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September 2, 2021

**PROCUREMENT CIRCULAR NO. 2022-04, Amendment 1**

TO: Office of the Governor, Chief Operating Officer  
Office of the Lieutenant Governor, Chief of Staff  
Executive Department Heads  
Hawaii State Public Library System, State Librarian

Chief Procurement Officers (CPOs):  
Department of Education, Superintendent  
University of Hawaii, President  
Office of Hawaiian Affairs, Chairperson of the Board  
Judiciary, Administrative Director of the Courts  
Senate, President  
House of Representatives, Speaker

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

CC: Administrative Services Offices

FROM: Bonnie Kahakui, Acting Administrator *Bonnie A. Kahakui*

SUBJECT: Clarification of Governor's Emergency Proclamation, dated August 5, 2021,  
Exempting Internal Revenue Service (IRS) Tax Clearance

This amendment is to clarify the IRS "Not Compliance Status" in Procurement Circular 2022-04.

A Hawaii Compliance Express (HCE) certificate indicating a contractor's "Not Compliant" status **will be accepted** for final payment or contract award provided the vendor's status for the IRS is either "Pending" or "Submitted" **and** the status for the Hawaii Department of Taxation, Hawaii Department of Commerce & Consumer Affairs, and the Hawaii Department of Labor & Industrial Relations are "compliant" or "exempt".

If the IRS portion is "Not Compliant", the HCE certificate shall not be used for contract award or final payment.

The Governor's Emergency Proclamation exempting IRS Tax Clearance can be found at

[https://governor.hawaii.gov/wp-content/uploads/2021/08/2108026-ATG\\_Emergency-Proc-for-COVID-19-Response-distribution-signed.pdf](https://governor.hawaii.gov/wp-content/uploads/2021/08/2108026-ATG_Emergency-Proc-for-COVID-19-Response-distribution-signed.pdf)

Should there be any questions, procurement personnel may contact the listed SPO staff, or you may contact Kevin Takaesu at 586-0568, or email [kevin.s.takaesu@hawaii.gov](mailto:kevin.s.takaesu@hawaii.gov), or contact me at 587-4701.