

PROCUREMENT POLICY BOARD MEETING

June 21, 2007

1:00 pm

Conference Room 410

1151 Punchbowl Street

Honolulu, Hawaii 96813

Members Present

Gregory King, Chair
Russ Saito, Secretary
Leslie Chinen, member
Daryle Ann Ho, member
Pamela Torres, member

Others

Aaron Fujioka, State Procurement Office
Ruth Yamaguchi, State Procurement Office
Justin Fo, State Procurement Office
Sharon Koga, State Procurement Office
Barbara Annis, Department of Accounting and General Services
Wendy Imamura, City and County of Honolulu

Call to Order

Chair Greg King called the meeting to order at 1:04 p.m.

Minutes

Mr. Russ Saito made a motion, seconded by Mr. Les Chinen, to approve the minutes of the April 5, 2007 meeting.

The motion was unanimously carried.

Agenda Item III

Mr. Aaron Fujioka stated that this item was placed on the agenda, since there are 5 board members and if the Chair is not available there could still be quorum whereby the Vice Chair could conduct the meeting.

Mr. Saito nominated Greg King as Chair. Ms. Ho nominated Pamela Torres as Vice Chair and Russ Saito as Secretary. There being no further nominations from the floor, the Chair declared the slate presented as elected by acclamation.

Agenda Item IV

Ms. Ruth Yamaguchi stated that §3-122-13, Development of Specifications, is being amended to reflect the emphasis of “functional and performance criteria” is primary over design specifications. The recommended change re-emphasized when the types of specifications may be used, as agencies may have overlooked this requirement when developing specifications. The board discussed and modified the proposed amendments to read as: “Specifications shall emphasize functional or performance criteria. Design or other detailed physical descriptions may be used when necessary to meet the needs of the State.”

§3-122-112, Responsibility of offerors, is being amended to reflect a correction in statutory reference from §103D-306 to §103D-307.

Mr. Saito made a motion, seconded by Ms. Ho, to adopt the proposed rules, including board amendments to §3-122-13, as interim rules. The motion was unanimously carried.

Agenda Item V

Ms. Yamaguchi distributed revised proposals to amend Exhibits B, D and F and explained that upon further discussions with Deputy Attorney General Pat Ohara, it was her recommendation to amend the language from “was awarded” to “executed” in the WHEREAS clause. The board discussed and proposed to further amend “executed” to “signed”, provided Deputy AG approves this change.

Ms. Yamaguchi explained the additional proposed amendments to Exhibit F to correct the references from “two months” to “ninety days”, and “§3-122-226” to “§3-122-225”.

Mr. Saito made a motion, seconded by Mr. Chinen, to adopt as amended and subject to Deputy Attorney General Pat Ohara’s approval the proposed Bond Forms. The motion was unanimously carried.

Agenda Item VI

Mr. Saito explained the reason for the Small Business Utilization Council’s recommendation. Mr. Saito made a motion seconded by Mr. Chinen to adopt the recommendation of the Small Business Utilization Council on the definition of small business. The motion was unanimously carried.

Agenda Item VII

Mr. Fujioka gave the board a copy of Act 142 requiring the board to establish rules to allow the chief procurement officer to impose administrative fines for violating the procurement code. He also stated that the State Procurement Office would be drafting these rules to present to the board at a future meeting.

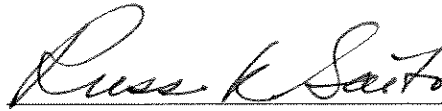
Adjournment

Mr. Saito made a motion, seconded by Ms. Ho, to adjourn the meeting. The motion was unanimously carried. The meeting was adjourned at 1:47 p.m.

Respectfully submitted,

7/6/07

Date



RUSS K. SAITO, Secretary
Procurement Policy Board