

LINDA LINGLE
GOVERNOR



PROCUREMENT POLICY BOARD
DARRYL W. BARDUSCH
LESLIE S. CHINEN
DARYLE ANN HO
KEITH T. MATSUMOTO
RUSS K. SAITO
PAMELA A. TORRES

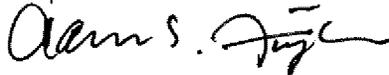
AARON S. FUJIOKA
ADMINISTRATOR

STATE OF HAWAII
STATE PROCUREMENT OFFICE
P.O. Box 119
Honolulu, Hawaii 96810-0119
Tel: (808) 587-4700 Fax: (808) 587-4703
www.spo.hawaii.gov

SPO 10-017

August 11, 2009

TO: Mr. Gordon Lum
Oahu Metropolitan Planning Organization
Department of Transportation

FROM: Aaron S. Fujioka 

SUBJECT: Professional Services Procurement
Selection Committee Determination Request

This is in response to your July 21, 2009 e-mail inquiry on the above subject requesting a "... determination as to whether state procurement laws allow me to serve on a consultant selection committee for the City and County of Honolulu." Your subsequent July 31, 2009 e-mail added that "... the City wishes me to serve on will be to review, evaluate and select a consultant for an engineering professional services contract(s)."

The procurement of professional services pursuant to HRS section 103D-304, requires the selection committee "... be comprised of ... with sufficient education, training, and licenses or credentials in the area of the services required. In designating the members of the selection committee ... shall ensure the impartiality and independence of committee members." Additionally Hawaii Administrative Rules section 3-122-69(b) state "Deputy directors or equivalent appointed positions shall not serve on review or selection committees." The intent is to alleviate the appearance that these appointed positions may impose undue influence upon selection committee members. An affidavit (attachment) is required to be signed by all selection committee members to attest that each member is in compliance.

In your capacity as the appointed Executive Director and provided your position would not pose undue influence on other members, your serving as a selection committee member would not be prohibited.

If there are any questions please contact me.

AR00129633