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ACTING ADMINISTRATOR

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STATE PROCUREMENT OFFICE**


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October 14, 2021

PROCUREMENT CIRCULAR 2012-03, Amendment 2

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
All other CPO Jurisdictions

C: Administrative Services Offices

FROM: Bonnie Kahakui 

SUBJECT: Revised Form SPO-043, Report on Procurement Protest

Effective immediately, at the request of the Senate Special Accountability Committee on Procurement, form SPO-043, *Report on Procurement Protest*, is revised to include the following:

- Procurement Officer
- Deputy Attorney General
- Date of P.O. Decision
- Date of DCCA Ruling

Please see the attachment for changes made in red boxes.

As a reminder, form SPO-043 is to be submitted as soon as the protest is resolved. The form is located on the SPO website at: <https://spo.hawaii.gov/all-forms/>.

If there are any questions, please contact Jittima Laurita (Jah) at 586-0766 or Jittima.laurita@hawaii.gov.

Hyperlink: [Form SPO-043](#)

Attachment: Form SPO-043 (Sample)

REPORT ON PROCUREMENT PROTEST				SPO Use ONLY - Date Received	
SOLICITATION NO. :		SOLICITATION TITLE:			
PROCUREMENT OFFICER:		DEPUTY AG/CORP COUNSEL:			
METHOD OF PROCUREMENT:	<input type="checkbox"/> Competitive Sealed Bidding <input checked="" type="checkbox"/> Competitive Sealed Proposals <input type="checkbox"/> Small Purchases <input type="checkbox"/> Professional Services <input type="checkbox"/> Sole Source				
PROTEST TYPE:	<input type="checkbox"/> Protest of Solicitation Content <input type="checkbox"/> Prior to Award <input type="checkbox"/> Protest of Award		CATEGORY:	<input type="checkbox"/> Goods <input type="checkbox"/> Services <input type="checkbox"/> Construction	
DATE PROTEST RECEIVED:			DATE OF P.O. DECISION:		
BASIS OF PROTEST (HRS §103D-701)					
Before Contract Award:	<input type="checkbox"/> Specifications or Scope of Work <input type="checkbox"/> Failure to follow procurement process <input type="checkbox"/> Subcontractor List <input type="checkbox"/> Other (Explain below)				
After Contract Award:	<input type="checkbox"/> Non-compliance with solicitation requirements <input type="checkbox"/> Non-compliance with statutes and rules <input type="checkbox"/> Other (Explain below)				
Contract Awarded: (If Applicable)	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, Date of Contract Award:	Estimated Amount of Contract Award:		
If a written substantial interest determination for award without delay was made by CPO, attach a copy to Form SPO-043					
Procurement Officer's Response to the Protest:	<input type="checkbox"/> Sustained <input type="checkbox"/> Denied <input type="checkbox"/> Other (Explain below)				
EXPLAIN REASON(S) FOR ACTION TAKEN					
OUTCOME OF PROCUREMENT OFFICER'S RESPONSE TO THE PROTEST (Provide copy of Agency's response letter with Form SPO-043)					
<input type="checkbox"/> Protest withdrawn <input type="checkbox"/> Proceeded with award <input type="checkbox"/> Protest unresolved <input type="checkbox"/> Solicitation canceled <input type="checkbox"/> Request for administrative review <input type="checkbox"/> Other (Explain below)					
EXPLAIN REASON(S) OUTCOME OF PROCUREMENT OFFICERS'S RESPONSE TO PROTEST					
Date submitted to DCCA:		Date of DCCA Ruling:		Prevailing Party:	<input type="checkbox"/> Agency <input type="checkbox"/> Protester
Contact Name	Department/Division	Phone Number	e-mail address		
<i>I certify that the information provided is to the best of my knowledge, true and correct.</i>					
_____ Procurement Officer's Signature			_____ Date		
E-mail completed form to state.procurement.office@hawaii.gov within ten (10) days of the final outcome of the protest with a copy of protest and response letters.					