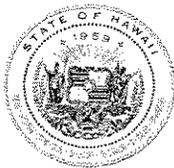


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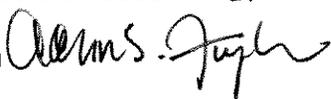
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August 5, 2008

**PROCUREMENT CIRCULAR NO. 2008-04**

TO: Executive Department Heads  
FROM: Aaron S. Fujioka   
SUBJECT: Hawaii Administrative Rules (HAR) Chapter 3-128,  
Governmental Relations and Cooperative Purchasing (Interim)

The purpose of this circular is to issue the amended and compiled HAR Chapter 3-128 (Interim), effective 5/30/08. The following sections of HAR Chapter 3-128 have been amended.

- §3-128-2 Cooperative purchasing subject to chapter 103D, HRS.
- §3-128-3 Cooperative purchasing agreements between procurement units.
- §3-128-7 Procurement of goods produced or services performed by governmental institutions.
- §3-128-8 Compliance with federal requirement.

Examples of cooperative purchasing are the Western States Contracting Alliance (WSCA) contracts. The State Procurement Office (SPO) coordinates these contracts with the lead state, entering into cooperative agreements, and ensuring compliance with HRS Chapter 103D and its rules. Agencies cannot simply 'piggy-back' onto an existing contract. As an example, contracts issued by the U.S. Communities organization and the General Services Administration (GSA) have not been conducted in compliance with HRS Chapter 103D. These contracts shall not be utilized, including contracts referenced in Procurement Circular 2006-09 on Cooperative Purchasing Agreement Compliance Requirements.

Procurement Circular No. 2006-10 dated December 29, 2006 has been rescinded and replaced with the above amended and compiled HAR Chapter 3-128.

The Ramseyer version of the amended sections of HAR Chapter 3-128 effective 5/30/08 (Interim) is attached. The standard version is available on the SPO website:  
<http://www.spo.hawaii.gov/statutes-and-rules/admin-rules/>

To view the complete listing of all current Procurement Circulars, go to the SPO homepage at <http://www.spo.hawaii.gov/>, under the "Quick Links" section, click on "Procurement Circulars".

Your staff may call Justin Fo at 586-0577 if they have any questions or you may call me at 587-4700.

attachments

c: Chief Procurement Officers