

MAR 14 2007

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# SENATE CONCURRENT RESOLUTION

REQUESTING THE STATE PROCUREMENT OFFICE TO DRAFT AMENDMENTS TO  
THE PROCUREMENT CODE RELATING TO THE UNIVERSITY OF HAWAII.

1           WHEREAS, in 2000, the University of Hawaii (University) was  
2 granted constitutional authority and power over matters  
3 involving its own management and operations; and  
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5           WHEREAS, the University was granted an exemption from the  
6 State Procurement Code; and  
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8           WHEREAS, the University developed a state-of-the-art  
9 alternative procurement system that meets the goals of the State  
10 Procurement Code within the context of University needs; and  
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12           WHEREAS, in 2004, the University's exemption was revoked,  
13 which has cost time, money, and efficiency by requiring the  
14 University to participate in less efficient processes and  
15 procedures more appropriate to executive departments and not to  
16 the University; and  
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18           WHEREAS, according to the Hawaii Procurement Institute,  
19 Hawaii's original Procurement Code was modeled after the  
20 American Bar Association's 1979 Model Procurement Code; and  
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22           WHEREAS, in 2000, the American Bar Association replaced its  
23 1979 model code with an updated model code; and  
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25           WHEREAS, the State Procurement Office has testified that  
26 some of the amendments of the Hawaii State Procurement Code over  
27 the years have moved away from the best practices in public  
28 procurement; now, therefore,  
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30           BE IT RESOLVED by the Senate of the Twenty-fourth  
31 Legislature of the State of Hawaii, Regular Session of 2007, the  
32 House of Representatives concurring, that the State Procurement



1 Office is requested to review the State Procurement Code for its  
2 applicability to the University of Hawaii; and

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4 BE IT FURTHER RESOLVED that as part of its review, the  
5 State Procurement Office is requested to draft proposed  
6 legislation that:

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8 (1) Incorporates for all state agencies efficiencies and  
9 improvements made by the University of Hawaii's  
10 procurement process as developed during the time of  
11 its exemption;  
12  
13 (2) Provides for complete operational and management  
14 authority over procurement issues for the University  
15 of Hawaii; and  
16  
17 (3) Eliminates the use of public procurement for  
18 enforcement of compliance with various State rules and  
19 places responsibility for compliance back in the hands  
20 of the agencies that have adopted these rules; and  
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22 BE IT FURTHER RESOLVED that the State Procurement Office,  
23 Department of Accounting and General Services, is requested to  
24 submit its findings and recommendations for implementation,  
25 including any proposed legislation, to the Legislature no later  
26 than twenty days prior to the convening of the Regular Session  
27 of 2008; and

28  
29 BE IT FURTHER RESOLVED that certified copies of this  
30 Concurrent Resolution be transmitted to the Chair of the Board  
31 of Regents and the President of the University of Hawaii, and  
32 the Comptroller.  
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OFFERED BY: Norman Sakuma

