

Suggested HAR changes for
Clarifying Exemption Responsibilities by
Amending HAR §3-122-14

HAWAII ADMINISTRATIVE RULES

TITLE 3

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

SUBTITLE 11

PROCUREMENT POLICY BOARD

CHAPTER 122

SOURCE SELECTION AND CONTRACT FORMATION

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Comment [RP1]: Mimic language in HAR 3-120-4 and Exhibit A

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Subchapter 25 Fiscal Responsibility

§3-122-241 Fiscal responsibility
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Historical Note: This chapter 122, effective
, subtitle 11 of title 3, Hawaii Administrative Rules:

1. Replaces interim rules effective 7/25/02 (file no. 2470) which added a new section 3-122-111; amended sections 3-122-1, 3-122-4, 3-122-6, 3-122-9.01, 3-122-9.02, 3-122-13, 3-122-19, 3-122-20, 3-122-21, 3-122-22, 3-122-23, 3-122-24, 3-122-31, 3-122-33, 3-122-35, 3-122-42, 3-122-45, 3-122-46, 3-122-48, 3-122-50, 3-122-51, 3-122-52, 3-122-53, 3-122-55, 3-122-57, 3-122-58, 3-122-59, 3-122-63, 3-122-64, 3-122-66, 3-122-67, 3-122-74, 3-122-75, 3-122-76, 3-122-77, 3-122-81, 3-122-82, 3-122-88, 3-122-95, 3-122-96, 3-122-97, 3-122-102, 3-122-108, 3-122-109, 3-122-121, 3-122-123, 3-122-124, 3-122-145, 3-122-147, 3-122-148, 3-122-149, 3-122-201, 3-122-223, 3-122-224, and 3-122-225; and repealed sections 3-122-5, 3-122-65, 3-122-68, 3-122-83, 3-122-84, 3-122-89, 3-122-91, 3-122-103, 3-122-110, subchapters 17, 20, and 23, and section 3-122-226.

2. Replaces interim rule sections effective 7/03/03 (file no. 2543) which added new sections 3-122-60, 3-122-69, 3-122-70, and 3-122-112; and amended sections 3-122-9.01, 3-122-21, 3-122-22, 3-122-23, 3-122-24, 3-122-26, 3-122-46, 3-122-63, 3-122-67, 3-122-74, and 3-122-75; and repealed section 3-122-76.

3. Replaces interim rules effective 11/15/03 (file no. 2562) which added new sections 3-122-16.01, 3-122-16.02, 3-122-16.03, 3-122-16.04, 3-122-16.05, 3-122-16.06, 3-122-16.07, 3-122-16.08, 3-122-16.09, 3-122-16.30, 3-122-16.31, 3-122-45.01, 3-122-60, 3-122-61.05, 3-122-61.06, 3-122-61.07, 3-122-61.08, 3-122-69, and 3-122-70; amended sections 3-122-16, 3-122-21, 3-122-30, 3-122-31, 3-122-33, 3-122-43, 3-122-46, 3-122-52, 3-122-54, 3-122-57, 3-122-90, 3-122-112, 3-122-123, 3-122-136, 3-122-137, and 3-122-138; and repealed sections 3-122-18, 3-122-19, 3-122-20, 3-122-22, 3-122-23, 3-122-24, 3-122-25, 3-122-26, 3-122-27, 3-122-28, 3-122-29, 3-122-32, 3-122-42, 3-122-48, 3-122-49, 3-122-50, 3-122-55, 3-122-56, 3-122-64, and 3-122-117.

4. Replaces interim rule effective 1/1/05 (file no. 2619)

which amended section 3-122-112.

5. Replaces interim rule effective 4/18/05 (file no. 2635) which compiled Chapter 122.

6. Replaces interim rule effective 2/27/06 (file no. 2699) which amended section 3-122-112.

7. Replaces interim rule effective 10/9/06 (file no. 2724) which added a new section 3-122-78; amended 3-122-9, 3-122-12, 3-122-13, 3-122-16.02, 3-122-16.03, 3-122-16.07, 3-122-21, 3-122-75, 3-122-77, 3-122-111, and 3-122-112.

8. Replaces interim rule effective 9/04/07 (file no. 2774) which amended sections 3-122-13 and 3-122-112.

§3-122-14 Exempted items. Purchasing agencies are granted the authority to prepare specifications for goods, services, and construction procured under sections 103D-102 and 103D-304, HRS. However, all public employees must continue to conduct and participate in public procurement in a responsible and ethical manner pursuant to §103D-101 [Eff 12/15/95; comp 11/17/97; comp 03/21/2008] (Auth: HRS §§103D-202, 103D-403) (Imp: HRS §§103D-102, 103D-304, 103D-403)

Comment [RLKP2]: Mirrors responsibility language in 3-120 Exhibit A