MEMORANDUM (Procurement Circular 2010-01)

TO: Directors and Other Heads of All Government of Guam Agencies
(see attached list)

FROM: Attorney General

SUBJECT: Compliance with P. L. 30-72 regarding Procurement (Ref: AG 10-0104)

On November 27, 2009, P. L. 30-72 was enacted into law, amending 5 GCA § 5150. The amended section requires the Office of the Attorney General to "act as legal advisor during all phases of the solicitation or procurement process in which the award is estimated to be $500,000 or more." The mandate applies to the Chief Procurement Officer and the Director of Public Works, as well as "any executive branch agency, autonomous agency, instrumentality or public corporation of the government of Guam." In other words, the entire government is covered by the mandate regardless of the nature of the procurement.

I have been assessing my Office's present and future resources to comply with the new law and to properly assist your agency. To effectively assess the government of Guam's needs, please immediately provide information regarding your agency's current and future plans for procurement.

I am requesting a list of your agency's planned procurement estimated to cost $500,000 or more for the remaining of fiscal year 2010, as well as for fiscal year 2011, and any future fiscal years if plans have already been made. Please provide a brief description of the acquisition, the estimated cost, and any pertinent dates such as when you plan to begin the acquisition and the date by which you must have a completed procurement. Please send the list to the attention of Deputy Attorney General Patrick Mason via facsimile at 472-2493 no later than 5:00 P.M. Wednesday, February 3, 2010. If you have not yet made any plans or you have knowledge that you will not be making acquisitions costing $500,000 or more, we would also appreciate your advising us to that effect by the deadline. Thank you for your assistance.

ALICIA G. LIMTIACO
Attorney General

Attachment (1)