



**STATE OF HAWAII  
STATE PROCUREMENT OFFICE**

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<http://hawaii.gov/spo>

June 26, 2013

**UH PROCUREMENT DELEGATION NO. 2013-01**

TO: The Honorable M.R.C. Greenwood, President  
University of Hawaii

FROM: Aaron S. Fujioka, Administrator

A handwritten signature in black ink, appearing to read "Aaron S. Fujioka".

SUBJECT: Delegation of Procurement Authority

Pursuant to HRS chapter 103D, Hawaii Public Procurement Code (Code), procurement authority is centralized to the chief procurement officer (CPO), and allows the CPO to further delegate authority to designated procurement officers. To enable the University of Hawaii (University) to operate effectively and efficiently, procurement authority with limitations is delegated to the President of the University.

**PROCUREMENT AUTHORITY**

Pursuant to ACT 87, SLH 2013, effective July 1, 2013, the administrator of the State Procurement Office (SPO) shall serve as CPO for the University's contracts for construction and professional services furnished by licensees under HRS chapter 464. As CPO, I delegate procurement authority with limitations to the President of the University, for the following:

1. Competitive Sealed Bidding pursuant to HRS §103D-302;
2. Competitive Sealed Proposals pursuant to HRS §103D-303;
3. Professional Services pursuant to HRS §103D-304;
4. Small Purchases pursuant to HRS §103D-305;
5. Request for Sole Source pursuant to HRS §103D-306 submittal of form SPO-001 to SPO for CPO prior written approval is required for all dollar amounts;
6. Request for Emergency procurement pursuant to HRS §103D-307 submittal of form SPO-002 to SPO for CPO written approval is required for all dollar amounts, and written approval may be obtained after-the-fact;
7. Preparation of specifications pursuant to HAR §3-122-11;
8. Bid security pursuant to HRS §103D-323;
9. Contract performance and payment bonds pursuant to HRS §103D-324;
10. Resolution of protests pursuant to HRS §103D-701;
11. Contract controversies pursuant to HRS §103D-703;
12. Request for Contract Extension pursuant to HAR§3-122-3 submittal of form SPO-003 to SPO for CPO prior written approval is required;
13. Request for CPO exemption pursuant to HRS §103D-102(b)(4)(L) submittal of form SPO-007 to SPO for CPO prior written approval is required;

14. Request for Restrictive Specifications pursuant to HAR§3-122-13(b)(3) submittal of form SPO-014 to SPO for CPO prior written approval is required;
15. Request for Alternate Procurement pursuant to HAR§3-122-35 for Competitive Sealed Bidding; HAR§3-122-59 for Competitive Sealed Proposals; and HAR§3-122-66 for Professional Services submittal of form SPO-015 to SPO for CPO prior written approval is required; and
16. Reporting Procurement Violations for applicable procurement process used and/or request for after-the-fact payment approval pursuant to HAR§3-131-3 submittal of form SPO-016 to SPO for CPO written approval is required.

SPO forms are available on the SPO webpage at <http://hawaii.gov/spo>, under sidebar heading *ToolBox* click *SPO Forms* to view and complete forms.

## **DELEGATION OF PROCUREMENT AUTHORITY**

This procurement authority may be further delegated by the President of the University to personnel, as designated procurement officers or authorized to conduct and participate in procurement activities in accordance with HAR §3-121-16. Participation in procurement activities includes small purchases, developing/drafting a solicitation, reviewing, approving, conducting, managing, and administering the procurement/contract.

“Procurement officer” means any person with the delegated authority to enter into and administer contracts and make written determination with respect thereto. The term includes an authorized representative acting within the limits of authority. The delegated authority is received from the chief procurement officer directly or through the President of University.

Delegation of procurement authority to a procurement officer is based on their expertise, knowledge and proficiency to carry out procurement duties, while seeking economy and efficiency to achieve program operations. Careful consideration should be taken when granting procurement authority, as the President of the University remains ultimately accountable to the CPO for procurement delegation to authorized procurement officers within the University.

Available on the SPO webpage at <http://hawaii.gov/spo>, under sidebar heading *ToolBox* click *SPO Forms* to view SPO-036UHtransmittal, University Procurement Delegation Transmittal, and form SPO-036UH, University Procurement Delegation, which is completed by delegated University personnel.

## **EDUCATION AND TRAINING**

Procurement Officers, are required by statute to attend SPO Workshop No. 170, *Overview of Procurement Practices* to comply with HRS §103D-110(c). Attendance at a prior workshop fulfills this requirement. All other procurement officers and personnel with written delegated procurement authority to conduct and or participate in the procurement process will be required to attend applicable SPO training workshops. Applicable training ensures delegated procurement personnel receive the appropriate training to fulfill their responsibilities, and are in compliance with HRS §103D-110(c). Below is the applicable statute.



**HRS §103D-110 Education and training.** (c) Each state procurement officer of a department of the executive branch [which includes DOE, UH, HHSC, and OHA] shall attend a mandatory fundamental training and development session [Workshop No. 170] within sixty days of being appointed or named to the position of procurement officer.

(d) Each state procurement officer of a department of the executive branch whom the State procurement office determines is in need of further training and development based upon:

- (1) The history of procurement compliance to this chapter by the agency to which the particular procurement officer is attached; or
- (2) Any other need for training and development, shall attend follow-up training and development sessions.

Training information and on-line registration are available at <http://hawaii.gov/spo>, click *Training for State and County Procurement Personnel*. Training information provided includes tables describing *Procurement Position Levels* and *Procurement Training Requirements Table* to assist University personnel on applicable training requirements.

Procurement officers and personnel without written delegated procurement authority and/or who have not completed the applicable mandatory training for the Code will not be allowed to conduct, approve, or participate in the procurement.

#### **PROCUREMENT DELEGATION FORM (SPO-036UH)**

Procurement Delegation form SPO-36UH, *University Procurement Delegation*, shall be used in delegating procurement authority.

To assist in documenting and preparing your procurement delegation submittal are forms:

- Form SPO-036UH, *University Procurement Delegation*;
- Transmittal - Form SPO-036UH, *University Procurement Delegation Transmittal*; and
- Instructions - Form SPO-036UH, *Instructions University Procurement Delegation*.

Form SPO-036UH with the *University Procurement Delegation Transmittal Form* signed and authorized by the President of the University should be submitted via e-mail to [state.procurement.office@hawaii.gov](mailto:state.procurement.office@hawaii.gov). Forms and Instructions are available at <http://hawaii.gov/spo>, under sidebar heading *Toolbox* click *SPO Forms*.

Your staff may contact Stacey Kauleinamoku at 586-0571 or [stacey.l.kauleinamoku@hawaii.gov](mailto:stacey.l.kauleinamoku@hawaii.gov) if they have any questions, or you may call me at 587-4700.

c: The Honorable Bruce Coppa, Chief of Staff  
Office of the Governor  
The Honorable Dean Seki, Comptroller  
Department of Accounting and General Services  
Mr. Howard Todo, Vice-President for Budget & Finance  
University of Hawaii