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Government of Puerto Rico

**Regulations for the Training and Continuing Education
Academy of the General Services Administration of the
Government of Puerto Rico**



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Section I: Title

This Regulation shall be known as the "Regulation for the Training and Continuing Education Academy of the General Services Administration of the Government of Puerto Rico."

Section II: Legal Authority

This Regulation is approved pursuant to the provisions of Sections 3, 4(g), 8, 10, 11, 15, 42, 43, 45, and 82 of Act No. 73-2019, as amended, known as the "General Services Administration Act for the Centralization of Purchases of the Government of Puerto Rico of 2019," 3 L.P.R.A. §§9831-9841h, which empowers the Administrator to "adopt, amend, and repeal regulations to comply with the provisions of this Act and any other applicable laws."

In addition, it is adopted in compliance with the requirements of the "Uniform Administrative Procedure Act of the Government of Puerto Rico," Act No. 38-2017, 3 LPRA §9611-9630.

Section III. Purpose and Executive Summary

The approval of Act No. 73-2019 led to the grouping and centralization of the professionals in charge of the procurement procedures of the Government of Puerto Rico in the General Services Administration (GSA). This centralization, among other objectives, seeks to achieve uniformity, optimization, and specialization in purchasing procedures. Section 4 (g) of Law 73 establishes a training requirement for professionals in charge of procurement procedures, which includes knowledge of processes, computer systems, regulations, and the use of public funds. In addition, Act 73-2019 delegated to the GSA the responsibility of creating and administering the procedures, methods, regulations, and computer systems related to the procurement of non-professional goods and services by the Government of Puerto Rico. The GSA was also authorized by law to promote efficiency in services to government entities and citizens, and for this purpose, it was empowered to establish the necessary methods, restructure or create offices within the Administration, or to carry out any appropriate or necessary action to effectively achieve its mission.

In order to ensure that the executive professionals, as well as those who participate directly or indirectly in the procurement procedures of goods and services for the Government of Puerto Rico, have the knowledge and tools necessary to perform their duties in compliance with applicable laws and regulations, as well as the ethical standards that govern these processes, GSA approved GSA Administrative Order 2023-001, which created the General Services Administration Training and Continuing Education Academy (hereinafter referred to as the Academy). To more effectively achieve the Academy's objectives, it is essential to establish collaborative agreements with public and private entities, both inside and outside of Puerto Rico.

This Regulation sets forth the organization, operations, powers, and duties of the Academy and the Deputy Administrator of the GSA, as director of the Academy. Also included are the obligations of GSA officials with respect to the Academy. In addition, it establishes the procedure to be followed by the Academy for the Certification of credit hours for government employees, as well as the procedure for the validation of credits.

The GSA certifies that the approval and enforcement of this Regulation does not represent any additional economic impact for the Government of Puerto Rico, the GSA, the officials of the aforementioned Agency, or the general public.

Section IV: Applicability

This Regulation is applicable to all divisions, offices, officials, and employees of the GSA, as well as to those officials and employees of other governmental agencies of Puerto Rico who need a designation or appointment from the Administrator of the GSA to fulfill their responsibilities, and to those who are subject to Act No. 73 and its regulations. as well as those who exercise functions and powers related to the acquisition of non-professional goods and services by the Government of Puerto Rico, as provided in Act 73-2019.

Section V: Definitions

The following terms or phrases, as used in this Regulation, shall have the meanings set out below:

- a. Administration or "GSA" - General Services Administration.
- b. Administrator - Administrator of the General Services Administration.
- c. Academy - General Services Administration Training and Continuing Education Academy.
- d. Course – An educational or training program designed to provide participants with specific knowledge, skills, capacities, or competencies. This may include a variety of formats such as traditional courses, workshops, seminars, training sessions, and other teaching methods, either in-person or online, synchronously or asynchronously. In addition, these programs may use a variety of teaching and assessment techniques.
- e. Director – The Deputy Assistant Administrator of the General Services Administration or person delegated by such.
- f. Academic Offering – Permanent and special courses offered by the Academy.
- g. Educational Resource – Teacher, tutor, or expert in an area designated for the teaching of a course, teaching materials, educational technology, online resources, activities, audio-visual resources, or any other resource for teaching a course.
- h. Semester – Period in the academic calendar during which specific courses are scheduled and offered. This period is announced in advance and has a fixed duration, during which participants may enroll in the corresponding courses.

Section VI: Powers and Duties of the Training and Continuing Education Academy

The General Services Administration Training and Continuing Education Academy shall have the following powers and duties:

- a. Providing a broad, accessible, and complete curriculum program that fosters the professional and continuous training of all GSA officials, in compliance with Act 73, as well as any relevant legislation and applicable regulations.
- b. Ensuring the availability of an academic offering that trains executive professionals and those who participate directly or indirectly in the procurement procedures of goods and services for the Government of Puerto Rico. This will enable them to perform their duties in accordance with applicable laws and regulations.
- c. Providing a training program aimed at addressing the substantive, procedural, and general aspects of Act No. 73, as well as any relevant legislation affecting the functions of the GSA and applicable regulations.
- d. Promoting public policy, programmatic, and strategic priorities that are essential for advancing the objectives of Act 73 and guaranteeing the services provided by the GSA.
- e. Operating according to a work plan and a semester academic program that includes course scheduling.
- f. Offering a variety of methodologies and access routes in educational processes to meet the needs and conditions of government employees and ensuring accessibility to educational processes.
- g. Identifying the training and continuing education needs of GSA officials and developing the necessary programs to address them.
- h. Establishing mentoring, internship, or initial training programs for newly appointed officials.
- i. Promoting online education through the design of virtual courses, the use of videoconferencing and webinars, and the adoption of technological educational resources for the benefit of all government employees.
- j. Providing training that fosters academic and practical training on legislation related to government ethics, ethical principles, and sound management of public resources in procurement processes.
- k. Developing educational materials that support the roles of GSA employees and are available to the community at large.
- l. Providing educational support and acting as a liaison with the various offices of the GSA.
- m. Entering into collaborative agreements with other entities of the government of Puerto Rico,; educational centers, organizations, and associations; and state, national, and international universities.
- n. Entering into collaborative agreements with municipalities and municipal consortia and corporations.

- o. Researching, promoting, and informing GSA officials and employees about educational programs and courses in other jurisdictions.
- p. Maintaining an academic catalog that includes the permanent and specialized offerings of the Academy. The catalog should provide relevant information, such as the name of the course, workshop, or training session, a brief description, and the number of credits.
- q. Creating a resource catalog that includes both internal and external resources available for courses, training sessions, and workshops.
- r. Establishing evaluation systems for academic resources and participants.
- s. Carrying out any other activity that may be necessary for the advancement of the objectives of Act 73 in keeping with the purposes of this Regulation.

Section VII: Powers and Duties of the Director of the Training and Continuing Education Academy

- a. Developing the academic program for the Academy in consultation with the Advisory Council of the Academy. The program will include the curricular offering for each semester, as well as the permanent and specialized academic offerings to facilitate the continuing professional training of government employees.
- b. Publishing notices for officials and employees who may be interested in participating in continuing education programs.
- c. Recording, accrediting, and certifying the number of credits or hours completed by Academy participants, as may be required.
- d. Referring to the Office of Human Resources of the GSA officials or employees who do not meet the hours/credit requirements established by Act No. 73 and this Regulation.
- e. Making efforts for the Academy to obtain certifications or accreditations that validate the excellence of its operations and academic offerings.
- f. Convening the Academy's Advisory Council at least twice a year for meetings and consultations.
- g. Preparing an annual report detailing the activities carried out by the Academy, the course offering, the participants, the educational resources used, and the areas for improvement identified in comparison to the Academy's work plan and objectives.
- h. Participating in the meetings of the Academy's Advisory Council and providing the necessary information for the Advisory Council to do its work.
- i. Coordinating continuing education initiatives with public entities and private organizations under current collaborative agreements.
- j. Performing any other function delegated by the Administrator.

Section VIII: Obligations of Officials and Employees

Pursuant to Section 4 (g) of Act 73, supra, "every purchase official shall take six (6) credits per year of continuing education courses on procurement processes, uses of computer systems, amendments to existing regulations, and the proper exercise of the use of public funds in the procurement of goods and services for the entire Government." All procurement officials, as defined in Act 73, supra, will have the obligation to comply with this requirement, according to the training sessions, courses, and workshop program established by the Center. The requirement of six (6) annual continuing education credits extends to any official who holds an appointment as liaison, purchasing liaison, specialist, transportation manager, and all officials who hold a license issued by the GSA.

The Administrator and the Director may request the assistance of any official or employee of the GSA on those matters that they deem indispensable for the fulfillment of the official functions and duties of the officials of the GSA.

Unjustified failure to comply with the duty to participate in continuing education processes may entail the corresponding corrective and disciplinary measures under the applicable personnel regulations.

Section IX: Adoption Process for the Course and Training Program, Publication, and Enrollment

The Academy will adopt the Course Schedule for each semester and will publish it at least thirty (30) days prior to the start of each semester. The Program will contain the name of the course, a brief description of its scope and objectives, the name of the educational resource, the date and time of the course, the corresponding number of credits for the course, the deadline for enrollment, and any other information deemed relevant. The Course Program shall provide notice of the courses that are mandatory for officials and employees.

The Academy will publicize the Course Program by email, official social media, posters, placards, news media, and any other means that may be identified. It will also keep the Curriculum available at the Academy and the Office of Human Resources for inspection by all staff and employees.

The Academy shall adopt the means by which officials and employees may enroll in courses and training sessions and shall establish the deadline, if any, for enrollment in each course.

In order to credit participation, it will be necessary to record the attendance of those present in each course. Officials or employees must sign or initial their attendance at the course at the

entrance and exit of the course. The Academy and the Office of Human Resources will be the custodians of the timesheets.

Section X: Course Certification

The Academy will count for the purposes of certification the hours of courses that officials and employees of the Administration have taken through the Academy from the date of its creation. For the purpose of tabulation, accreditation, and certification of the credits required by Act 73, supra, one credit shall be equivalent to one hour. The Academy will prepare a Certification containing the following information:

- a. Name of the staff member who took the course;
- b. Position held by GSA or the appropriate administrative agency;
- c. Date and place the course was taken;
- d. Course title;
- e. Duration of the course;
- f. Name of the educational resource in charge of offering the course;
- g. Any other relevant information.

This Certification will be available upon request from the official or employee who took the course. In the case of GSA employees, the Certification will be sent to the Human Resources Office of the Administration, which will maintain it as part of the personnel file of the official or employee.

The following topics will be the subject of the permanent academic offer:

- Act No. 73-2019.
- GSA Regulations and Administrative Orders.
- Jurisprudence relating to Act No. 73-2019 and procurement processes of the Government of Puerto Rico.
- Ethical aspects related to the purchasing function.
- Puerto Rico laws in which GSA plays a relevant role with respect to their implementation or interaction with procurement and contracting management.
- Federal regulations applicable to public bidding processes and states of emergency.
- Computer systems related to bidding, procurement, and contracting processes.
- Government Contracting.

Section XI: Validation

The Academy will seek to establish collaborative arrangements with the Office of Government Ethics (OEG) or other government entities to avoid duplication of efforts. To this end, it may adjust

the standards and requirements so that, where appropriate, the courses offered by the Academy can be accredited by the OEG or other government entities.

The Academy will have the authority to validate credits for courses offered by government entities, universities, academic centers, or other public or private institutions, both locally and internationally. In this process, the course description, materials, and resources will be evaluated to ensure that they meet the requirements established by Act No. 73 and those of the Academy. If the GSA decides to validate the credits, the certification will be carried out in accordance with Section 10 of this regulation. In addition, the Academy will be able to create a catalog of available courses and identify courses offered by other government entities, universities, academic centers, or other institutions, both locally and internationally, that meet the criteria mentioned above.

Section XII: Advisory Council

The Administrator shall appoint, at his or her sole discretion, an Advisory Council that will recommend academic offerings to the Director, identify educational resources within and outside of Puerto Rico, establish priorities in terms of public policies and topics to be offered in the Academy, review the Academy's offerings, and address any other matter entrusted by the Administrator.

The Administrator shall establish the composition of the Advisory Board and shall set the term in which its members shall exercise their collaborative functions.

This Advisory Council may be composed of GSA officials, former public employees, external advisors, and members of universities in and outside Puerto Rico who, in the opinion of the Administrator, have experience, academic preparation, and recognition of their professional careers. The Director of the Academy will be a member of the Advisory Board.

Section XIII: Participation of the Private Sector and Officials from Other Jurisdictions in the Continuing Education Processes

In order to ensure faithful compliance with the provisions governing the Single Registry of Bidders (RUL) and the Single Registry of Suppliers (RUP), the Administrator may enter into agreements or covenants with professional associations, organizations, and associations of the private sector for their participation in the Academy in those courses or seminars as may be relevant under Act No. 73 and its regulations.

Likewise, the Administrator may enable the participation of officials from other jurisdictions through those agreements that are deemed necessary.

Section XIV: Penalties

The continuing education requirement for GSA procurement officials is an official duty imposed by Act 73, supra. The Administrator of the GSA may initiate any disciplinary proceedings and impose the corresponding sanctions against those employees who fail to comply with the requirements established in Act 73, supra, in GSA Administrative Order 2023-01, supra, and in this Regulation.

Likewise, the Administrator may take the corresponding disciplinary actions against any employee who is required by this Regulation to take the courses and training and does not comply with the requirements imposed.

Section XV: Interpretation of the Regulations in the Face of Amendments to the Law

If, after the approval and entrance into effect of this Regulation, any of the laws cited as legal authorities are amended, the provisions of the Regulations shall be interpreted in accordance with current legislation. In such a case, any provision that is contrary to current legislation shall be deemed to be repealed.

Section XVI: Severability Clause

If any clause, paragraph, subparagraph, sentence, word, letter, article, provision, section, subsection, title, chapter, subchapter, subsection, or part of this Regulations is annulled or found to be unconstitutional, the resolution, opinion, or judgment issued to that effect shall not affect, prejudice, or invalidate the remaining provisions thereof, but the effect thereof shall be limited to the word, sentence, subparagraph, specific section, article, or part found to be unconstitutional or void in that controversy.

Section XVII: Authority of the Administrator

Nothing in this regulation limits the authority of the Administrator to make executive and administrative decisions related to the Academy, under the duties and responsibilities vested by Act 73 and its regulations. The powers of the Administrator may not be subject to or conditioned by any action without the prior intervention or approval of any other regulatory entity or authority.

The Administrator shall be the final judge of the scope and purpose of this regulation.

The Administrator may modify the academic offerings from time to time in order to adapt them to new technological trends and the market, as well as to laws and regulations, or for any other reason in the public interest. Similarly, the Administrator will have the power to modify the composition and responsibilities of the Advisory Board.

Section XVIII: Effective Date

This Regulation shall enter into effect thirty (30) days after publication pursuant to Act No. 38, supra.

Approved today, September 30, 2024, in San Juan, Puerto Rico.



Karla G. Mercado-Rivera, Esq.
Administrator and Chief Procurement Officer