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December 28, 2023

PROCUREMENT DIRECTIVE NO. 2024-01

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

CC: Administrative Services Offices

FROM: Bonnie Kahakui, Acting Administrator 

SUBJECT: Hawaii Administrative Rules (HAR) Chapter 3-122,
Source Selection and Contract Formation (Interim)

HAR chapter 3-122 has been amended.

The following is a summary of the amendments:

- The amendments to HAR §3-122-1, Definitions, adds two definitions "Recent" and "Relevant" from the new definition of "Past Performance" that are referenced in new HAR §3-122-115.01, which states "to include available recent and relevant performance of the contractor."
- The amendments to HAR §3-122-33, Bid evaluation and award, subsection (b) were added by the PPB to remind State employees that past performance, if available, shall be taken into consideration when awarding to the lowest responsive,

responsible bidder pursuant to HRS §103D-302(f). The other amendment to subsection (d) was a minor change to correct the numerical error.

- The amendment to add Subchapter 13.5, Contractor Past Performance Database, adds language about the information and procedures associated with the past performance database created pursuant to Act 188, SLH 2021.

Procurement Circular No. 2024-05, *Guidance on Contractor Past Performance Database* on HANDS, provides guidance and procedures on the database functionalities, and database's user management roles and access.

The Ramseyer and standard versions are available on the SPO website at:
<https://spo.hawaii.gov/references/har/goods/>.

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

Should there be any questions, procurement personnel may contact the listed SPO staff, or you may contact me at bonnie.a.kahakui@hawaii.gov or via phone at (808) 587-4701.

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