



Guam Board of Registration for  
**Professional Engineers, Architects and Land Surveyors (PEALS)**  
*Inetnon Rehistrasion Inheneron Profisionat, Atketekto yan Agranensot Tano'*

## MEMORANDUM

Date: August 2, 2023

TO: Registrant

FROM: Masoud K. Teimoury, PhD, PE  
Secretary/Treasurer, PEALS Board

SUBJECT: NOTICE TO RENEW – PEALS Certificate of Authorization

*Hafa Adai!* The Guam Board of Registration for Professional Engineers, Architects, and Land Surveyors reminds you that your PEALS Certificate of Authorization (COA) issued to your firm to provide engineering, architectural, land surveying or construction management services will expire on October 31, 2023, and becomes *invalid* after that date unless payment for renewal is received.

Should you wish to continue to provide these services, your firm is required to renew its PEALS COA with the enclosed documents, or online at <https://www.guam-peals.org/>. All required Department of Revenue & Taxation clearances must be obtained prior to renewing your company's COA with this Board.

Please complete the attached PEALS COA application AND tax clearance form and submit to us along with the annual renewal fee of \$225.00 per type of service provided (if engineering, per discipline of engineering) on or before October 31, 2023. Your PEALS COA renewal may also be renewed online <https://www.guam-peals.org/>. Your check or money order must be made payable to TREASURER OF GUAM and mailed directly to:

The Guam Board of Registration for PEALS  
590 South Marine Corps Drive, Suite 511  
Tamuning, GU 96913

Your continued compliance with the provision of the PEALS Law is appreciated.





The Guam Board of Registration for  
**PROFESSIONAL ENGINEERS, ARCHITECTS & LAND SURVEYORS**

*Inetnan Rihestrasyon Inbeneron Profisional, Arkitekto yon Agramentot Tano'*

Guam PEALS Board  
 c/o GEDA  
 590 S. Marine Corps Drive Ste 511  
 Tamuning, GU 96913

FOR BOARD'S USE ONLY

New       Amendment       Renewal

**CERTIFICATE OF AUTHORIZATION APPLICATION**

1	FIRM NAME/BUSINESS ADDRESS:	2	TYPE OF OWNERSHIP: <input type="radio"/> Corporation <input type="radio"/> Sole Proprietorship <input type="radio"/> Partnership <input type="radio"/> Other: _____ <input type="radio"/> Limited Liability Company
1a	APPLICATION IS FOR  <input type="radio"/> Parent Company <input type="radio"/> Branch or Subsidiary (complete block 3)	2a	PRESENT FIRM INCORPORATED OR ORGANIZED IN.  _____ CITY                                          STATE                                          DATE
3	NAME OF PARENT COMPANY/Business Address, if any:	4	PROFESSIONAL SERVICES to be provided  <input type="checkbox"/> Engineering Branch or Discipline: _____ <input type="checkbox"/> Architecture <input type="checkbox"/> Landscape Architecture <input type="checkbox"/> Land Surveying <input type="checkbox"/> Construction Management
5	RESPONSIBLE MANAGING EMPLOYEE (RME) FOR PROFESSIONAL SERVICES TO BE PROVIDED:		
	NAME	PROFESSIONAL SERVICE	GUAM REG NO.
			SIGNATURE
6	GUAM OFFICE, IF DIFFERENT FROM BLOCK 1 (Provide map and/or direction to business office).		
	BUSINESS (Physical Address):	TELEPHONE(s):  FAX:  EMAIL:	MAILING ADDRESS (only if different from business address):

<b>7 RESPONSIBLE MANAGING EMPLOYEE IN FULL CONTROL OF GUAM OPERATIONS.</b>					
<b>NAME</b>		<b>RESIDENCE ADDRESS (Not a P.O. Box)</b>	<b>LICENSE/REG NO</b>	<b>SIGNATURE</b>	
<b>8 NAMES AND TITLES OF PRINCIPAL CORPORATE DIRECTORS (if a corporation), OR NAMES OF PARTNERS (if partnership) or MEMBERS OF THE ENTITY (if association). USE ADDITIONAL SHEETS IF NEEDED PROVIDED IT IS ON THE SAME FORMAT.</b>					
<b>NAME:</b>		<b>RESIDENCE ADDRESS</b>	<b>LICENSE/REG NO.</b>	<b>DISCIPLINE</b>	<b>STATE</b>
		<b>STREET NO.</b>			
<b>POSITION TITLE:</b>		<b>CITY/STATE:</b>			
		<b>ZIP CODE:</b>			
<b>SIGNATURE:</b>		<b>CONTACT INFO:</b>			
		<b>EMAIL:</b>			
<b>NAME:</b>		<b>RESIDENCE ADDRESS</b>	<b>LICENSE/REG NO.</b>	<b>DISCIPLINE</b>	<b>STATE</b>
		<b>STREET NO.</b>			
<b>POSITION TITLE:</b>		<b>CITY/STATE:</b>			
		<b>ZIP CODE:</b>			
<b>SIGNATURE:</b>		<b>CONTACT INFO:</b>			
		<b>EMAIL:</b>			
<b>NAME:</b>		<b>RESIDENCE ADDRESS</b>	<b>LICENSE/REG NO.</b>	<b>DISCIPLINE</b>	<b>STATE</b>
		<b>STREET NO.</b>			
<b>POSITION TITLE:</b>		<b>CITY/STATE:</b>			
		<b>ZIP CODE:</b>			
<b>SIGNATURE:</b>		<b>CONTACT INFO:</b>			
		<b>EMAIL:</b>			
<b>9</b>	<b>GENERAL INFORMATION QUESTIONS:</b> Has the entity (corporation, partnership, association, etc.) or any of the personnel designated in responsible charge above, or any principals of the entity been convicted of fraud, gross negligence, incompetence, or misconduct in the practice of engineering, architecture, landscape architecture or land surveying, or of a U.S. or state statute excluding minor traffic violations? If YES, please attach explanation. <input type="checkbox"/> YES <input type="checkbox"/> NO				

**THIS FORM MUST BE SIGNED BY THE INDIVIDUAL LISTED IN BLOCK 7:** I certify that the information furnished are true and correct to the best of my knowledge and belief. I further certify that I have read, understand and agree to comply with the provisions of Guam Revised Statutes, P.L. 30-35.

DATE

PRINTED NAME

SIGNATURE



The Guam Board of Registration for  
**PROFESSIONAL ENGINEERS, ARCHITECTS & LAND SURVEYORS**

*Incinon Rihestrasyon Inheneron Profisionat, Atketeklo yan Agranensot Tana'*

### TAX CLEARANCE FORM FOR BUSINESS FIRMS

Effective with October 2009 registration renewal, all business firms must obtain a clearance from the Department of Revenue & Taxation prior to renewing your firm's COA with the PEALS Board as required by Public Law 30-35. Section 32117 of the Law states in part:

"Renewals for Certificates of Authorization for corporations, partnerships, limited liability companies, proprietorships and associations shall require a clearance from the Department of Revenue and Taxation that they are current on their taxes with the government of Guam, or have an agreement with the Department of Revenue and Taxation for their back taxes. Such clearance shall be submitted with their renewal application form".

Applications with incomplete clearances may delay consideration of the PEALS Board.

<u>Name of Firm (as registered with the PEALS Board):</u>	<u>Employer's Identification Number (EIN) or Social Security Number, as applicable:</u>
<u>PEALS Certificate of Authorization (COA) No.:</u>	<u>Gross Receipts Tax (GRT) Number:</u>
<u>BUSINESS LICENSE SECTION</u>	<u>GRT SECTION</u>

<u>INCOME TAX SECTION</u>	<u>COLLECTION SECTION</u>
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(b) It *shall* be the duty of the Secretary/Treasurer of the Board to notify every person registered under this Chapter, and every corporation, partnership, limited liability company, proprietorship and association holding a Certificate of Authorization under this Chapter, of the date of the expiration of said Certificate of Registration or Certificate of Authorization, and the amount of the fee required for its renewal. Such notice *shall* be mailed to the registrant, or corporation, partnership, proprietorship or association at his/her or its last known address at least one (1) month in advance of the date of the expiration of said certificate. Renewal may be effected at any time prior to or during the month of September by payment of a fee as established by the Board.

(c) A Certificate of Registration *shall* expire upon the death of a registrant.

**§ 32118. Replacement of Certificates.**

(a) Replacement of Certificates. A new Certificate of Registration, to replace any certificate lost, destroyed, or mutilated, may be issued, subject to the rules of the Board and upon payment of the prescribed fee, and such certificate *shall* be stamped or marked "duplicate".

(b) Re-issuance of Certificates. The Board, for reasons it deems sufficient, may reissue a Certificate of Registration to any person whose certificate has been revoked, provided, that four (4) or more members of the Board vote in favor of such re-issuance.

**§ 32119. Public Works.**

Government employees shall *not* engage in the practice of engineering, architecture, landscape architecture or land surveying, involving either public or private property, without the project being under the direct charge and supervision of a registered engineer, architect, landscape architect or land surveyor, as provided by this Chapter.

**§ 32120. Disciplinary Action — Revocation, Suspension, Refusal to Issue, Restore, or Renew, Probation, Fine and/or Reprimand.**

(a) The publication of the rules of conduct for professional engineers, architects, landscape architects and land surveyors, as provided for in § 32109 of this Chapter, *shall* constitute due notice to all registrants.

(b) The Board *shall* have the power, duty and authority to suspend, refuse to renew, or revoke a Certificate of Registration, or a Certificate of

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quality of the executed work and to determine, in general, if the work is proceeding in accordance with the contract documents. It is *not* required that they make exhaustive or continuous on-site inspections to check the quality or quantity of the work, nor is it intended that the engineer, architect, landscape architect and land surveyor be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the work.

(13) Building Official: The Building Official charged with the responsibility of issuing building permits, must be in possession of a signed/sealed set of plans and specifications.

**§ 32117. Expirations and Renewals.**

(a) Certificates of Registration *shall* expire on the last day of the month of April, and Certificates of Authorization for corporations, partnerships, proprietorships and associations shall expire on the last day of the month of October of each year, following their year of issuance, and become invalid after that date, unless renewed by submission of appropriate forms, as prescribed by the Board.

(1) Renewals of Certificates of Authorization for corporations, partnerships, limited liability companies, proprietorships and associations *shall* require a clearance form from the Department of Revenue and Taxation that they are current on their taxes with the government of Guam, or have an agreement with the Department of Revenue and Taxation for their back taxes. Such clearance *shall* be submitted with their renewal application form.

(2) Expired Certificates of Registration may be renewed at any time within sixty (60) days following the expiration date without submission of an "Application for Reinstatement", upon payment of the renewal fee plus the penalty fee as prescribed by the Board. Any individual registrant who fails to renew within (60) sixty days after the date of expiration, *shall* be required to apply for a reinstatement of registration, and pay the prescribed (back registration and penalty) fees as prescribed by the Board.

(3) Certificates of Authorization may be renewed anytime prior to the expiration date. A Certificate of Authorization is considered null and void if *not* renewed before the expiration date.



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the Board and render such legal assistance as may be necessary in carrying out the provisions of this Chapter. The Board may employ independent counsel and necessary assistance to aid in the enforcement of this Chapter, and the compensation and expenses, therefore, *shall* be paid from funds of the Board.

(4) Any person who is *not* registered as a professional engineer, architect, landscape architect *or* land surveyor under this Chapter and who, by written *or* verbal claim, sign, advertisement, letterhead, card *or* in any other way represents himself to be a professional engineer, architect, landscape architect *or* land surveyor *or* through the use of some other title implies that he is a professional engineer, architect, landscape architect *or* land surveyor *or* that he is registered under this Chapter *or* holds himself out as able to perform any engineering service *or* work *or* any other service designated by the practitioner which is recognized as engineering, architecture, landscape architecture *or* land surveying *shall* be guilty of a petty misdemeanor.

✓ § 32123. Certificate of Authorization (COA).

(a) The practice of *or* offer to practice engineering, architecture, landscape architecture *or* land surveying as defined in § 32103 of this Chapter by individual engineers, architects, landscape architects *or* land surveyors registered under this Chapter, *or* by individuals lawfully practicing under § 32124 of this Chapter through a corporation (including professional corporations), partnership (including registered limited liability partnership), *or* limited liability company, is permitted, subject to the provisions of this Chapter.

A corporation, partnership, proprietorship *or* limited liability company holding itself out *or* performing any of the services involved in the practice of engineering, architecture, landscape architecture *or* land surveying must obtain a Certificate of Authorization from the Board. The Board may issue a Certificate of Authorization to such corporation, partnership, proprietorship *or* limited liability company, provided that:

(1) one (1) *or* more of the officers of a corporation; one (1) *or* more of the general partners of a partnership (including limited liability partnership); the *sole* proprietor of a proprietorship; *or* one (1) *or* more of the managers of a limited liability company are registered under this Chapter, *or* the engineering, architecture, landscape architecture *or* land

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surveying registration law of another jurisdiction within the United States, District of Columbia *or* its Territories; and

(2) any agreement to perform such services *shall* be executed on behalf of the corporation, partnership, limited liability company by the officer *or* officers, general partner *or* partners, sole proprietor *or* by the manager *or* managers who are registered on Guam and who exercises responsible control over the particular services contracted for by the corporation, partnership, proprietorship *or* limited liability company.

The requirements of this Chapter *shall not* prevent the employees of such corporations, partnerships, proprietorships *or* limited liability companies from performing engineering, architecture, landscape architecture *or* land surveying services; provided, that all technical submissions involving the practice of engineering, architecture, landscape architecture *or* land surveying as defined in this Chapter when issued, *or* filed for public record, *shall* be dated, and bear the seal and signature of the professional engineer, architect, landscape architect, *or* professional land surveyor under whose responsible control it was prepared.

(b) A corporation, partnership, proprietorship *or* limited liability company desiring a Certificate of Authorization *shall* furnish the Board such information about its organization and activities as the Board may require by regulation, and to designate the individual *or* individuals duly registered to practice engineering (by discipline), architecture, landscape architecture, *or* land surveying on Guam who *shall* be in responsible control of the practice as the Responsible Managing Employee (RME).

(c) A multi-discipline firm who has more than one (1) designated RME *shall* be required to have a minimum of one (1) RME and who must have full control over the particular services contracted for by the firm. In the event there *shall* be a change in any of these persons during the year, such change *shall* be reported in the form as issued by the Board within thirty (30) days after the effective date of said change.

*If* all of the requirements of this Section are met, the Board may issue a Certificate of Authorization to such corporation, partnership, proprietorship *or* limited liability company authorizing such organizations to contract for and to collect fees for furnishing engineering, architecture, landscape architecture *or* land surveying services. All off-island firms *shall* be required

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to maintain a local office under the control of at least one (1) Responsible Managing Employee who shall be in full control of the operations of the firm. The COA shall be displayed in a conspicuous place in such business.

No such corporation, partnership, proprietorship or limited liability company shall be relieved of responsibility for the conduct or acts of its agents, employees or officers by reason of its compliance with the provisions of this Section, nor shall any individual practicing engineering, architecture, landscape architecture or land surveying services performed by reason of his employment or relationship with such corporation, partnership, proprietorship or association.

A certificate of incorporation shall not be issued to an applicant for a registration as a foreign firm to a firm which includes, among the objectives for which it is established any of the words "engineer", "engineering", "architect", "architecture", "landscape architect", "landscape architecture", "surveyor", "land surveying", or any modification or derivation thereof, unless the Board has issued for the said applicant a Certificate of Authorization or letter indicating the eligibility of such applicant to receive such a certificate. The firm shall supply such certificate or letter from the Board with the applicant's application for incorporation, licensure or authorization.

(d) The responsible department within the government of Guam shall decline to register any trade name or service mark which includes such words as set forth in Subsection (c) of this Section, or modification or derivatives thereof, in its firm name or logo type, except those firms holding an authorization certificate under the provisions of this Section.

(e) An engineer, architect, landscape architect or land surveyor who renders occasional part-time or consulting engineering, architectural, landscape architect or land surveying services to or for a firm may not, for the purposes of this Section, be designated as being responsible for the professional activities of the firm.

(f) This Section shall not require a Certificate of Authorization for a firm performing engineering, architecture, landscape architecture or land surveying for the firm itself or a parent or subsidiary of said firm.

(g) The Certificate of Authorization shall be renewed as herein provided in § 32117(a).

\* PREVIOUS BOARD DISCUSSION ALLOWED FOR A  
1 YEAR GRACE PERIOD TO FULFILL THE REQUIREMENT.

**§ 32124. Exclusive Jurisdiction of the Board -- Restriction on Requirement for Additional Licenses or Fees.**

No local jurisdiction *shall* have the authority to require additional licensure or to require payment of any fees in order for any professional engineer, architect, landscape architect *or* land surveyor to engage in the practice of the profession for which the Board has issued a license.

**§ 32125. Contract Law Language.**

(a) A Professional Engineer, Architect, Landscape Architect, *or* Land Surveyor *shall* use a written contract when contracting to provide professional engineering, architecture, landscape architecture, land surveying *or* construction management services to a client pursuant to this Chapter. The written contract *shall* be executed by the professional engineer, architect, landscape architect, *or* land surveyor and the client, *or* their representative, prior to the professional engineer, architect, landscape architect *or* land surveyor commencing work, unless the client knowingly states in writing that work may commence before the contract is executed. The written contract *shall* include, but *not be limited to*, all of the following:

- (1) a description of the services to be provided to the client by the professional engineer, architect, landscape architect *or* land surveyor;
- (2) a description of any basis of compensation applicable to the contract, and the method of payment agreed upon by the parties;
- (3) the name, address, and license *or* certificate number of the professional engineer, architect, landscape architect *or* land surveyor, and the name and address of the client; and
- (4) a description of the procedure that the professional engineer, architect, landscape architect *or* land surveyor and the client will use to accommodate additional services.

(b) This Section *shall not* apply to any of the following:

- (1) Professional engineering, architectural, landscape architectural *or* land surveying services rendered by a professional engineer, architect, landscape architect *or* land surveyor for which the client will *not* pay compensation.
- (2) A professional engineer, architect, landscape architect *or* land surveyor who has a current or prior contractual relationship with the