



# UNIVERSITY OF HAWAI‘I SYSTEM

## Legislative Testimony

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by

Howard Todo

Vice President for Budget & Finance/CFO, University of Hawai‘i

HB 2431 HD1 – RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII

Chair Oshiro, Vice Chair Lee, and Members of the Committee:

This Bill restores the University’s ability to establish its own procurement policies in support of the widely accepted public policy of greater administrative flexibility for the University. The University was granted this flexibility by the Legislature in 1998 and had used it responsibly and to great benefit until its revocation as of January 1, 2005. The House Committees on Higher Education and Economic Development and Business Concerns amended the bill to require the BOR to file its procurement policy and any later changes in the policy with the Hawaii procurement institute.

**The first point we would like to make is that providing the University of Hawaii with administrative flexibility has been accepted public policy embraced by all branches of government and the general public.**

In 1997, the Governor, Senate President and Speaker of the House created an unprecedented blue ribbon Economic Revitalization Task Force composed of Hawaii’s business, community and government leaders. Their objective was to develop recommendations on how to strengthen Hawaii’s economy. Recognizing the importance of the University of Hawaii as a major economic engine for the State, one of the clear conclusions of the task force, accepted by all, was that autonomy for the university would materially enhance the university’s performance of its constitutional responsibilities and allow it to contribute more meaningfully to the economic revitalization of the State of Hawaii. In 1998 the Legislature passed and the Governor signed Act 115 granting the University of Hawaii greater flexibility in managing its own affairs and, most notably, exempting the University of Hawaii from the State Procurement Code. This flexibility allowed the Board of Regents to adopt University procurement procedures consistent with State procurement law, but not dependent on the State governmental processes, procedures and resources. Taking this flexibility even further, in the 2000 legislative session a constitutional amendment was approved to provide the University of Hawaii with even greater autonomy. This constitutional amendment was overwhelmingly ratified by Hawaii’s voters in the 2000 election.

**The second point we would like to make is that the University used this flexibility responsibly and effectively.**

As required by Act 115, the University developed and implemented its own internal procedures and policies for procurement. The University used its flexibility to create the most advanced and open electronic public sector procurement system in the State of Hawaii. An electronic sourcing system called "SuperQuote" was established at no cost to the University, through which requests for quotation are solicited online. By making use of the Internet, quotes are received faster, the process is more open, competition is increased resulting in lower prices, and there is automatically an audit trail. The University also implemented the first purchasing card (PCard) program in the State. Accountability is maintained through various restrictions on the type and amount of allowable spending. The PCard program reduces time, costs and effort in purchasing, including by enabling purchases over the Internet. Both SuperQuote and the PCard system have direct electronic interfaces to the University's financial management information system. This eliminates duplicate data entry in purchasing, which further reduces administrative costs and decreases a potential source of errors. The University developed comprehensive and thorough written policies and procedures appropriate for these modern practices. The University's Administrative Procedures on Procurement have been available online for many years and can be found at the following website: <http://www.hawaii.edu/apis/apm/a8200.html>. While the current versions of these procedures reflect the 2005 revocation of the University's Act 115 flexibility, the previous procedures that took advantage of the flexibility are also available in the online archives at <http://www.hawaii.edu/svpa/apm/archives/a8200.html>.

**Our third point is that the University remains fully committed to openness, appropriate public oversight and accountability.**

In improving its internal procurement system, the University of Hawaii fully honored the statutory requirement to comply with the intent of the State procurement code. While dramatically increasing open competition and improving operational efficiency, the University has also embraced applicable federal procurement guidelines in its new processes and systems. The University procedures developed to implement the flexibility granted by Act 115, as described above, were all reviewed, discussed and approved by the Board of Regents at duly noticed open public meetings conducted under the State "Sunshine" laws. In addition to a bevy of internal control processes, the University's procurement practices are independently audited each year to ensure fair and equitable treatment of vendors, to foster effective broad-based competition in order to secure best value in purchases, and to maintain the integrity of the procurement process.

**The public interest is best served by restoring the University's flexibility to establish its own procurement policies.**

The widely accepted movement to increase University flexibility has been widely supported by the Legislature over the last decade, by the last two Governors, by the business community and by the voting public. One of the most visible outcomes of this movement was the law passed by the 1998 Legislature granting the University an exemption from the state procurement processes. The University's own procurement system and processes streamlined purchasing to reduce administrative costs, increased competition, reduced the costs of goods and services procured, increased openness and auditability, and reduced the costs for vendors to do business with the University. Our faculty and staff used this

direct responsibility and accountability to help the University of Hawaii respond to changing conditions, new opportunities and Hawaii's needs in a more timely and effective manner. In addition, the University's flexibility reduced cost to State Government by relieving DAGS and other agencies of any responsibility for University procurement.

**This will allow the University to get repairs and renovations done more quickly and reduce costs while maintaining appropriate controls.**

We appreciate the Legislature's desire to assist the University in addressing its deferred maintenance needs and the deteriorating condition of its facilities. Restoring the flexibility in procurement will allow the University to be more efficient and timely in the use of funds provided by the Legislature to deal with the backlog of repairs and renovations needed at all of our ten campuses. It will allow us to get projects started and completed more quickly and reduce costs for the University and its vendors while providing for open competition and auditability.

We ask your support for the passage of this bill, which is important in helping the University of Hawaii have the facilities and processes to compete in the national marketplace of Colleges and Universities and to be the major engine for the economic diversification of Hawaii.

Thank you for this opportunity to testify in support of this measure.