	1	0	2	0
5	GIAA	25	9	10	9	8
6	GMHA	12	8	8	8	8
7	GPA	44	27	22	20	19
8	GVB	15	1	1	1	1
9	GWA	21	16	9	9	8
10	PAG	21	14	9	8	7
11	UOG	15	9	5	4	4

MCOG

Of the nineteen local village mayor's offices, training program data showed 19 employees obtained Module 1 certification. Refer to Figure 7. However, as of September 30, 2020, only 14 of those 19

employees are still currently employed under MCOG. No MCOG employees have completed any Modules 2 to 4. Further, none of the current Mayors have obtained Module 1 certification.

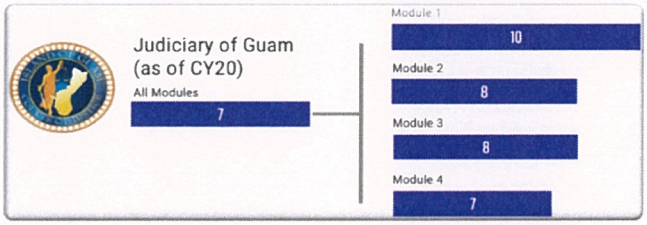
Figure 7: MCOG



Judiciary

Training program data showed that 10 employees obtained Module 1 certification, of which seven employees obtained certification on all four modules. Refer to Figure 8. However, as of September 30, 2020, the Judiciary only has seven employees who obtained certification on Module 1, with six employees who obtained certification in all modules.

Figure 8: Judiciary of Guam

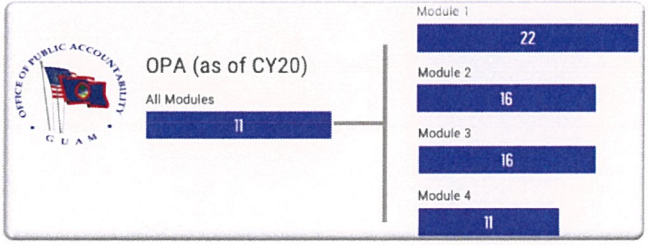


OPA

Title 5 GCA §5141(b) requires any person within OPA responsible for administering procurement appeals or auditing of the GovGuam purchasing activities to receive the procurement training and continuing education to the extent required by law. As a best practice, OPA requires all employees to obtain certification in Modules 1 to 4.

As of September 30, 2020, eight[1] of eleven OPA employees obtained certification in all four modules. The remaining two employees obtained certification in Module 1. Refer to Figure 9.

Figure 9: OPA

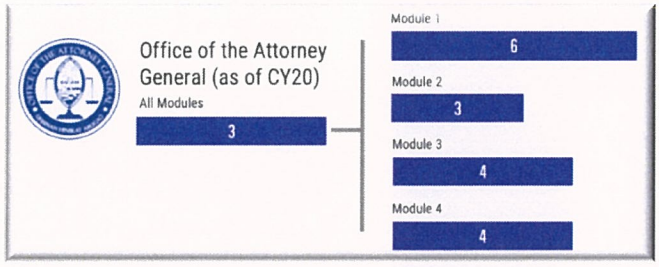


[1] Based on GCC data, at the end of CY 2020, OPA had 11 employees listed who completed all four modules. Four employees left the office and one other employee who completed all four modules was listed under a different agency.

OAG

Training program data showed six employees obtained certification on Module 1, and three employees obtained certification on all four modules. Refer to Figure 10. However, as of September 30, 2020, the OAG only has two employees that have obtained certification on Module 1. One of these employees has also obtained certification in Modules 3 and 4.

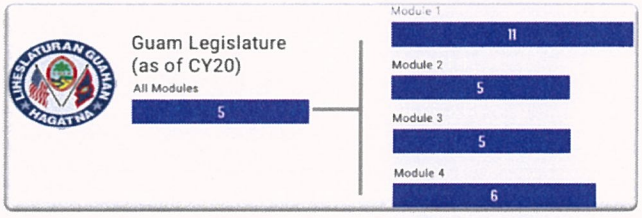
Figure 10: OAG



Legislature

Training program data showed 11 employees obtained certification on Module 1, and five employees obtained certification on all four modules. The GCC data includes employees spanning the 32nd to 35th Legislature. Refer to Figure 11. As of September 30, 2020, the 35th Legislature listing of individuals only has five employees who obtained certification on Module 1 with no other modules completed. Only one Senator and one employee from the 35th Legislature completed all four modules.

Figure 11: Guam Legislature



Only GovGuam personnel, who obtained certification based on the GCC Procurement Training and Certification Program or equivalent, may participate in GovGuam procurement. Therefore, we continue to recommend all directors and administrators of line and autonomous agencies, mayors, all executive, legislative, and judicial branch officials, and their procurement personnel, obtain the required training and certifications according to their procurement capacity. In addition, we recommend they review their procurement teams and ensure that each employee has the required training and certifications according to their procurement activity.

No Entity Monitoring Compliance

Other than OPA's compliance audits, there is no entity monitoring agency compliance with the procurement training. GCC is only mandated to establish and administer the program. While they maintain a database of individuals who have completed the training modules, they are not solely responsible for determining program compliance.

Until such time an entity is established to determine program compliance, we recommend the Legislature amend the law to require all agencies to submit a report summarizing its employees responsible with procurement compliance with the procurement training annually to OPA 30 days after the end of each fiscal year.

Continued Decreasing Trend in Procurement Appeals

Procurement appeals are complaints by aggrieved persons against the purchasing agency's decision on: a) protest of method, solicitation of award; b) debarment or suspension; c) contract or breach of contract controversy; d) award determination during a pending protest or appeal; or e) other matters. Title 1 GCA §1909(k) mandated the Public Auditor to hear and decide on procurement appeals. The procurement appeals submitted to OPA revealed the need for further government procurement training. The Legislature addressed this lack of government procurement training with the passing of P.L. 32-131.

Since GCC administered the training in CY 2012, procurement appeals have significantly decreased from 19 in CY 2012 to 11 in CY 2019 and nine in CY 2020. Of the 20 appeals filed as of CY 2020, OPA consolidated: (1) OPA-PA-19-010, OPA-PA-20-001, and 20-007; and (2) OPA-PA-19-011 and OPA-PA-20-003 because they are related to the same respective procurements. Twelve of the 20 appeals over the past two years were ultimately dismissed, which showed a more significant decline in the number of new appeals filed at OPA. Refer to Figures 12 and 13.

Figure 12: Procurement Appeals – CY 2012 to 2020



Figure 13: CY 2019 to 2020 Appeals Disposition

Appeal No.	Status	Related/Consolidated Appeals
OPA-PA-19-001	Decision	-
OPA-PA-19-002	Dismissed	-
OPA-PA-19-003	Dismissed	-
OPA-PA-19-004	Dismissed	-
OPA-PA-19-005	Dismissed	-
OPA-PA-19-006	Dismissed	-
OPA-PA-19-007	Dismissed	-
OPA-PA-19-008	Decision	-
OPA-PA-19-009	Dismissed	-
OPA-PA-19-010	Decision	OPA-PA-20-001 & 20-007
OPA-PA-19-011	Decision	OPA-PA-20-003
OPA-PA-20-001	Decision	OPA-PA-19-010 & 20-007
OPA-PA-20-002	Dismissed	-
OPA-PA-20-003	Decision	OPA-PA-19-011
OPA-PA-20-004	Dismissed	-
OPA-PA-20-005	Dismissed	-
OPA-PA-20-006	Dismissed	-
OPA-PA-20-007	Decision	OPA-PA-19-010 & 20-001
OPA-PA-20-008	New	-
OPA-PA-20-009	Dismissed	-

GovGuam's continued compliance with the procurement training and certifications may have contributed to the continued decline in procurement appeals and decreased the likelihood of protests. This is one indication that providing appropriate training to employees handling GovGuam procurement equips them with the necessary knowledge to perform their job efficiently and effectively and overall achieve the objective of GovGuam procurement.

Conclusion and Recommendations

The Guam Procurement Law prohibits the participation of government personnel who have not obtained the mandated procurement training and certification. It is necessary to produce employees who are knowledgeable in procurement to effectively and efficiently perform their agency procurement functions. Our follow-up review of the GovGuam compliance with GCC's Procurement Training and Certification Program found that agencies are continuing to work on complying with the procurement training and certification requirements.

We continue to recommend all directors and administrators of line and autonomous agencies, mayors, all executive, legislative, and judicial branch officials, and their procurement personnel, obtain the required training and certifications according to their procurement capacity.

GCC is continuing to work on meeting the demand for the training. As more GovGuam personnel obtain the mandated training and certifications, GCC must also implement the continuing education program in consultation with the Procurement Policy Office as recommended in the prior audit.

Other than the OPA compliance audits, there is no entity monitoring agency compliance with the procurement training. GCC is only mandated to establish and administer the program. While they maintain a database of individuals who have completed the training modules, they are not responsible for monitoring compliance.

Until such time an entity is established to monitor compliance, we recommend the Legislature amend the law to require all agencies to submit a report summarizing procurement training compliance of its employees responsible for procurement annually to OPA, 30 days after the end of each fiscal year.

Classification of Monetary Amounts

Findings Description	Questioned Costs	Potential Savings	Unrealized Revenues	Other Financial Impact
1. Increased Demand for More Training and Continuing Education Program	$0	$0	$0	$0
2. Procurement Training Certification Statistics	$0	$0	$0	$0
3. No Entity Monitoring Compliance	$0	$0	$0	$0
4. Continued Decreasing Trend in Procurement Appeals	$0	$0	$0	$0
TOTAL	$0	$0	$0	$0

Management Response and OPA Reply

In December 2020, we provided draft reports to the President of GCC, the Procurement Oversight Chairperson, and the Speaker and Public Accountability Oversight Chairperson of the 35th Guam Legislature. In the same month, we met with all three to discuss the findings and recommendation and they all generally concurred with our findings and recommendations.

GCC indicated they have a schedule of modules 1 through 4 courses set for CY 2021 and will have the first continuing education program class in February 2021.

Refer to Appendix 4 and 5 for their full response.

The legislation creating the Office of Public Accountability requires agencies to prepare a corrective action plan to implement audit recommendation, to document the progress of implementing the recommendation, and to endeavor to complete implementation of the recommendation no later than the beginning of the next fiscal year. We will be contacting GCC and the Oversight Chairperson to provide a target date and title of the official(s) responsible for implementing the recommendation.

We appreciate the cooperation shown by GCC and all GovGuam agencies during the course of this audit.

OFFICE OF PUBLIC ACCOUNTABILITY

Benjamin J.F. Cruz
Public Auditor

Appendix 1:
Objective, Scope, & Methodology

The objective of our follow-up review was to report GovGuam agencies' compliance with the procurement training and certification requirement of P.L. 32-131.

The scope of our analysis was:

a. Procurement training administered from January 1, 2019 to September 30, 2020; and
b. GovGuam agencies, which include all line and autonomous agencies, MCOG, OAG, OPA, Judiciary, and Legislature.

Summary of the conclusion and recommendations of the prior audit are located in Appendix 6.

Audit Methodology

To accomplish our objective, we reviewed laws, policies, and prior audits related to the GCC Procurement Training and Certification Program.

1. Obtained an understanding of the procurement program by conducting interviews with GCC personnel.

2. Obtained and analyzed data from GCC:
    a. Attendees of the GovGuam procurement classes from January 1, 2019 to September 30, 2020; and
    b. Procurement classes administered from January 1, 2019 to September 30, 2020.

3. Obtained current agency executive information and staffing patterns on all GovGuam agencies to include the following:
    a. Executive Office
    b. Line agencies
    c. Autonomous agencies
    d. MCOG
    e. OPA
    f. OAG
    g. Judiciary
    h. 35th Guam Legislature

We conducted this audit in accordance with the Generally Accepted Auditing Standards issued by the Comptroller General of the United States. These standards require that we plan and perform this audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Appendix 2:
Prior Audit Coverage

OPA Report 19-04: Government of Guam (GovGuam) Procurement Training and Certification (Issued in April 2019)

OPA concluded that GovGuam agencies have partially complied with the required procurement training and certification since GCC's administration of the procurement program in CY 2012. Compliance by procurement officials to obtain the necessary module certifications is vital in order for procurement activities to be carried out effectively and efficiently. Specifically:

- All those involved in government procurement, including but not limited to directors and administrators of line and autonomous agencies; mayors; and respective procurement personnel, should obtain the required training and certifications relevant to their procurement capacity;
- GovGuam executive and legislative officials, and staff handling procurement, are recommended to obtain, at minimum, certification in Module 1 to ensure that they have a basic understanding of Guam Procurement Law; and
- The need to obtain additional module certifications should be determined depending on the level of involvement in procurement.

§5141. Training and Certification of Purchasing Personnel and Vendors.

(a) GCC Procurement Program. GCC *shall* establish and administer an integrated program of academic, research, practical training, and continuing education, [...] to be known as the "GCC Procurement Program."

(b) Mandatory Certification and Continuing Education. Notwithstanding any other provision of law or this Chapter and effective October 1, 2016, all GovGuam personnel tasked with the responsibility of purchasing or otherwise procuring goods, or services, or construction, including those employed by agencies with authority to conduct their own procurement, as well as any person within the OPA responsible for administering procurement appeals or auditing of the purchasing activities of the GovGuam, must receive the training and continuing education to the extent required under this Section and offered by GCC in consultation with the Council. A GovGuam employee who is required to receive the training may not participate in purchases by the employing agency *unless* the employee has received the required training or received equivalent training from a national association recognized by GCC and the Council, which shall be the judge of equivalency. [...]

(c) Consultation with the Guam Procurement Advisory Council. The Council shall, on an annual basis and to the extent of its resources, advise and consult with the GCC regarding the professional education programs contained in this Section, [...]

(f) Basic Training Requirements. GCC shall provide at least four (4) modules of Procurement basic training, each with at least eighteen (18) hours of study and instruction, or more, as GCC may determine as necessary, and shall award a Certificate of Enrichment of training to those qualifying, as required by this Section, for each module of the following subject matter areas:

Module 1. Fundamentals and Principles of Procurement (Basic).
Module 2. The Procurement Solicitation Process (Advanced).
Module 3. The Procurement Review and Remedies (Administrative).
Module 4. The Management and Administration of Procurement (Administrative).

(g) Continuing Education for Procurement Training. In consultation with the Council, GCC *shall* require a reasonable number of hours of continuing education to maintain a certification level for each Certificate of Enrichment required in this Section. [...] Maintenance of the certification level may be by yearly renewal or another reasonable renewal period comparable to nationally recognized certification requirements.

(h) Requirement of Certificate of Enrichment (Basic). GCC prerequisites for awarding a Certificate of Enrichment (Basic) must include the completion of the first module of procurement basic training and passage of a written examination prescribed by the College. From October 1, 2016, no person shall serve in the capacity of a level-one purchaser, and no person shall sign for any procurement requisition, without the Certificate of Enrichment (Basic) provided by the College.

(i) Requirement of Certificate of Enrichment (Advanced). The College's prerequisites for awarding a Certificate of Enrichment (Advanced) must include the completion of the first and second modules of procurement basic training and passage of a written examination prescribed by the College. From October 1, 2016, no person shall serve in the capacity of a level-two purchaser, without a Certificate of Enrichment (Advanced) provided by the College, and a minimum number of years of purchasing experience as prescribed by the Department of Administration. Recognizing that the College has been providing procurement basic training since 2012 that covers the subject matter in the first and second basic training modules required in this Section, the College may allow attendance at any such training given as credit toward any certification required without examination until such time as the College has implemented testing for such training.

(j) Requirement of Certificate of Enrichment (Administrative). The College's prerequisites for awarding a Certificate of Enrichment (Administrative) must include the completion of the first, second, third, and fourth modules of procurement basic training and passage of a written examination prescribed by the College. From October 1, 2016, no person shall serve in the capacity of a Chief Procurement Officer or Procurement Administrator, or as a classified employee in the position of supply management administrator, procurement officer, or otherwise as the responsible head of procurement, or a level-three purchaser, of any government of Guam entity, including any governmental body, public corporation, semiautonomous or autonomous agency, within or under the purview of the Executive Branch, without a Certificate of Enrichment (Advanced) provided by the College and a minimum number of years of purchasing experience as prescribed by the Department of Administration.

§5101. Creation and Membership of the Procurement Policy Office.

(a) Policy Office Created. There is created in the Office of the Governor the Procurement Policy Office which in this Chapter is referred to as the Policy Office.

(b) Membership of the Policy Office. The Policy Office shall consist of three (3) officers or employees of the government of Guam appointed by the Governor, the Director of Public Works and the Director of Administration, who shall serve as the chairperson. None of the three members appointed by the Governor shall act concurrently as Procurement Officer nor shall any of such members subordinates, unless such members are directors of agencies or instrumentalities, act as Procurement Officer.

§5102. Authority and Duties of the Policy Office. Except as otherwise provided in this Chapter, the Policy Office shall have the authority and responsibility to promulgate regulations, consistent with this Chapter, governing the procurement, management, control and disposal of any and all supplies, services and construction to be procured by the Territory. The Policy Office shall consider and decide matters of policy within the provision of this Chapter including those referred to it by the CPO or the Director of Public Works. The Policy Office shall have the power its regulations and the requirements of this Chapter, but shall not exercise authority over the award or administration of any particular contract, or over any dispute, claim, or litigation pertaining thereto, except that the CPO and the Director of Public Works shall exercise such authority in accordance with the provisions of this Chapter.

§5900. Guam Procurement Advisory Council. There is hereby established within the GovGuam, the Council to research, evaluate, analyze, review and make recommendations to improve, address and modernize government procurement and contracting.

§5901. Composition. The Council shall be comprised of the following members:

(a) A senior member of the Governor's staff designated by the Governor of Guam, who shall serve as an ex-officio member; and who shall serve as interim Chairperson and shall call for its first meeting within fifteen (15) days of enactment; such meeting for possible election of the Chairperson;
(b) The Attorney General of Guam or his designee;
(c) The Public Auditor or his designee;
(d) The Compiler of Laws;
(e) The CPO;
(f) The Director of Administration;
(g) The Director of Public Works;
(h) An attorney in private practice admitted to the Guam Bar with procurement experience, selected by the Guam Bar;
(i) A Guam resident experienced in procurement from the construction industry selected by the Governor;
(j) A Guam resident experienced in procurement from the retail or service sector selected by the Governor;
(k) The Chairman of the Board of Accountancy; and
(l) The Dean of the School of Business and Public Administration of the University of Guam.
(m) The Council shall elect its Chairperson.

§5902. Duties.
The Council is empaneled to perform the following duties:

(a) To conduct studies, research and analysis on all matters relating to the effectiveness, responsiveness and timeliness of government procurement, including the review and comparison with model procurement code legislation and consultation with division heads, school principals and other mid-level managers, and end users of government procured goods and services;
(b) To critically examine the substantive and procedural aspects of the Guam Procurement Act and existing administrative rules and regulations governing procurement, including the legal authorities, composition, and effectiveness of the Procurement Policy Office;
(c) To review the legal infrastructure of the government procurement system to ensure the uniformity of law, regulation and practice;
(d) To propose recommendations for the improvement and modernization and the use of "best value" and "performance based" methods as the basis for evaluation of government procurement activities;
(e) To make recommendations and identify methods to address new industries and technologies and financial systems, while maintaining the general principles of procurement law;
(f) To review, make recommendations and provide advice on any aspect of law, regulation or policy that affect procurement, including laws and processes not directly found in the Guam Procurement Act; and
(g) To review the statutes and process for procurement appeals and recommend improvements, if any.

Appendix 4:
GCC Management Response

GUAMCOMMUNITYCOLLEGE

OFFICE OF THE PRESIDENT

DEC 14 2020

MEMORANDUM

To: Benjamin J.F. Cruz, Public Auditor
Office of Public Accountability

From: Mary A.Y. Okada, Ed.D, President

Subject: Management Response to Review Audit

Hafa Adai,

The office of Continuing Education and Workforce Development, recognizes the need for further training courses. The college is preparing the Procurement Training Plan for CY 2021 as follows:

1. Procurement Training and Certification:
    a. Procurement Module I: 4 courses
    b. Procurement Module II: 3 courses
    c. Procurement Module III: 2 courses
    d. Procurement Module IV: 2 courses
2. Continuing Education:
    a. Procurement Ethics, Laws, and OPA Case Analysis: 2 courses
        i. Course #1: February, 2021

A copy of the syllabus for the Procurement Basic Training Refresher is attached.

As GCC continues to provide procurement training to meet the mandate, we will continue to work on creating additional continuing education classes for the 149 GovGuam employees already certified in all four modules, as recommended in the prior audit. In addition, as stated in our report to the OPA, an alternative to achieve the continuing education requirement is for all certified individuals to attend Modules 2 to 4 as a refresher course.

Respectfully,
Mary A.Y. Okada
Mary A.Y. Okada, Ed.D.
President

Attachments

GUAMCOMMUNITYCOLLEGE
Email: gccpresident@guamcc.edu | Phone: (671) 753-5700 | www.guamcc.edu
Location: 1 Sesame Street, Mangilao, Guam

GUAMCOMMUNITYCOLLEGE

Syllabus

Course: Procurement Basic Training Refresher

Day/Date/Time: TBD (10 contact hours for 1.0 Continuing Education Unit)

Instructor: TBD
Office Hours: By Appointment
Office Address: By appointment
Telephone: 735-5574
E-mail: learning4life@guamcc.edu

Course Description
This course is a review of the basic principles of the procurement process, and in particular, the statutes, policies, and regulations that govern Government of Guam procurement. Emphasis will be on any updates in the procurement process, to include recent decisions from the Office of Public Accountability and the courts/judicial system, and the role of ethics in the procurement process.

Student Learning Outcomes (SLOs):
Upon successful completion of this course, students will be able to:

1. Describe their role and responsibilities (based on their position/job title) in the procurement process
2. Explain the importance of ethics in the procurement process
3. Identify a recent court/OPA decision and state its impact on the procurement process

Required Reading
Will be assigned in class

Course Activities
May include: lectures, group discussions, quizzes, exams, project plan, independent study

Course Requirements
1 final exam

Grading Criteria:	Grading Scale:
Exam	Pass/Fail

Emergency & Evacuation Procedures

In case of any emergency, please contact Student Support Services Office at 735-5555/6/8 or call 688-1758 or 788-2223. **For life threatening emergency, please call 911, and then call Student Support Services Office.** During the phone call, please identify yourself, identify your location (room and building number), and describe the emergency. Student Support Services Office personnel will be at the emergency site immediately. The emergency contact numbers are located at the entrance/exit of each classroom.

If an emergency arises which requires evacuation, it is extremely important that you follow your instructor's directions for evacuating the building, including where to congregate. Although an evacuation plan is posted near the door of each classroom, circumstances could change the posted routes. A fire alarm or bell will be utilized to initiate an evacuation. If there is no electricity, a gong will sound three (3) times. Once the reason for evacuation is resolved, the school bell will ring eight (8) times to signal everyone to return to their assigned buildings. For more information, you may find the GCC Evacuation Procedure on the GCC website at www.guamcc.edu.

For any power or water outage on campus, students will be informed via the media (radio stations) and the Pacific Daily News (PDN) Mobile Alert. Make-up classes will be arranged by the instructor when classes resume.

The instructor reserves the right to make changes as necessary to this syllabus. If changes are necessary, the instructor will immediately notify the students of such changes both by email and announcement. If you need additional assistance, please inform your instructor as soon as possible.

Appendix 5:
Oversight Committee on Procurement Chairperson Response

Gmail

Frederick Jones <fjones@guamopa.com>

Draft Report - GCC Procurement Training and Certification Program

Office of Senator Sabina Perez <office@senatorperez.org> Mon, Dec 14, 2020 at 3:23 PM
To: "Benjamin J.F. Cruz" <bjcruz@guamopa.com>, Jerrick Hernandez <jhernandez@guamopa.com>, OPA Intern 03 <opaintern03@guamopa.com>, Frederick Jones <fjones@guamopa.com>
Cc: Sabina Perez <sabina@senatorperez.org>

Hafa Adai OPA and Team,

Kindly see Senator Sabina Flores Perez's statement regarding the OPA Draft Procurement Training and Certification Program Audit.

"I would like to thank the OPA and his team for the hard work done for this audit and concur with the findings. My office is working to develop legislation to mandate reporting by agencies to determine compliance with §5141, Chapter 5, Title 5, Guam Code Annotated, in order to improve procurement practices within the Government of Guam. This allows for the tools and training delivered for purchasing supplies and services, and larger and complex contracts, to be delivered by qualified and experienced procurement officials."

Si Yu'os Ma'ase,

[Quoted text hidden]

Appendix 6:
Status of Audit Recommendations

No.	Addressee	Audit Recommendation	Status	Action Required
1.	Legislature	Amend Guam Procurement Law to require all agencies to submit a report summarizing its employees responsible with procurement compliance with the procurement training annually to the OPA 30 days after the end of each fiscal year.	OPEN	Please provide the target date and title of official(s) responsible for implementing the recommendation.
2.	Directors and Administrators of Line and Autonomous Agencies, Mayors, Executive and Legislative Officials	Obtain the required procurement training and certification.	OPEN	Please provide the target date and title of official(s) responsible for implementing the recommendation.
3.	Directors and Administrators of Line and Autonomous Agencies, Mayors, Executive and Legislative Officials	Review their procurement teams and ensure that each employee has the required training and certifications according to their procurement activity.	OPEN	Please provide the target date and title of official(s) responsible for implementing the recommendation.
4.	GCC Procurement Training Administrator	Implement the procurement continuing education program.	OPEN	Please provide the target date and title of official(s) responsible for implementing the recommendation.

Government of Guam
Procurement Training and Certification Program
Report No. 20-09, December 2020

ACKNOWLEDGEMENTS

Key contributions to this report were made by:

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MISSION STATEMENT

To ensure public trust and good governance in the Government of Guam, we conduct audits and administer procurement appeals, with objectivity, professionalism, and accountability.

VISION

The Government of Guam is a model for good governance with OPA leading by example as a model robust audit office.

CORE VALUES

Objectivity: To have an independent and impartial mind.
Professionalism: To adhere to ethical and professional standards.
Accountability: To be responsible and transparent in our actions.

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- **Call our HOTLINE at 47AUDIT (472-8348)**
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- **Fax our office at 472-7951**
- **Or visit us at Suite 401, DNA Building in Hagåtña**

All information will be held in strict confidence.