



ISLAND OF GUAM
OFFICE OF THE GOVERNOR
HAGATNA, GUAM 96932
U.S.A.

EXECUTIVE ORDER 2025-05

**RELATIVE TO ESTABLISHING REQUIREMENTS FOR ADOPTION OF
POLICIES AND PROCEDURES FOR AIRPORT CONCESSIONS**

WHEREAS, the Antonio B. Won Pat International Airport (the “Airport”) is Guam’s only commercial airport; and

WHEREAS, the Guam International Airport Authority, (“GIAA”) has undertaken critical improvements to modernize the Airport in recent years, including ongoing infrastructure upgrades, construction of new facilities, and enhancing security, with an aim to improve safety, efficiency and passenger experience; and

WHEREAS, the GIAA receives Federal Aviation Administration (“FAA”) grant awards to fund capital projects, the GIAA is responsible for generating its own funds to manage and operate the Airport from aeronautical revenue and non-aeronautical revenue, the latter of which includes concessions and commercial leases; and

WHEREAS, because concessions represent a critical revenue stream for the Airport, it is important that laws and regulations governing the solicitation of these concessions are designed to guarantee the fairness and transparency of the process, as well as maximize the revenue and quality of such concessions; and

WHEREAS, the lack of clarity in Guam law governing the solicitation of these concessions has led to over a decade of litigation between potential vendors in the award of concessions contracts, which concluded earlier this year; and

WHEREAS, GIAA’s current concessions agreements are scheduled to expire in calendar year 2026. Because onboarding new concessionaires requires substantial time to complete, it is imperative that the GIAA commence the competitive solicitation for these services as soon as possible; and

WHEREAS, ensuring competitiveness in the solicitation of airport concessions requires particularized standards and processes. General procurement standards and processes were developed to minimize the cost to the government. In contrast, vendors for airport concessions do not compete to receive government funds, but to pay the government. For this reason, general procurement standards do not provide appropriate processes to maximize the revenue of the government; and



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WHEREAS, on June 17, 2025, Public Law No. 38-21 lapsed into law without my signature, authorizing the GIAA board of directors to create “policies and procedures” that will govern its solicitation of airport concessions; and

WHEREAS, as I noted in my statement regarding P.L. 38-21, I recognize the exigency of the concession solicitation process, which I believe might justify the temporary suspension of the ordinary rulemaking formalities for the initial adoption of policies and procedures while amendments undergo ordinary rule-making processes available under law, including the Administrative Adjudication Law (“AAL”); and

WHEREAS, I further noted, however, that P.L. 38-21 as written does not authorize the GIAA Board of Directors to merely create temporary or interim rules to govern the next solicitation, but rather authorizes the board to create seemingly permanent policies and procedures, subject only to the board’s periodic amendment, again, without the formalities of the AAL; and

WHEREAS, I believe the rulemaking process provided in P.L. 38-21 is deeply flawed and susceptible to abuse. Vesting this level of unchecked power in any agency is imprudent; and

WHEREAS, the Sponsor of P.L. 38-21 recently indicated his willingness to work with our administration to improve the law in light of my comments. While I thank the sponsor for his trust in our administration, and join in his expectation that the GIAA Board of Directors and management will conduct itself appropriately in this matter, I accept the Sponsor’s invitation to strengthen the law, and ensure that the amended law implements processes that bring the airport concession solicitation, selection, and award process in line with our expectations as a community, and bear the hallmarks of proper solicitation – accountability, transparency, fairness, and competition; and

WHEREAS, among the most critical omissions from P.L. 38-21 is the full measure of legal and contractual remedies ordinarily included in the procurement process, including appeals to the Office of Public Accountability and the Superior Court of Guam, and the waiver of sovereign immunity necessary to allow these bodies to hear such appeals; and

WHEREAS, unless the law is amended to authorize such appeals and waive sovereign immunity for that purpose, aggrieved offerors will have no further recourse beyond a protest to the GIAA, and the agency will be the final arbiter of



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any such grievances, a power no other agency in our government holds or should ever hold; and

WHEREAS, the Organic Act of Guam, as amended, provides that the executive power of Guam is vested in the Governor of Guam, and that she shall have general supervision and control of all departments, bureaus, agencies, and other instrumentalities of the executive branch of the government of Guam; and

WHEREAS, the Organic Act further provides that all executive branch officers shall have such powers and duties as may be conferred or imposed on them by law or by executive regulation of the Governor not inconsistent with any law; and

WHEREAS, until such time as a new law is enacted outlining more specific standards and processes for the solicitation of airport concessions, I find it is in the best interest of Guam that the GIAA's adoption of "policies and procedures" pursuant to P.L. 38-21 be subject to the requirements set forth herein; and

WHEREAS, I believe GIAA officials understand their actions in this matter will be subject to intense public scrutiny. Therefore, I believe it is necessary to formalize these requirements to establish clear and uniform guidelines, minimize errors, and assure our public that the GIAA will carry out its responsibilities under the law with the utmost integrity.

NOW, THEREFORE, I, LOURDES A. LEON GUERRERO, *Maga'hågan Guåhan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam and the laws of Guam, do hereby order:

A. Mandatory Provisions for GIAA Concession Solicitation Policies.

The GIAA, its Board of Directors, and management, in its adoption of policies and procedures for the solicitation, selection, and award of concession agreements ("Concession Policies") authorized pursuant to Public Law No. 38-21, *shall* hereby be required to adhere to and incorporate the following provisions into such Concession Policies:

1. Purpose.

The Concession Policies shall be construed and applied to promote their underlying purposes and policies to:

- a. achieve GIAA's self-sustaining mandate;
- b. provide for increased public confidence in the procedures followed in the award of concession agreements;



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- c. provide for the fair and equitable treatment of all persons who compete for concession agreements and concessionaires;
- d. foster effective broad-based competition within the free enterprise system, consistent with industry standards;
- e. provide safeguards for maintaining integrity in the solicitation process and high-levels of quality and service by the concessionaire; and
- f. be consistent with good business practice and the best interests of GIAA.

2. Requirement of Good Faith.

All parties involved in the negotiation, performance, or administration of all contracts procured under P.L. 38-21 shall act in good faith.

3. Policy in Favor of Planned Solicitation.

All solicitations of GIAA concessions shall, where possible, be made sufficiently in advance of need for delivery or performance to promote maximum competition and good management of resources. Publication of requests for proposals shall not be manipulated so as to place potential offerors at unnecessary competitive disadvantage.

4. Training and Certification of Purchasing Personnel.

GIAA personnel tasked with the responsibility of soliciting GIAA concessions must receive training to the extent required for procurement personnel in 5 GCA § 5141. A GIAA employee who is required to receive the training may not participate in solicitation of GIAA concessions unless the employee has received the required training.

5. Competitive Selection Procedures for GIAA Concessions.

GIAA Concessions shall be solicited through competitive selection.

- a. **Statement of Qualifications.** Persons engaged in providing the Airport Concessions may submit statements of qualifications and expressions of interest in providing such types of services. The GIAA Executive Manager may specify a uniform format for statements of qualifications. Persons may amend these statements at any time by filing a new statement.



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b. Public Announcement and Form of Request for Proposals.

The GIAA shall give adequate notice of the solicitation for such concessions through a Request for Proposals ("RFP"), which shall describe the concessions solicited, list the type of information and data required of each offeror, and state the relative importance of particular qualifications.

- i. RFPs shall be posted on the GIAA website. No fees shall be assessed to prospective offerors or other parties for accessing or downloading solicitation documents from the GIAA website. Such documents shall remain on the GIAA website for a period of not less than one hundred eighty (180) days following the award of the proposal.
- ii. The GIAA shall provide notice in each RFP announcement that recommends that prospective offerors register contact information with the GIAA to ensure they receive notices regarding changes or updates to the RFP. The GIAA shall not be liable for failure to provide notice to parties that did not register contact information.
- iii. Nothing herein is intended to prevent the GIAA from making physical or digital media copies of solicitation documents and assessing reasonable fees for such documents in a manner consistent with GIAA policies.
- iv. The GIAA shall further post RFPs on the Procurement Announcement Website provided in 5 GCA § 5221 by the end of the business day on the same date the solicitation is publicly announced, along with (a) the solicitation announcement name, a unique designation for the website and the closing date of the solicitation hyperlinked to their matching solicitation on the GIAA website; (b) a general description of the concessions being solicited; (c) the name, position, title, phone number and email address for at least one point of contact for the solicitation; (d) other relevant information pertaining to the solicitation; and (e) any related notices or pertinent information. Such information shall be posted on the website for the same amount of time the information is required to be posted on the GIAA website.



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- c. **Discussions.** The GIAA Executive Manager or their designee may conduct discussions with any offeror who has submitted a proposal to determine such offeror's qualifications for further consideration. Discussions shall not disclose any information derived from proposals submitted by other offerors.
- d. **Award.** Award shall be made to one or more offeror(s) determined in writing by the GIAA Executive Manager or their designee to be best qualified based on the evaluation factors set forth in the Request for Proposals.

6. Retention of Solicitation Records.

All records related to the solicitation shall be retained and disposed of in accordance with records retention guidelines and schedules approved by the Attorney General.

- a. The GIAA shall maintain a complete record of each solicitation, which shall include:
 - i. the date, time, subject matter and names of participants in any meeting including GIAA employees that in any way relate to a solicitation;
 - ii. a log of all communications between GIAA employees and any member of the public or potential offeror that is in any way related to the solicitation;
 - iii. sound recordings of all negotiations arising from a request for proposals; and
 - iv. brochures and submittals of potential offerors, and other papers or materials used in the development of specifications.
- b. No award for concessions shall be made unless the GIAA Executive Manager or their designee certifies in writing under penalty of perjury that they have maintained the required solicitation record and that it is complete and available for public inspection. The certificate is itself a part of the record.
- c. The solicitation record is a public record, and any person may inspect and copy any portion of the record, subject to such limitations as may exist in Guam law. Proposals of offerors who are not awarded a concession shall not be open to public inspection.



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7. Unsolicited Offers.

- a. **Defined.** An unsolicited offer is any offer other than one submitted in response to a solicitation.
- b. **Processing of Unsolicited Offers.** The Executive Manager of the GIAA shall consider the offer as provided in this Section.
- c. **Conditions for Consideration.** To be considered for evaluation, an unsolicited offer:
 - i. must be in writing;
 - ii. must be sufficiently detailed to allow a judgment to be made concerning the potential utility of the offer to Guam and to the government;
 - iii. must be unique or innovative to Guam's and the government's use; and
 - iv. may be subject to testing under the terms and conditions specified by the government.
- d. **Evaluation.** The unsolicited offer shall be evaluated to determine its utility to Guam and to the government, and whether it would be to Guam's and the government's advantage to solicit such a concession.
- e. **Competitive Solicitation Required.** All unsolicited offers considered as being desirable shall be subjected to the competitive solicitation process. Notwithstanding any other provision of law, sole source award shall not be permissible in any solicitation arising from an unsolicited offer. The criteria set forth in the RFP shall not require the inclusion of any proprietary item proposed in the unsolicited offer, and the proprietary character of an unsolicited offer or the inclusion of a proprietary item in the unsolicited offer shall not be used to favor the offer, nor be a determining factor in awarding an offer. Such RFP shall not contain any reference to the financial offer of the unsolicited offeror, but shall contain a sufficient description to allow other parties to identify the concept of the offer, and to prepare offers.



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8. Cancellation of Request for Proposal.

A Request for Proposals may be canceled, or any or all proposals may be rejected in whole or in part as may be specified in the solicitation, when it is in the best interests of Guam in accordance with the Concession Policies. The reasons therefore shall be made part of the solicitation record.

9. Responsibility of Offerors.

- a. **Determination of Nonresponsibility.** A written determination of nonresponsibility of an offeror shall be made in accordance with the Concession Policies. The unreasonable failure of an offeror to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of nonresponsibility with respect to such offeror.
- b. **Right of Nondisclosure.** Information furnished by an offeror shall not be disclosed outside of the GIAA without prior written consent by the offeror.

10. Disclosure of Ownership, Financial, and Conflicts of Interest.

- a. **Purpose.** The disclosures required by this Section are intended to reveal information bearing on the responsibility of an offeror and can be obtained by an inquiry regarding responsibility prior to award.
- b. **Definitions.** As used herein, the term "person" shall be interpreted liberally to include the definition found in 1 GCA § 715, and in 5 GCA § 5030(n), and includes a natural person as well as every entity of whatever form or composition (an "artificial person") recognized under the laws of Guam other than a natural person, who is a prospective contractor under a proposal, or other response to a solicitation, or is a contractor under a contract with the government of Guam.
- c. **Public Disclosure of Ownership.**
 - i. The ownership interests to be disclosed under this Section include the interests of a natural or artificial person who owns all or any part of a prospective offeror, whether as proprietor, a partner, limited or otherwise, a shareholder of any class, in which case the percentage ownership interest



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- test shall be based on each class, a member of an association or company, limited or otherwise, and any person owning a beneficial legal interest in any trust, and any other person having the power to control the performance of the contract or the prospective contractor.
- ii. Prior to award, every person who is a prospective offeror shall submit a Disclosure Statement, executed as an affidavit under oath, disclosing the name of each person who currently or has owned an ownership interest in the prospective offeror greater than ten percent (10%) at any time during the twelve (12) month period immediately preceding the date of the solicitation (the "relevant disclosure period").
 - iii. If a prospective offeror is an artificial person, the Disclosure Statement shall disclose the name of each person who has owned an ownership interest in such artificial person (a "second tier owner") greater than twenty-five percent (25%) at any time during the relevant disclosure period.
 - iv. If any such second tier owner is also an artificial person, the Disclosure Statement shall disclose the name of each person who has owned an ownership interest in such second tier owner (a "third tier owner") of forty-nine percent (49%) or more during the relevant disclosure period.
 - v. If the name of no natural person has been identified as an owner, or a second or third tier owner of the prospective offeror, the Disclosure Statement shall identify the name, position, address, and contact information of the natural person having the authority and responsibility for the performance of the prospective contract, and the name of any natural person who has the authority and power to remove and replace the designated responsible person or otherwise control the performance of the prospective contract.
- d. **Disclosure of Financial Interest.** A prospective offeror shall execute an affidavit disclosing the name of any person who has



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received or is entitled to receive a commission, gratuity, contingent fee or other compensation to solicit, secure, or assist in obtaining business related to the solicitation by means of a Disclosure Statement, executed as an affidavit under oath, disclosing such interest and shall also contain the amounts of any such commission, gratuity, contingent fee or other compensation.

11. Reporting of Anticompetitive Practices.

When for any reason collusion or other anticompetitive practices are suspected among any offerors, notice of the relevant facts shall be transmitted to the Attorney General.

12. Legal and Contractual Remedies.

While Guam Procurement Law authorizes appeals from agency decision to the Public Auditor or to the Superior Court of Guam, P.L. 38-21 does not authorize such appeals for decisions regarding protests involving Airport Concessions, and the Legislature did not purport to authorize the GIAA to include such authorization in the Concession Policies. Further, P.L. 38-21 does not waive sovereign immunity in connection with actions between the GIAA and offerors to determine whether its solicitations and awards of Airport Concessions contracts are in accordance with Guam law and the terms of the solicitation. Notwithstanding this omission from P.L. 38-21, the GIAA shall include provisions governing such appeals consistent with this Executive Order, which shall become effective upon enactment of law authorizing such appeals. This Executive Order does not purport to confer jurisdiction over appeals from protests involving Airport Concessions on the Public Auditor or the courts, or to waive sovereign immunity regarding the same. While this Executive Order requires the GIAA to promulgate policies to address such appeals, the policies shall state that they are not effective until the Legislature enacts laws authorizing such appeals and waiving sovereign immunity. References herein to actions before the Public Auditor or the courts are provided to instruct the GIAA regarding the contents of the policies, not to authorize such actions or waive sovereign immunity.



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The Concession Policies shall include provisions establishing legal and contractual remedies, including the following:

a. **Authority to Resolve Protested Solicitations and Awards.**

- i. **Right to Protest.** Any actual or prospective offeror or contractor who may be aggrieved in connection with the solicitation or award of a contract, may protest to the GIAA Executive Manager. The protest shall be submitted in writing within fourteen (14) days after such aggrieved person knows or should know of the facts giving rise thereto.
- ii. **Authority to Resolve Protests.** The GIAA Executive Manager or their designee shall have the authority, prior to the commencement of an action in court concerning the controversy, to settle and resolve a protest of an aggrieved bidder, offeror, or contractor, actual or prospective, concerning the solicitation or award of a contract. This authority shall be exercised in accordance with the Concession Policies.
- iii. **Decision.** If the protest is not resolved by mutual agreement, the GIAA Executive Manager or their designee shall promptly issue a decision in writing. The decision shall:
 1. State the reasons for the action taken; and
 2. Inform the protestant of its right to administrative and judicial review.
- iv. **Notice of Decision.** A copy of the decision under Subsection (iii) shall be mailed or otherwise furnished immediately to the protestant and any other party intervening.
- v. **Appeal.** A decision under Subsection (iii), including a decision thereunder regarding entitlement to costs as provided by Subsection viii of this section, may be appealed by the protestant to the Public Auditor within fifteen (15) days after receipt by the protestant of the notice of decision.



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- vi. **Finality.** A decision of the Public Auditor is final unless a person adversely affected by the decision commences an action in the Superior Court in accordance with Subsection (vii) below.
- vii. **Appeal to the Superior Court.** Any appeal of a decision of the Public Auditor shall be initiated within fourteen (14) days after the receipt of the decision of the Public Auditor.
- viii. In the event of a timely protest under Subsection (i) of this Section, the GIAA shall not proceed further with the solicitation or with the award of the contract prior to final resolution of such protest, and any such further action is void, unless:
 - 1. The GIAA, after consultation with and written concurrence of the the Attorney General or designated Deputy Attorney General, makes a written determination that the award of the contract without delay is necessary to protect substantial interests of Guam; and
 - 2. Absent a declaration of emergency by *I Maga'håga/Maga'låhi*, the protestant has been given at least two (2) days notice (exclusive of Guam holidays); and
 - 3. If the protest is pending before the Public Auditor or the Court, the Public Auditor or Court has confirmed such determination, or if no such protest is pending, no protest to the Public Auditor of such determination is filed prior to expiration of the two (2) day period specified above.
- ix. **Entitlement to Costs.** In addition to any other relief or remedy granted under this Section, when a protest is sustained, the protestant shall be entitled to the reasonable costs incurred in connection with the solicitation and protest, including bid preparation costs, excluding attorney's fees, if:
 - 1. the protestant should have been awarded the contract under the solicitation but was not; or



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2. there is a reasonable likelihood that the protestant may have been awarded the contract but for the breach of any ethical obligation imposed by the Concession Policies or the willful or reckless violation of any applicable law or regulation. The Public Auditor shall have the power to assess reasonable costs including reasonable attorney fees incurred by the GIAA against a protestant upon its finding that the protest was made fraudulently, frivolously or solely to disrupt the procurement process.

b. Authority to Debar or Suspend.

- i. **Authority.** After reasonable notice to the person involved and reasonable opportunity for that person to be heard, the GIAA Executive Manager, after consultation with the Attorney General, shall have authority to debar a person for cause from consideration for award of contracts. The debarment shall not be for a period of more than two (2) years. The same officer, after consultation with the Attorney General, shall have authority to suspend a person from consideration for award of contracts if there is probable cause for debarment. The suspension shall not be for a period exceeding three (3) months.
- ii. **Causes for Debarment or Suspension.** The causes for debarment or suspension include the following:
 1. conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a private contract or subcontract, or in the performance of such contract or subcontract;
 2. conviction under Guam or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which currently, seriously and directly affects responsibility as a Guam contractor;



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3. conviction under federal antitrust statutes arising out of the submission of bids or proposals;
 4. violation of contract provisions, as set forth below, of a character which is regarded by the GIAA Executive Manager to be so serious as to justify debarment action:
 - a. deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or
 - b. a recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, provided, that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment;
 5. any other cause the GIAA Executive Manager determines to be so serious and compelling as to affect responsibility as a Guam contractor, including debarment by another governmental entity;
 6. for violation of the ethical standards set forth in the Concession Policies; and
 7. filing a frivolous or fraudulent petition, protest or appeal under the Concession Policies.
- iii. **Decision.** The GIAA Executive Manager shall issue a written decision to debar or suspend. The decision shall:
1. state the reasons for the action taken; and
 2. inform the debarred or suspended person involved of its rights to judicial or administrative review as provided in the Concession Policies.
- iv. **Notice of Decision.** A copy of the decision under this Section shall be mailed or otherwise furnished immediately to the debarred or suspended person and any other party intervening.



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- v. **Finality of Decision.** A decision under this Section shall be final and conclusive, unless fraudulent, or an appeal is taken to the Public Auditor in accordance with the Concession Policies.
 - vi. **Appeal to the Superior Court.** Any decision of the Public Auditor for Debarment or Suspension shall be appealed to the Superior Court within six (6) months after the decision of the Public Auditor is served on the party.
 - vii. Any member of the public may petition the GIAA Executive Manager to take action to debar or suspend pursuant to this Section. An investigation of each petition shall be conducted promptly and a written report should be made of findings of facts and action taken.
- c. **Authority to Resolve Contract and Breach of Contract Controversies.**
- i. **Applicability.** This Section applies to controversies between the GIAA and a contractor which arise under, or by virtue of, a contract between them. This includes without limitation controversies based upon breach of contract, mistake, misrepresentation, or other cause for contract modification or rescission.
 - ii. **Authority.** The GIAA Executive Manager or their designee is authorized, prior to commencement of an action in a court concerning the controversy, to settle and resolve a controversy described in Subsection (i). This authority shall be exercised in accordance with the Concession Policies.
 - iii. **Decision.** If such a controversy is not resolved by mutual agreement, the GIAA Executive Manager or their designee shall promptly issue a decision in writing. The decision shall:
 - 1. state the reasons for the action taken; and
 - 2. inform the contractor of its rights to judicial or administrative review as provided in this Chapter.
 - iv. **Notice of Decision.** A copy of the decision under Subsection (iii) shall be mailed or otherwise furnished immediately to the contractor.



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- v. **Finality of Decision.** The decision reached pursuant to Subsection (iii) shall be final and conclusive, unless fraudulent, or the contractor appeals administratively to the Public Auditor in accordance with the Concession Policies.
- vi. **Failure to Render Timely Decision.** If the GIAA Executive Manager or their designee does not issue the written decision required under Subsection (iii) within sixty (60) days after written request for a final decision, or within such longer period as may be agreed upon by the parties, then the contractor may proceed as if an adverse decision had been received.

13. Solicitations or Awards in Violation of Law.

- a. **Applicability.** The provisions of this Subsection apply where it is determined administratively, or upon administrative or judicial review, that a solicitation or award of a contract is in violation of law.
- b. **Remedies Prior to an Award.** If prior to an award it is determined that a solicitation or proposed award of a contract is in violation of law, then the solicitation or proposed award shall be:
 - i. cancelled; or
 - ii. revised to comply with the law.
- c. **Remedies after an Award.**
 - i. If after an award it is determined that a solicitation or award of a contract is in violation of law, then:
 - 1. if the person awarded the contract has not acted fraudulently or in bad faith:
 - a. the contract may be ratified and affirmed, provided it is determined that doing so is in the best interests of Guam; or
 - b. the contract may be terminated and the person awarded the contract shall be compensated for the actual expenses reasonably incurred under the contract, plus a reasonable profit, prior to the termination.



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2. if the person awarded the contract has acted fraudulently or in bad faith:

a. the contract may be declared null and void;
or

b. the contract may be ratified and affirmed if such action is in the best interests of Guam, without prejudice to Guam's rights to such damages as may be appropriate.

d. **Interest.** Interest on amounts ultimately determined to be due to a contractor or Guam shall be payable at the statutory rate applicable to judgments from the date the claim arose through the date of decision or judgment, whichever is later.

14. Ethics in Contracting.

Solicitations and awards for Airport Concessions shall be subject to Article 11, Chapter 5, Title 5, Guam Code Annotated, except that references to "procurement" in 5 GCA § 5628 shall be substituted with "solicitation", references to "purchase" or "procurement" in 5 GCA § 5630 shall be substituted with "solicitation", and references to "sell" or "sale" in 5 GCA § 5632 shall be substituted with "offer."

15. Adoption of Policies.

The GIAA shall promulgate and adopt the initial Concession Policies as provided in P.L. 38-21, and such policies shall become effective upon approval and signature of the Governor of Guam.

16. Amendments to Concession Policies.

The GIAA Board of Directors may adopt amendments to the initial Concession Policies authorized in P.L. 38-21 pursuant to the Administrative Adjudication Law, Chapter 9 of Title 5 of the Guam Code Annotated.

17. Other Procurements.

GIAA's procurement of supplies, services, and construction shall continue to be governed by Chapter 5, Title 5, Guam Code Annotated.



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B. Severability.

If any provision of this Executive Order or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Order that can be given effect without the invalid provision or its application, and to this end, the provisions of this order are severable.

SIGNED AND PROMULGATED at Hagåtña, Guam this 28th day of July, 2025.

A handwritten signature in black ink, reading "Lourdes A. Leon Guerrero".

LOURDES A. LEON GUERRERO

Maga'hågan Guåhan

Governor of Guam

Attested by:

FRANK BLAS, JR.

Åkto Sigundo Maga'låhen Guåhan

Acting Lieutenant Governor of Guam