

LINDA LINGLE
GOVERNOR



PROCUREMENT POLICY BOARD
DARRYL W. BARDUSCH
LESLIE S. CHINEN
DARYLE ANH HO
KEITH T. MATSUMOTO
RUSS K. SAITO
PAMELA A. TORRES

AARON S. FUJIOKA
ADMINISTRATOR

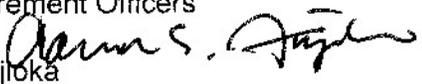
**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

P.O. Box 119
Honolulu, Hawaii 96810-0119
Tel: (808) 587-4700 Fax: (808) 587-4703
www.spo.hawaii.gov

August 20, 2009

PROCUREMENT CIRCULAR NO. 2009-09

TO: Office of the Governor
Office of the Lieutenant Governor
Executive Department Heads
State Librarian
Chief Procurement Officers

FROM: Aaron S. Fujioka 

SUBJECT: ACT 175, SLH 2009: PART I, SECTION 1 - Guidance on Procurement Exemptions for Federal General Services Administration (GSA) Sole Source Vendor

This circular is a follow-up to Procurement Circular No. 2009-07 on *2009 Procurement Related Legislation* for guidance and information on ACT 175, SLH 2009.

PART I, Procurement Exemptions, SECTION 1 of ACT 175, SLH 2009 amended HRS §103D-102 to add a new exemption. The new HRS §103D-102(b)(6) states:

- (6) *With a bidder or offeror who is a United States General Services Administration-approved sole source vendor, who shall be exempt from complying with section 103D-302, 103D-303, or 103D-304, as applicable, in any procurement funded by state and federal matching funds, if the bidder or offeror was responsible for obtaining and was the recipient of the federal funds.*

Use of this exemption is limited to only federal GSA approved sole source vendor provided documentation is obtained to verify that the vendor:

- Is designated as the GSA approved sole source vendor that has been awarded the federal matching funds; and
- Was responsible for obtaining the federal matching funds such as through a federal funding application process.

Documents obtained to substantiate use of this exemption shall be retained in the contract file.

If your staff has any questions, the following SPO staff may be contacted:

Bonnie Kahakui	587-4702	bonnie.a.kahakui@hawaii.gov
Kevin Takaesu	586-0568	kevin.s.takaesu@hawaii.gov
Donn Tsuruda-Kashiwabara	586-0565	donna.tsuruda-kashiwabara@hawaii.gov

or please call me at 587-4700.