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Approved: Carlos S. Quirós
Secretary of State
By: [Signature]
Assistant Secretary of State

COMMONWEALTH OF PUERTO RICO
GENERAL SERVICES ADMINISTRATION

REGULATORY BOARD

REGULATIONS

TO amend articles 1, 2, 3, 4, 5 and 6;
repeal article 7; amend and renumber
article 8 as 7; add a new article
8 and a new article 9; amend and
renumber article 9 as 10; amend and
renumber article 10 as 11; repeal
articles 11 and 12; amend and renumber
article 13 as 12; repeal article 14;
amend and renumber respectively
articles 15 as 13, and 16 as 14;
repeal article 17; amend and renumber
articles 18 as 15, 19 as 16, 20 as 17,
21 as 18; renumber articles 22, 23,
14 and 25 as 19, 20, 21 and 22
respectively, of Regulations No. 13
of the General Services Administration.

SECTION 1: Regulations No. 13 of the Regulatory Board
of the General Services Administration are
hereby amended so as to read as follows:

"Article 1: Reference Title

These regulations shall be known as the
"Regulatory Board Regulations".

Article 2: Sources of the Law

These Regulations are adopted by virtue of
the power conferred upon the Administrator of
the General Services Administration by section

"1.a" of article 16 and section "h" of article 14 of Public Law 164 of July 23rd, 1974, as amended.

Article 3: Purpose

These Regulations are adopted with the purpose of establishing the Board's internal procedures, the procedure to be followed in the preparation and revision of specification patterns that shall be applied uniformly to all purchases of merchandise, materials, supplies, equipment, works and services.

Article 4: Scope

These Regulations shall apply to all officials or employees of the Administration, of the Board or of any agency upon which the Administration delegates acquisitions or any step in the acquisition procedure which includes the preparation of specifications.

Article 5: Jurisdiction

The provisions of these Regulations shall apply to all natural or juridical persons who want to compete in the

government market by increasing or decreasing requisites and characteristics in the specifications of all that the Government buys.

Article 6: Definition of Terms

1. ...
2. ...
3. Specifications - Clear, concise, and definite description of the technical, physical, functional, aesthetical, and quality characteristics of a material, equipment, product, work, or service or any other thing acquired by the government.
4. Regulatory Board - Consultative body of the Administrator for the preparation and revision of specification patterns established in Public Law 164 of July 23, 1974, as amended.
5. ...
6. ...

Article 7: Board Members and Officials

The Regulatory Board shall be composed of the Administrator or his authorized

representative who shall be its President, and six (6) additional members appointed by the Administrator who shall respectively represent the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Consumers' Affairs, the Administrator of Economic Development and two additional ones representing the public interest.

The Administrator shall name the Board Executive Secretary who shall not be a member nor shall have vote.

Article 8: Terms and Payments

The members and officials of the Board shall comply with their duties and appointments until their successors are named and take possession. The members of this Board shall not receive any remuneration for their services, but the members who are not government employees may receive payment according to the applicable law and the regulations promulgated by the Secretary of Treasury.

Article 9: Operation of the Board

The Administrator shall provide the

adequate means for the operation of the Board, including personnel, equipment and space.

1. Budget

The Administrator will provide the necessary funds for the functioning of the Board.

2. Personnel

The President shall determine the personnel needs and shall notify them to the Administrator so as to recruit employees from the Administration, or new personnel.

Article 10: Consultants and Technicians

The Board may request the technical help, services and cooperation of the Government or private agencies.

Article 11: Duties and Powers

1. The duties and powers of the Board shall be the following:
 - a. Adopt a seal;
 - b. Approve specifications;
 - c. Draft specifications;
 - d. Consider, evaluate, and make decisions concerning petitions

for the inclusion of the new specifications, and revision of existing ones;

- e. Publish the specification pattern;
- f. Approve the internal rules of the Board;
- g. Orient Government agencies and possible bidders concerning the application of the specifications published by the Board.

2. The duties and powers of the President shall be the following:

- a. See that all regulations are obeyd.
- b. See that the Board carries out its functions.
- c. See that all Board members comply with their duties.
- d. Direct Board proceedings;
- e. Represent the Board;
- f. Call and preside over Board meetings;
- g. Adopt as his own the Board members' recommendations.

- h. Preside over hearings concerning the inclusion and exclusion of specifications.
 - i. Carry out all the functions and duties inherent of his position.
3. The functions of the Secretary will be as follows:
- a. Keep custody of the information in Board books, correspondence, files, and documents;
 - b. Maintain control of all correspondence received and sent by the Board;
 - c. Certify Board documents;
 - d. Draft, control, and maintain records of the proceedings of all Board meetings;
 - e. Keep records of all the hearings, works and decisions of the Board;
 - f. Keep control of the approved specifications;
 - g. Keep control of the Specification Patterns;
 - h. Be in charge of the Board's administrative works;
 - i. Discharge functions and duties inherent to his position.

Article 12: Attendance and Quorum

Members of the Board shall personally attend all Board meetings. Attendance by four (4) members shall constitute quorum.

Article 13: Meetings

The Board shall meet during working hours when the President deems it necessary called by in writing including the agenda; unless the President calls for an extraordinary meeting in which case it can be called for verbally during or after working hours stating the matter for the meeting.

Article 14: Board Decisions

All Board agreement and decisions shall be made by the unanimous vote of members present who must constitute quorum at the voting time.

1. Revisions

Board agreements and decisions are subject to reconsideration by the Board itself by filing request within

ten (10) working days of being notified according to the procedures that the Board may approve.

Article 15: Specifications Approval

The approval of specifications may proceed in the following manner:

1. By adoption of Federal Specifications;
2. By approval of Specifications that have been in use in the Government purchase system;
3. By approval of Specifications submitted to the Board for consideration;
4. By creation of the Board;
5. By any other way agreed upon by the Board.

Article 16: Actions

1. ...
2. ...
3. Exclusion of a Model Specification

Article 17: Persons allowed to Appear before the Board

Any industrial or businessman, be a registered bidder or not and any Government agency may file any action, herein established for any material, product, equipment, service, work or any other acquired by the Government.

Article 18: Procedure to be followed
upon filing any action

1. Request
 - a. The petitioner shall submit in writing before the Board, personally or by mail indicating the action filed including all documents that sustain his request and his standing.
2. ...
3. ...
4. Review

The final decisions of the Board shall be revisable in accordance to the Rules to Review Administrative Decisions at the Superior Court, approved on September 23, 1976.

Article 19: Restrictions

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Article 20: Penalties

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Article 21: Temporary Provisions

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Article 22: Effectiveness

SECTION 2: Effectiveness

These amendments shall enter into effect thirty (30) days after being submitted to the State Department, according to the provisions of Public Law No. 112 of June 30, 1957, as amended, known as the "Regulations Act of 1958".

Approved in San Juan, Puerto Rico this 10 day of October, 1984.


Manuel Suro
Administrator