

## EXAMPLES

### Sample Language: Include in Procurement Notice

The Hawaii products preference pursuant HRS §103D-1002 and HAR §3-124 Subchapter 1 may be applicable for items of this solicitation. Persons wishing to certify and qualify a product not currently listed as a Hawaii Product shall submit a *Certification for Hawaii Product Preference* (form SPO-038) to: *(Fill in Name of the government agency, contact person, phone number, email and due date and time)*. The product shall meet the specifications of this solicitation. The submittal must be received by *(Fill in Name of the government agency)* by *(Fill in time and due date for application)*. The current *Hawaii Products List* is available on the State Procurement Office (SPO) website at <http://spo.hawaii.gov>; click on “For Vendors” > “Hawaii Product Preferences.”

Late SPO-038 submittals for this solicitation will not be reviewed by this agency.

### Sample Language: Include in Solicitation

#### HAWAII PRODUCTS PREFERENCE

In accordance with HRS §103D-1002 and HAR §3-124 Subchapter 1, the Hawaii products preference may be applicable to this solicitation for products that are mined, excavated, produced, manufactured, raised, or grown in the State and where the cost of the Hawaii input towards the products exceeds fifty percent of the total cost of the product; where the value of the input exceed fifty percent of the total cost, the product shall be classified as either Class I (10%) or Class II (15%).

The Hawaii Products List is available on the SPO website at <http://spo.hawaii.gov>; click on “For Vendors” > “Hawaii Product Preferences.”

Offeror submitting a Hawaii Product (HP) shall identify the HP on the solicitation offer page(s). Any person desiring a Hawaii product preference shall have the product(s) certified and submitted if not currently on the Hawaii products list, prior to the SPO-038 due date specified in the procurement notice and solicitation, pursuant to HAR §3-124-4. The responsibility for certification and qualification shall rest upon the person requesting the preference.

Persons desiring to qualify their product(s) not currently on the Hawaii product list shall complete form SPO-038, *Certification for Hawaii Product Preference*, and submit to the Procurement Officer issuing the solicitation (IFB or RFP). All additional information required by the Procurement Officer shall be provided at no cost to the State. For each product, one form shall be completed and submitted (i.e. 3 products should have 3 separate forms completed). Form SPO-038 is available on the SPO webpage at <http://spo.hawaii.gov>; click on “Forms” then search for SPO-038. Submit a *Certification for Hawaii Product Preference* (form SPO-038) to: *(Fill in Name of the government agency, contact person, phone number, email and SPO-038 due date and time)*.

Late SPO-038 submittals for this solicitation will not be reviewed by this agency.

If the procurement officer approves the SPO-038, an addendum shall be issued showing the new qualified Hawaii product(s) pursuant to HAR §3-124-4(b)(2).

An Offeror who fails to designate that the offer is a Hawaii product shall be presumed to be providing a non-Hawaii product, and award, if made to that Offeror, shall be on the basis that a non-Hawaii product shall be delivered.

Failure to obtain certification and product qualification prior to deadline for receipt of offer(s), shall indicate that Offeror is providing a non-Hawaii product, and award, if made to that Offeror, shall be on the basis that a non-Hawaii product may be delivered. For evaluation purposes, no preference shall be considered when only Hawaii products are being offered by all offerors.

When a solicitation contains both HP and non-HP, then for the purpose of selecting the lowest bid or purchase price only, the price offered for a HP item shall be decreased by subtracting 10% for the Class I or 15% for the Class II HP items offered, respectively. The contract amount of any contract awarded, however, shall be the amount of the price offered, exclusive of the preferences.

Change in availability of Hawaii product. In the event of any change that materially alters the offeror's ability to supply Hawaii products the offeror shall notify the procurement officer in writing no later than five (5) working days from when the offeror knows of the change and the parties shall enter into discussions for the purposes of revising the contract or terminating the contract for convenience.

**Sample Language: Include on Solicitation Offer Page**

The following offer is hereby submitted for Disposable Polyethylene Bags, as specified herein:

Item No.	Brief Description	Recycled Product (x)	Estimated Quantity (Bags)	Unit Bid Price Per Bag	Estimated Total Bid Price
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**GROUP 1. LOW/LINEAR LOW DENSITY POLYETHYLENE**

A Hawaii Product and a Recycled Product preference is available for Items 1 to 8. In accordance with the Special Provisions, Offerors **shall** indicate below whether or not a Hawaii Product is being offered. Offerors offering a Hawaii Product shall specify the product and class of the product offered.

1. 24" (15" x 9")W x 24"L,  
 10 gal. capacity,  
 1 mil minimum  
 Net wt. per 500 bags: ( ) 17,500 \$ \_\_\_\_\_ \$ \_\_\_\_\_  
 19.1 lbs. minimum

<input type="checkbox"/> Non-Hawaii Product	Dimensions	_____
<input type="checkbox"/> Hawaii Product	Quantity of bags per case	_____
<input type="checkbox"/> Class I <input type="checkbox"/> Class II	Net wt. per case	_____
	Gauge	_____
	Cost per case	_____

Brand Name & Product No. \_\_\_\_\_