

VII. APPENDIX

A. State Procurement Office Procurement Flowcharts and Procedures

Summary of Chapter 103D, HRS

<http://www.spo.hawaii.gov/hawaii-public-procurement-code-chapter-103d-hrs/summarychapter103d.pdf/>

Procurement of Goods, Services, and Construction – Flowchart and Procedures

<http://www.spo.hawaii.gov/hawaii-public-procurement-code-chapter-103d-hrs/eightsteps.pdf/>

Exemptions from Chapter 103D, HRS – Flowchart

Small Purchase – Flowchart

Sole Source Procurement – Flowchart

Emergency Procurement – Flowchart

Formal Offer Process, IFB and RFP – Flowchart

Professional Services – Flowchart and Procedures

<http://www.spo.hawaii.gov/hawaii-public-procurement-code-chapter-103d-hrs/flowcharts.pdf/>

Notice of and Request for Exemption from Chapter 103D, HRS
(Form SPO-07)

<http://www4.hawaii.gov/StateFormsFiles/spo07%2Dexemption%2004%2D28%2D2008%20protected%2Edoc>

COMPLIANCE DOCUMENTS PURSUANT TO SECTION 103D-310(c), HRS

a. **Hawaii Compliance Express.** Offeror may collectively apply for the certificates through the Hawaii Compliance Express (HCE). The HCE allows businesses to register online through a simple wizard interface at <http://vendors.ehawaii.gov> to acquire a "Certificate of Vendor Compliance." The HCE provides current compliance status as of the issuance date. The "Certificate of Vendor Compliance," indicating that vendor's status is compliant with the requirements of Section 103D-310(c), HRS, shall be accepted for both contracting purposes and final payment, if required. Vendors that elect to use the new HCE services will be required to pay an annual fee to the Hawaii Information Consortium, LLC (HIC). Vendors choosing not to participate in the HCE program will be required to provide the paper certificates as instructed in the sub-sections **b, c, and d**, that follow.

b. **HRS Chapter 237 tax clearance requirement for award.** Instructions are as follows:

Pursuant to Section 103D-328, HRS, lowest responsive offeror shall be required to submit a tax clearance certificate issued by the Hawaii State Department of Taxation (DOTAX) and the Internal Revenue Service (IRS). The certificate shall have an original green certified copy stamp and shall be valid for six (6) months from the most recent approval stamp date on the certificate. It must be valid on the date it is received by the SPO.

The tax clearance certificate shall be obtained on the State of Hawaii, DOTAX *TAX CLEARANCE APPLICATION* Form A-6 (Rev. 2003) which is available at the DOTAX and IRS offices in the State of Hawaii or the DOTAX website, and by mail or fax:

DOTAX Website (Forms & Information):

http://www.hawaii.gov/tax/a1_1alphalist.htm

DOTAX Forms by Fax/Mail: (808) 587-7572
1-800-222-7572

Completed tax clearance applications may be mailed, faxed, or submitted in person to the Department of Taxation, Taxpayer Services Branch, to the address listed on the application. Facsimile numbers are:

DOTAX: (808) 587-1488
IRS: (808) 539-1573

The application for the clearance is the responsibility of the offeror, and must be submitted directly to the DOTAX or IRS and not to the SPO. However, the tax clearance certificate shall be submitted to the SPO.

c. **HRS Chapters 383 (Unemployment Insurance), 386 (Workers' Compensation), 392 (Temporary Disability Insurance), and 393 (Prepaid Health Care) requirements for award.** Instructions are as follows:

Pursuant to Section 103D-310(c), HRS, the lowest responsive offeror shall be

required to submit a certificate of compliance issued by the Hawaii State Department of Labor and Industrial Relations (DLIR). The certificate is valid for six (6) months from the date of issue and must be valid on the date it is received by the SPO. A photocopy of the certificate is acceptable to the SPO.

The certificate of compliance shall be obtained on the State of Hawaii, DLIR *APPLICATION FOR CERTIFICATE OF COMPLIANCE WITH SECTION 3-122-112, HAR*, Form LIR#27 which is available at <http://hawaii.gov/labor/formsall.shtml> or at the neighbor island DLIR District Offices. The DLIR will return the form to the Offeror who in turn shall submit it to the SPO.

The application for the certificate is the responsibility of the Offeror, and must be submitted directly to the DLIR and not to the SPO. However, the certificate shall be submitted to the SPO.

- d. **Compliance with Section 103D-310(c), HRS, for an entity doing business in the State.** The lowest responsive offeror shall be required to submit a *CERTIFICATE OF GOOD STANDING (COGS)* issued by the State of Hawaii Department of Commerce and Consumer Affairs Business Registration Division (BREG). The Certificate is valid for six months from date of issue and must be valid on the date it is received by the SPO. A photocopy of the certificate is acceptable to the SPO.

To obtain the Certificate, the offeror must first be registered with the BREG. A sole proprietorship, however, is not required to register with the BREG, and therefore not required to submit the certificate.

On-line business registration and the COGS are available at www.BusinessRegistrations.com. To register or to obtain the COGS by phone, call (808) 586-2727 (M-F 7:45 to 4:30 HST). Offerors are advised that there are costs associated with registering and obtaining the COGS.

- e. **Timely Submission of all Certificates.** The above certificates should be applied for and submitted to the SPO as soon as possible. If a valid certificate is not submitted on a timely basis for award of a contract, an offeror otherwise responsive and responsible may not receive the award.