



GOVERNMENT OF GUAM SUBMISSION OF PROCUREMENT TRAINING COMPLIANCE REPORTS

COMPLIANCE AUDIT
October 1, 2020 to September 30, 2023

OPA Report No. 24-03
February 2024





**Government of Guam
Submission of Procurement Training Compliance Reports**

**Compliance Audit
October 1, 2020 to September 30, 2023**

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February 2024**

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Lieutenant Governor of Guam
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**Executive Summary
Government of Guam**

**Submission of Procurement Training Compliance Reports for FY 2021 through FY 2023
Report No. 24-03, February 2024**

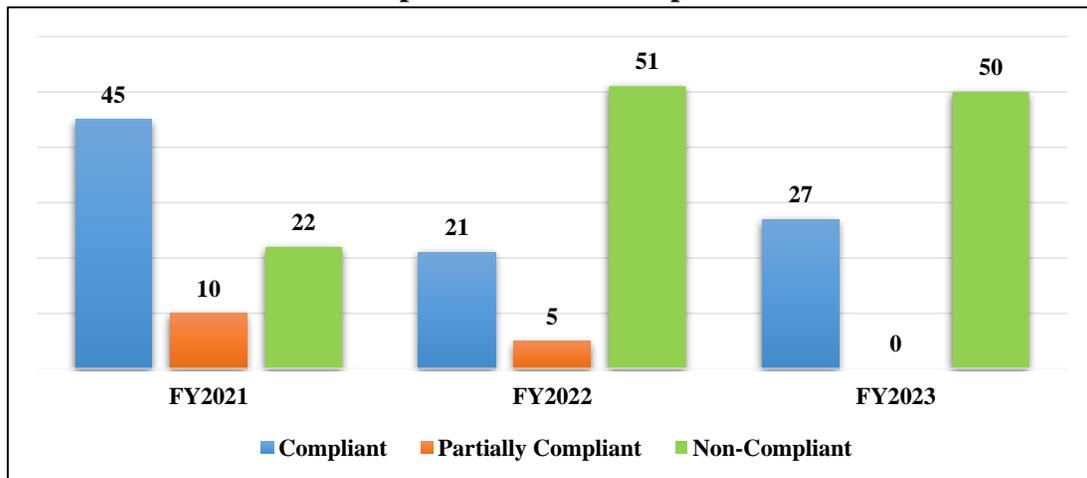
Government of Guam (GovGuam) entities are mandated to submit a Procurement Training Compliance Report (PTCR) to the Office of Public Accountability (OPA) identifying individuals within their entities who have received training as part of the Procurement Training and Certification program.

Per Public Law (P.L.) 36-11, codified as 5 GCA § 5141(n), “every director, administrator, president or head of a government of Guam agency, including line agencies, autonomous and semi-autonomous agencies, public corporations, the Mayors Council of Guam, the Courts of the Judiciary of Guam, and” the Guam Legislature is mandated to “electronically submit to the Public Auditor of Guam, in an electronic portable document format, a ‘Procurement Training Compliance Report,’” no later than thirty (30) days after the end of each fiscal year. At a minimum, the PTCR should contain the names of employees, their job titles, the procurement training module completed, and the date of completion.

As of December 31, 2023, we found the following pursuant to the mandates of 5 GCA § 5141(n):

- 27 of 77 entities (or 35%) submitted their Fiscal Year (FY) 2023 PTCRs. All 27 of the submitting entities submitted their FY 2023 PTCRs to the OPA before the statutory deadline.
- 26 of 77 entities (or 34%) submitted their FY 2022 PTCRs. Of the 26 entities, 21 submitted their PTCRs to the OPA prior to the statutory deadline, while the submissions of the remaining five (5) entities were untimely.
- 55 of 77 entities (or 71%) submitted their FY 2021 PTCRs. Of the 55, 45 entities submitted their PTCRs to the OPA prior to the statutory deadline, while the submissions of the remaining ten (10) entities were untimely.

Table 1: Compliance Breakdown per Fiscal Years



We found the following entities to be fully compliant for the three-year period, meaning the entity submitted a PTCR every year in compliance with 5 GCA § 5141(n):

Table 2: Compliant Entities for 3-Year Period

No.	Entity Name	Acronym
1.	Bureau of Budget and Management Research	BBMR
2.	Department of Public Health and Social Services	DPHSS
3.	Department of Chamorro Affairs	DCA
4.	Department of Public Works	DPW
5.	Department of Youth Affairs	DYA
6.	Guam Community College	GCC
7.	Guam Council on the Arts and Humanities Agency	CAHA
8.	Guam Economic Development Authority	GEDA
9.	Guam Ethics Commission	GEthC
10.	Guam Housing and Urban Renewal Authority	GHURA
11.	Guam International Airport Authority	GIAA
12.	Guam Regional Transit Authority	GRTA
13.	Mayors Council of Guam	MCOG
14.	Office of Public Accountability	OPA

We found the following entities to be non-compliant for the three years, meaning the entity did not submit a PTCR in all of the fiscal years in direct non-compliance with 5 GCA § 5141(n):

Table 3: Non-Compliant Entities for 3-Year Period

No.	Entity Name	Acronym	FY21	FY22	FY23
1.	Career Tech High Academy Charter School	CATHA	×	×	×
2.	Community Defense Liaison Office	CDLO	×	×	×
3.	Department of Integrated Services for Individuals with Disabilities	DISID	×	×	×
4.	Department of Labor	DOL	×	×	×
5.	Department of Revenue and Taxation	DRT	×	×	×
6.	Guam Educational Telecommunications Corporation	PBS Guam	×	×	×
7.	Guam Environmental Protection Agency	GEPA	×	×	×
8.	Guam Homeland Security/Office of Civil Defense	GHSOCD	×	×	×
9.	Guam Public Library System	GPLS	×	×	×
10.	Guam State Clearinghouse	GSC	×	×	×
11.	Hagåtña Restoration and Redevelopment Authority	HRRA	×	×	×
12.	Kumisión I Fino' Chamorro/Chamorro Language Commission	KFC-CLC	×	×	×
13.	Office of the Governor	GOV	×	×	×
14.	Office of the Lieutenant Governor	LGOV	×	×	×
15.	Port Authority of Guam	PAG	×	×	×
16.	Serve Guam Commission	SGC	×	×	×
17.	Science is Fun and Awesome Learning Academy Charter School	SiFA	×	×	×
18.	University of Guam	UOG	×	×	×

Procurement Training Compliance

According to 5 GCA § 5141(b), “all government of Guam 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 government of Guam, must receive the training and continuing education to the extent required under this Section [...]” The procurement training is administered by the Guam Community College (GCC), which is in possession of a database containing records of individuals who have successfully completed the training modules. However, GCC does not bear the sole responsibility of verifying program compliance according to 5 GCA § 5141(b). Their mandate is limited to the establishment and administration of the Procurement Training and Certification program.

OPA will also consider conducting a third procurement training compliance report in the near future to allow us to identify and inform GCC of GovGuam’s updated procurement training module needs as there is still an increased demand for training and continuing education.

Conclusion

In OPA Report No. 20-09, we found there was no entity established or designated to monitor agency compliance with procurement training and recommended for the PTCR to be mandated as a form of monitoring agency compliance with the procurement training. Although the OPA sends out reminder memoranda, agencies’ compliance with the PTCR has decreased from FY 2021 to FY 2023. We hope this first PTCR compliance report increases awareness for agencies to comply with the PTCR mandate and ultimately complying with the procurement training mandate.

PTCRs submitted by compliant agencies for FY 2022 and FY2023 may be viewed on the OPA’s website at www.opaguam.org.



Benjamin J.F. Cruz
Public Auditor

Introduction

Government of Guam (GovGuam) entities are mandated to submit a Procurement Training Compliance Report (PTCR) to the Public Auditor summarizing procurement training compliance of all employees responsible for procurement within their respective agencies.

This report presents the results of our review of GovGuam entities' submission of PTCRs for Fiscal Year (FY) 2021, FY 2022, and FY 2023, pursuant to 5 GCA § 5141(n).

Our objective was to determine GovGuam entities' compliance with PTCR submission requirements as prescribed in 5 GCA § 5141(n). Specifically, we reviewed the entities' submissions of FY 2021, FY 2022, and FY 2023 PTCRs to the Public Auditor.

Refer to Appendices [1](#) and [2](#) for the objective, scope, methodology, and prior audit coverage.

Per 5 GCA § 5141(n), "every director, administrator, president or head of a government of Guam agency, including line agencies, autonomous and semi-autonomous agencies, public corporations, the Mayors Council of Guam, the Courts of the Judiciary of Guam, and" the Guam Legislature must "electronically submit to the Public Auditor of Guam, in an electronic portable document format, a 'Procurement Training Compliance Report,'" no later than thirty (30) days after the end of each fiscal year. The PTCR, at a minimum, must contain the names of the entity's employees, their job titles, the procurement training module completed and date of completion.

Table 1: Fiscal Year Issuance of PTCR Memorandum

FY	Date of Issuance of PTCR Memorandum to GovGuam Entities	PTCR Deadline
FY 2023	October 2, 2023	November 1, 2023
FY 2022	October 5, 2022	November 1, 2022
FY 2021	September 30, 2021	November 1, 2021

Background

The OPA recommended and created the PTCR to simplify the identification of all GovGuam "personnel tasked with the responsibility of purchasing or procuring goods, services, or construction, including those" personnel within the OPA "responsible for administering procurement appeals" and audits of GovGuam purchasing activities, receive the required training and continuing education. According to the legislative findings in P.L. 36-11, PTCRs from GovGuam entities were mandated as a response to the conclusion and recommendations made in OPA Report No. 20-09, stating, "There is no entity monitoring the government of Guam's agency compliance with procurement training."

The Office of Public Accountability (OPA) encourages all citizens to view entity PTCRs on the OPA website at www.opaguam.org.

Pursuant to 5 GCA § 5141(n)(2), the PTCR should describe the following content in an electronic portable format:

Chart 1: 5 GCA § 5141(n)(2) Content

Name	Job Title	Module 1	Module 2	Module 3	Module 4	Module 5
1. John Cruz	Buyer 1	June 15, 2019	October 20, 2019			
2. Mary Blas	Buyer Supervisor	June 15, 2019	October 20, 2019	February 27, 2020	July 15, 2020	

Refer to Appendix [4](#) for PTCR content guidelines pursuant to 5 GCA § 5141(n)(2).

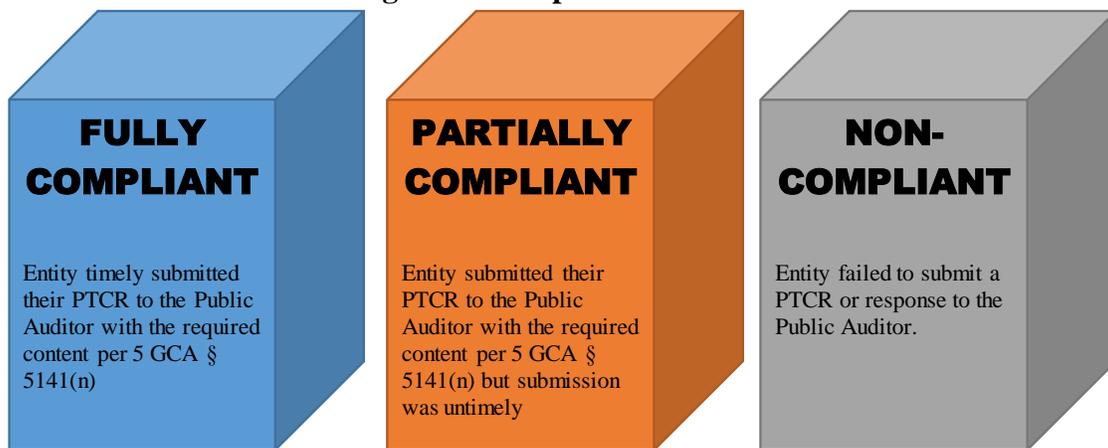
Results of Audit

As of December 31, 2023, we found the following pursuant to the legislative intent¹ of 5 GCA § 5141(n):

- 27 of 77 entities (or 35%) issued their FY 2023 PTCRs. All 27 of the submitting entities submitted their FY 2023 PTCRs to the OPA before the statutory deadline.
- 26 of 77 entities (or 34%) submitted their FY 2022 PTCRs. Of the 26 entities, 21 submitted their PTCRs to the OPA prior to the statutory deadline, while the submissions of the remaining five entities were untimely.
- 55 of 77 entities (or 71%) submitted their FY 2021 PTCRs. Of the 55 entities, 45 submitted their PTCRs to the OPA prior to the statutory deadline, while the submissions of the remaining ten entities were untimely.

For the purpose of this report, an entity’s overall compliance with 5 GCA § 5141(n) were categorized per fiscal year into one of the following:

Figure 1: Compliance Criteria

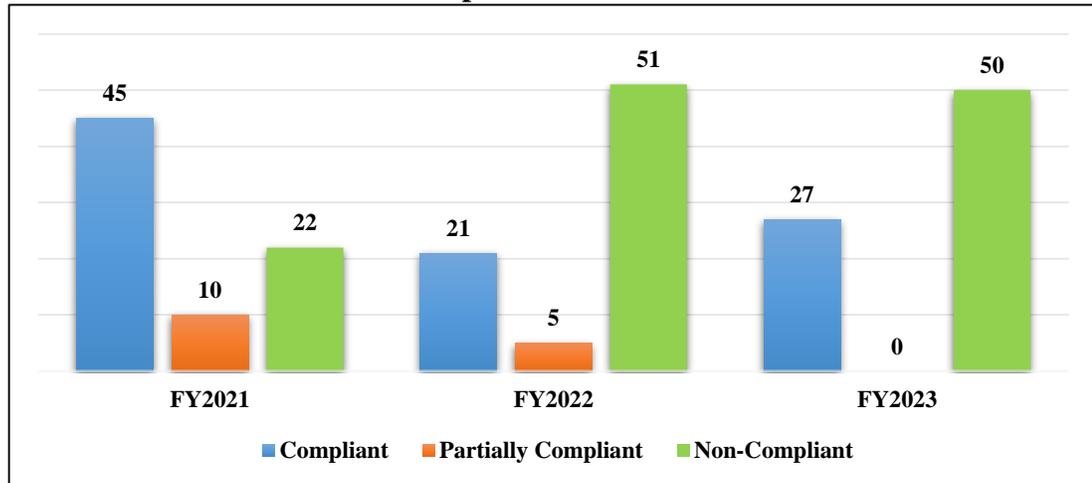


Decrease in PTCR Compliance since Implementation

OPA found that an average of 47% of entities submitted their PTCRs pursuant to the legislative intent of the law. Specifically, of the 77 entities that were required to submit PTCRs, 27 entities (or 35%) submitted their FY 2023 PTCRs. This is a 51% decrease from the 55 entities (or 71%) that issued their FY 2021 PTCRs.

¹ According to Section 1 of P.L. 36-11, “*I Liheslaturan Guåhan* finds that according to the conclusion and recommendations in the OPA Report No. 20-09, Government of Guam Procurement Training and Certification Follow-up Audit, there is no entity monitoring the government of Guam’s agency compliance with the procurement training. Therefore, *I Liheslaturan Guåhan* intends to follow said OPA Report recommendations by having all agencies submit a procurement compliance report to the Office of Public Accountability.”

Table 1: Compliance Breakdown



Compliant Entities

From FY 2021 to FY 2023, fourteen (14) entities fully complied through the timely submission of their PTCRs to OPA. As a result, these entities have shown a commitment to provide readily available information regarding the identification of individuals accountable for the procurement of goods and services for their agency. See Table 2 for list of fully compliant entities.

Table 2: Compliant Entities

No.	Entity Name	Acronym
1.	Bureau of Budget and Management Research	BBMR
2.	Department of Public Health and Social Services	DPHSS
3.	Department of Chamorro Affairs	DCA
4.	Department of Public Works	DPW
5.	Department of Youth Affairs	DYA
6.	Guam Community College	GCC
7.	Guam Council on the Arts and Humanities Agency	CAHA
8.	Guam Economic Development Authority	GEDA
9.	Guam Ethics Commission	GEthC
10.	Guam Housing and Urban Renewal Authority	GHURA
11.	Guam International Airport Authority	GIAA
12.	Guam Regional Transit Authority	GRTA
13.	Mayors Council of Guam	MCOG
14.	Office of Public Accountability	OPA

Throughout FY 2021 to FY 2023, the most common cause for partial compliance was untimely submissions to OPA. Refer to Table 3 and Table 4 for partial compliance listings of agencies.

For FY 2023, 27 of 77 entities (or 35%) submitted a PTCR. All 27 entities fully complied by submitting their PTCRs to the OPA. There were no partially compliant submissions.

For FY 2022, 26 of 77 entities (or 34%) submitted a PTCR. Of the 26, 21 entities fully complied by submitting their PTCRs to the OPA. The remaining five of the 26 entities were determined to be partially compliant for submissions of their PTCR.

Table 3: Partially Compliant in FY22

No.	Entity Name	Acronym
1.	Bureau of Statistics and Plans	BSP
2.	Department of Administration	DOA
3.	Department of Education	GDOE
4.	Guam Housing Corporation	GHC
5.	Guam Waterworks Authority	GWA

For FY 2021, 55 of 77 entities (or 71%) submitted a PTCR. Of the 55, 45 entities fully complied by submitting their PTCRs to the OPA. The remaining 10 of the 55 entities were determined to be partially compliant for submission of their PTCR.

Table 4: Partially Compliant in FY21

No.	Entity Name	Acronym
1.	Chamorro Land Trust Commission	CLTC
2.	Department of Corrections	DOC
3.	Department of Education	GDOE
4.	Department of Parks and Recreation	DPR
5.	Guam Commission for Educator Certification	GCEC
6.	Guam Contractors License Board	GCLB
7.	Guam Developmental Disabilities Council	GDDC
8.	Guam Recovery Office	GRO
9.	Guam Solid Waste Authority	GSWA
10.	Office of Technology	OTECH

Non-Compliant Entities

Of the GovGuam entities required to submit PTCRs, 22 of 77 entities (or 29%) were non-compliant for FY 2021 for failure to submit a PTCR or any form of response to the OPA. In addition, 51 of 77 entities (or 66%) for FY 2022, and 50 of 77 entities (or 65%) for FY 2023 were identified to be non-compliant. A total of eighteen (18) GovGuam entities failed to submit a PTCR to the Public Auditor since the enactment of P.L. 36-11, which deemed those entities as non-compliant, overall. See Table 5 below.

Table 5: Overall Non-Compliant Entities for FY 2021, FY 2022, & FY 2023

No.	Entity Name	Acronym	FY21	FY22	FY23
1.	Career Tech High Academy Charter School	CATHA	×	×	×
2.	Community Defense Liaison Office	CDLO	×	×	×
3.	Department of Integrated Services for Individuals with Disabilities	DISID	×	×	×
4.	Department of Labor	DOL	×	×	×
5.	Department of Revenue and Taxation	DRT	×	×	×
6.	Guam Educational Telecommunications Corporation	PBS Guam	×	×	×
7.	Guam Environmental Protection Agency	GEPA	×	×	×
8.	Guam Homeland Security/Office of Civil Defense	GHSOCD	×	×	×
9.	Guam Public Library System	GPLS	×	×	×

No.	Entity Name	Acronym	FY21	FY22	FY23
10.	Guam State Clearinghouse	GSC	✗	✗	✗
11.	Hagåtña Restoration and Redevelopment Authority	HRRA	✗	✗	✗
12.	Kumisión I Fino Chamorro/Chamorro Language Commission	KFC-CLC	✗	✗	✗
13.	Office of the Governor	GOV	✗	✗	✗
14.	Office of the Lieutenant Governor	LGOV	✗	✗	✗
15.	Port Authority of Guam	PAG	✗	✗	✗
16.	Serve Guam Commission	SGC	✗	✗	✗
17.	Science is Fun and Awesome Learning Academy Charter School	SiFA	✗	✗	✗
18.	University of Guam	UOG	✗	✗	✗

Table 6 shows a total of 61 entities that did not submit their PTCRs in at least one fiscal year from FY 2021 to FY 2023. A red “X” denotes a non-submission for the specific fiscal year.

Table 6: Non-Compliant Entities

No.	Entity Name	Acronym	FY21	FY22	FY23
1	Bureau of Statistics and Plans	BSP	✓	✓	✗
2	Bureau of Women's Affairs/Governor's Community Outreach-Federal Programs Office	BWA/GCO FPO	✓	✗	✗
3	Career Tech High Academy Charter School	CATHA	✗	✗	✗
4	Chamorro Land Trust Commission	CLTC	✓	✗	✗
5	Civil Service Commission	CSC	✓	✗	✗
6	Commission on Decolonization	COD	✗	✓	✗
7	Community Defense Liaison Office	CDLO	✗	✗	✗
8	Customs and Quarantine Agency	CQA	✓	✗	✗
9	Department of Administration	DOA	✓	✓	✗
10	Department of Agriculture	DOAg	✓	✗	✗
11	Department of Corrections	DOC	✓	✓	✗
12	Department of Integrated Services for Individuals with Disabilities	DISID	✗	✗	✗
13	Department of Labor	DOL	✗	✗	✗
14	Department of Land Management	DLM	✓	✗	✗
15	Department of Military Affairs	DMA	✓	✗	✗
16	Department of Parks and Recreation	DPR	✓	✗	✗
17	Department of Revenue and Taxation	DRT	✗	✗	✗
18	Guahan Academy Charter School	GACS	✗	✗	✓
19	General Services Agency/Administration	GSA	✓	✓	✗
20	Government of Guam Retirement Fund	GGRF	✓	✓	✗
21	Guam Ancestral Lands Commission	GALC	✓	✓	✗
22	Guam Behavioral Health and Wellness Center	GBHWC	✓	✗	✗
23	Guam Board of Accountancy	GBOA	✓	✗	✗
24	Guam Board of Registration for Professional Engineers, Architects and Land Surveyors	PEALS	✓	✗	✓

No.	Entity Name	Acronym	FY21	FY22	FY23
25	Guam Commission for Educator Certification	GCEC	✓	✗	✓
26	Guam Contractors License Board	GCLB	✓	✗	✗
27	Guam Developmental Disabilities Council	GDDC	✓	✗	✗
28	Guam Educational Telecommunication Corporation	PBS Guam	✗	✗	✗
29	Guam Election Commission	GEC	✓	✗	✓
30	Guam Energy Office	GEO	✓	✗	✗
31	Guam Environmental Protection Agency	GEPA	✗	✗	✗
32	Guam Fire Department	GFD	✓	✗	✗
33	Guam Homeland Security/Office of Civil Defense	GHSOCD	✗	✗	✗
34	Guam Legislature	GL	✓	✗	✓
35	Guam Housing Corporation	GHC	✓	✓	✗
36	Guam Memorial Hospital Authority	GMHA	✓	✗	✗
37	Guam Police Department	GPD	✓	✗	✓
38	Guam Preservation Trust	GPT	✗	✗	✓
39	Guam Power Authority	GPA	✓	✓	✗
40	Guam Public Library System	GPLS	✗	✗	✗
41	Guam Recovery Office	GRO	✓	✗	✗
42	Guam State Clearinghouse	GSC	✗	✗	✗
43	Guam Veterans Affairs Office	GVAO	✓	✗	✗
44	Guam Visitors Bureau	GVB	✓	✗	✓
45	Guam Waterworks Authority	GWA	✓	✓	✗
46	Hagåtña Restoration and Redevelopment Authority	HRRA	✗	✗	✗
47	iLearn Academy Charter School	IACS	✓	✗	✗
48	Judiciary of Guam	JOG	✓	✗	✓
49	Kumisión I Fino Chamorro/Chamorro Language Commission	KFC-CLC	✗	✗	✗
50	Office of Homelessness Assistance and Poverty Prevention	OHAPP	✗	✗	✓
51	Office of Technology	OTECH	✓	✗	✗
52	Office of the Attorney General	OAG	✓	✗	✓
53	Office of the Chief Medical Examiner	OCME	✓	✗	✗
54	Office of the Governor	GOV	✗	✗	✗
55	Office of the Lieutenant Governor	LGOV	✗	✗	✗
56	Port Authority of Guam	PAG	✗	✗	✗
57	Public Defender Service Corporation	PDSC	✓	✗	✗
58	Public Utilities Commission	PUC	✓	✗	✗
59	Serve Guam Commission	SGC	✗	✗	✗
60	Science is Fun and Awesome Learning Academy Charter School	SiFA	✗	✗	✗
61	University of Guam	UOG	✗	✗	✗

PTCR Compliance

According to 5 GCA § 5141(b), “all government of Guam 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 government of Guam, must receive the training and continuing education to the extent required under this Section.” The data that was collected from GCC for OPA Report 20-09 has shown that various entities have encountered employee turnover. Interestingly, many former employees of these entities who received procurement training of at least Module 1 or higher, have been hired by other entities. Additionally, it is important to mention that although GCC is in possession of a database containing records of individuals who have successfully completed the training modules, GCC does not bear the sole responsibility of verifying program compliance according to 5 GCA § 5141(b). Their mandate is limited to the establishment and administration of the Procurement Training and Certification program, prompting the OPA recommendation to mandate the PTCR as a way to monitor agency compliance.

OPA will consider conducting a third procurement training compliance report in the near future to allow us to identify and inform GCC of GovGuam’s updated procurement training module needs as there is still an increased demand for training and continuing education.

Conclusion

As of December 31, 2023, our review determined the following, pursuant to the requirements of 5 GCA § 5141(n):

- 27 of 77 entities (or 35%) submitted their FY 2023 PTCRs. All 27 of the submitting entities submitted their FY 2023 PTCRs to the OPA before the statutory deadline.
- 26 of 77 entities (or 34%) submitted their FY 2022 PTCRs. Of the 26, 21 entities submitted their PTCRs to the OPA prior to the mandated deadline, while the submissions of the remaining five (5) entities were untimely.
- 55 of 77 entities (or 71%) submitted their FY 2021 PTCRs. Of the 55, 45 entities submitted their PTCRs to the OPA prior to the mandated deadline, while the submissions of the remaining ten (10) entities were untimely.

However, 50 of 77 (or 65%) were non-compliant for FY 2023, because they did not submit their PTCRs to the OPA nor did they have a late submission. Additionally, 51 of 77 (or 66%) for FY 2022, and 22 of 77 (or 29%) for FY 2021 were non-compliant during the scope period. Of these non-compliant entities, a total of eighteen (18) GovGuam entities failed to submit a PTCR to the Public Auditor since the enactment of P.L. 36-11, covering our scope period from FY 2021 to FY 2023.

In OPA Report No. 20-09, we found that no entity was established or designated to monitor agency compliance with procurement training and recommended for the PTCR to be mandated as a form of monitoring agency compliance with the procurement training. Although the OPA sends out reminder memoranda, agencies' compliance with the PTCR has decreased from FY 2021 to FY 2023. We hope this PTCR compliance report increases awareness for agencies to comply with the PTCR mandate, and ultimately complying with the procurement training mandate.

OPA will also consider conducting a third procurement training compliance report in the near future to allow us to identify and inform GCC of GovGuam's updated procurement training module needs as there is still an increased demand for training and continuing education.

Classification of Monetary Amounts

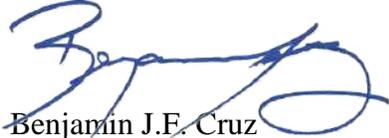
	Finding Description	Questioned Costs	Potential Savings	Unrealized Revenue	Other Financial Impact
1.	Decrease in PTCR Compliance since Implementation	\$ -	\$ -	\$ -	\$ -
	Total	\$ -	\$ -	\$ -	\$ -

Management Response and OPA Reply

Due to the nature of this report, no management response was sought.

We appreciate the cooperation and assistance from the staff and management of the GovGuam entities who responded with submissions of their PTCRs.

OFFICE OF PUBLIC ACCOUNTABILITY



Benjamin J.F. Cruz
Public Auditor

Appendix 1:
Objective, Scope, and Methodology

Our objective was to determine GovGuam entities' compliance with PTCR submission requirements as prescribed in 5 GCA § 5141(n). Specifically, we reviewed the entities' submissions of FY 2021, FY 2022, and FY 2023 PTCRs to the Public Auditor

In this report, "entities" refers to GovGuam agencies, including line agencies, autonomous and semi-autonomous agencies, public corporations, the Mayors Council of Guam, the Courts of the Judiciary of Guam, and the Guam Legislature.

The scope of our report covered PTCRs required for FY 2021 through FY 2023, as of December 31, 2023.

To accomplish our objective, we completed the following:

- Reviewed memoranda sent to all GovGuam entities reminding them of the FY 2021 through FY 2023 PTCR submission deadlines, due 30 days after the end of the fiscal year.
 - Memo dated September 30, 2021 for FY 2021 PTCRs which were due November 1, 2021.
 - Memo dated October 5, 2022 for FY 2022 PTCRs which were due November 1, 2022.
 - Memo dated October 2, 2023 for FY 2023 PTCRs which were due November 1, 2023.
- Reviewed PTCR laws, guidelines, prior audits, hotline tips, and other relevant information.
- Reviewed OPA administrative email account for electronic submissions of PTCRs.
- Verified with OPA staff if PTCRs were received, whether via e-mail or in print.
- Compiled a database of all agencies to determine compliance (and non-compliance)

Due to the nature of this report, we did not assess internal controls over the information systems used to gather the necessary data to prepare the entities' PTCRs.

We conducted this review in accordance with generally accepted government auditing standards. These standards require that we plan and perform the review to obtain sufficient and appropriate evidence to provide a reasonable basis for our findings and conclusions based on our objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our objectives.

Appendix 2: Prior Audit Coverage

OPA Report No. 19-04

OPA conducted a review in April 2019 of the Guam Procurement Training and Certification Program, which revealed that GovGuam agencies had only partially complied with the requirements. The OPA recommended that all GovGuam executive and legislative personnel, and all government staff handling procurement, obtain certification of Module 1 and assess the need for further certifications in the remaining modules depending on procurement involvement.

OPA Report No. 20-09

OPA conducted a follow-up review in December 2020 of the GovGuam Procurement Training and Certification Program to determine GovGuam entities' compliance with the procurement training and certification requirements of Public Law 32-131. The OPA found there was no entity established or designated to monitor agency compliance with procurement training and recommended the law be amended to require all agencies to annually submit a summary report to the Public Auditor of procurement training compliance of all employees responsible for procurement.

Excerpts from Applicable Laws

P.L. 36-11 *An Act to Add a New § 5141(n) of Subarticle E, Article 2, Chapter 5, Title 5, Guam Code Annotated; and Add a New § 1924 to Chapter 19, Title 1, Guam Code Annotated, Relative to Requiring Government of Guam Agencies to Submit a Procurement Training Compliance Report to The Office of Public Accountability.*

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that according to the conclusions and recommendations in the OPA Report No. 20-09, Government of Guam Procurement Training and Certification Follow-up Audit, there is no entity monitoring the government of Guam’s agency compliance with the procurement training.

Therefore, *I Liheslaturan Guåhan* intends to follow said OPA Report recommendations by having all agencies submit a procurement compliance report to the Office of Public Accountability.

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

(a) Guam Community College Procurement Program. The Guam Community College (GCC, College) *shall* establish and administer an integrated program of academic, research, practical training, and continuing education, and provide the same on a full cost recovery basis, for government of Guam procurement personnel and other interested private or public participants, 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 government of Guam 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 Office of Public Accountability responsible for administering procurement appeals or auditing of the purchasing activities of the government of Guam, must receive the training and continuing education to the extent required under this Section and offered by the College in consultation with the Guam Procurement Advisory Council. A government of Guam 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 the College and the Guam Procurement Advisory Council, which *shall* be the judge of equivalency. The equivalent training may count toward the continuing education requirements of this Section, as determined by the College, in consultation with the Guam Procurement Advisory Council.

[...]

(f) Basic Training Requirements. The College *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 the College 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).

[...]

(n) Procurement Training Compliance Report.

(1) Timeline for Submission. No later than thirty (30) days after the end of each fiscal year, every director, administrator, president or head of a government of Guam agency, including line agencies, autonomous and semi-autonomous agencies, public corporations, the Mayors Council of Guam, the Courts of the Judiciary of Guam, and *I Liheslaturan Guåhan* shall electronically submit to the Public Auditor of Guam, in an electronic portable document format, a “Procurement Training Compliance Report.”

(2) Content Guidelines. Said report shall at minimum list the employees by name, job title, each procurement training module completed, and the date of completion.

Appendix 4:
5 GCA § 5141(n)(2) PTCR Content

Name	Job Title	Module 1	Module 2	Module 3	Module 4	Module 5
1. John Cruz	Buyer 1	June 15, 2019	October 20, 2019			
2. Mary Blas	Buyer Supervisor	June 15, 2019	October 20, 2019	February 27, 2020	July 15, 2020	

**Appendix 5:
GovGuam Entity Breakdown²**

	Entity Name	Acronym	FY21	FY22	FY23
1	Bureau of Budget and Management Research	BBMR	✓	✓	✓
2	Bureau of Statistics and Plans	BSP	✓	⌚	✗
3	Bureau of Women's Affairs/Governor's Community Outreach-Federal Programs Office	BWA/GCOFPO	✓	✗	✗
4	Career Tech High Academy Charter School	CATHA	✗	✗	✗
5	Chamorro Land Trust Commission	CLTC	⌚	✗	✗
6	Civil Service Commission	CSC	✓	✗	✗
7	Commission on Decolonization	COD	✗	✓	✗
8	Community Defense Liaison Office	CDLO	✗	✗	✗
9	Customs and Quarantine Agency	CQA	✓	✗	✗
10	Department of Administration	DOA	✓	⌚	✗
11	Department of Agriculture	DOAg	✓	✗	✗
12	Department of Corrections	DOC	⌚	✓	✗
13	Department of Chamorro Affairs	DCA	✓	✓	✓
14	Department of Education	GDOE	⌚	⌚	✓
15	Department of Integrated Services for Individuals with Disabilities	DISID	✗	✗	✗
16	Department of Labor	DOL	✗	✗	✗
17	Department of Land Management	DLM	✓	✗	✗
18	Department of Military Affairs	DMA	✓	✗	✗
19	Department of Parks and Recreation	DPR	⌚	✗	✗
20	Department of Public Health and Social Services	DPHSS	✓	✓	✓
21	Department of Public Works	DPW	✓	✓	✓
22	Department of Revenue and Taxation	DRT	✗	✗	✗
23	Department of Youth Affairs	DYA	✓	✓	✓
24	General Services Agency/Administration	GSA	✓	✓	✗
25	Government of Guam Retirement Fund	GGRF	✓	✓	✗
26	Guahan Academy Charter School	GACS	✗	✗	✓
27	Guam Ancestral Lands Commission	GALC	✓	✓	✗
28	Guam Behavioral Health and Wellness Center	GBHWC	✓	✗	✗
29	Guam Board of Accountancy	GBOA	✓	✗	✗
30	Guam Board of Registration for Professional Engineers, Architects and Land Surveyors	PEALS	✓	✗	✓
31	Guam Commission for Educator Certification	GCEC	⌚	✗	✓
32	Guam Community College	GCC	✓	✓	✓
33	Guam Contractors License Board	GCLB	⌚	✗	✗
34	Guam Council on the Arts and Humanities	CAHA	✓	✓	✓
35	Guam Developmental Disabilities Council	GDDC	⌚	✗	✗
36	Guam Economic Development Authority	GEDA	✓	✓	✓
37	Guam Educational Telecommunication Corporation	PBS Guam	✗	✗	✗
38	Guam Election Commission	GEC	✓	✗	✓
39	Guam Energy Office	GEO	✓	✗	✗
40	Guam Environmental Protection Agency	GEPA	✗	✗	✗
41	Guam Ethics Commission	GEthC	✓	✓	✓
42	Guam Fire Department	GFD	✓	✗	✗
43	Guam Homeland Security/Office of Civil Defense	GHSOCD	✗	✗	✗
44	Guam Housing and Urban Renewal Authority	GHURA	✓	✓	✓
45	Guam Housing Corporation	GHC	✓	⌚	✗

² Legend: ✓ means fully compliant. ⌚ means partially compliant. ✗ means fully non-compliant.

**Appendix 5:
GovGuam Entity Breakdown**

	Entity Name	Acronym	FY21	FY22	FY23
46	Guam International Airport Authority	GIAA	✓	✓	✓
47	Guam Legislature	GL	✓	✗	✓
48	Guam Memorial Hospital Authority	GMHA	✓	✗	✗
49	Guam Police Department	GPD	✓	✗	✓
50	Guam Power Authority	GPA	✓	✓	✗
51	Guam Preservation Trust	GPT	✗	✗	✓
52	Guam Public Library System	GPLS	✗	✗	✗
53	Guam Recovery Office	GRO	⌚	✗	✗
54	Guam Regional Transit Authority	GRTA	✓	✓	✓
55	Guam Solid Waste Authority	GSWA	⌚	✓	✓
56	Guam State Clearinghouse	GSC	✗	✗	✗
57	Guam Veterans Affairs Office	GVAO	✓	✗	✗
58	Guam Visitors Bureau	GVB	✓	✗	✓
59	Guam Waterworks Authority	GWA	✓	⌚	✗
60	Hagatna Restoration and Redevelopment Authority	HRRRA	✗	✗	✗
61	iLearn Academy Charter School	IACS	✓	✗	✗
62	Judiciary of Guam	JOG	✓	✗	✓
63	Kumision I Fino Chamorro/Chamorro Language Commission	KFC-CLC	✗	✗	✗
64	Mayors' Council of Guam	MCOG	✓	✓	✓
65	Office of Homelessness Assistance and Poverty Prevention	OHAPP	✗	✗	✓
66	Office of Technology	OTECH	⌚	✗	✗
67	Office of the Attorney General	OAG	✓	✗	✓
68	Office of the Chief Medical Examiner	OCME	✓	✗	✗
69	Office of the Governor	GOV	✗	✗	✗
70	Office of the Lieutenant Governor	LGOV	✗	✗	✗
71	Office of Public Accountability	OPA	✓	✓	✓
72	Port Authority of Guam	PAG	✗	✗	✗
73	Public Defender Service Corporation	PDSC	✓	✗	✗
74	Public Utilities Commission	PUC	✓	✗	✗
75	Serve Guam Commission	SGC	✗	✗	✗
76	Science is Fun and Awesome Learning Academy Charter School	SiFA	✗	✗	✗
77	University of Guam	UOG	✗	✗	✗

GOVERNMENT OF GUAM SUBMISSION OF PROCUREMENT TRAINING COMPLIANCE REPORTS FY 2021 THROUGH FY2023 Report No. 24-03, February 2024

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MISSION STATEMENT

We independently conduct audits and administer procurement appeals to safeguard public trust and promote good governance for the people of Guam.

VISION

The Government of Guam is the standard of public trust and good governance.

CORE VALUES

Objective

To have an independent and impartial mind.

Professional

To adhere to ethical and professional standards.

Accountable

To be responsible and transparent in our actions.

REPORTING FRAUD, WASTE, AND ABUSE

- Call our HOTLINE at 671.47AUDIT(671.472.8348)
- Visit our website at www.opaguam.org
- Call our office at 671.475.0390
- Fax our office at 671.472.7951
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All information will be held in strict confidence.



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