

CONTRACTORS LICENSE BOARD
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

Minutes of Meeting

- Date: March 16, 2018
- Place: King Kalakaua Conference Room, King Kalakaua Building
Department of Commerce and Consumer Affairs
335 Merchant Street, 1st Floor, Honolulu, Hawaii 96813
- Present: John Polischeck, Jr., Chairperson
Tyrus Kagawa, Vice Chairperson
Anacleto "Joey" Alcantara, Jr., Member
Leslie Isemoto, Member
Nathan Konishi, Member
Peter H. M. Lee, Member
Leonard K. P. Leong, Member
Danny T. Matsuoka, Member
Kent Matsuzaki, Member
Kenneth T. Shimizu, Member
Candace Ito, Executive Officer
Charlene L. K. Tamanaha, Executive Officer
Krishna F. Jayaram, Deputy Attorney General
Faith Nishimura, Secretary
- Excused: Nicholas W. Teves, Jr., Member
- Guests: Pele Lui-Yuen, Floor Layers LU 1926 District Council 50
Soren T. Joy, RME, On the Rise Construction LLC
Doug Rogers, Moss & Associates LLC
Arnold Wong, Ironworkers Stabilization Fund
Craig D. Constant, RME, Lend Lease (US) Public Partnerships LLC
Kai Hoohuli, HRCC
Ryan Takahashi, HEMEP
Ryan Kobayashi, Laborers Local 368
Eli Carmona, RME, Caraveli Inc. dba Caraveli Construction
Mike Little, Moss & Associates LLC
Brad Wilson, Moss & Associates LLC
Lawrence L. Toro, Jr., RME, United General Contracting Inc.
Jennifer L. Whitmore, RME, Vanguard Pacific LLC
- Call to Order: There being a quorum present, Chairperson Polischeck called the meeting to order at 8:30 a.m.
- Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Hawaii Revised Statutes ("HRS") section 92-7(b).
- Minutes: It was moved by Mr. Isemoto, seconded by Mr. Lee, and unanimously carried to approve the Applications Committee Meeting and Executive Session Meeting

Minutes of March 5, 2018, and the Board Meeting and Executive Session Meeting Minutes of February 16, 2018, as circulated.

Amendments
to Agenda:

It was moved by Mr. Isemoto, seconded by Mr. Kagawa, and unanimously carried to approve the following amendments to the agenda:

Deletions to Appearances:

- c. Rorylynn K. Laa, RME
Erik Builders Inc.
C-17 Excavating, grading & trenching
C-31 Masonry
- e. Michael Pascua, RME
Pearl Flo Plumbing LLC
C-37 Plumbing

Deferred to Appearances:

- f. Craig D. Constant, RME
Lend Lease (US) Public Partnerships LLC
“A” General engineering
“B” General building
- g. Lawrence L. Toro, Jr., RME
United General Contracting Inc.
“A” General engineering
- h. Soren T. Joy, RME
On the Rise Construction LLC
“B” General building
C-5 Cabinet, millwork & carpentry remodeling & repairs (qualify)
- i. Jennifer L. Whitmore, RME
Vanguard Pacific LLC
“A” General engineering
“B” General building

Deletion from Owner-Builder Exemption Applications:

- f. Karen Cassidy

Committee
Reports:

- 1. Scope of Activity Committee
Nathan T. Konishi and Leslie Isemoto, Co-Chairpersons

**a. Department of Education
(Deferred from January 19, 2018 meeting)**

Requests a determination on the contractor's license(s) that are valid for the installation of synthetic grass to replace approximately 12,000 square feet of natural grass in an outdoor courtyard area.

Members reviewed the information provided by the Department of Education ("DOE").

Mr. Pele Lui-Yuen, Floor Layers LU 1926 District Council 50, stated that a C-7 Carpet laying, and not the C-68FF Synthetic field surface contractor should be permitted to install artificial turf because the installation of this product requires a totally different underlayment and referenced the Board's prior determination that the ForeverLawn synthetic grass system could be installed by the C-7 contractor. He described the process as the application of gravel aggregate that is stamped down over which the product is laid and are held in place with pins. Executive Officer Ito noted that ForeverLawn is one of three artificial turf products that are being considered; the DOE has not yet selected the product it will be installing. Mr. Lui-Yuen also stated that he doesn't think it is appropriate for the C-27 Landscaping classification to be permitted to install artificial turf because it is not specifically included in the description of that classification.

The Board asked Mr. Lui-Yuen if the DOE chose a contractor for this project. Mr. Lui-Yuen responded that he did not know which contractor will be doing the project.

Mr. Ryan Kobayashi, Laborers Local 368, stated that he visited the site yesterday and it is landscaped manicured grass bordered by four sidewalks. The area has a slight grade, approximately 15-foot transition from the top to the bottom because it floods. It is also used as a play area for the students. He believes that the C-27 Landscaping contractor is the appropriate contractor to install the artificial turf.

**b. Performance Abatement Services, Inc.
(Deferred from February 16, 2018 meeting)**

Requests a determination on the contractor's license that is required to perform selective demolition of the guts of a building to allow for remodel by others.

Members reviewed the information provided by Performance Abatement Services, Inc.

c. Monitronics dba Moni Smart Security

Requests a determination whether Monitronics is exempt from licensure pursuant to Hawaii Revised Statutes ("HRS") section 444-2(4). Monitronics currently offers alarm security monitoring services in Hawaii and would like to perform simple repair to their wireless alarm system, often consisting of replacing a wireless alarm sensor. The aggregate cost of this repair is well under \$1,000.

The Board reviewed the information provided by Monitronics and HRS section 444-2(4).

d. AM Partners Inc.

Requests a determination on the appropriate contractor's license required to install the specified troweled applied epoxy flooring system for the Maemae Elementary School Courtyard Project.

Members reviewed the information provided by AM Partners Inc.

Mr. Lui-Yuen stated that the C-21 Flooring contractor's license is the appropriate contractor's license to install troweled applied epoxy flooring systems. Mr. Konishi asked about the preparation for the installation. Mr. Lui-Yuen stated that the moisture level is checked; floor is leveled; and the epoxy is applied. He believes that self-leveling floors is a C-21 niche. Mr. Lee added that the floor surface is grinded prior to troweling the cement-like product on; a coating is applied over the cement-like product and sprinkled with granules to make a non-skid surface.

Mr. Kobayashi stated that a C-31 Masonry or C-31a Cement concrete contractor should be permitted to perform this work, especially because it involves grinding and sanding concrete.

e. Regulated Industries Complaints Office

Requests a determination on whether a C-48 (structural steel contractor) classification is required for the construction of three similar solar photovoltaic projects which includes the installation of a solar tracking system and substation on Oahu (Kawailoa Solar, Mililani II Solar, Waipio Solar) by contractor Moss & Associates, LLC (A/B license, CT-33782).

Members reviewed the information provided by the Regulated Industries Complaints Office ("RICO") and Bays Lung Rose & Holma.

Mr. Mike Little, Moss & Associates LLC ("Moss") stated that the company has built seven utility grade solar tracking projects in the United States and that they are in the top 10 of solar contractors. In those projects, they utilized partners to perform the work. He explained that motors track the sun and keeps the modules perpendicular to the sun. The bearing that holds the shaft is installed directly on to the piles for the solar tracker system that Moss is installing. In other states, an "A" General engineering contractor's license is required to perform this work.

Mr. Bradley Wilson stated that he came before the Board two years ago and explained the work he performed is assembling pre-fabricated kits; the plant is not accessible to the public and is protected by a fence. At that time, the Board related that a C-48 Structural steel contractor's license was not required; however, if he built structures such as a carport to support the solar panels, a C-48 Structural steel license would be required.

Mr. Leong asked if welding was required for the installation. Mr. Wilson answered that no welding is required. Other types of solar tracking systems require structural beams to join the piles and the bearing is installed on the structural beams. The solar tracker system that Moss is installing on these projects do not require the installation of the structural beam because the bearing is installed directly on the piles. Moss representatives brought a sample of the racking to show that there is no welding required; the parts are connected with push nut and pins or bolted. Assembly of the tracker system represents 75% of the project.

Mr. Doug Rodgers, Moss, shared a photograph of the solar farm project they built in Waianae based upon the Board's determination that a C-48 classification is not required.

Mr. Isemoto asked if the electrical work will be subcontracted. Mr. Little responded yes.

Mr. Arnold Wong, Ironworkers Stabilization Fund, stated that he has no concerns regarding the solar tracking system; the C-41 Reinforcing steel should be required for the substation portion of this project because re-bar is used to build the substation and C-48 Structural steel is required if structural steel is required for the installation of the substation.

Mr. Ryan Takahashi, HEMEP, stated that a C-13 Electrical contractor license is required for any grounding and bonding work. Mr. Little stated that they are subcontracting the electrical work to HMS Construction Inc, who holds a C-13 classification. Mr. Isemoto asked about the tower and pole work. Mr. Little stated they are subcontracting that work to HMS Construction Inc who also holds a C-62 Pole and line contractor's license.

f. Bays Lung Rose & Holma

Requests a determination that Moss & Associates LLC ("Moss") is not required to hold a C-48 license for the scope of work to be performed by Moss on three photovoltaic projects which include the installation of solar tracking systems and substations.

Members reviewed the information provided by Bays Lung Rose & Holma and RICO.

g. DM Builders LLC

Requests a determination on the contractor license(s) that are required to mechanically polish concrete; would a "B" General building contractor be able to perform concrete polishing?

Members reviewed information provided by DM Builders LLC.

Mr. Liu-Yuen stated that the C-33 Painting and decorating or the C-21 Flooring contractor should perform this work. The Board stated that this inquiry does not

involve surface preparation for painting because nothing is applied over the polished surface and is cement concrete work.

h. HDR Constructors Inc. (“HDR”)

Requests a determination whether HDR’s General engineering contractor’s license qualifies HDR to bid on electrical company substation and transmission line work. HDR does not self-perform the work, it subcontracts out all the work.

Members reviewed information provided by HDR Constructors Inc.

Mr. Takahashi stated that if the project requires more than two unrelated trades a general contractor license is required. If the scope of work is limited to electrical work, then the C-13 Electrical, C-62 Pole and Line or C-63 High voltage electrical contractor’s license is required.

Executive
Session:

At 9:01 a.m., it was moved by Mr. Kagawa, seconded by Mr. Lee, and unanimously carried to enter into executive session pursuant to HRS section 92-5(a)(4) to consult with Krishna F. Jayaram, deputy attorney general, on questions and issues pertaining to the Board’s powers, duties, privileges, immunities, and liabilities.

At 10:35 a.m., it was moved by Mr. Konishi, seconded by Mr. Lee, and unanimously carried to move out of executive session and to reconvene to the Board’s regular order of business.

**a. Department of Education
(Deferred from January 19, 2018 meeting)**

Requests a determination on the contractor’s license(s) that are valid for the installation of synthetic grass to replace approximately 12,000 square feet of natural grass in an outdoor courtyard area.

Recommendation: A C-68FF Synthetic field surface, C-27 Landscaping, or C-7 Carpet laying contractor’s license is required to perform the installation of the synthetic grass in this project, provided that the C-7 Carpet laying contractor is not permitted to perform any ground or surface preparation earthwork (e.g. grade, fill, backfill, drainage) and installation of infill or ballast.

**b. Performance Abatement Services, Inc.
(Deferred from February 16, 2018 meeting)**

Requests a determination on the contractor’s license that is required to perform selective demolition of the guts of a building to allow for remodel by others.

Recommendation: A C-5 Cabinet, millwork, and carpentry remodeling and repairs or a “B” General building contractor’s license is required to perform the demolition work described, provided the disconnection of the mechanical, electrical and plumbing systems must be performed by the C-52 Ventilating and air conditioning, C-13 Electrical and C-37 Plumbing contractor, respectively.

c. Monitronics dba Moni Smart Security

Requests a determination whether Monitronics is exempt from licensure pursuant to Hawaii Revised Statutes section 444-2(4). Monitronics currently offers alarm security monitoring services in Hawaii and would like to perform simple repair to their wireless alarm system, often consisting of replacing a wireless alarm sensor. The aggregate cost of this repair is well under \$1,000.

Recommendation: A contractor's license is not required to perform the replacement of a wireless alarm sensor that does not require any hard wiring or modifications in its installation and is plugged in or battery operated.

d. AM Partners Inc.

Requests a determination on the appropriate contractor's license required to install the specified troweled applied epoxy flooring system for the Maemae Elementary School Courtyard Project.

Recommendation: A C-31 Masonry, C-31a Cement concrete, "A" General engineering or "B" General building contractor's license is required to perform the installation of the specified trowel applied epoxy flooring system.

e. Regulated Industries Complaints Office

Requests a determination on whether a C-48 (structural steel contractor) classification is required for the construction of three similar solar photovoltaic projects which includes the installation of a solar tracking system and substation on Oahu (Kawailoa Solar, Mililani II Solar, Waipio Solar) by contractor Moss & Associates, LLC (A/B license, CT-33782).

Recommendation: A C-48 Structural steel contractor's license is not required to perform the installation of this solar tracker system for these projects; and a C-48 Structural steel contractor's license is required to perform the installation of the substations for these Projects.

f. Bays Lung Rose & Holma

Requests a determination that Moss & Associates LLC ("Moss") is not required to hold a C-48 license for the scope of work to be performed by Moss on three photovoltaic projects which include the installation of solar tracking systems and substations.

Recommendation:

1. A C-48 Structural steel contractor's license is not required to perform the installation of this solar tracker system for these projects;
2. Moss is not required to be licensed as a C-48 Structural steel contractor

provided that it does not self-perform the installation of the substations for these projects; and

3. Moss is required to be licensed as a C-48 Structural steel contractor if it performs the installation of the substations for these Projects with its own work force.

g. DM Builders LLC

Requests a determination on the contractor license(s) that are required to mechanically polish concrete; would a "B" General building contractor be able to perform concrete polishing?

Recommendation: A C-31 Masonry, C-31a Cement concrete, "A" General engineering or "B" General building contractor's license is required to perform mechanical polishing of concrete.

h. HDR Constructors Inc ("HDR")

Requests a determination whether HDR's General engineering contractor's license qualifies HDR to bid on electrical company substation and transmission line work. HDR does not self-perform the work, it subcontracts out all the work.

Recommendation: HDR, a General engineering contractor, may bid on electrical company substation and transmission line work; provided that HDR must subcontract all other specialty contractor work including, but not limited to the C-13 Electrical, C-62 Pole and line, and C-63 High voltage electrical classifications for the electrical company substation and transmission line work.

After discussion, it was moved by Mr. Leong, seconded by Mr. Isemoto, and unanimously carried to approve the above scope recommendations.

Appearances

Before the Board:

- a. Eli Carmona, RME
Caraveli Inc. dba Caraveli Construction
"B" General building

Executive
Session:

At 10:46 a.m., it was moved by Mr. Lee, seconded by Mr. Isemoto, and unanimously carried to enter into executive session pursuant to HRS section 92-5(a)(1) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in HRS section 26-9, and to consult with Krishna F. Jayaram, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS section 92-5(a)(4).

At 10:50 a.m., it was moved by Mr. Lee, seconded by Mr. Isemoto, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

It was moved by Mr. Kagawa, seconded by Mr. Lee, and unanimously carried to

defer Mr. Carmona's application for licensure in the "B" General building classification pending the submittal of additional projects (on the Board's form) describing the projects and trades that were self-performed.

- b. Jae Hyun Sohn, RME
Nissi Group Inc.
"B" General building

Mr. Sohn was not present.

- d. Kevin M. Bennett (Individual)
C-5 Cabinet, millwork & carpentry remodeling & repairs

Mr. Bennett was not present.

Chairperson Polischek called for a short recess at 10:51 a.m.

The Board reconvened at 10:56 a.m.

- f. Craig D. Constant, RME
Lend Lease (US) Public Partnerships LLC
"A" General engineering
"B" General building

Executive
Session:

At 10:56 a.m., it was moved by Mr. Lee, seconded by Mr. Isemoto, and unanimously carried to enter into executive session pursuant to HRS section 92-5(a)(1) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in HRS section 26-9, and to consult with Krishna F. Jayaram, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS section 92-5(a)(4).

At 11:22 a.m., it was moved by Mr. Lee, seconded by Mr. Isemoto, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

It was moved by Mr. Leong, seconded by Mr. Isemoto, and unanimously carried to approve Mr. Constant's application for licensure in the "B" General building classification pending the submittal of documentation of his Construction Management degree and deny his application for licensure in the "A" General engineering classification because he did not meet the experience requirement.

- g. Lawrence L. Toro, Jr., RME
United General Contracting Inc.
"A" General engineering

Executive
Session:

At 11:23 a.m., it was moved by Mr. Lee, seconded by Mr. Isemoto, and unanimously carried to enter into executive session pursuant to HRS section

92-5(a)(1) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in HRS section 26-9, and to consult with Krishna F. Jayaram, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS section 92-5(a)(4).

At 11:38 a.m., it was moved by Mr. Lee, seconded by Mr. Matsuzaki, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

It was moved by Mr. Leong, seconded by Mr. Lee, and unanimously carried to defer Mr. Toro's application for licensure in the "A" General engineering classification pending the submittal of additional "A" projects (e.g. utilities, mass excavation, road work), on the Board's form, verifying four years of on-site supervisory work experience.

- h. Soren T. Joy, RME
On the Rise Construction LLC
"B" General building
C-5 Cabinet, millwork & carpentry remodeling & repairs (qualify)

Executive
Session:

At 11:40 a.m., it was moved by Mr. Lee, seconded by Mr. Konishi, and unanimously carried to enter into executive session pursuant to HRS section 92-5(a)(1) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in HRS section 26-9, and to consult with Krishna F. Jayaram, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS section 92-5(a)(4).

At 11:55 a.m., it was moved by Mr. Lee, seconded by Mr. Isemoto, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

The Board stated that Mr. Joy did not meet the experience requirement for the "B" classification however, he meets the experience requirement for the C-5 Cabinet, millwork & carpentry remodeling & repairs classification. Mr. Joy stated that he would like to pursue the C-5 classification. It was moved by Mr. Leong, seconded by Mr. Lee, and unanimously carried to approve Mr. Joy's application for licensure in the C-5 Cabinet, millwork & carpentry remodeling & repairs classification and deny his application for licensure in the "B" General building classification.

- i. Jennifer L. Whitmore, RME
Vanguard Pacific LLC
"A" General engineering
"B" General building

Executive
Session:

At 11:56 a.m., it was moved by Mr. Leong, seconded by Mr. Isemoto, and unanimously carried to enter into executive session pursuant to HRS section 92-5(a)(1) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in HRS section 26-9, and to consult with Krishna F. Jayaram, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS section 92-5(a)(4).

At 12:13 p.m., it was moved by Mr. Lee, seconded by Mr. Isemoto, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

It was moved by Mr. Isemoto, seconded by Mr. Lee, and unanimously carried to deny Ms. Whitmore's applications for licensure in the "A" General engineering and "B" General building classifications because she did not meet the experience requirement.

Chapter 91, HRS,
Adjudicatory
Matters:

Chairperson Polischek called for a recess from the Board's meeting at 12:14 p.m. to discuss and deliberate on the following adjudicatory matters pursuant to HRS chapter 91.

1. Settlement Agreements

a. In the Matter of the Contractor's License of Jon L. Clift; CLB 2017-394-L

On August 8, 2012, a Default Judgment ("Allied Building Judgment") was entered against Respondent Jon L. Clift in the amount of \$49,931.46 in Circuit Court of the First Circuit, State of Hawaii. On October 19, 2012 the judgement was recorded with the State of Hawaii Bureau of Conveyances. To date, the judgment has not been satisfied.

On Respondent's October 2014 to September 2016 renewal application dated September 17, 2014, in response to question number 4, which asks, "Are there any liens or judgments against you?" Respondent answered, "No."

If proven at an administrative hearing, the allegations would constitute violations of HRS §§ 436B-16 (written notice of judgments to licensing authority), 436B-19(2) (making untruthful statements), 436B-19(5) (procuring a license through misrepresentation), 436B-19(8) (failure to maintain a record of financial integrity), 436B-19(17) (violation licensing laws), 444-17(10) (misrepresentation in obtaining a license), and 444-17(14) (willful failure to pay a debt).

Respondent agrees to fully satisfy the amount owed on the Allied Building Judgment, including statutory interest accrued, and thereafter provide to Petitioner evidence of a recorded satisfaction of the judgment no later

than three (3) years from the date of this Settlement Agreement.

Respondent also agrees to pay an administrative fine in the amount of \$2,000.00.

After discussion, it was moved by Mr. Isemoto, seconded by Mr. Matsuzaki, and unanimously carried to approve the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order in the above case.

b. In the Matter of the Contractors' Licenses of Lakeview Construction, Inc. and Marc A. Delsman; CLB 2015-139-L

Respondent Marc A. Delsman allegedly was not in residence in the State of Hawaii from mid-April 2015 to early May 2015 while Lakeview undertook work on a project in the State of Hawaii.

If proven at an administrative hearing, the allegations would constitute violations of HAR §§ 16-77-71(a)(4) (RME not in residence), and 16-77-71(a)(5) (RME responsible for any violation of this Chapter or Chapter 444 HRS).

Respondent Lakeview agrees to pay an administrative fine in the amount of \$2,000.00.

Respondent Delsman agrees to pay an administrative fine in the amount of \$2,000.00.

After discussion, it was moved by Mr. Isemoto, seconded by Mr. Matsuzaki, and unanimously carried to approve the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order in the above case.

c. In the Matter of the Contractor's License of Nathaniel C. Viernes; CLB 2016-329-L

On or about January 20, 2016, a judgment in the amount of \$4,676.10 was entered in favor of Tri-Poly Electric, LLC ("Tri-Poly") and against Respondent Nathaniel C. Viernes in Civil No. 1SC 151-2148, for trenching and backfilling for electrical conduit by Tri-Poly.

Respondent allegedly failed to report the judgment to the Board within thirty days as required by Hawaii law.

The judgment was satisfied on or about May 6, 2016.

If proven at an administrative hearing, the allegations would constitute violations of HRS § 436B-16 (licensee shall provide written notice within thirty days of any judgment).

Respondent agrees to pay an administrative fine in the amount of \$200.00.

After discussion, it was moved by Mr. Isemoto, seconded by Mr. Matsuzaki, and unanimously carried to approve the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order in the above case.

2. Board's Final Order

a. In the Matter of the Contractors License of Eric J. Basalyga; CLB-LIC-2017-003

Petitioner Eric J. Basalyga filed a request with the Contractors License Board ("Board"), for an administrative hearing to contest the Board's denial of his application for a "B" General building contractor's license.

On November 6, 2017, a pre-hearing conference was held in this matter. Petitioner did not appear.

On December 6, 2017, the hearing was convened. Petitioner did not appear. At the commencement of the hearing, Respondent orally moved to dismiss this matter for lack of prosecution.

The Hearings Officer recommends that the Board affirm its denial of Petitioner's application for licensure in the "B" General building classification and dismiss the Petition on the grounds that Petitioner has failed to prosecute his request for hearing and meet his burden of proof at the hearing.

After discussion, it was moved by Mr. Isemoto, seconded by Mr. Matsuzaki, and unanimously carried to approve the Board's Final Order in the above case.

b. In the Matter of the Contractor's Licenses of James E. Tarring and JET Builders, Inc.; CLB-2016-37-L

Respondent's James E. Tarring and JET Builders, Inc. entered into a written contract with homeowners for the construction of a house.

Petitioner charged Respondents with violating HRS §§ 444-25.5, 444-17(2), 480-2, HAR § § 16-77-80 and 16-77-97.

The Hearings Officer recommends that the Board find and conclude the Respondents violated HRS §§ 444-25.5(a) and (b) and HAR § 16-77-80 (failure to have required disclosures in contract), HRS §§ 444-17(2) and 444-25.5(d) (unfair and deceptive act or practice); and HAR § 16-77-97 (poor workmanship). The HRS §480-2 claim (unfair and deceptive act or practice) is dismissed.

The Hearings Officer recommends that Respondents pay restitution to the homeowners in the amount of \$698.30 and pay an administrative fine in the amount of \$3,000.00.

After discussion, it was moved by Mr. Isemoto, seconded by Mr. Matsuzaki, and unanimously carried to approve the Board's Final Order in the above case.

Following the Board's review, deliberation and decisions in these matters, pursuant to HRS chapter 91, Chairperson Polischek announced that the Board was reconvening to its open meeting at 12:30 p.m.

Committee
Reports:

2. Examination Committee:
Danny T. Matsuoka, Chairperson

The Contractors Examination Summary for February 2018 was distributed to the Board for their information.

3. Recovery/Education Fund Committee:
Zale T. Okazaki, Esquire

The Recovery Fund Litigation Report dated March 15, 2018 prepared by Ms. Okazaki, was distributed to the Board.

4. Legislative Committee:
Peter Lee, Chairperson

Mr. Lee presented the Legislation Committee Report.

a. House Bill No. 1618 H.D.1/ Senate Bill No. 2005

H.B. No. 1618 H.D. 1: Increases the number of years to be engaged in the contracting business from 5 years to 10 years; requires that two specialty contractor members shall hold general contractor licenses and three shall not hold general contractor licenses; and public members do not have family members who are contractors, are not licensed as a contractor, and have no financial interest in the business of any licensee member of the board.

H.B. No. 1618 H.D. 1 has a double committee referral: IAC and House Committee on Consumer Protection and Commerce ("CPC"). IAC held a hearing on January 31, 2018 and passed out H.B. No. 1618 H.D. 1.

CPC did not hold a hearing on H.B. No. 1618 H.D. 1

S.B. No. 2005: Requires a minimum of five year residency in the State preceding the members appointment; increases the number

of to be engaged in the contracting business from 5 years to 10 years; requires that specialty contractor members do not hold general contractor licenses; public members do not have family members who are contractors, are not licensed as a contractor, and have no financial interest in the business of any licensee member of the board; and specifies that the protection of the public shall be of the highest priority of the Board in the exercise of the Board's licensing, regulatory, and disciplinary functions.

S.B. No. 2005 has a single committee referral: Senate Committee on Commerce and Consumer Protection and Health ("CPH").

S.B. No. 2005 was not scheduled for a hearing.

b. House Bill No. 2054

Amends the composition of the Board as follows: requires that each member be at least thirty years old; requires a minimum of five year residency in the State preceding the members appointment; increases the number of board members from 13 to 15; decreases the number of contractor members from 10 to 5: one general engineering contractor, two general building contractors, two specialty contractors that do not hold general contractor's licenses; increases the number of public members from 3 to 10: one representative of the Hawaii building trades, one active building official, one representative from a statewide senior citizen organization; specifies that the protection of the public shall be of the highest priority of the Board in the exercise of the Board's licensing, regulatory, and disciplinary functions; and defines contractor specifications.

H.B. No. 2054 currently has a triple committee referral: IAC, CPC, and House Committee on Finance ("FIN").

H.B. No. 2054 was not scheduled for a hearing

Relating to Electrical Contractors

c. House Bill No. 1878
House Bill No. 2549/Senate Bill No. 2937

Proposes to exempt employees of high voltage electrical contractors from being licensed electricians.

On January 25, 2018, the House Committee on Labor and Employment ("LAB") held a hearing on this bill and recommended that the measure be deferred.

H.B. No. 2549 and S.B. No. 2937 – Proposes to exempt employees of high voltage electrical contractors from being licensed electricians.

H.B. No. 2549 – this bill has a double committee referral: LAB and IAC/CPC.

H.B. No. 2549 was not scheduled for a hearing.

Senate Bill No. 2937: On February 8, 2018, the Senate Committee on Labor (“LBR”) held a hearing on S.B. No. 2937 and deferred the measure.

d. House Bill No. 1880 HD3 and Senate Bill No. 2297

Extends the sunset date of Act 65, SLH 2013, which provides a limited exemption to the licensing requirements for certain individuals in situations when an electric utility must retain qualified individuals to work with high voltage (six hundred volts or higher) who are not licensed in the State but are otherwise deemed qualified by the public utility. Requires a report to the Legislature on workforce development activities for qualified high voltage electrical contractors.

On February 21, 2018, the CPC held a hearing on H.B. No. 1880 H.D.2 and passed out H.B. 1880 H.D.3 which requires the Department of Labor and Industrial Relations, in conjunction with the Department of Business, Economic Development, and Tourism, to submit annual reports until 2023 detailing efforts in the State to train individuals in high voltage electrical work, the number of licensed electricians in the State qualified to do high voltage electrical work, and other information necessary to judge the continued necessity of this exemption.

H.B. No. 1880 H.D.3 crossed over to the Senate and has a double committee referral: LBR and CPH.

On March 15, 2018, LBR held a hearing on H.B. No. 1880 H.D.3 and deferred decision making until March 20, 2018.

S.B. No. 2297: Extends the sunset date of Act 65, SLH 2013, which provides a limited exemption to the licensing requirements for certain individuals in situations when an electric utility must retain qualified individuals to work with high voltage (six hundred volts or higher) who are not licensed in the State but are otherwise deemed qualified by the public utility.

On February 6, 2018, the Senate Committee on Transportation and Energy and LBR held a joint hearing on S.B. No. 2297 and passed the measure unamended.

On February 23, 2018 CPH held a hearing on and passed this measure unamended.

S.B. No. 2297 crossed over to the House and has a triple committee referral: LAB, IAC, CPC.

On March 13, 2018, LAB held a hearing on S.B. No. 2297 and amended the effective date to January 1, 2050 to facilitate further discussion.

Relating to Specialty Contractors

e. House Bill No. 1875 H.D.2

Requires the Contractors License Board to adopt rules to define the term "incidental and supplemental to the performance of work". Specifies that the definition shall refer to no more than an unspecified percentage of all work in the subcraft contract.

On February 1, 2018, LAB held a hearing on H.B. No. 1875 and passed H.B. No. 1875 HD 1 with the following amendments: specifying that the definition of 'Incidental and supplemental to the performance of the work' shall refer to no more than 10 percent of all the work in the subcraft contract; and changing the effective date to January 1, 2050 to enable further discussion.

On February 14, 2018, CPC held a hearing on H.B. No. 1875 HD1 and passed H.B. No. 1875 HD 2 which amended the bill by blanking out the 10 percent.

On February 28, 2018, FIN held a hearing on H.B. No. 1875 H.D.2 and passed this measure unamended.

H.B. No. 1875 H.D.2 crossed over to the Senate and has a double committee referral: LBR, CPH.

f. House Bill No. 1940

Requires the Contractors License Board to adopt rules to define "incidental and supplemental to the performance of work" with regard to the Board's ability to classify and limit the amounts of unlicensed work that a specialty licensed contractor may perform. (Blank percentage)

This bill has a double committee referral: LAB and FIN.

H.B. No. 1940 was not scheduled for a hearing.

g. S.B. No. 2716

Requires the Contractors License Board to adopt rules to define "incidental and supplemental to the performance of work" to limit the percentage of work under a single contract in an incidental craft or trade in which a specialty contractor may engage without a license. (Blank percentage)

This bill has a double committee referral: LBR and CPH.

S.B. No. 2716 was not scheduled for a hearing.

Relating to Contractors

h. House Bill No.1648 / Senate Bill No. 2617

Defines the term, "incidental and supplemental" and allows a contractor to authorize a specialty contractor to perform work for which the specialty contractor is not licensed or qualified to perform.

On February 1, 2018, LAB held a hearing on H.B. No. 1648 and recommended that the measure be deferred.

Senate Bill No. 2617

This bill has a double referral: LBR and CPH. This bill was not scheduled for a hearing.

i. House Bill No. 1877 H.D.1/ Senate Bill 2376 S.D.1

Raises the threshold under the contractor licensing law's handyman exemption from \$1,000 to an unspecified amount.

On February 21, 2018, CPC held a hearing on H.B. No 1877 HD1 and recommended the measure be deferred.

S.B. No. 2376 SD1 has a double committee referral: LBR and CPH. CPH did not hold a hearing on S.B. No. 2376 SD1.

Relating to the Owner-Builder Exemption

j. Senate Bill No. 2279

Requires that owner-builders provide proof of withholding of applicable taxes and that workers' compensation insurance were provided to those contracted to work on the exempt buildings and structures. Makes conforming amendments to section 444-9.1(c), HRS, relating to fines for violating the owner-builder exemption.

S.B. 2279 was not scheduled for a hearing.

Relating to Procurement

k. House Bill No. 1865

Establishes Transit-Oriented Development Community Districts within the Hawaii Community Development Authority (HCDA) to develop districts along certain rail stations in the Honolulu rail station transit corridor. Allows the HCDA to enter into public-private partnerships for a lease-back arrangement of lands and coordinate activities outside of the district, including construction.

H.B. 1875 was not scheduled for a hearing.

I. House Bill No. 2055 HD1

Appropriates funds to the State Procurement Office for two full time construction procurement specialists to support the State Procurement Office.

On February 28, 2018, FIN held a hearing on H.B. 2055 H.D.1 and passed this measure unamended.

H.B. 2055 H.D.1 crossed over to the Senate and has double committee referral: Senate Committees on Government Operations (“GVO”) and Ways and Means (“WAM”).

On March 13, 2018, GVO held a hearing on H.B. 2055 H.D.1 and passed this measure unamended.

m. House Bill No. 2674 and Senate Bill No. 2600 S.D.2

H.B. No. 2674: Requires that bid proposals for construction contracts list subcontractors and joint contractors where the total bid value may be \$5,000,000 or more. Requires the listing of subcontractors and joint contractors where the total bid value may be less than \$5,000,000, but only if electrical; plumbing; asbestos; elevator; or boiler, hot-water heating, or steam fitting work is involved.

H.B. No. 2674 was not scheduled for a hearing,

S.B. No. 2600 S.D. 2:

On February 28, 2018, WAM held a public decision making on S.B. No. 2600 S.D. 1 and passed S.B. No. 2600 S.D.2 with the following amendments:

(1) Replacing the language of section 2(a) of the measure in its entirety with language proposed by the University of Hawaii System that: (A) States, among other things, that the subcontractor listing pilot program conducted by the University of Hawaii shall not require a listing of joint contractors or subcontractors to be included in competitive sealed bids for construction where the estimated contract value is less than \$3,000,000; and (B) Deletes references to joint contractors and subcontractors representing the electrical, plumbing, asbestos, elevator, and boilermaker trades; and (2) Changing the effective date to July 1, 2050.

S.B. No. 2600 S.D.2 crossed over to the House and has a double committee referral: LAB/House Committee on Higher Education (“HED”) and FIN.

n. Senate Bill No. 2120

Requires the state building codes to incorporate the International Green Construction Code. Sets specific targets for the recycling, reuse, donation, and resale of non-hazardous construction waste.

S.B. No. 2120 was not scheduled for a hearing.

o. Senate Bill No. 2470

Requires competitive bidding on construction procurements of less than \$50,000 to contract for drilling work and soil testing. Requires that the bid for drilling work and soil testing be separate from a bid for engineering work on the same project.

S.B. No. 2470 was not scheduled for a hearing.

Relating to Home Inspectors

p. Senate Bill No. 2403

Establishes the board of home inspectors and requires licensure for home inspectors.

On February 8, 2018, the Senate Committee on Housing held a hearing on S.B. No. 2403 and deferred this measure.

q. House Resolution No. 67/House Concurrent Resolution No. 82

Requesting the auditor to conduct a review regarding the performance of "incidental and supplemental" contracting work.

The Board expressed concerns that these resolutions places the responsibility to ensure that the subcontractors have sufficient knowledge and experience on the structural engineer. The Board believes that there are too many variables in construction work to specify that certain specialty classifications cannot be performed as "incidental and supplemental" work. The Board stated that these resolutions are not necessary because "incidental and supplemental" work has already been established by the Supreme Court in the DC 50 case.

The Board also disagrees with some of the "Whereas" paragraphs which imply that the Board's interpretation of "incidental and supplemental" work in its Final Order Upon Remand is erroneous. Its interpretation of "incidental and supplemental" work in its BFO has been upheld by the circuit court and Hawaii Intermediate Court of Appeals; and the Hawaii Supreme Court rejected a petition for writ of certiorari that challenged the BFO.

Recommendation: Oppose these resolutions for the reasons stated above.

r. Senate Concurrent Resolution No. 78

Requesting the auditor to conduct an audit on the contractors license board's implementation of recommendations from previous audits and its report to the legislature.

Mr. Lee stated that this resolution is unnecessary because the Board is currently in the process of updating the descriptions of the contractor classifications and it appears that the recommendations in the 1983 and 1989 auditor reports have been addressed.

Recommendation: Oppose this resolutions for the reasons stated above.

Relating to Professional and Vocational Licensing.

s. Senate Bill No. 2638 S.D.1

Prohibits a licensing authority from using rules to supersede requirements set forth in licensing laws and adopting rules that authorize an unlicensed individual to perform duties, activities, or functions that, if performed by another professional, would require licensure of that professional.

S.B. No. 2638 S.D.1 crossed over to the House and on March 14, 2018, IAC held a hearing on this bill and recommended that the measure be deferred.

Mr. Lee stated that this bill only exempts apprentices or trainees who are working toward licensure in an apprenticeship program or clinical program. The Board accepts on-the-job training as qualifying experience and believes it should be exempted as well.

Recommendation: Oppose this bill for the reasons stated above.

Relating to Elevator Mechanics

t. House Bill No. 1630 H.D. 1/ Senate Bill No. 2494 S.D. 2

H.B. No. 1630 H.D. 1: Provides an exemption from licensure as an elevator mechanic for employees of contractor licensed under HRS chapter 444 who enter into contracts to install, repair, or remove platform lifts or stairway lifts within a private residence not accessible to the general public or to other occupants in the building; and amends requirements for apprenticeship and licensure of elevator mechanics and adds provisions relating to

examination, license renewals, continued competency, scope of work, and remote interaction.

Senate Bill No. 2494 S.D. 2: Provides an exemption from licensure as an elevator mechanic for employees of an elevator contractor licensed under HRS chapter 444 who enter into contracts to install, repair, or remove platform lifts or stairway lifts within a private residence not accessible to the general public or to other occupants in the building; and updates requirements for apprenticeship and licensure of elevator mechanics, including examination, license renewal, continuing education, scope of work, exemptions, remote interaction, and qualifications for licensure. Clarifies powers and duties of the elevator mechanics licensing board and requirements for temporary permits. Effective 7/1/2020: license renewal, continuing education, and qualifications for licensure.

Recommendation: No position on these bills.

Carried Over From 2017 Session

u. House Bill No. 204

Increases and amends the membership of the contractors license board. Establishes residency and domiciliary requirements for membership on the board.

H.B. No. 204 was not scheduled for a hearing.

v. House Bill No 770/ Senate Bill No. 685

Alters the makeup of the contractors license board to include fifteen members, eight of which to have been engaged in contracting in the State for at least five years and seven of which shall be members of the public who are not licensed contractors.

H.B. No. 204 and S.B. No. 685 were not scheduled for a hearing.

w. House Bill No. 295, H.D. 1/ Senate Bill No. 471

This bill requires General building contractors that build new one- and two-family dwellings to provide buyers with written information on the benefits of a residential fire sprinkler system; requires General building contractors to provide buyers with a written cost estimate on the costs associated with installing and maintaining the sprinkler system; and establishes violations for willful violation of the law.

H.B. No. 295 H.D. 1 and S.B. No. 471 were not scheduled for a hearing.

x. House Bill No. 976 HD1

Requires any person applying for a license as an electrical contractor, pole and line contractor, high voltage electrical contractor, or electronic systems contractor to possess a trade license or an electrical engineering degree from an accredited college to perform electrical work in the State.

H.B. No. 976 H.D.1 was not scheduled for a hearing.

y. House Bill No. 964

Mandates the contractors license board to require specialty and general contractors to put up surety bonds. Expanded rights for subcontractors.

H.B. No.964 was not scheduled for a hearing.

z. Senate Bill No. 1144

Amends definition of RME as used in the contractors law to clarify responsibilities.

S.B. No. 1144 was not scheduled for a hearing.

aa. House Bill No. 996/Senate Bill No. 1102

Requires the Contractors License Board to adopt rules to define "incidental and supplemental to the performance of work" to clarify the percentage of a craft or trade in which a specialty contractor may engage without a license while performing work in a craft and trade for which contractor is licensed.

H.B. No. 996 and S.B. No. 1102 were not scheduled for a hearing.

bb. House Bill No. 378 HD1/Senate Bill No. 1130

Requires an investigator to issue a citation to any person determined to be acting in the capacity of or engaging in the business of a contractor within the State without having a required license. Clarifies that DCCA may pursue available civil remedies such as court-ordered injunctions and enhanced fines.

H.B. No. 378 H.D. 1 and S.B. No. 1130 were not scheduled for a hearing.

cc. House Bill No. 573 HD1 SD2/Senate Bill No. 1070 SD2 HD1

Provides a bidder of a public works construction project with two hours after the closing of bids to clarify and correct certain information regarding subcontractors. Prohibits bid shopping and bid peddling for the competitive sealed bidding process.

After the April 28, 2017 conference committee meeting on April 28, 2017, this measure was carried over to the 2018 session. House and Senate conferees were discharged on March 14, and January 17, 2018, respectively.

S.B. No. 1070 S.D.1 H.D.1 was not scheduled for a hearing.

dd. House Bill No. 826

Authorizes procurement officers to consider a subcontractor's license as valid if it was valid at the time of award of a bid.

H.B. No.826 was not scheduled for a hearing.

ee. Senate Bill No. 1068 SD1 HD1

Prohibits the disqualification or rejection of a bid that includes a listed subcontractor whose license is not valid at the time of the bid due to a lapse in continuous insurance and bond coverages if the subcontractor meets certain conditions. Requires procurement officers to report any unlicensed activity if a bid is disqualified or rejected because the subcontractor fails to meet certain licensing requirements.

After the April 28, 2017 conference committee meeting on April 28, 2017, this measure was carried over to the 2018 session. House and Senate conferees were discharged on March 14, and January 17, 2018, respectively.

ff. House Bill No. 1180 HD1

Amends the definition of contractor in Chapter 103D, Hawaii Revised Statutes, relating to the Hawaii Procurement Code.

H.B. No.1180 H.D.1 was not scheduled for a hearing.

gg. House Bill No. 1228

Provides a bidder of a public works construction project with two working days after the closing of bids to provide the name of each joint contractor or subcontractor and the nature and scope of the work to be performed by each. Allows the bidder to replace a subcontractor that is not in compliance with these requirements,

provided that the price of the total bid remains the same.

H.B. No.1228 was not scheduled for a hearing.

hh. House Bill No. 1229 HD1 SD1

Requires public procurement construction bids to list subcontractors and joint contractors only for contracts with an unspecified total value; provided that bids lacking this list may be accepted if in the State's best interest and the value of the work to be performed by the joint contractor or subcontractor is equal to or less than an unspecified per cent of the total bid amount.

After the April 28, 2017 conference committee meeting on April 28, 2017, this measure was carried over to the 2018 session. House and Senate conferees were discharged on March 14, and January 17, 2018, respectively.

ii. House Bill No. 1415

Establishes additional performance bond requirements for surety companies and bond companies under the Hawaii Public Procurement Code. Establishes conditions for releasing or terminating the obligations of a payment bond.

H.B. No.1415 was not scheduled for a hearing.

jj. Senate Bill No. 1280 SD1

Establishes additional requirements for surety companies that execute performance and payment bonds pursuant to the Hawaii Public Procurement Code.

S.B. No.1280 S.D.1 was not scheduled for a hearing.

kk. Senate Bill No. 1067

Provides a bidder of a public works construction project with two working days after the closing of bids to provide the name of each joint contractor or subcontractor and the nature and scope of the work to be performed by each joint contractor or subcontractor.

S.B. No.1067 was not scheduled for a hearing.

ll. Senate Bill No. 1069 SD1

Requires public procurement construction bids to list subcontractors and joint contractors only for contracts of an unspecified dollar amount or more; provided that bids lacking this

list may be accepted if in the State's best interest and subcontractor and joint contractor work is an unspecified per cent or less of the total bid amount.

S.B. No.1069 S.D.1 was not scheduled for a hearing.

mm. House Bill No. 1421 HD2 / Senate Bill No. 1230

House Bill No. 1421 HD2: Establishes a regulatory scheme for roofing contractors to protect consumers from unlicensed insurance adjusters.

H.B. No. 1421 H.D.2 was not scheduled for a hearing.

Senate Bill No. 1230: Amends the definition of "adjuster" and "public adjuster" to clarify who may not be considered an adjuster or public adjuster under Article 9 of the Insurance Code. Adds definitions of "insurance appraiser" and "insurance umpire".

S.B. No.1230 was not scheduled for a hearing.

Executive
Session:

At 12:51 p.m., it was moved by Mr. Lee, seconded by Mr. Matsuzaki, and unanimously carried to enter into executive session pursuant to HRS section 92-5(a)(4) to consult with Krishna F. Jayaram, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

At 12:52 p.m., it was moved by Mr. Lee, seconded by Mr. Matsuzaki, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

5. Conditional License Report:
Charlene L.K. Tamanaha, Executive Officer

- a. Solid Built Construction Inc.
Alexander O. Allen, RME
"B" General building

After discussion, it was moved by Mr. Lee, seconded by Mr. Matsuzaki, and unanimously carried to approve Solid Built Construction Inc. and Alexander O. Allen as the RME for a conditional license, subject to semi-annual updates on the status of Mr. Allen's financial matters.

6. Applications Committee:
Tyrus Kagawa, Chairperson

It was moved by Mr. Lee, seconded by Mr. Matsuzaki, and unanimously carried to approve, defer, deny or withdraw the license applications as indicated on the Applications Committee Statement in the following categories listed under item 6

a through c as attached to the meeting minutes.

- a. Request for Change in Business Status
- b. Request for Waiver of Bond Requirement
- c. Applications for Licensure

Executive
Session:

At 12:53 p.m., it was moved by Mr. Lee, seconded by Mr. Isemoto, and unanimously carried to enter into executive session pursuant to HRS section 92-5(a)(4) to consult with Krishna F. Jayaram, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

At 1:05 p.m., it was moved by Mr. Lee, seconded by Mr. Matsuzaki, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

Reports:

Applications Committee Report:

Charlene L.K. Tamanaha, Executive Officer

- a. Handley's Equipment Rentals LLC
Ryan K. Campos, RME
C-31 Masonry

It was moved by Mr. Lee, seconded by Mr. Matsuzaki, and unanimously carried to approve Handley's Equipment Rentals LLC and Mr. Campos' applications for licensure in the C-31 Masonry classification.

Owner-Builder Exemption Applications

- a. Stanley & Sandra Welch
- b. Marc Fenton
- c. Wayne K. Rogina
- d. Laurie Orwat & Cynthia Giuseppetti
- e. Rosalie Hyland

After discussion, it was moved by Mr. Lee, seconded by Mr. Matsuzaki, and unanimously carried to approve the above owner-builder exemption applications for a. - e. above.

Other Business: None.

Open Forum: None.

Next Meeting: Friday, April 20, 2018

Adjournment: There being no further business to discuss, the meeting was adjourned at 1:25 p.m.

Reviewed and approved by:

/s/ Candace Ito
Candace Ito
Executive Officer

4/16/18

Minutes approved as is.

Minutes approved with changes. See minutes of _____.

Taken and recorded by:

/s/ Faith Nishimura
Faith Nishimura
Secretary

CONTRACTORS LICENSE BOARD
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

March 16, 2018

APPLICATIONS COMMITTEE ATTACHMENT

New
Business:

1. **Request for Change in Business Status:**

- SC-1 Alexander Agsalud, RME
ACE Scaffolding LLC
Licensed: "A" General Engineering
"B" General Building
Request: Dual status (Alex & Son Builders LLC)
Recommend: Approval subject to \$15,000 bond
- SC-2 Eric C. Bretschneider (Individual)
Licensed: C-5 Cabinet, millwork & carpentry
remodeling & repairs
C-33 Painting & decorating
C-51 Tile
Request: Reactivate
Recommend: Approval
- SC-3 Clayton Chow (Individual)
Licensed: C-13 Electrical
Request: RME to sole
Recommend: Approval subject to \$5,000 bond
- SC-4 DTC Hawaii LLC
Gregory John Liu, RME
Licensed: "B" General Building
Request: Dual status (Design Trends Construction Inc.)
Recommend: Deferral
- SC-5 Energy Construction LLC
Dennis K. Shigeoka, RME
Licensed: "A" General Engineering
"B" General Building
Request: Reactivate
Recommend: Deferral
- SC-6 Rene A. Figueredo, RME
Ameresco/Pacific Energy JV
Licensed: "A" General Engineering
"B" General Building
Request: Dual status (Ameresco/Pacific Energy JV/
Ameresco Inc.)
Recommend: Approval

- SC-7 Jacob W. Kane, RME
Kane's Legacy Tree Services LLC
Licensed: C-27 Landscaping
Request: Dual status (Z E L M Zero Emission Landscape
Maintenance LLC)
Recommend: Deferral
- SC-8 Mark T. Kansaki, RME
Pacific Preferred Contractors Corp.
Licensed: C-33 Painting & decorating
Request: Reactivate
Recommend: Approval
- SC-9 Kauai Quality Siding and Construction LLC
James E. Beyer, RME
Licensed: "B" General Building
Request: Reactivate
Recommend: Approval
- SC-10 The Lane Construction Company
Clifford Fox, RME
Licensed: "A" General Engineering
Request; Dual status (S A Healy Company
Salini Impregilo S P A)
Recommend: Approval
- SC-11 MRC Roofing LLC
Michael C. Coleman, RME
Licensed: C-1 Acoustical & insulation
C-42e Urethane foam
C-42g Roof coatings
C-55 Waterproofing
Request: Reactivate
Recommend: Deferral
- SC-12 Rayco Inc.
Bruce A. Raymond, RME
Licensed: C-13 Electrical
Request: Reactivate
Recommend: Approval
- SC-13 David K. Wheeler, RME
Called 2 Serve Inc.
Licensed: "B" General Building
Request: Dual status (Precise Measurements Inc.)
Recommend: Approval

2. **Request for Waiver of Bond Requirement**

WB-1 Hawaii Fireplaces Inc.
Dale M. Harrington, RME
Licensed: C-52 Ventilating & air conditioning
Request: Waiver of \$36,000 bond
Recommend: Denial

Applications

A:

Approve applications, subject to all requirements except examinations.

1. AONIKS LLC
Gregory G. Sheindlin, RME
"B" General Building
2. ACE Scaffolding LLC
Alexander Agsalud, RME
"A" General Engineering
"B" General Building
Bond: \$15,000
(Dual status – Alex & Son Builders LLC)
3. BR Operating LLC
Keith S. Chang, RME
"B" General Building
4. Black & Veatch Construction Inc.
Larry M. Noakes, RME
"B" General Building
Bond: \$5,000
(Reactivate)
5. C. Azevedo Contracting Inc.
Calvin L. Azevedo, RME
"A" General Engineering
6. C B Construction Oahu LLC
Arthur Sambrano, RME
C-12 Drywall
7. Called 2 Serve Inc.
David K. Wheeler, RME
"B" General Building
(Dual status – Precise Measurements Inc.)
8. Rene A. Figueredo, RME
Ameresco/Pacific Energy JV
"A" General Engineering
"B" General Building
(Dual – Ameresco/Pacific JV/Ameresco Inc.)
9. Daniel A. Gonzales (Individual)
C-51 Tile
Bond: \$5,000
10. Hayward Baker, Inc.
Francis B. Gularte, RME
"A" General Engineering
C-34 Soil stabilization

11. Hilo Coast Construction LLC
Lawrence D. Patao, Jr., RME
"B" General Building
Bond: \$22,000
12. The Lane Company
Construction Corporation
Clifford Fox, RME
"A" General Engineering
(Dual status – S A Healy
Company/Salini Impregilo
S P A)
13. Makana Builders Inc.
Daniel G. Ching, RME
"A" General Engineering
"B" General Building
C-31 Masonry
C-41 Reinforcing steel
C-48 Structural steel
14. Rayco Inc.
Bruce A. Raymond, RME
"A" General Engineering
"B" General Building
C-62 Pole & line
C-63 High voltage electrical
15. David P.K. Sato, RME
Jas W. Glover Ltd.
"A" General Engineering
16. Stanley Access Technologies LLC
Earl V. Phillips, Jr., RME
"A" General Engineering
"B" General Building
(Additional classification)
17. Superior Contracting Corporation
Jesus R. Corona, RME
C-1 Acoustical & insulation
C-2 Mechanical insulation
18. Verfel Drywall Company LLC
Jose De Jesus Verdin-Felipe, RME
C-12 Drywall
C-33b Taping
Bond: \$8,000

Applications
B:

Approve applications; subject to all requirements including examinations in Parts I and II, except as otherwise noted.

1. ARC Security Integration Inc.
Boyd D. Bryner, RME
C-15 Electronic systems

2. Patrick L. Ah-Wong (Individual)
C-31 Masonry
3. Akamai Remediation & Management Services LLC
William G. Liu, RME
C-19 Asbestos
4. Titus K. Arakaki (Individual)
C-33 Painting & decorating
5. Best Vinyl Fence & Deck LLC (Additional classification)
Giovanni I. Del Rosario, RME
C-32a Wood & vinyl fencing
C-32 Ornamental, guardrail & fencing (deny)
6. Joshua Blount Construction LLC
Joshua Blount, RME
"B" General Building
7. Patrick J. Borge, Jr., RME
Central Construction Inc.
"B" General Building
8. Claude E. Brunkow (Individual)
C-51 Tile
Bond: \$8,000
9. Steven R. Cornell, RME
Lakeview Construction Inc.
C-5 Cabinet, millwork & carpentry
remodeling & repairs
10. Damien K. Correia (Individual)
C-33 Painting & decorating
Bond: \$14,000
11. Creative Mind Companies LLC
Barry J. Daoust, RME
C-15 Electronic systems
12. Crescent Custom Homes Maui LLC
Calvin E. Baty, RME
"B" General Building
13. DPM Painting LLC
Daniel P. Miyahira, RME
C-33 Painting & decorating
14. Disaster Relief Professionals LLC
Andrew J. Maras, RME
"B" General Building

15. Michelle L. Eich, RME
Oceanhead Solar & Electric LLC
C-13 Electrical
16. FG Building LLC
Felipe G. Posadas, RME
"B" General Building
17. William N. Fales (Individual)
C-13 Electrical
18. GST Stone LLC
Robert C. Hiatt, RME
C-51 Tile
19. Handley's Equipment Rentals LLC
Ryan K. Campos, RME
C-31 Masonry
20. Jacob Z. Holzman, RME
Vaughn Bay Construction Inc.
"B" General Building
21. Russell E. Inouye, RME
Koga Engineering & Construction Inc.
"A" General Engineering
"B" General Building
22. International Business Machines Corporation
Robert S. Lang, RME
"B" General Building
23. Jay's Plumbing Service LLC (Additional classification)
Jason K. Park, RME
"B" General Building
Bond: \$5,000
24. Travis A. Laronal (Individual)
C-51 Tile
25. Michael Lee (Individual)
"B" General Lee
Bond: \$47,000
26. Nicholas H. Lucas (Individual)
C-61a Solar hot water systems
C-60 Solar power systems (defer)
27. Rusty J. Lucido, RME
Shimmick Construction Company Inc.
"A" General Engineering

28. Mission Construction Inc.
Eduardo S. Fabregas, Jr., RME
"B" General Building
Bond: \$21,000
29. Moss & Associates LLC (Additional classification)
Steve Mann, RME
C-13 Electrical
C-63 High voltage electrical
30. Alvin Naungayan (Individual)
"B" General Building
31. Julie Ann M. Obrero, RME
Precision Air Conditioning Inc.
C-52 Ventilating & air conditioning
C-40 Refrigeration (withdraw 2/18)
32. On the Rise Construction LLC
Soren T. Joy, RME
C-5 Cabinet, millwork & carpentry
remodeling & repairs
"B" General Building (deny)
33. Pacific Elite Construction LLC
Emily W.M.W. Cheung, RME
"B" General Building
34. Pacific Rim Construction LLC (Additional classification)
Gilbert J. Aguinaldo, RME
"B" General Building
35. Francis J. Pochopin IV (Individual)
"B" General Building
Bond: \$27,000
C-17 Excavating, grading & trenching (defer)
36. Pristine Painting & Coatings L L C
Kaipo P.K. Rodrigues, RME
C-33 Painting & decorating
37. Robert H. Richardson, RME
Anderson & Wood Construction Co. Inc.
C-62 Pole & line
38. Bradley J. Saito, RME
M & H Painting LLC
C-33 Painting & decorating
39. Joshua Sak LLC (Additional classification)
Joshua K. Sak, RME
"B" General Building

40. Jerry Short Cabinets & Millwork Inc.
Jerry M. Short, RME
C-5 Cabinet, millwork & carpentry
remodeling & repairs
41. Solomon Electric Services LLC
Vincent J. Solomon, RME
C-13 Electrical
Bond: \$9,000
42. John P. Thompson, RME
John Bean Technologies Corporation
"B" General Building
43. Thompson Stonework LLC
Donald J. Thompson, RME
C-51 Tile
44. Top Notch Plumbing LLC
Nicholas M. Matsuoka, RME
C-37 Plumbing
45. Philippe F. Tremblay (Individual)
"B" General Building
46. Anthony J. Vadla, RME
Viking Construction Inc.
"B" General Building
47. Ward & Burke Tunneling Inc.
Robert J. Ward, RME
"A" General Engineering

Applications

C:

Withdraw applications; previously deferred.

1. Tiep N. Nguyen (Individual)
C-52 Ventilating & air conditioning
C-27 Landscaping (approve 10/17)
2. Hyeong Gon Kim (Individual)
"A" General Engineering
"B" General Building (defer)
3. Ty J. Row, RME
AZCO Inc.
C-56 Welding

Applications

D:

Deny applications; failure to show requisite experience and/or failure to show good reputation for honesty, truthfulness, financial integrity, and fair dealing.

1. 2X Hydro-Demolition LLC
Chad A. Simpson, RME
C-24 Building, moving & wrecking
2. Leighton K. Bell, RME
Willocks Construction Corp.
C-41 Reinforcing steel
“A” General Engineering (approve 9/17)
“B” General Building (approve 11/17)
C-31 Masonry (approve 11/17)
3. Kevin M. Bennett (Individual)
C-5 Cabinet, millwork & carpentry
remodeling & repairs
4. Best Vinyl Fence & Deck LLC (Additional classification)
Giovanni I. Del Rosario, RME
C-32 Ornamental, guardrail & fencing
C-32a Wood & vinyl fencing (approve)
5. Central Striping Service Inc. (Additional classification)
James R. Lesniewski, RME
“A” General Engineering
6. Craig D. Constant, RME
Lend Lease (US) Public Partnerships LLC
“A” General Engineering
“B” General Building (defer)
7. Robert E. Dakujaku (Individual)
C-13 Electrical
8. IPR Inc.
Gideon E. Naiditch, RME
C-55 Waterproofing
9. Chito C. Isidro, Jr. (Individual)
“B” General Building
10. Robert M. Landis (Individual)
“B” General Building
11. Randolph T. Lee, RME
Lakeview Construction Inc.
C-5 Cabinet, millwork & carpentry
remodeling & repairs
“B” General Building (deny 2/18)
12. Eddie B. Murphy, RME
Lakeview Construction Inc.
C-5 Cabinet, millwork & carpentry
remodeling & repairs
“B” General Building (deny 2/18)

13. Raymond T. Nii, RME
Grace Pacific LLC
C-3 Asphalt paving & surfacing
14. On the Rise Construction LLC
Soren T. Joy, RME
"B" General Building
**C-5 Cabinet, millwork & carpentry
remodeling & repairs (approve)**
15. Paradise Door and Service Inc.
Michael A. Knowlton, RME
C-22 Glazing & tinting
C-48e Steel door
16. Jimmie Self, RME
Hawaii Retail Services LLC
C-37 Plumbing
17. Jae Hyun Sohn, RME
Nissi Group Inc.
"B" General Building
18. Vanguard Pacific LLC
Jennifer L. Whitmore, RME
"A" General Engineering
"B" General Building

Applications

E:

Defer applications; for further investigation or request for additional documentation.

1. ABM Aviation Inc.
Daniel K. Girlington, RME
C-13 Electrical
(Dual status – ABM Online Services – West Inc.)
2. ABM Industry Groups LLC
Joel R. Domingo, RME
"B" General Building
(Dual status – ABM Online Services – West Inc./ABM Aviation Inc.)
3. All Pro Services LLC
Breton S. Marckini, RME
C-33 Painting & decorating
C-42g Roof coatings
4. Alison A. Agapay, RME
C2A LLC
"B" General Building
5. Patrick L. Ah-Wong (Individual)
C-31 Masonry

6. Robert A. Alduena III, RME
Solar Training Institute Inc.
C-13 Electrical
7. Landon K. Amba (Individual)
C-13 Electrical
8. Dick Anderson Construction Inc.
Martin J. Schuma, RME
"A" General Engineering
"B" General Building
9. Edwin L. Barlongo, RME
Elite Pacific Construction Inc.
"A" General Engineering
"B" General Building
10. Patrick H. Bell, RME
Lakeview Construction Inc.
C-5 Cabinet, millwork & carpentry
remodeling & repairs
11. Best Plumbing & Electric LLC (Additional classification)
John II Cha, RME
"B" General Building
12. Best Vinyl Fence & Deck LLC (Additional classification)
Clinton R. Hurst, RME
C-31 Masonry
13. Big Island Air Conditioning Inc. (Additional classification)
Richard W. Blackwell, RME
C-15 Electronic systems
14. Blue Pacific Construction LLC
Michael L. Simpson, RME
C-37 Plumbing
C-52 Ventilating & air conditioning
"B" General Building (approve 11/17)
Bond: \$15,000
15. Brag Investments Inc.
Bruce R. Spaeth, RME
C-5 Cabinet, millwork & carpentry
remodeling & repairs
16. Brahma Industrial Services Inc.
Sean G. Davis, RME
"B" General Building

17. Bailey T. Byrne, RME
Tamarock Masonry Inc.
"B" General Building
C-31 Masonry (approve 2/18)
18. CSRG LLC
David T. Flavin, RME
"B" General Building
19. Cajudoy Construction LLC
Brandy M. Cajudoy, RME
"B" General Building
**C-5 Cabinet, millwork, & carpentry
remodeling & repairs (approve 1/18)**
20. Caraveli Inc. dba Caraveli Construction
Eli Carmona, RME
"B" General Building
21. James R. Cavanaugh Inc.
Eric S. Cavanaugh, RME
C-5 Cabinet, millwork & carpentry
remodeling & repairs
"B" General Building (deny 2/18)
22. J Cesario Builders LLC
James P. Cesario, Jr., RME
"B" General Building
23. Craig D. Constant, RME
Lend Lease (US) Public Partnerships LLC
"B" General Building
"A" General Engineering (deny)
24. Shane M. Cui (Individual)
C-33 Painting & decorating
25. DTC Hawaii LLC
Gregory John Liu, RME
"B" General Building
(Dual status – Design
Trends Construction Inc.)
26. Jorge Del Toro (Individual)
C-15 Electronic systems
27. Directv LLC
James J. Duran, RME
C-15b Telecommunications
28. Matthew L. Ellison (Individual)
"A" General Engineering
"B" General Building
C-13 Electrical

29. Viliami S. Fangupo (Individual)
C-31 Masonry
30. Adam R. Fry, RME
Engineered Structures Inc.
"A" General Engineering
31. G M Construction Inc. (Additional classification)
Gregg Todd, RME
"A" General Engineering
32. Guarantee Construction LLC
dba GI Construction
Lane Parker, RME
"B" General Building
33. Guy Haney, RME
Lakeview Construction Inc.
C-5 Cabinet, millwork & carpentry
remodeling & repairs
"B" General Building (deny 2/18)
34. Douglas Hiatt, RME
Lakeview Construction Inc.
C-5 Cabinet, millwork & carpentry
remodeling & repairs
35. Steve Hoegger & Associates Inc. (Additional classification)
Steve H. Hoegger, RME
"B" General Building
36. ICC Turnkey Inc.
William R. Crocker, RME
"A" General Engineering
37. IPR Inc. (Additional classification)
David E.K. Davenport, RME
C-55 Waterproofing
38. Interstate Building Systems LLC
Kenneth R. Lorenz, RME
"B" General Building
39. Ryno Irwin, RME
Hawaii Retail Services LLC
"B" General Building
40. Island Concrete
George K. Tafuna, RME
C-31 Masonry

41. JRK Construction LLC
Jordan R. Kobashigawa, RME
"B" General Building
42. Jered K.K. Jeremiah (Individual)
"B" General Building
43. KJ Walk Inc. (Additional classification)
David A. Drahn, RME
"A" General Engineering
44. David K. Kamakea III, RME
HSI Mechanical Inc.
C-20 Fire protection
C-37 Plumbing
45. Kane's Legacy Tree Services LLC (Dual status – Z E L M
Jacob W. Kane, RME Zero Emission Landscape
C-27 Landscaping Maintenance LLC)
46. Ryan P. Keane (Individual)
"B" General Building
47. Charles K. Kekahu (Individual)
C-31 Masonry
48. Hyeong Gon Kim (Individual)
"B" General Building
"A" General Engineering (withdraw)
49. Kinyon Construction Inc. (Additional classification)
Kevin D. Kinyon, RME
"B" General Building
C-55 Waterproofing
50. Rorylynn K. Laa, RME
Erik Builders Inc.
C-17 Excavating, grading & trenching
C-31 Masonry
51. Patrick Lam (Individual)
"B" General Building
52. Kaikaina A. Lee (Individual)
C-9 Cesspool
C-17 Excavating, grading & trenching
53. Kevin K. Lee, RME
HSI Mechanical Inc.
C-44 Sheet metal

54. Nathan Lee, RME
Heide & Cook LLC
C-16 Elevator
55. Loughlin Drywall LLC
Jason M. Loughlin, RME
"B" General Building
C-1 Acoustical & insulation
C-33 Painting & decorating
C-36 Plastering
56. Nicholas H. Lucas (Individual)
C-60 Solar power systems
C-61a Solar hot water systems (approve)
57. MC Construction LLC
Ming C. Shi, RME
"B" General Building
58. MRC Roofing LLC
Michael C. Coleman, RME
C-1 Acoustical & insulation
C-42e Urethane foam
C-42g Roof coatings
C-55 Waterproofing
(Additional classification)
(Reactivate)
59. William R. McCauley, RME
Tritium Enterprises LLC
C-13 Electrical
60. Jack K. Manini, Sr. (Individual)
C-5 Cabinet, millwork & carpentry
remodeling & repairs
"B" General Building
(Additional classification)
61. Metta Electric LLC
Kyle E. Kramer, RME
C-13 Electrical
62. Modern Builders Hawaii LLC
Bradley J. Endrizal, RME
"B" General Building
(Additional classification)
63. Seen S.E. Morimoto, RME
Pua Aina Inc.
C-31 Masonry
C-51 Tile
64. Nexrev LLC
Joshua L. Riddle, RME
C-52 Ventilating & air conditioning

65. Clayton Nishikawa, RME
Termite Prevention Systems LLC
"B" General Building (Dual status - Kamaaina Homes LLC/Architectural Design & Construction Inc.)
66. Northstar Alarm and Suppression System LLC
Travis G. Sartor, RME
C-15a Fire & burglar alarm
C-20a Fire repressant systems
67. Oihana Electrical Services LLC
Eric A. Dowells, RME
C-13 Electrical
68. Zihang Ou (Individual)
"B" General Building
69. Ana M. Pangaribuan, RME
Newground International Inc.
"B" General Building
70. Pearl Flo Plumbing LLC
Michael Pascua, RME
C-37 Plumbing
71. Francis J. Pochopin IV (Individual)
C-17 Excavating, grading & trenching
"B" General Building (approve)
72. Premier Stoneworks Incorporated
Jonathan D. Young, RME
C-51 Tile
73. Clint P.K. Purdy, Jr. (Individual)
C-52 Ventilating & air conditioning
74. RPMX Construction LLC
James G. McNair, RME
C-17 Excavating, grading & trenching
C-34 Soil stabilization
75. Michael B. Rossio, RME (Additional classification)
Alstom Power Inc.
"A" General Engineering
76. Ryan K. Sasaki (Individual)
C-33 Painting & decorating
77. Sepideh Inc. (Additional classification)
Raymond W. Smith, RME
C-13 Electrical

78. Gary A. Silva, Jr. (Individual)
C-42 Roofing
C-27 Landscaping (approve 2/18)
79. Michael Y. Sippey, RME
Lakeview Construction Inc.
C-5 Cabinet, millwork & carpentry
remodeling & repairs
80. Solarcity Corporation
Paul A. Maday, RME
"B" General Building (Additional classification)
81. Solid Built Construction Inc.
Alexander O. Allen, RME
"B" General Building
82. Spotlight Maintenance Inc.
Michael L. Martins, RME
"B" General Building
83. Surge Electric Inc.
Sergey Manzhura, RME
C-13 Electrical
84. T&S Septics LLC
Trevor M. Saxby, RME
C-9 Cesspool
C-17 Excavating, grading & trenching
85. TNT Resurfacing Concrete Inc.
Terry J. Keener, Jr., RME
C-31a Cement concrete
86. Tada Renovation LLC
Frank C. Duarte, RME
"B" General Building
C-37 Plumbing
87. Tamarack Construction Co., Inc.
Michael R. Nichols, RME
"B" General Building
88. Top Line Builders Inc.
Charles T. Rohrer, RME
"B" General Building
89. Clark A. Tyler (Individual)
C-13 Electrical
C-63 High voltage electrical

90. UIC Construction LLC
Clayton W. Arterburn, RME
"B" General Building
"A" General Engineering (approve 2/18)
91. United General Contracting Inc. (Additional classification)
Lawrence L. Toro, Jr., RME
"A" General Engineering
92. Vadnais Trenchless Services Inc. (Additional classification)
Paul J. Vadnais, RME
C-68RH Horizontal drilling & micro-tunneling
93. Versatile LLC
Derek K.W. Young, RME
C-52 Ventilating & air conditioning
94. Michael P. Vierra, RME
Hawaiian Electric Co Inc.
C-4 Boiler, hot-water heating, hot water
supply, & steam fitting
C-48 Structural steel
C-56 Welding
95. Helen N. Wai LLC
Daniel K. Wai, RME
"B" General Building
96. Waiaha LLC (Additional classification)
Colin S. Onaka, RME
C-9 Cesspool
97. Aaron K. Won, RME
HSI Mechanical Inc.
C-52 Ventilating & air conditioning
98. YM Building LLC
Renyi Chen, RME
"B" General Building
99. Z E L M Zero Emission Landscape
Maintenance LLC
Jacob W. Kane, RME (Dual status – Kane's
Legacy Tree Services LLC)
C-27 Landscaping