

PROCUREMENT POLICY BOARD MEETING

June 20, 2013

1:00 pm

Conference Room 410

1151 Punchbowl Street

Honolulu, Hawaii 96813

Members Present

Howard Garval
Ronald Hirano
Gregory King
David Langille
Dean Seki
Kathy Suzuki-Kitagawa

Others

Aaron Fujioka, State Procurement Office
Stella Kam, Deputy Attorney General

Agenda Item I - *Call to Order*

Chair Gregory King called the meeting to order at 1:00 pm.

Agenda Item II – *Approval of Minutes of May 29, 2013.*

Mr. Ron Hirano made a motion, seconded by Mr. Howard Garval, to approve the minutes of the May 29, 2013 meeting.

The motion was unanimously approved.

Agenda Item III – *Executive Session pursuant to HRS §92-5(a)(2) to discuss personnel matters in the recruitment for Administrator, State Procurement Office.*

Mr. Hirano made a motion, seconded by Mr. Dean Seki to have the Board go into executive session.

The motion was unanimously approved and the Board went into executive session at 1:02 pm.

The board reconvened the regular meeting at 1:53 pm.

Mr. Hirano made a motion seconded by Mr. Seki to have the Department of Accounting and General Services, Personnel Office conduct another solicitation to recruit for the Administrator position.

Mr. Aaron Fujioka requested a reason why as he knows the board had 4 qualified applicants. Mr. Hirano explained that the Board could not recommend more than 2 names to the Governor. Deputy Attorney General Stella Kam stated that the Board can make selection of candidates from the qualified list of applicants and are not contesting there are 4 qualified applicants and the reason for the Board's selection of candidates is confidential. Mr. Fujioka countered that the names of the qualified applicants are confidential but the reason why the Board is not forwarding the qualified names to the Governor is not confidential and that the Board's secrecy is wrong.

Mr. Hirano stated that the new solicitation would be able to recruit at a higher salary and any new qualified applicants would be added to the existing list. Mr. Fujioka gave an analogy to this situation as openly soliciting for bids, receiving 4 qualified, responsive bids and 1 came in 1 minute late. The agency then chooses to cancel the solicitation and shortly thereafter reissues the solicitation by tweaking it a little to allow the 5th bidder to enter the process and allowing the late bidder a second bite at the apple. Mr. Fujioka questioned how is that fair or appropriate to the 4 original bidders who played by the original rules.

Mr. Fujioka wanted to go on record that as the current Administrator he believes this is a manipulation of the process and would get a legal opinion on whether what has occurred is allowed.

After the discussion those who voted in favor of the motion were Mr. Garval, Mr. Hirano, Mr. David Langille, Mr. Seki and Ms. Kathy Suzuki-Kitagawa. Chair King voted against the motion. The motion passed.

Agenda Item IV - Announcements

There were no announcements and the next meeting would be subject to call.

Agenda Item V - Adjournment

Mr. Hirano made a motion, seconded by Mr. Garval to adjourn the meeting. The motion was unanimously approved. The meeting was adjourned at 2:17 pm.

Respectfully submitted,

6/28/13

Date



Dean Seki, Secretary
Procurement Policy Board

Attachment: June 20, 2013 PPB Agenda

PROCUREMENT POLICY BOARD (PPB)
1151 Punchbowl Street, Conference Room 410
Honolulu, Hawaii 96813

Regular Meeting
June 20, 2013
1:00 pm

AGENDA

- I. Call to Order.
- II. Approval of Minutes - Meeting of May 29, 2013.
- III. Executive Session pursuant to HRS §92-5(a)(2) to discuss personnel matters in the recruitment for Administrator, State Procurement Office.
- IV. Announcements.
- V. Adjournment.

Agenda and available agenda items may be viewed at <http://hawaii.gov/spo/general/ppb/procurement-policy-board>, click on *Meeting Agenda and Minutes*. Individuals may present testimony on matters on the Procurement Policy Board's agenda when the agenda item is taken up by the Board. Individuals intending to testify should contact the State Procurement Office at (808) 587-4700 at least 48 hours before the scheduled meeting. Written testimonies will be accepted through e-mail at procurement.policy.board@hawaii.gov or faxed to (808) 587-4703 until 1:00 pm, June 18, 2013. Testimonies received after the June 18, 2013 deadline will be forwarded to the board as time permits. Individuals submitting written testimony at the meeting and would like the written testimony distributed to the board at this meeting, are requested to provide 12 copies.

Individuals requiring special assistance or services may call (808) 587-4700 by 1:00 p.m., June 17, 2013 to discuss accommodation arrangements.