



**UNIVERSITY OF GUAM
UNIBETSEDAT GUÅHAN
Board of Regents**

Resolution No. 26-27

**RELATIVE TO AMENDING THE UOG PROCUREMENT REGULATIONS TO REVISE
THE SMALL PURCHASE THRESHOLD**

WHEREAS, the University of Guam (UOG) is the primary U.S. Land Grant institution accredited by the Western Association of Schools and Colleges Senior College and University Commission (WSCUC) serving the post-secondary needs of the people of Guam and the Western Pacific region;

WHEREAS, the University of Guam is governed by its Board of Regents (BOR), which is responsible for the governance and oversight of the University;

WHEREAS, the BOR has adopted Procurement Regulations governing the acquisition of goods and services by the University;

WHEREAS, pursuant to 5 GCA § 5125(a), the University of Guam is governed by Article 3 of Chapter 5, Title 5, Guam Code Annotated, governing source selection and contract formation;

WHEREAS, Public Law 38-136 amended 5 GCA § 5213 to increase the small purchase threshold to Two Hundred Fifty Thousand Dollars (\$250,000);

WHEREAS, Sections 3.11 and 3.29 of the UOG Procurement Regulations contain monetary thresholds governing small purchases and individual purchases under blanket purchase agreements;

WHEREAS, the University desires to amend the UOG Procurement Regulations to conform its small purchase thresholds and procedures to 5 GCA § 5213, as amended by Public Law 38-136;

WHEREAS, the increased small purchase threshold does not alter the University's existing internal fiscal controls, approval requirements, or delegations of authority, and all procurements remain subject to applicable University policies and authorized spending limits;

WHEREAS, the proposed amendments were reviewed and endorsed by the Administrative Council, which recommends approval by the Board of Regents.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Regents hereby approves the amendments to Sections 3.11 and 3.29 of the UOG Procurement Regulations set forth in Attachment A; and

BE IT FURTHER RESOLVED, that implementation of the amended small purchase threshold shall remain subject to the University's existing internal fiscal controls, approval requirements, delegations of authority to expend University funds, and any applicable federal requirements; and

BE IT FURTHER RESOLVED, that the President of the University of Guam is authorized to implement the approved amendments and make non-substantive conforming administrative updates necessary to reflect the amendments approved by this Resolution.

Adopted this 24th day of September, 2026.



Mike W. Naholowaa, Chairperson

ATTESTED:



Anita Borja Enriquez, D.B.A., Executive Secretary

Attachment A
Amendments to UOG Procurement Regulations
(Deleted text is shown in strikethrough. Added text is underlined.)

Section 3.11.1. APPLICATION

In accordance with Section 5213 (Small Purchases) of the Guam Procurement Act, this Section is established for procurement ~~of less than fifteen thousand dollars (\$15,000) for supplies or services and less than twenty-five thousand dollars (\$25,000) for construction~~ not exceeding two hundred fifty thousand dollars (\$250,000).

Section 3.11.2.1. AMOUNT

The President or his designee may use this Section if the procurement ~~is to be less than fifteen thousand dollars (\$15,000) for supplies or services and less than twenty-five thousand dollars (\$25,000) for construction~~ does not exceed two hundred fifty thousand dollars (\$250,000), or as otherwise stipulated by federal requirements. If these methods are not used, the other methods of source selection provided in Section 5210 (Methods of Source Selection) of the Guam Procurement Act and these Regulations shall apply.

**Section 3.11.3. COMPETITION FOR SMALL PURCHASES OF SUPPLIES OR SERVICES
BETWEEN \$2,001 AND \$250,000**

Section 3.11.3.1. PROCEDURE

Insofar as it is practical for small purchases of supplies or services ~~between five hundred dollars (\$2,001) and twenty-five thousand dollars (\$25,000), no less than three (3) businesses shall be solicited to submit written quotations or oral quotations that are recorded and placed in the procurement file.~~ two thousand one dollars (\$2,001) and two hundred fifty thousand dollars (\$250,000), a Request for Quotes (RFQ) small purchase solicitation shall be used to solicit and obtain, to the maximum extent practicable, no less than three (3) positive written quotations from qualified sources. A “no quote” response shall not be considered a positive quotation but shall be included in the procurement record. If fewer than three (3) positive written quotations are obtained, the procurement may proceed upon completion of the attestation required by Section 5213 of the Guam Procurement Act. Award shall be made to the business offering the lowest acceptable quotation.

Section 3.11.3.2. RECORDS

The names of the businesses submitting quotations and the date and amount of each quotation shall be recorded and maintained as a public record. The procurement record shall include all documentation required by Section 5213 of the Guam Procurement Act, including all solicitations and responses, whether negative or positive, the positive written quotations received, and any attestation required when fewer than three (3) positive written quotations are obtained. Such records shall be maintained as public records in accordance with applicable law.

Section 3.11.4. COMPETITION FOR SMALL PURCHASES OF CONSTRUCTION

For procurement of construction, as defined in Section 5030(g) of the Guam Procurement Act, ~~between two thousand one dollars (\$2,001) and one hundred thousand dollars (\$100,000)~~ two hundred fifty thousand dollars (\$250,000), the procedures and records required in Section 3.11.3 (Competition for Small Purchases of Supplies or Services Between \$2,001 and ~~\$25,000~~ \$250,000) shall apply. For procurement of construction ~~two thousand dollars (\$2,000) or less,~~ Section 3.11.5 (Micro Purchases of \$2,000 or Less) shall apply.

Section 3.11.6.1. CONDITIONS FOR USE

If it is expected that the services of accountants, physicians, lawyers, dentists, architects, engineers, or land surveyors, licensed nurses, other licensed health professionals and other professionals can be procured for ~~twenty-five thousand dollars (\$25,000)~~ two hundred fifty thousand dollars (\$250,000) or less but more than two thousand dollars (\$2,000), the methods specified in this Section may be used in lieu of the procedures specified in Section 3.14 (Competitive Selection Procedures for Services Specified in Section 2.10) and Section 5.6 (Architect-Engineer and Land Surveying Services) of these Regulations.

Section 3.29.2. ESTABLISHMENT OF BLANKET PURCHASE AGREEMENTS

(b) Individual purchases under BPAs shall not exceed ~~\$25,000 for supplies or services or \$100,000 for construction~~ \$250,000.

MEMORANDUM**TO:** Dr. Anita Borja Enriquez, President 
Anita Borja Enriquez-Approved (Sep 11, 2026 09:23:12 GMT+10)**FROM:** Dr. Artemio “Ricky” Hernandez, Vice President, Administration and Finance and Chief Business Officer **DATE:** September 2, 2026**SUBJECT:** Proposed Amendment to UOG Procurement Regulations Regarding Small Purchases

Public Law 38-136 amended 5 GCA § 5213 of the Guam Procurement Law to establish a small purchase threshold of Two Hundred Fifty Thousand Dollars (\$250,000). Although enacted as part of the Fiscal Year 2027 Budget Act, Section 58 of Public Law 38-136 amends the Guam Code itself and is not limited to Fiscal Year 2027. The amended statute permits procurements not exceeding \$250,000 to be conducted through the small purchase process, subject to the Request for Quotes and documentation requirements established by law.

The University of Guam is expressly governed by Article 3 of the Guam Procurement Law pursuant to 5 GCA § 5125(a). Because § 5213 is contained within Article 3, the new statutory small purchase threshold applies to the University. UOG Procurement Regulations (UOGPR) related to small purchase thresholds, were previously amended in Board of Regents (BOR) Resolution 18-08, where such thresholds were increased from \$15,000 to \$25,000 for supplies and services, and from \$50,000 to \$100,000 for construction projects pursuant to a change in Guam law. Section 3.11 of the UOGPR relating to small purchases currently establishes the previously approved thresholds.

Accordingly, I recommend that the University amend Section 3.11 of the UOG Procurement Regulations to conform to the \$250,000 threshold established by Public Law 38-136 and request your authorization to include this matter on the agenda for the next Board of Regents meeting inclusive of providing such information to the Budget, Finance, and Audit Committee and the Physical Facilities Committee members.

The proposed amendments would update the general small purchase threshold and the corresponding provisions governing supplies and services, construction, and professional services. They would also update the University's small purchase RFQ procedures to conform to the requirements of 5 GCA § 5213 and to ensure that proper procedures are in place relative to the updated small purchase thresholds.

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