

Summary of Changes- HAR Chapter 3-122
(Procurement Circular No. 2008-01)

- Creates Subchapter 4.5 for the selection of providers for federal grants; and Subchapter 6.5 for multi-step bidding, which was originally in Subchapter 5.
 - Implements SLH 2003, Act 52, section 2 on pre-bid conferences for construction and design-build projects pursuant to competitive sealed bidding and proposals; sections 4 and 5 on debriefing for non-selected offerors under competitive sealed proposals and for non-selected providers under professional services procurement; and section 6 on producing documents demonstrating compliance with chapters 237, 383, 386, 392, and 393, HRS.
 - Implements Act 216, SLH 2004, Part II, to clarify applicability to all source selection methods; the requirements for incorporation or organization under the laws of the State or registering to do business in the State as a separate branch or division. Requires that all requests for proposals assign a numerical rating system for evaluating proposals received; and adds a new rule prohibiting deputy directors or equivalent appointed positions from serving on review or selection committees for procurement of professional services.
 - Implements Act 283, SLH 2006, which increased the threshold for small purchases from less than \$25,000 to less than \$50,000; amended the guidelines for the small purchases process; and established the use of an electronic procurement system.
 - Implements Act 96, SLH 2006, which expanded on the duties of the administrator to include the development of specifications to meet the statutory requirements relating to energy and the procurement of environmentally preferable products, including the fuel-efficient vehicles and alternative fuels.
- A. Historical Note. Clarifies that these rules replace rescinded interim rules previously adopted and effective on 7/25/02, 7/03/03, 11/15/03, 1/1/05, 4/18/05, 2/27/06, 10/09/06, and 9/04/07.
- B. Section 3-122-1 Definitions. Amends the reference to the definitions, as are in §103D-104, HRS; adds definitions for “award”, “best value” and “contract administrator”; moved “brand name specifications” in alpha order; clarifies “alternative procurement method”, “contract price”, and “discussions”; deletes definitions for “formal bid or proposal”, “professional services”, “specification for common or general use item”, and “specifications” already provided by law or not necessary; amends definitions for “quotation” and “request for information”.

- C. Section 3-122-4 Multiple or alternate offers. Amended language to require the solicitation to specify its treatment of multiple or alternative offers, if allowed.
- D. Section 3-122-5 Procuring state produced goods, services, or construction. Section repealed, similar language in §3-128-7, HAR.
- E. Section 3-122-6 Conditioning offers upon other contracts not acceptable. Amended title from “Conditioning offers upon other awards not acceptable”; amended language for rejection of an offer when acceptance is conditioned, other than provided in the solicitation.
- F. Section 3-122-9 Use of facsimile machines, electronic mail, or electronic procurement systems. Amended title from “Use of facsimiles”; amended reference to appropriate sections of the rules; and expanded the language to allow vendors to submit procurement related documents electronically.
- G. Section 3-122-9.01 Disclosure of information. Amended title from “Disclosure of names of potential offerors”; amended language to clarify when a purchasing agency may disclose information on a solicitation.
- H. Section 3-122-9.02 Request for information. Amended title from “Request for information; formal or informal or both”; deleted the differentiation between formal and informal request for information to make one process.
- I. Section 3-122-12 Duties of the administrator. Added a hyphen to “post-consumer”; interim rule effective 10/9/06 amended language to reference the guidelines for purchasing energy-efficient vehicles as established by the department of business, economic development and tourism, pursuant to Act 96/SLH 2006.
- J. Section 3-122-13 Development of specifications. Interim rule effective 7/25/02 amended language to allow award based on “best value”; capitalized “State’s”; clarified that small purchase “brand name specifications” or “restrictive specifications” do not require Chief Procurement Officer approval; other changes for housekeeping purposes. Interim rule effective 10/9/06 pursuant to Act 96/SLH 2006, expanded language to include by reference the requirement for the acquisition of energy-efficient vehicles in accordance with the guidelines established by the department of business, economic development and tourism.
- K. Subchapter 4, Methods of Source Selection and General Guidance. Changed title from “Methods of source selection”; consolidated general guidance sections from subchapters 5, 6, and 7 into this subchapter.

- L. Section 3-122-16 Methods of source selection. Added new subchapters 4.5, Source Selection for Federal Grants, and 6.5, Multi-step Competitive Sealed Bidding.
- M. Section 3-122-16.01 Procurement dollar thresholds. New section incorporated from repealed sections 3-122-19 and 3-122-42; removed the dollar threshold and reference the dollar threshold of the HRS.
- N. Section 3-122-16.02 Preparation time for offer. New section incorporated section 3-122-23 amended by 7/3/03 interim rule change, and subsequently repealed; and incorporated deleted language from section 3-122-46. Required bidder to respond with unpriced technical offer in a multi-step bid within a minimum of fifteen calendar days instead of a minimum of ten calendar days; required a minimum of fifteen calendar days between the date of the mandatory pre-bid conference and the date set for receipt of bids for construction and design-build projects; and subsequently amended language on the public notice date in order to correspond with the changes made in section 3-122-16.03.
- O. Section 3-122-16.03 Public notice. New section incorporated sections 3-122-24 and 3-122-64 amended by 7/25/02 and 7/3/03 interim rules, and subsequently repealed. Removed requirement to publish the public notice in a newspaper of general circulation; to make publicizing the public notice on a purchasing agency or provider internet site a minimum requirement; clarified the statewide and countywide requirements for the optional publication of public notice; required information on pre-bid conference for construction and design-build projects to be included in the public notice. Subsequent to the interim rules, added reference to the new subchapters 4.5 and 6.5 in the section. Interim rule effective 10/9/06 amended subsection (d)(2)(B) to include notification by electronic mail.
- P. Section 3-122-16.04 List of potential offerors. New section incorporated from repealed section 3-122-25 titled "Bidders lists". No changes.
- Q. Section 3-122-16.05 Pre-bid or pre-proposal conference. New section incorporated section 3-122-26 amended by 7/3/03 interim rule changes, and subsequently repealed. Required conference for construction and design-build projects; required agencies to furnish the summary of the conference sufficiently before bid opening; pre-bid or pre-proposal conference in the public notice; to state in the public notice whether the conference is mandatory; and to issue the summary of the conference by addendum.
- R. Section 3-122-16.06 Amendment and clarification to solicitation. New section incorporated repealed sections 3-122-27 and 3-122-48. Amended to require agencies to issue clarifications by addenda; deleted 3-122-27(g)

allowing clarification to be issued anytime up to the deadline for receipt of offers.

- S. Section 3-122-16.07 Pre-opening modification or withdrawal of offer. New section incorporated repealed sections 3-122-28 and 3-122-49. Interim rule effective 10/9/06 amended language to allow offerors to electronically notify the State of bid or proposal modifications and withdrawals to their submittals.
- T. Section 3-122-16.08 Late offer, late withdrawal, and late modification. New section incorporated sections 3-122-29, repealed, and 3-122-50, amended by 7/25/02 interim rule and repealed. No substantive changes.
- U. Section 3-122-16.09 Cancellation of solicitation and rejection of offer. New section incorporated repealed sections 3-122-32 and 3-122-56, and references the HRS.
- V. Subchapter 4.5 Source Selection for Federal Grants. New subchapter; included sections 3-122-16.30 and 3-122-16.31.
- W. Section 3-122-16.30 Purpose. New section on purpose of subchapter 4.5.
- X. Section 3-122.16.31 Exception; request for interest. New section to allow use of a "Request for interest" when time or economic situations preclude the use of other source selection methods in section 3-122-16.
- Y. Section 3-122-18 Applicability. Repealed, repetitious of section 3-122-17.
- Z. Section 3-122-19 Dollar thresholds for competitive sealed bids. Repealed and replaced by section 3-122-16.01.
- AA. Section 3-122-20 Conditions for use. Repealed, repetitious of section 3-122-16.
- BB. Section 3-122-21 Preparing a competitive sealed bid. Interim rule effective 7/25/02 amended language to reference the HRS in subsection (a)(3)(A); deleted the duplicate provision, subsection (a)(9). Interim rule effective 7/3/03 amended language to require the invitation for bids include information on pre-bid conferences. Subsequent to the interim rules, amended to delete reference to 103D-328, and replaced with section 103D-310(c). Amended section (a)(8)(B) to include requirement for information on joint contractor or subcontractor; references the HRS; and other non-substantive changes. Interim rule effective 10/9/06 amended subsections (a)(1)(B) and (a)(5) to include language for bid submittals required through an electronic procurement system.

- CC. Section 3-122-22 Multi-step sealed bidding. Repealed and replaced by subchapter 6.5.
- DD. Section 3-122-23 Bidding time. Repealed and replaced by section 3-122-16.02.
- EE. Section 3-122-24 Public notice. Repealed and replaced by section 3-122-16.03.
- FF. Section 3-122-25 Bidders lists. Repealed and replaced by section 3-122-16.04.
- GG. Section 3-122-26 Pre-bid conferences. Repealed and replaced by section 3-122-16.05.
- HH. Section 3-122-27 Amendments and clarifications to invitations for bids. Repealed and replaced by section 3-122-16.06.
- II. Section 3-122-28 Pre-opening modification or withdrawal of bids. Repealed and replaced by section 3-122-16.07.
- JJ. Section 3-122-29 Late bids, late withdrawals, and late modifications. Repealed and replaced by section 3-122-16.08.
- KK. Section 3-122-30 Receipt, opening, and recording of bids. Deleted language that referenced multi-step bidding; included in new subchapter 6.5; and made housekeeping changes.
- LL. Section 3-122-31 Mistakes in bids. Interim rule effective 7/25/02 clarified “other material indicating the bidder’s intent to be bound” by specifying “bid security” and other material “with an original signature”; made a non-substantive change. Subsequent to the interim rule, amended to allow procurement officer to correct or waive the mistake without chief procurement officer or head of the purchasing agency concurrence; other non-substantive changes.
- MM. Section 3-122-32 Cancellation of solicitations and rejection of bids. Repealed and replaced by section 3-122-16.09.
- NN. Section 3-122-33 Bid evaluation and award. Interim rule effective 7/25/02 removed language in (h) provided for in §103D-302, HRS; amended (h) to allow sole responsive, responsible bids to be negotiated under §103D-302(h), HRS, when the sole bid exceeds available funds, and deleted subsections (d) and (f) that provide no real substance to the section. Subsequent to the interim rule, language amended to include the

requirement for posting of award and clarified that award shall be in writing.

- OO. Section 3-122-35 Waiver to competitive sealed bidding process. Interim rule effective 7/25/02 amended to allow for discussions with single bidder when funds are exceeded; other housekeeping changes.
- PP. Section 3-122-42 Dollar thresholds for competitive sealed proposals. Repealed and replaced by section 3-122-16.01.
- QQ. Section 3-122-43 When competitive sealed bidding is not practicable or advantageous. Amended for housekeeping purposes.
- RR. Section 3-122-45 Determinations. Interim rules effective 7/25/02 amended to require the procurement policy board to issue the list of board-approved procurements by directive; other housekeeping changes.
- SS. Section 3-122-45.01 Evaluation committee. New section incorporated section 3-122-52(a). Incorporated 7/25/02 interim rule change to section 3-122-52 to define committee members and to allow private consultants to serve on the committee; added requirement for private consultants on the committee to sign an affidavit; for contract administrator to serve on the committee; and for the contract administrator or a designee to serve as chairperson and the procurement officer or designee to serve as advisor.
- TT. Section 3-122-46 Preparing a request for proposals. Interim rule effective 7/25/02 amended the section to include “best value factors” as an evaluation factor; other housekeeping changes. Interim rule effective 7/3/03 amended section to require a minimum number of days between the pre-proposal conference date and the due date for proposals for construction and design-build projects. Subsequent to the interim rules, deleted sections on preparation time, included in section 3-122-16.02; public notice, included in section 3-122-16.03; pre-proposal conferences, included in section 3-122-16.05; and evaluation of proposals, included in section 3-122-45.01; and clarified that discussions may be conducted with “priority-listed offerors.”
- UU. Section 3-122-48 Amendments to request for proposals. Repealed and replaced by section 3-122-16.06.
- VV. Section 3-122-49 Modification or withdrawal of proposals. Repealed and replaced by section 3-122-16.07.
- WW. Section 3-122-50 Late proposals, late withdrawals, and late modifications. Repealed and replaced by section 3-122-16.08.

- XX. Section 3-122-51 Receipt and registration of proposals. Interim rules effective 7/25/02 clarified that proposals and modifications are to be opened in the presence of two or more state officials and not necessarily procurement officials; made change to allow agency to show the proposals to its private consultant if the consultant is either an evaluation committee member or has legitimate interest in the proposals.
- YY. Section 3-122-52 Evaluation of proposals. Interim rules effective 7/25/02 amended subsection (a) to clarify who may be appointed to the evaluation committee, and to designate the role of the contract administrator and the procurement officer on the committee. Interim rule effective 11/15/03 deleted subsection (a) on evaluation committee and incorporated it in new section 3-122-45.01; made a substantive change to subsection (b) to require a numerical rating system in which points are applied to each evaluation factor with written determination made part of the contract file for public inspection.
- ZZ. Section 3-122-53 Discussions with offerors. Interim rules effective 7/25/02 deleted "responsive" since it is not in §103D-303, HRS; replaced "most advantageous" with "best value"; other non-substantive changes.
- a. Section 3-122-54 Best and final offers. Amended to clarify that any changes to the State's requirement prior to best and final offer shall be issued by addendum to only priority-listed offerors.
- b. Section 3-122-55 Mistakes in proposals. Repealed, as the competitive sealed proposals process is conducive to handling mistakes.
- c. Section 3-122-56 Cancellation of solicitations and rejection of proposals. Repealed and replaced by section 3-122-16.09.
- d. Section 3-122-57 Award of contract. Interim rule effective 7/25/02 deleted the word "responsive" since not in the HRS; added award of contract in a timely manner and by best value; amended subsection (b) to reference the HRS and the applicable HAR; made other non-substantive changes. Interim rule effective 11/15/03 added language to require the posting of award; and made a non-substantive change.
- e. Section 3-122-58 Public inspection. Interim rule effective 7/25/02 amended the section to make the contract file public information upon award of the contract, instead of giving the agency the option of disclosing the information upon award or upon execution of the contract. Other changes clarified references to rules.
- f. Section 3-122-59 Waiver to competitive sealed proposal process. Interim rule effective 7/25/02 deleted the word "responsive" since not in the HRS.

- g. Section 3-122-60 Debriefing. Interim rule effective 7/3/03 created new section requiring debriefing for non-selected offerors upon request. Interim rule effective 11/15/03 amended the interim rule to allow the procurement officer or designee to hold the debriefing and to determine whether or not to conduct individual or combined debriefings.
- h. Subchapter 6.5 Multi-step competitive sealed bidding. New subchapter for two-phase competitive sealed bidding process originally in subchapter 5 from which it was deleted. It combined the competitive sealed proposals process from subchapter 6 with the competitive sealed bidding process for use when low bid is desired but definitive specifications cannot be developed.
- i. Section 3-122-61.05 Purpose. New section on purpose for subchapter 6.5.
- j. Section 3-122-61.06 Preparing a multi-step invitation for bids. New section on unique requirements for the two-phase invitation for bids process.
- k. Section 3-122-61.07 Phase one. New section on requirements for phase one of the two-phase process.
- l. Section 3-122-61.08 Phase two. New section on requirements for phase two of the two-phase process.
- m. Section 3-122-63 General provisions. Interim rule effective 7/25/02 changed title from "Procurement of professional services"; deleted sections already in the law and the cost or pricing data requirement not required by HRS; amended the dollar value of amendments requiring prior head of purchasing agency approval; and amended the section to include specific information as public information upon award of the contract. Interim rule effective 7/3/03 amended the section to restrict procurement of design professional services furnished by licensees under chapter 464, HRS, to the procurement processes under section 103D-304 or 103D-307, HRS, and to include the names of selection committee members and selection committee's criteria as information that shall be open to public inspection upon award of the contract.
- n. Section 3-122-64 Public notice for professional services. Interim rule effective 7/25/02 changed title from "Annual public notice for professional services." Section repealed, included in section 3-122-16.03.
- o. Section 3-122-65 Procedures for procurement of professional services. Interim rule effective 7/25/02 repealed the section since it is in the HRS.

- p. Section 3-122-66 Waiver to requirement for procurement of professional services. Interim rule effective 7/25/02 amended (a) and (b) to make reference to the HRS; other non-substantive changes.
- q. Section 3-122-67 Small purchases of professional services. Interim rule effective 7/25/02 amended to reference the HRS. Interim rule effective 7/3/03 amended the section to exclude small purchase of design professional services furnished by licensees under chapter 464, HRS.
- r. Section 3-122-68 Record of procurement actions. Interim rule effective 7/25/02 repealed the section as Act 43, SLH 2001, section 1 repealed §103D-321, HRS.
- s. Section 3-122-69 Review and selection committees. Interim rule effective 7/3/03 created new section on requirements for persons who serve on the committees who are not employees of the purchasing agency. Amended the interim rule to not allow deputy directors or equivalent appointed positions to serve on review or selection committees.
- t. Section 3-122-70 Debriefing. Interim rule effective 7/3/03 creates new section requiring debriefing for non-selected providers of professional services upon request. Interim rule effective 11/15/03 amended section to allow the procurement officer or designee to hold the debriefing and to determine whether or not to conduct individual or combined debriefings, and to correct a reference to the statute.
- u. Section 3-122-74 General provisions. Interim rule effective 7/25/02 changed the title from “Conditions for use”; amended subsection (a) to reference the HRS; other non-substantive changes. Interim rule effective 7/3/03 amended language to clarify small purchases for design professional services furnished by licensees under chapter 464, HRS, shall be procured under section 103D-304, HRS.
- v. Section 3-122-75 Goods, services, and construction. Interim rule effective 7/25/02 amended language to reference the HRS; allowed for awards based on best value; and required the procurement policy board to establish procedures by directive. Interim rule effective 7/3/03 changed the title from “Goods and services”; allowed small purchase of construction to be awarded based on best value instead of low price. Interim rule effective 10/9/06 pursuant to Act 283/SLH 2006 increases the small purchase dollar level to less than \$50,000; amended small purchase procedures by designated dollar levels.
- w. Section 3-122-76 Construction. Interim rule effective 7/3/03 repealed section; amended section 3-122-75 to address construction awards.

- x. Section 3-122-77 Procurement file and disclosure of information. Interim rule effective 7/25/02 deleted the details on when and what to include in the procurement file. Title changed from "Procurement file"; interim rule effective 10/9/06 clarified when disclosure of quotations from vendors shall be made available for public information.
- y. Section 3-122-78 Electronic procurement. New section effective 10/9/06 interim rule required the use of an electronic procurement system for small purchases of \$25,000 to less than \$50,000 as of 7/1/07; allowed the chief procurement officer further flexibility to determine the use of an electronic procurement system for small purchases under \$25,000.
- z. Section 3-122-81 General provisions. Interim rule effective 7/25/02 changed title from "Conditions for use"; referenced the HRS; deleted rules included in the HRS; other non-substantive changes.
- aa. Section 3-122-82 Sole source approvals and amendments. Interim rule effective 7/25/02 amended to incorporate repealed section 3-122-83; changed title from "Requesting sole source approval".
- bb. Section 3-122-83 Amendments to sole source contracts. Interim rule effective 7/25/02 repealed section, and incorporated in section 3-122-82.
- cc. Section 3-122-84 Record of procurement actions. Interim rule effective 7/25/02 repealed the section because Act 43, SLH 2001, section 1 repealed §103D-321, HRS.
- dd. Section 3-122-88 General provisions. Interim rule effective 7/25/02 changed the title from "Application"; referenced the HRS; and clarified when emergency procurement may be used.
- ee. Section 3-122-89 Definition. Interim rule effective 7/25/02 repealed the section as the definition is in the HRS.
- ff. Section 3-122-90 Procedures. Amended to remove cost or pricing requirement since not required by statute.
- gg. Section 3-122-91 Record of procurement actions. Interim rule effective 7/25/02 repealed the section because Act 43, SLH, section 1 repealed §103D-321, HRS.
- hh. Section 3-122-95 Cancellation of solicitations and rejection of offers. Interim rule effective 7/25/02 amended to reference the HRS.

- ii. Section 3-122-96 Cancellation of solicitation. Interim rule effective 7/25/02 amended to allow a designee of the chief procurement officer to make the determinations; other changes for housekeeping purpose.
- jj. Section 3-122-97 Rejection of offer. Interim rule effective 7/25/02 amended for clarity and housekeeping purposes. Subsequent to interim rule, amended the title from "Rejection of bids and proposals".
- kk. Section 3-122-102 Contract not binding unless funds available. Interim rule effective 7/25/02 amended to reference the HRS; included installment purchase payment contract as an exception to the certification of funds requirement; required certification of funds for the initial fiscal period of lease and installment purchase payment contracts, subject to the availability of funds for the succeeding fiscal periods of the contract.
- ll. Section 3-122-103 Contracts involving federal funds. Interim rule effective 7/25/02 repealed the section due to duplication of the HRS.
- mm. Section 3-122-108 Qualification of offeror or prospective offeror. Interim rule effective 7/25/02 amended the title from "Qualification of bidders and offerors"; deleted the notice of intent to submit an offer incorporated in the new section 3-122-111; referenced the HRS; addressed the determination of nonresponsibility.
- nn. Section 3-122-109 Questionnaire. Interim rule effective 7/25/02 amended to correct format.
- oo. Section 3-122-110 Determination of nonresponsibility. Interim rule effective 7/25/02 repealed, included in §3-122-108.
- pp. Section 3-122-111 Notice of intent to offer. Interim rule effective 7/25/02 created new section to address the notice of intent to submit an offer; and made the notice optional. Interim rule effective 10/9/06 expanded language to allow for electronic submittal of notice of intent.
- qq. Section 3-122-112 Responsibility of offeror. Interim rule effective 7/3/03 created new section to implement SLH 2003, Act 52, section 6. Subsequent to the interim rule, language amended to changed title from "Compliance with all laws governing entities doing business in the State"; added the requirement for certificates to be provided as proof of compliance; optional requirements for small purchases; requirements for final payment of a contract; other changes for housekeeping purposes.
- rr. Section 3-122-117 Prequalification of suppliers. Repealed as not appropriate for the subchapter.

- ss. Section 3-122-121 Scope and application. Interim rule effective 7/25/02 amended the section for clarification and housekeeping purposes.
- tt. Section 3-122-123 Requirement for cost or pricing data. Interim rule effective 7/25/02 amended for clarification and housekeeping purposes. Subsequent to the interim rule, amended the requirement for cost or pricing data or both for professional services pursuant to subchapter 7, an option of the procurement officer.
- uu. Section 3-122-124 Exceptions to the requirement for cost or pricing data. Interim rule effective 7/25/02 amended section for clarification and housekeeping purposes.
- vv.. Section 3-122-136 Fixed-priced contract. Changed title from "The fixed-priced contract."
- ww. Section 3-122-137 Cost-reimbursement contract. Changed title from "The cost-reimbursement contract."
- xx. Section 3-122-138 Cost-incentive contract. Changed title from "The cost-incentive contract."
- yy. Section 3-122-141 Labor hour contract. Corrected reference from 'subsection' to 'section'.
- zz. Section 3-122-145 Multiple award contract. Interim rule effective 7/25/02 amended language to allow the CPO to determine whether the use of a multiple award contract is voluntary or mandatory and to require the solicitation to state the decision. Other changes were made for easier understanding of the section.
- aaa. Section 3-122-147 Lease contract. Interim rule effective 7/25/02 amended to clarify when the competitive sealed bidding or proposal process applies; required certification of funds for lease contracts pursuant to section 3-122-102; other changes for housekeeping purposes.
- bbb. Section 3-122-148 Installment purchase payment contract. Interim rule effective 7/25/02 amended language to require certification of funds pursuant to section 3-122-102.
- ccc. Section 3-122-149 Multi-term contract. Interim rule effective 7/25/02 amended language to delete portion addressed in the HRS; deleted requirements included in any solicitation; and made the section easier to understand.

- ddd. Section 3-122-155 Approval of accounting system. Interim rule effective 7/25/02 repealed the section due to duplication of the HRS.
- eee. Section 3-122-186 Finality of determinations. Interim rule effective 7/25/02 repealed due to duplication of the HRS.
- fff. Section 3-122-201 Retention of procurement records. Interim rule effective 7/25/02 amended to reflect that records retention guidelines and schedules are approved by the applicable governmental body.
- ggg. Section 3-122-211 Record of procurement actions. Interim rule effective 7/25/02 repealed the section because Act 43, SLH 2001, section 1 repealed §103D-321, HRS.
- hhh. Section 3-122-222 Acceptable bid security, contract performance and payment bonds. Amended to correct the statute references and remove the words “security or bond” since not required.
- iii. Section 3-122-223 Bid security. Interim rule effective 7/25/02 removed the dollar threshold and referenced the HRS; deleted requirement to obtain approval for construction contracts under the small purchase limit.
- jjj. Section 3-122-224 Contract performance and payment bonds. Interim rule effective 7/25/02 removed the dollar threshold and referenced the HRS; deleted requirement to obtain approval for construction contracts under the small purchase limit; made a clarification in subsection (c).
- kkk. Section 3-122-225 Reduction of contract performance and payment bond amounts. Interim rule effective 7/25/02 amended language to incorporate repealed section 3-122-226, and consolidate repetitious or unnecessary verbiage.
- lll. Section 3-122-226 Reduction of contract performance and payment bond amounts during performance. Interim rule effective 7/25/02 repealed section; consolidated into section 3-122-225.
- mmm. Section 3-122-227 Payment claims against the bond. Made correction to the HRS reference.