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INFORMATION FOR LICENSED CONTRACTORS ABOUT BIDDING

In the State of Hawaii, "contractor" includes anyone who *represents or offers oneself as being able to undertake work that requires a contractor's license* and the Hawaii Contractors License Board ("Board") has determined that a license is required before an individual or company can bid a job.

The Regulated Industries Complaints Office ("RICO") offers the following information to assist licensees with the bidding process. This handout is for informational purposes only and not intended for the purposes of providing legal advice. Information is subject to change. Licensees should read and rely on **laws and rules**, paying close attention to any references to obtaining or maintaining a license. Information and links to laws and rules can be found at cca.hawaii.gov/pvl/boards/contractor.

1. Use the name as it appears in Professional and Vocational Licensing division records. Bids submitted should be in **the name the license is issued** or a **tradename** registered with the Contractors License Board ("Board").

Trade names. Before a licensed contractor can use a trade name, the trade name **must already be registered** with the DCCA's Business and Registration Division (BREG) **and filed** with the Board. (Hawaii Administrative Rules §16-77-8) If your trade name doesn't appear on your license record, double check with the Board's Executive Officer at (808) 586-2700.

The Department of Commerce and Consumer Affairs' Professional and Vocational Licensing division ("PVL") provides up to date information about contractor licenses, including current license status, legal license name, license trade or professional name, business entity type, and license classifications.

Check PVL records online at cca.hawaii.gov/rico/business_online or by calling the License Business and Information Center at 808-587-4272. Check DCCA Business Registration Division records online at ehawaii.gov/documents/search or by calling 808-587-4272.

Partnerships and joint ventures. If you plan to bid as a **partnership or joint venture**, the partnership or joint venture must first have satisfied the requirements of Hawaii Administrative Rules § 16-77-13. Requirements include providing notice and qualifying information to the Contractor's License Board. Any unlicensed members of a joint venture or partnership must submit current financial statements, credit reports, a tax clearance, and any other information requested by the Board along with an application for licensure.

Inactive status. If your license is on inactive status, you must **reactivate the license** by submitting an application, application fee, current financial statement, tax clearance, and credit report to the Board. Allow enough time for the Board to review the request and supporting documents. (Hawaii Administrative Rules §16-77-56)

2. **Double check the license number.**

Use the license number as printed on your **current pocket card or wall certificate**. If you're not sure, check PVL records online at pvl.ehawaii.gov/pvlsearch or by calling 808-587-4272.

To request a **duplicate pocket card**, click on the following link to download a required form: [pvl-address-name-change-duplicate-license-request](#). Provide your license type(s) and number(s) and \$10 fee for each license (check payable to *Commerce and Consumer Affairs*). Allow twenty (20) business days from receipt of your request for a duplicate pocket card to be mailed out.

3. **Double check license classifications.**

Make sure you have the appropriate **license classifications**. For contractors, license classification information is part of your PVL licensing record. Check PVL records online at pvl.ehawaii.gov/pvlsearch or by calling 808-587-4272.

To obtain additional license classifications, you must file an application, pay the appropriate fees, meet any experience requirements, and take the appropriate part II examination. (Hawaii Administrative Rules §16-77-35)

Scope. The Contractors License Board assists licensees by providing information about formal and informal opinions that have been issued about the **scope of work** a specific trade can engage in. For questions about scope, or to inquire if the Contractors License Board has previously opined on a specific issue, contact the Board's Executive Officer at (808) 586-2700. *Please note PVL staff cannot give you legal advice.*

4. **Double check Responsible Managing Employee information.**

A contracting entity that has lost its **responsible managing employee ("RME")**, must (1) notify the Board within 60 days of loss, and (2) submit an application to qualify a new RME within 90 days of loss. Following the loss of an RME, a contracting entity can continue to operate, but can't bid on, or enter into, any *new* contracts until the Contractor's License Board qualifies a new RME. (Hawaii Administrative Rules § 16-77-64)

Additional tips:

Multiple RME's allowed. Contracting entities can have more than one RME in their employ. (Hawaii Administrative Rules § 16-77-71(a))

Sign and initial all contracts. RME's are responsible for reviewing all contracts and ensuring that provisions are carried out. RME's must sign and initial all contracts. (Hawaii Administrative Rules § 16-77-71(a)(2))

RME in residence. Make sure the RME will be in residence in the State of Hawaii while the project is on-going. (Hawaii Administrative Rules § 16-77-71(a)(4))

5. **Confirm the following is in full force and effect :**

-Workers' compensation insurance (unless the licensee is authorized to act as a self-insurer under chapter 386 or is excluded from the requirements of chapter 386).

-Liability insurance from an insurance company or agency for comprehensive personal injury and property damage liability.

-Bond (if required by the board). (Hawaii Revised Statutes §444-16.5)

(Hawaii Revised Statutes §444-11.1)