



UNIVERSITY OF GUAM  
UNIBETSEDAT GUÅHAN  
Board of Regents

Resolution No. 26-17

**RELATIVE TO AMENDING THE UOG PROCUREMENT REGULATIONS TO REVISE  
THE APPROVAL PROCESS FOR CONTRACTS FOR LEGAL SERVICES**

**WHEREAS**, the University of Guam (UOG) is the primary U.S. Land Grant and Sea Grant institution accredited by the Western Association of Schools and Colleges Senior College and University Commission 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**, the University of Guam Procurement Regulations are modeled in part on the General Services Agency Procurement Regulations, but are adopted and implemented by the University pursuant to its governing authority and applicable law;

**WHEREAS**, the University periodically reviews and updates its Procurement Regulations to ensure efficiency, clarity, and alignment with institutional needs;

**WHEREAS**, the proposed amendment updates the approval process for contracts for legal services to reflect current University practices and internal review procedures; and

**WHEREAS**, the proposed amendment has been reviewed and endorsed by the Administrative Council, which recommends approval by the BOR.

**NOW, THEREFORE, BE IT RESOLVED**, that the BOR hereby approves the amendment to Section 2.10.2 of the UOG Procurement Regulations, as set forth in Attachment A; and

**BE IT FURTHER RESOLVED**, that the President of the University of Guam is authorized to implement the approved amendment and make any conforming administrative updates as necessary.

Adopted this 14<sup>th</sup> day of May, 2026.

A handwritten signature in blue ink, reading "Agapito A. Diaz".

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Agapito "Pete" A. Diaz, Chairperson

**ATTESTED:**

A handwritten signature in blue ink, reading "Anita Borja Enriquez".

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

## Attachment A

### Amendment to UOG Procurement Regulations Section 2.10.2

#### Section 2.10.2 (Amended)

*(Deleted text is shown in strikethrough. Added text is underlined.)*

~~The President shall obtain approval from the Attorney General of contracts for the services of legal counsel.~~

The President may execute contracts for legal services. All such contracts shall be reviewed by Legal Counsel for legality and form prior to execution.



# UNIVERSITY OF GUAM

## OFFICE OF THE PRESIDENT

### MEMORANDUM

**TO:** University of Guam Board of Regents

**FROM:** Anita Borja Enriquez, D.B.A., President

**DATE:** April 22, 2026

**SUBJECT: Proposed Amendment to UOG Procurement Regulations – Section 2.10.2 (Legal Services Contracts)**

#### I. Purpose

I am submitting for your consideration a proposed amendment to Section 2.10.2 of the University's Procurement Regulations, which addresses the approval process for contracts for legal services.

#### II. Summary of Proposed Change

The proposed revision provides that contracts for legal services will be reviewed and approved by the University of Guam General Counsel and will no longer require approval by the Attorney General.

#### III. Background

As you know, the University's Procurement Regulations were originally modeled in part on the General Services Agency (GSA) Procurement Regulations. As a result, some provisions, including Section 2.10.2, which is proposed for amendment, mirror language that applies to centralized procurement within the Executive Branch, including requirements for Attorney General approval of certain contracts.

However, the University is not subject to the centralized procurement framework in the same way as Executive Branch agencies. Under the Guam Procurement Law, the University is treated differently and is only subject to certain provisions of the statute. The centralized procurement provisions in Article 2, including those relating to Attorney General approval of legal services contracts, are not incorporated into the provisions applicable to the University.

As a result, provisions such as the current Section 2.10.2 reflect GSA-based requirements that do not apply to the University. The University therefore has the authority to adopt procurement regulations that conform to its governance structure and operational needs, including the amendment now proposed.

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#### **IV. Legal Framework**

Under the Guam Procurement Law, the University is treated differently from typical Executive Branch agencies. The statute applies to the University in a more limited way and does not incorporate the centralized procurement provisions found in Article 2, which include Attorney General approval requirements for legal services contracts.

This amendment aligns Section 2.10.2 with that statutory framework.

#### **V. Rationale for Amendment**

This update is intended to do a few simple but important things:

- clarify that legal services contracts are reviewed and approved within the University;
- remove redundant approval requirements;
- streamline the contracting process; and
- maintain appropriate oversight while making the process more efficient.

Importantly, this amendment does not remove legal review. It shifts that responsibility to the University to ensure timely and effective review consistent with its governance structure and operational needs.

#### **VI. Committee Review**

The proposed amendment has been reviewed and endorsed by the Administrative Council, which recommends approval by the Board.

#### **VII. Conclusion**

This is a straightforward update that aligns the University's regulations with both its governing structure and applicable law. I respectfully recommend the Board's approval.