

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

Amendment to Subchapter 9,  
Chapter 3-124 (Interim)  
Hawaii Administrative Rules

August 21, 2008

SUMMARY

§3-124-71 is amended.

§3-124-71 Small Business Utilization Council.

(a) There is established a Small Business Utilization Council. The Council shall consist of:

Voting Members

- (1) Chair - Director, Department of Business, Economic Development & Tourism;
- (2) Vice-Chair - Director, Department of Accounting and General Services;
- (3) Member - Director, Department of Transportation;
- (4) Member - Administrator of the State Procurement Office; and
- (5) Member - Such other agencies as may be nominated by the designated members and approved by the Board.

Non-voting Members:

- (6) Such other non-voting members as may be nominated by the voting members and approved by the Board.

(b) The Council shall provide the Procurement Policy Board specific recommendations to:

- (1) Set annual small business utilization goals;
- (2) Adopt, and modify as needed, size standard criteria to identify business as qualified to participate in the program. As the initial program size standard criteria, the Council may recommend the standards set under federal Small Business Administration programs and include as eligible contractors all those enrolled in Small Business Administration programs;
- (3) Identify emerging industries, geographic areas within the State, and under-utilized workforce resources where government purchases using small business preferences will promote the purposes of this subchapter and to improve the welfare of Hawaii's businesses and workers; and
- (4) Coordinate with purchasing agencies to

promote and encourage set-asides for small businesses of such contracts as are appropriate for performance by small businesses.

(c) The Council shall monitor and analyze the results of the Hawaii Small Business Preference program and prepare for the Procurement Policy Board, an annual small business utilization report suitable for public release and submission to the legislature and the governor. The report shall contain data and analysis addressing:

- (1) The total dollar amount of expenditures on contracts awarded to small businesses under this program by purchasing agency;
- (2) Industries, geographic areas, labor pools or other groups targeted for assistance under the program;
- (3) Assessments of success achieved and shortcomings identified in the operation of the program; and
- (4) Recommendations for program improvements.

(d) In performing its obligations, the Council may consult with DBEDT and any other state or local agency, industry groups, labor organizations, federal purchasing agencies, the federal Small Business Administration, and other organizations or groups the Council deems helpful in achieving the goals of the program. [Eff 1/6/08; comp 3/3/08; am OCT 03 2008 ]  
(Auth: HRS §§103D-202, 103D-902) (Imp: HRS §103D-902)

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

Amendments to subchapter 9, chapter 3-124, Hawaii Administrative Rules, on the Summary page dated August 21, 2008, were adopted as interim rules at the Procurement Policy Board meeting on August 21, 2008. Pursuant to section 103D-202, HRS, this section shall be issued by Procurement Directive and be effective for not more than eighteen months.

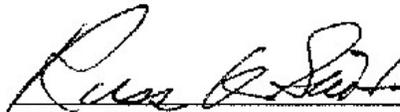
These interim rules shall take effect ten days after filing with the Office of the Lieutenant Governor.



PAMELA A. TORRES

Chairperson

Procurement Policy Board



RUSS SAITO

State Comptroller

APPROVED AS TO FORM:



Deputy Attorney General

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LIEUTENANT GOVERNOR'S  
OFFICE