



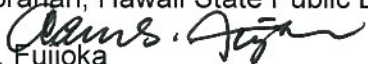
**STATE OF HAWAII  
STATE PROCUREMENT OFFICE**

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September 1, 2011

**PROCUREMENT CIRCULAR NO. 2011-05**

**TO:** Chief of Staff, Office of the Governor  
Chief of Staff, Office of the Lieutenant Governor  
Executive Department Heads (Excludes Department of Education,  
Hawaii Health Systems Corporation and their Regional System Boards and Hospitals,  
Office of Hawaiian Affairs and University of Hawaii)  
State Librarian, Hawaii State Public Library System

**FROM:** Aaron S. Fujioka 

**SUBJECT:** Hawaii Administrative Rules (HAR) Chapter 3-124, Preferences  
Subchapter 1 (Interim), Hawaii Products

The Procurement Policy Board approved the amended HAR chapter-3-124, *Preferences*, Subchapter 1 (Interim), *Hawaii Products*, and is in effect. This Procurement Circular replaces Procurement Circular No. 2009-13 dated October 8, 2009 which addressed changes and provided guidance on implementing the statutory amendments of ACT 175, SLH 2009 related to Hawaii products preference. HAR Chapter 3-124, Subchapters 2 to 8 remain in effect and unamended.

The amended Subchapter 1 has incorporated as part of the HAR similar procedures as previously outlined in the guidance provided in the replaced Procurement Circular No. 2009-13, and includes additional procedure details for qualification, solicitation, evaluation, contract award and change in Class status. Class II (any agricultural, aquaculture, horticultural, silvicultural, floricultural, or livestock product is raised, grown, or harvested in the state) holds the same qualification requirements as Class I, that Hawaii input shall exceed 50%.

Sample language 'Examples' for the procurement notice and solicitation are available on the SPO homepage at <http://hawaii.gov/spo>, under the *Quicklinks* menu, click on *Procurement Circulars* for '2011-05\_Examples'. The SPO-038, *Certification for Hawaii Product Preference*, is available at <http://hawaii.gov/spo>, under the *Quicklinks* menu click on *Forms for Vendors/Contractors/Service Providers*.

The HAR ramseyer and standard versions may be viewed at <http://hawaii.gov/spo>, click on *Statutes and Rules*; under *Administrative Rules*, click on *Hawaii Public Procurement Code (Procurement of Goods, Services and Construction) – Chapter 103D*, and click *Chapter 3-124 – Preferences, Subchapter 1*.

A complete listing of all current Procurement Circulars is available at <http://hawaii.gov/spo>, under the *Quicklinks* menu, click on *Procurement Circulars*.

Questions may be directed to Kevin Takaesu at 586-0568 or [kevin.s.takaesu@hawaii.gov](mailto:kevin.s.takaesu@hawaii.gov), or you may call me at 587-4700.

c: Chief Procurement Officers