



**STATE OF HAWAII  
STATE PROCUREMENT OFFICE**

P.O. Box 119  
Honolulu, Hawaii 96810-0119  
Tel: (808) 587-4700 Fax: (808) 587-4703  
www.spo.hawaii.gov

June 18, 2012

PROCUREMENT DIRECTIVE NO. 2012-01

TO: Chief Procurement Officers:  
Department of Education, Superintendent  
University of Hawaii, President  
Office of Hawaiian Affairs, Chairperson of the Board  
Hawaii Health Systems Corporation, Chief Executive Officer  
Judiciary, Administrative Director of the Courts  
Senate, President  
House, Speaker of the House of Representatives

Counties of Hawaii, Kauai, Maui and City & County of Honolulu:  
Executive Branch, Finance Director  
Legislative Branch, Chairperson of the County Council  
Boards/Departments of Water Supply, Manager/Chief Engineer  
Honolulu Authority for Rapid Transportation, Executive Director

FROM: Aaron S. Fujioka

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

SUBJECT: Hawaii Administrative Rules (HAR) for  
Chapter 3-120, *General Provisions*  
Chapter 3-124, *Preferences*  
Chapter 3-125, *Modifications and Terminations of Contracts*

HAR chapters 3-120, 3-124 and 3-125 have been amended and is effective immediately. This Procurement Directive replaces Procurement Directives No. 2011-02, 2011-03, and 2011-04, dated September 1, 2011.

The following is a summary of the amendments:

- The amendments to HAR § 3-120-4 and "Exhibit A" are pursuant to ACT 175, SLH 2009, which required "fresh meats and produce" and "animals and plants" be subject to competition.
- The amendments to HAR chapter 3-124 Subchapter 1, *Hawaii Products*, allows the manufacturer as part of the offer, to self-certify their products, which may be submitted to a procurement officer for a specific solicitation or directly to the State Procurement Office (SPO). Additional amendments include procedures for qualification, solicitation, evaluation, contract award and change in Class status. Sample language "Examples" for the procurement notice and solicitation are available on the SPO homepage at <http://hawaii.gov/spo>, under the Reference menu, click on *Procurement Circulars* then click on *2012-02\_Examples*.

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- The amendments to HAR chapter 3-125, *Modifications and Terminations of Contracts*, §3-125-13 Price adjustment in construction contracts, added new paragraphs for clarity, consistency, and style with the implementation of Act 291, SLH 2006.

The HAR ramseyer and standard versions may be viewed at <http://hawaii.gov/spo>, under the *Reference* menu, click on *Procurement Statutes and Administrative Rules*; and click on [The Hawaii Public Procurement Code- \(Procurement of Goods, Services and Construction\) HAR Chapters 3-120 to 3-132](#).

A complete listing of all current Procurement Directives is available at <http://hawaii.gov/spo>, under the *Reference* menu, click on *Procurement Directives*.

Your staff may contact Kevin Takaesu at 586-0568 or [kevin.s.takaesu@hawaii.gov](mailto:kevin.s.takaesu@hawaii.gov), if there are any questions, or you may call me at 587-4700.