

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

Minutes of Meeting

Date: March 17, 2017

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
Leslie Isemoto, Member
William Kamai, Member
Nathan Konishi, Member
Peter H. M. Lee, Member
Leonard K. P. Leong, Member
Danny T. Matsuoka, Member
Kent Matsuzaki, Member
Aldon K. Mochida, Member
Candace Ito, Executive Officer
Charlene L. K. Tamanaha, Executive Officer
Rodney J. Tam, Deputy Attorney General
Faith Nishimura, Secretary

Excused: Anacleto "Joey" Alcantara, Jr., Member

Guests: Harland P. Brown (Individual)
Keaholani E.J. DeMello, RME, Emerald Isle Pipe Supply Inc.
Jeffrey S. Masatsugu, Glazier Stabilization Fund
Eric J. Basalyga (Individual)
Cenon B. Polintan (Individual)
Shannon Alivado, General Contractors Association ("GCA")

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. Konishi, seconded by Mr. Lee, and unanimously carried to approve the Applications Committee Meeting and Executive Session Meeting minutes of March 6, 2017, and the Board Meeting Minutes and Executive Session Meeting Minutes of February 17, 2017, as circulated.

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

Deferred to Appearances:

- e. Eric J. Basalyga (Additional classification)
"B" General Building

Deletion from Appearances:

- b. Jeffery A. Coss, RME
So Cal Retail Services Inc.
"B" General Building
- c. Jeffrey A. Piper, RME
Sandpiper Electric Inc.
C-52 Ventilating & air conditioning

Deletion from Applications Committee Report:

- d. Eric C. Gilchrist (Individual)
C-7 Carpet laying
C-21 Flooring

Deletion from Owner-Builder Exemption Applications:

- b. Ors Penzes and Ildiko Szelyes
- d. Douglas & Rose Adriance
- e. Georgie Ramos Trust
- f. Juan Montoya

The agenda was taken out of order and continued with "HRS Chapter 91, Adjudicatory Matters".

Chapter 91, HRS,
Adjudicatory
Matters:

Chairperson Polischek called for a recess from the Board's meeting at 8:34 a.m. to discuss and deliberate on the following adjudicatory matters pursuant to HRS chapter 91.

1. Settlement Agreements

- a. In the Matter of the Contractors' Licenses of Fisher Development, Inc. and Daniel Pickart; CLB 2017-28-L

Respondent Fisher Development, Inc. ("Respondent FDI") was licensed as a "B" General building contractor. Respondent FDI's license was issued on or about January 7, 1987; and was forfeited on or about December 2, 2015.

Respondent Daniel Pickart ("Respondent Pickart") was licensed as a "B" General building contractor. Respondent Pickart's license was issued on or about May 6, 2005 and was forfeited on or about December 2,

2015. At all relevant times herein, Respondent Pickart was the Responsible Managing Employee for Respondent FDI.

RICO received a complaint alleging that Respondent Pickart was not in residence in the State of Hawaii during the time period in which Respondent FDI was working on a project to construct The Lego Store at the Ala Moana Shopping Center in Honolulu, Hawaii.

If proven at an administrative hearing, the allegations would constitute violations of the following rules:

- HAR section 16-77-71(a)(4) (RME shall be in residence in Hawaii during the period the project is under construction); and
- HAR section 16-77-71(a)(5) (RME shall be responsible for any violation of HAR) as to Respondent FDI.

If proven at an administrative hearing, the allegations would constitute violations of the following rules:

- HAR section 16-77-71(5) (RME responsible for any violation of this chapter or chapter 444 HRS); and
- HAR section 16-77-71(a)(4) (RME not in residence) as to Respondent Pickart.

Respondents do not admit to violating any law or rule, and agree to pay an administrative fine in the amount of \$15,000.00.

After discussion, it was moved by Mr. Lee, seconded by Mr. Isemoto, 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 Contractor's Licenses of Webb Contractors Kona, Inc. and Brian J. Webb, Sr.; CLB 2016-394-L

Respondents Webb Contractors Kona, Inc. ("Respondent Webb Contractors") and Brian J. Webb, Sr. ("Respondent Webb Sr.") were issued contractor's license number CT-27264 and CT-27265, respectively on or about October 19, 2006; and will expire on or about September 30, 2018. Respondent's licenses are currently listed as inactive. At all relevant times herein, Respondent Webb Sr. was the designated Responsible Managing Employee for Respondent Webb Contractors.

RICO received a complaint alleging that Respondent Webb Contractors was hired by White Sands Construction, Inc. to perform millwork as part of the renovation project at the Hawaii Prince Hotel located at 100 Holomoana Street, Honolulu, Hawaii back in July 2016. Respondents' respective contractor's licenses were on "inactive" status while performing work at the Hawaii Prince Hotel.

RICO will be pursuing a separate case against White Sands Construction, Inc.

If proven at an administrative hearing, the allegations would constitute violations of the following statute:

- HRS section 444-15(c) (a licensee on inactive status shall not engage in contracting).

Respondents do not admit to violating any law or rule, and agree to pay an administrative fine in the amount of \$2,500.00.

After discussion, it was moved by Mr. Mochida, seconded by Mr. Isemoto, 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 Licenses of White Sands Construction, Inc., and David L. Mulligan; CLB 2016-414-L

Respondent White Sands Construction, Inc. ("Respondent White Sands") is licensed under license number CT-22710. Respondent White Sands' license was issued on or about September 27, 2000; and will expire or forfeit on or about September 30, 2018.

Respondent David L. Mulligan ("Respondent Mulligan") is licensed under license number CT-15022. Respondent Mulligan's license was issued on or about January 19, 1989; and will expire or forfeit on or about September 30, 2018. At all relevant times herein, Respondent Mulligan was the designated Responsible Managing Employee for Respondent White Sands.

RICO received a complaint alleging that Respondents hired a contractor, Webb Contractors Kona Inc. ("Webb Contractors"), to perform millwork as part of a renovation project at the Hawaii Prince Hotel located at 100 Holomoana Street, Honolulu, Hawaii back in July 2016.

Webb Contractors has a contractor's license in the State of Hawaii, but it was on "inactive" status during all relevant times herein.

RICO will be pursuing a separate case against Webb Contractors.

Respondents fired Webb Contractors upon learning of the "inactive" status of its contractor's license. Respondents paid Webb Contractors \$25,000.00.

If proven at an administrative hearing, the allegations would constitute violations of the following statute:

- HRS section 444-17(17) (entering into a contract with an unlicensed contractor involving work where a license is required).

Respondent does not admit to violating any law or rule, and agrees to pay an administrative fine in the amount of \$2,500.00.

After discussion, it was moved by Mr. Isemoto, seconded by Mr. Lee, 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.

- d. In the Matter of the Contractor's License of Novum Structures, LLC; CLB 2016-448-L

Respondent Novum Structures, LLC ("Respondent") is licensed as a General building contractor under license number BC-34961. Respondent's license was issued on or about June 27, 2016; and will expire or forfeit on or about September 30, 2018.

RICO received a request from the Board to investigate information disclosed on a renewal application.

Respondent plead guilty in the U.S. District Court for the Eastern District of Wisconsin to one count of concealing a material fact in violation of 18 U.S.C. section 1001. The criminal action related to allegations Respondent concealed the non-domestic origin of certain construction material supplied on eleven federally funded construction projects. Respondent was ordered to pay a \$500,000.00 criminal fine.

RICO alleges Respondent was convicted of a crime related to the licensed profession, and failed to timely report the conviction.

If proven at an administrative hearing, the allegations would constitute violations of the following statutes:

- HRS section 436B-16 (failure to provide written notice of criminal order within thirty days); and
- HRS section 436B-19(14) (criminal conviction related to the licensed profession).

Respondent does not admit to violating any law or rule, and agrees to pay an administrative fine in the amount of \$1,000.00; and administrative costs in the amount of \$250.00.

After discussion, it was moved by Mr. Konishi, seconded by Mr. Isemoto, 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.

e. In the Matter of the Contractors' Licenses of Riviera Building & Development, Inc. and Kyle J. Nelson; CLB 2016-476-L

Respondents Riviera Building & Development, Inc. ("Respondent Riviera") and Kyle J. Nelson ("Respondent Nelson") are licensed as General building contractors under license numbers BC-32660 and BC-32661, respectively. Respondent's licenses were issued on or about December 21, 2012; and will expire or forfeit on or about September 30, 2018. At all times relevant herein, Respondent Nelson was the Responsible Managing Employee of Respondent Riviera.

RICO received a complaint alleging that Respondent Nelson was not in residence in the State of Hawaii during the construction of the Wendy's restaurant at Ka Makana Alii, Kapolei, Hawaii.

If proven at an administrative hearing, the allegations would constitute violations of the following rules:

- HAR section 16-77-71(a)(4) (RME shall be in residence in Hawaii during the period a project is under construction); and
- HAR section 16-77-71(a)(5) (RME shall be responsible for any violation of HAR).

Respondents do not admit to violating any law or rule, and agree to pay an administrative fine in the amount of \$5,000.00.

After discussion, it was moved by Mr. Konishi, seconded by Mr. Matsuoka, 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 Orders

None.

Following the Board's review, deliberation and decisions in these matters, pursuant to HRS chapter 91, Chairperson Polischeck announced that the Board was reconvening to its open meeting at 8:39 a.m.

Executive Session:

At 8:40 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 Rodney J. Tam, deputy attorney general, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities regarding some of the applicants.

Mr. Kamai arrived at 8:53 a.m.

At 9:13 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.

Committee
Reports:

1. Scope of Activity Committee
Nathan T. Konishi, Chairperson

- a. **Affordable Home AC**

Requests clarification that no contractor's license is required for the installation of window air conditioning units through the wall if there is an existing wall opening and/or if slight modification to the existing wall opening is needed to properly fit the window ac unit.

Recommendation: A contractor's license is not required to perform non-structural or non-loadbearing modifications to the existing wall openings to properly fit the window air conditioning unit; provided that the aggregate contract price for labor, materials, taxes, and all other items is not more than \$1,000.00 and a building permit is not required.

- b. **REC Solar Commercial Corporation**

Requests a determination on whether or not they need the B (General building) license if they are not self-performing any of the civil or structure building work associated with the Solar PV systems (Ground/Carport mounts); whether a C-13 Electrical contractor is allowed to subcontract out all other scopes of work associated with the A (General engineering), B (General building), and other specialty C licenses; what Hawaii Administrative Rule prevents their company from just operating under a C-13 Electrical contractor license as the general contractor and take on the prime contract; and what the Board considers "incidental and supplemental work" to the C-13 license for Solar PV systems (Roof Mount, Ground Mount, Carport Mount).

Recommendation: Defer this matter for additional information on the specific work that is being performed under each of the questions; specifically, for each of the questions, the Board requests the scope of the entire project, the total cost of the project, and the cost of the individual components.

- c. **TuffWrap**

Requests a determination on whether a contractor's license is required to install temporary dust and debris systems in commercial buildings. Their products include temporary walls and suspended ceilings which contain dust and debris from roofing work.

Recommendation: A contractor's license is not required to install the temporary dust and debris systems in commercial buildings; provided that scaffolds are not used in the installation and the installation does not include building structural supports.

It was moved by Mr. Lee, seconded by Mr. Isemoto, and unanimously carried to approve the above scope recommendations.

Appearances
Before the
Board:

- a. Keaholani E.J. DeMello, RME
Emerald Isle Pipe Supply Inc.
C-37 Plumbing

Executive
Session:

At 9:19 a.m., it was moved by Mr. Konishi, seconded by Mr. Lee, 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 Rodney J. Tam, 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 9:26 a.m., it was moved by Mr. Kagawa, 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. Kagawa, seconded by Mr. Isemoto, and unanimously carried to defer Mr. DeMello's application for licensure in the C-37 Plumbing classification pending the submittal of a revised project list using the Board's form.

- d. Harland P. Brown (Individual)
C-37 Plumbing

Executive
Session:

At 9:28 a.m., it was moved by Mr. Isemoto, seconded by Mr. Kagawa, 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 Rodney J. Tam, 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 9:39 a.m., it was moved by Mr. Kagawa, 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. Kagawa, seconded by Mr. Matsuzaki, and unanimously carried to defer Mr. Brown's application for licensure in the C-37 Plumbing classification pending the submittal of a revised project list verifying experience supervising the broad base of plumbing work which may date back beyond ten years.

- e. Eric J. Basalyga (Individual) (Additional classification)
"B" General Building

Executive
Session:

At 9:41 a.m., it was moved by Mr. Konishi, seconded by Mr. Lee, 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 Rodney J. Tam, 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 9:50 a.m., it was moved by Mr. Mochida, seconded by Mr. Lee, 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. Mochida, seconded by Mr. Lee, and unanimously carried to defer Mr. Basalyga's application for licensure in the "B" General building classification pending the submittal of a revised project list indicating the trades that were performed in house and the trades that were subbed to licensed contractors.

The agenda was taken out of order and continued with "Committee Reports, Conditional License Report".

Committee
Reports:

7. Conditional License Report:
Charlene L.K. Tamanaha, Executive Officer
- b. Cenon R. Polintan (Individual)
"B" General Building

Executive
Session:

At 9:51 a.m., it was moved by Mr. Konishi, seconded by Mr. Kagawa, 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 Rodney J. Tam, 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 10:19 a.m., it was moved by Mr. Matsuzaki, seconded by Mr. Lee, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

After discussion, it was moved by Chairperson Polischeck, seconded by Mr. Matsuzaki, and unanimously carried to continue Mr. Polintan's conditional license, subject to semiannual reports from his probation officer verifying compliance with the terms of his supervision and subsequent supervised release; report any amendment or revocation of his supervision or supervised

release within thirty calendar days; and annual State of Hawaii criminal history record check.

Delegation of Authority:

At the July 24, 1998 and March 17, 2000 meetings, the Board delegated to the Executive Officer any and all powers and duties necessary for the effective administration of HRS chapter 444, and HAR chapter 16-77. It is requested that the Board also delegate to the Executive Officer the ministerial authority to sign a Settlement Agreement that the Board has previously approved regarding the settlement of Recovery Fund cases under HRS section 444-31.

After discussion, it was moved by Mr. Konishi, seconded by Mr. Matsuzaki, and unanimously carried to delegate this ministerial authority to the Executive Officer.

Recess:

Chairperson Polischek called for a short recess at 10:25 a.m.

The meeting was reconvened at 10:37 a.m.

Committee Reports:

2. Legislation Committee:
Peter H.M. Lee, Chairperson

Mr. Lee presented the Legislation Committee Report. A summary was distributed to the Board for their review and comment.

Shannon Alivado of the General Contractors Association was present to discuss S.B. No. 1068, H.B. No. 1229, and S.B. No. 1069 (2017). Ms. Alivado stated that as written in S.B. 1068, the procurement office is required to report the unlicensed activity at the time of bid and requested that this reporting requirement be removed. The Board clarified that the procurement officer must report when a bidder is disqualified due to being unlicensed. Over time, this reporting requirement will decrease the number of contractors bidding with a forfeited license.

DAG Tam stated that sometimes the insurance company fails to submit the worker's compensation and liability insurance certificates to DCCA which results in the forfeiture of a contractor's license. The Board stated that it is the responsibility of the contractor to ensure that their insurance is current. Executive Officer Ito stated that there are less incidents in which insurance information is not updated on a timely basis since updates have been made to PVL's on-line insurance submittal system.

Ms. Alivado asked whether contracting entities know that they cannot bid on new projects during the time of replacing a new RME due to dissociation or death. She asked the Board to consider allowing a contracting entity that does not have an RME but is in the process of replacing its RME, to be able to bid on new construction projects. The Board maintained its position that a contracting entity that has lost its RME due to dissociation or death cannot bid or enter into any new contracts without having a new principal RME in its employ.

H.B. No. 770/ S.B. No. 685 – This bill proposes to raise the number of Board members from thirteen (13) to (15); change the qualifications of each Board member by reducing the licensee members from ten (10) to eight (8), and increasing the public members from three (3) to seven (7); imposes a five year residency requirement; restricts the specialty contractor Board members from holding a general contractor’s license; prohibits public members from being a “relative” of a contractor Board member; add language that board members shall not receive compensation; removes a board member for revocation or suspension pursuant to HRS section 444-17, and defines various contractor license classifications.

H.B. No. 770 has a double committee referral: Intrastate Commerce (“IAC”) and House Committee on Consumer Protection and Commerce (“CPC”). IAC and CPC did not scheduled hearings for H.B. No. 770.

S.B. No. 685 has a single committee referral: Senate Committee on Commerce, Consumer Protection and Health (“CPH”).

On February 24, 2017, the CPH held a hearing on S.B. No. 685. The Board submitted testimony in strong opposition for the following reasons: the current composition is balanced and has worked well for many years as industry, business and consumer interests are all represented; prohibiting specialty contractors from holding a general contractor’s license is unreasonable and unnecessary; prohibiting a relative of a contractor from serving as a public member is unwarranted in light of the conflict of interest provisions of the State’s Ethics Code; proposed language should reflect that removal from the Board should only occur when a license is revoked or suspended after a hearing in accordance with HRS chapter 91 to ensure that the Board member is afforded his or her due process rights; provisions regarding members not receiving compensation and definitions of contractor license classifications are addressed in HRS sections 436B-5 and HRS chapter 444.

CPH deferred this measure on February 24, 2017.

H.B. No. 295, H.D. 1/ S.B. 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.

On February 7, 2017, the House Committee on Housing (“HSG”) held a hearing on H.B. No. 295. HSG passed the bill with an effective date that is to be determined to continue discussion among the interested parties (H.B. No. 295, H.D. 1). HSG also requests that the CPC consider the DCCA’s comments that the State Fire Council develop the standard form for the buyer’s acceptance or denial since it is the agency that has the expertise in this area.

The Board believes that it should not be the advocate for the benefits of installing fire sprinkler systems. Also, the purchaser should be provided with this information at the architect drawing stage of the project.

H.B. No. 295 has a triple committee referral: HSG, CPC, and House Committee on Finance ("FIN"). The CPC and FIN did not schedule hearings for No. 295, H.D. 1.

S.B. No. 471 has a double committee referral: CPH and Senate Committee on Ways and Means ("WAM"). CPH and WAM did not schedule hearings for S.B. No. 471.

H.B. No. 976, H.D. 1/ S.B. No. 865 – This bill 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 (EJ, EJS) or an electrical engineering degree from an accredited college to qualify for a C-13 Electrical contractor's license; and exempts employees of public utilities from meeting this new requirement for licensure.

On January 31, 2017, the House Committee on Labor & Public Employment ("LAB") held a hearing on H.B. No. 976. The LAB passed this bill with the deletion of the provision to exempt public utility employees and an effective date of July 1, 2050.

H.B. No. 976 has a triple committee referral: LAB, House Committee on Higher Education ("HED"), and CPC. HED and CPC did not schedule hearings for H.B. No. 976, H.D. 1.

On February 24, 2017, the CPH held a hearing on S.B. No. 865. The Board testified in strong opposition for the following reasons: the requirement is unnecessary as the current license requirement is sufficient and the exemption for public utility employees and community antennae companies is unclear.

CPH passed this bill out with the following amendments: (1) deleting language that would have required any person applying for a license as a pole and line contractor or high voltage electrical contractor to possess a trade license or an electrical engineering degree from an accredited college; (2) clarifying that the exemption applies to a public utility or a community antennae television company, rather than employees employed by a public utility or community antennae television company; and (3) inserting an effective date of July 1, 2050, to encourage further discussion.

S.B. No. 865 S.D. 1 crossed over to the House and was referred to the CPC.

H.B. No. 964 – This bill mandates the Board to require all specialty and general contractors to put up surety bonds in the minimum amount of \$5,000.00; requires a surety; prohibits the surety company's leadership from having any members in common with the specialty and general contractor leadership; gives the subcontractors a right of action on the bond in their own name; and requires a contractor to pay its subcontractors within ten days after receipt of the

subcontractors invoice whether or not the payment was received by the owner.

H.B. No. 964 has a double committee referral: IAC and CPC. H.B. No. 964 was not scheduled for hearing by either committee.

The Board noted that proposed amendments in section 1 of this bill addresses a procurement issue and amendments should not be made in the contractor's law to address this procurement matter.

S.B. No. 1144 – This bill proposes to amend the definition of "RME" as an individual who directs and supervises installations.

On February 24, 2017, the CPH held a hearing on S.B. No. 1144. The Board testified in strong opposition as this bill narrows the current responsibilities of an RME to directing and supervising installations.

CPH deferred S.B. No. 1144 on February 24, 2017.

H.B. No. 996/ S.B. No. 1102 – This bill requires the Board to adopt rules to define "incidental and supplemental to the performance of work" to be no more than 25% of all work in any craft or trade, other than any craft or trade for which the specialty contractor is licensed, to be performed under a single contract.

H.B. No. 996 has a double committee referral: IAC and CPC. IAC and CPC did not schedule hearings for H.B. No. 996.

On February 24, 2017, the CPH held a hearing on S.B. No. 1102. The Board testified in strong opposition as the Board's interpretation of "incidental and supplemental" work in its Board's Final Order ("BFO") has been upheld by the Circuit Court and Intermediate Court of Appeals and the Board is currently in the process of amending its administrative rules to reflect the BFO's interpretation of "incidental and supplemental".

CPH deferred S.B. No. 1102 on February 24, 2017.

H.B. No. 378/ S.B. No. 1130 – This bill requires an investigator to issue a citation to any person acting in the capacity of or engaging in the business of a contractor within the State without having a required license.

On February 9, 2017, the LAB held a hearing on H.B. No. 378. The Board testified that it will discuss this measure at its next meeting on February 17, 2017.

The LAB passed this bill out with the following amendments: (1) clarifying that DCCA may pursue available civil remedies such as court-ordered injunctions and enhanced fines; and (2) changing its effective date to July 1, 2050, to facilitate further discussion.

RICO submitted testimony in opposition because it would limit the ability of a RICO investigator to conduct further investigation before issuing a citation,

resulting in a minimum fine of \$2,500.00 being assessed in virtually every case. In addition to limiting fine amounts, RICO believes the bill would prohibit RICO from pursuing civil actions in any case in which a RICO investigator visits a project and determines an individual to be acting in the capacity of or engaging in the business of a contractor without a license. Such a limitation would prevent RICO from pursuing important civil remedies including court-ordered injunctions and enhanced fines.

H.B. No. 378 has a double committee referral: LAB and House Committee on Judiciary (“JUD”). JUD did not schedule a hearing for H.B. No. 378, H.D. 1. On February 24, 2017, the CPH held a hearing on S.B. No. 1130. The Board testified in opposition in support of RICO’s enforcement efforts.

CPH deferred S.B. No. 1130 on February 24, 2017.

H.B. No. 573/ S.B. No. 1070 – This bill proposes to prohibit the prime contractor from substituting a listed subcontractor; and allows substitution of a listed subcontractor by the prime contractor for reasons which include: the inability of the listed subcontractor to perform the requirements of the proposed contract or the project; and the inability of the listed subcontractor to obtain the necessary license, bonding, insurance, or other statutory requirements to perform the work detailed in the contract.

On February 2, 2017, the LAB and House Committee on Economic Development & Business (“EDB”) held a joint hearing on H.B. No. 573. The Board provided the following comments since it has not discussed this measure:

- (1) Allowing the substitution of a listed subcontractor for the inability to perform the requirements of the project implies that a subcontractor without the appropriate license classification may bid on a construction project. This is in conflict with HRS section 444-23 which prohibits a contractor from contracting outside the appropriate scope of classification for which the contractor is licensed.
- (2) Allowing the substitution of a listed subcontractor for the inability of the listed subcontractor to obtain the necessary license, bonding, insurance, or other statutory requirements to perform the work detailed in the contract indicates that this proposed amendment allows unlicensed individuals to bid on a construction project. The Board believes that this conflicts with the requirements of HRS chapter 444 and the Board’s longstanding interpretation that a person must be licensed as a contractor at the time of submitting a proposal or bid on a construction project.

Both the LAB and EDB passed this measure with the following amendments:

- (1) Prohibiting the bidder from listing more than one subcontractor for each scope of work identified, unless subcontractors vary with bid alternates;

- (2) Allowing the substitution of a listed subcontractor if the listed subcontractor is:
 - (A) Debarred from a purchasing or enforcement agency; or
 - (B) Unable or refuses to meet the contractual requirements or agreements of the bidder; and
- (3) Changing its effective date to July 1, 2050, to facilitate further discussion.

FIN scheduled a hearing on February 22, 2017 for H.B. No. 573, H.D. 1. The Board submitted the following comments: (1) allowing the substitution of a listed subcontractor for the inability to perform the requirements of the project implies that a subcontractor without the appropriate license classification may bid on a construction project. This is in conflict with HRS section 444-23 which prohibits a contractor from contracting outside the appropriate scope of classification for which the contractor is licensed; and (2) allowing the substitution of a listed subcontractor for the inability of the listed subcontractor to obtain the necessary license, bonding, insurance, or other statutory requirements to perform the work detailed in the contract indicates that this proposed amendment allows unlicensed individuals to bid on a construction project. The Board believes that this conflicts with the requirements of HRS chapter 444 and the Board's longstanding interpretation that a person must be licensed as a contractor at the time of submitting a proposal or bid on a construction project.

FIN passed H.B. No. 573, H.D. 1 as is.

H.B. No. 573, H.D. 1 crossed over to the Senate and referred to Senate Committee on Government Operations ("GVO") and Senate Committee on Judiciary and Labor ("JDL").

On March 16, 2017, GVO held a hearing on H.B. No. 573, H.D. 1. The Board submitted comments that this bill may allow contractors without a license or the proper license classification to bid on construction projects which conflicts with the contractor license law.

The GVO passed this bill with amendments to replace the contents with S.B. 1070, S.D. 2. The standing committee report has not been filed.

On February 2, 2017, GVO held a hearing on S.B. No. 1070. The Board submitted comments that this bill may allow contractors without a license or the proper license classification to bid on construction projects which conflicts with the contractor license law.

GVO passed this bill with the following amendments: (1) inserting a provision allowing bidders two hours after bid closing to clarify and correct subcontractor information; (2) providing that bids for construction shall be opened no sooner than two hours after bid closing; (3) removing the burden on prime contractors and substituted contractors to prove bid shopping or bid peddling did not occur; (4) clarifying that a substituted contractor shall not be entitled to damage from the government entity that issued the invitation for bids; (5) clarifying and

limiting the reasons that a substitution of a listed subcontractor may be allowed; and (6) inserting an effective date of July 1, 2050, to encourage further discussion.

On February 28, 2017, the JDL and the Senate Committee on Ways and Means (“WAM”) held a public decision making and passed S.B. No. 1070, H.D. 1 and passed this bill with an amended effective date of January 7, 2059 to encourage further discussion.

S.B. No. 1070, S.D. 2 crossed over to the House and was referred to LAB/EDB and FIN.

S.B. No. 1068 – This bill proposes to authorize procurement officers to consider a subcontractor’s license as valid if the subcontractor was licensed to perform the scope of work indicated at the time of the award.

On February 10, 2017, the GVO and CPH held a joint hearing on S.B. No. 1068. The Board submitted comments that a contractor’s license is required to bid and allowing unlicensed individuals to bid conflicts with the contractor license law. The committee chairpersons requested that the parties work together to propose amended language. At its February 17, 2017 meeting, the Board was in support of an amendment that is limited to license forfeiture due to loss of insurance and/or bond at the time of bid if the subcontractor restores its license in accordance with HRS section 444-11.1 prior to award and that the procurement officer will report any unlicensed activity to the Board.

GVO and CPH deferred decision making to March 1, 2017 and passed S.B. No. 1068 with the following amendments: (1) removing the provision allowing a procurement officer to consider a listed subcontractor’s license as valid if the subcontractor was licensed to perform the scope of work indicated at the time of award; (2) inserting a provision that if a procurement officer determines that a subcontractor’s license is not valid at the time of the bid due to a lapse in continuous insurance and bond coverage, the bid may not be disqualified or rejected if the subcontractor meets certain conditions; and (3) inserting a requirement that the procurement officer report any unlicensed activity at the time of the bid to the Contractors License Board.

S.B. No. 1068, S.D. 1 crossed over to the House and was referred to LAB and FIN.

H.B. No. 1180 – This bill proposes to amend the definition of contractor in HRS section 103D-104 to include subcontractors; and applies the same sanctions for contractor unethical conduct to subcontractors.

On February 2, 2017, the LAB held a hearing on H.B. No. 1180. The Board did not submit testimony on this bill.

LAB passed this bill with an amended effective date of July 1, 2050, to facilitate further discussion.

H.B. No. 1180 has a double committee referral: LAB and CPC. CPC did not schedule a hearing for H.B. No. 1180, H.D. 1.

H.B. No. 1229 – 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.

On February 2, 2017, the LAB held a hearing on H.B. No. 1229. The Board did not submit testimony on this bill.

LAB passed this bill with the following amendments: (1) leaving unspecified, the total estimated contract value amount that would trigger the requirement to list subcontractors and joint contractors in a bid; and (2) changing the effective date to July 1, 2050, to encourage further discussion.

On February 22, 2017, FIN held a hearing on H.B. No. 1229, H.D.1 and passed the bill out unamended. H.B. No. 1229, H.D.1 crossed over to the Senate and was referred to GVO and WAM.

H.B. No. 1415, H.D. 1/ S.B. No. 1280 – Establishes additional performance bond requirements for surety companies and bond companies under the Hawaii Public Procurement Code.

On February 2, 2017, the LAB held a hearing on H.B. No. 1415. The Board did not submit testimony on this bill.

LAB passed this bill with the following amendments: (1) deleting the requirement that all surety companies and bond companies involved with a project be United States Treasury listed bond companies; and (2) changing its effective date to July 1, 2050, to facilitate further discussion.

On February 22, FIN held a hearing on H.B. No. 1415, H.D. 1 and passed this measure with an amendment establishing conditions for releasing or terminating the obligations of a payment bond.

H.B. No. 1415, H.D. 2 crossed over to the House and was referred to GVO and CPH.

On February 2, 2017, the GVO held a hearing on S.B. No. 1280. The Board did not submit testimony on this bill.

GVO passed this bill with the following amendments: (1) removing language that inadvertently changed the purpose of performance bonds; (2) clarifying that the new bond requirements apply to performance bonds and payment bonds; and (3) inserting an effective date of July 1, 2050, to encourage further discussion.

On February 28, 2017 CPH held a public decision making on S.B. No. 1280, S.D. 1. CPH deferred S.B. No. 1280, S.D. 1.

S.B. No. 1069 – Requires public procurement construction bids to list subcontractors and joint contractors only for contracts of \$1,000,000.00 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 5 percent or less of the total bid amount.

On February 2, 2017, the GVO held a hearing on S.B. No. 1067. The Board did not submit testimony on this bill.

GVO passed this bill with the following amendments: (1) removing the \$1,000,000.00 contract value threshold and inserting a blank amount for situations when public works construction bids must list joint contractors and subcontractors; (2) removing the five percent threshold and inserting a blank percent for situations when the total bid value that the joint contractor or subcontractor work must be less than for the bid to be acceptable without listing joint contractors and subcontractors; and (3) inserting an effective date of July 1, 2050, to encourage further discussion.

S.B. No. 1069 has a double committee referral: GOV and WAM. WAM did not schedule a hearing for S.B. No. 1069, S.D. 1.

H.C.R. No. 29 – Requests the Contractors License Board to review all C-68 classified specialist classification definitions per the Hawaii Revised Statutes to provide the opportunity for public review and input.

H.C.R. No. 29 has a double committee referral: LAB and FIN

S.C.R. No. 6 – Urging the Contractors License Board to Reclassify or Eliminate the Interim Specialty License.

On March 15, 2017 CPH held a hearing on S.C.R. No. 6. The Board submitted testimony in opposition because the Board is already in the rule making process to address the concerns specified in the Resolution.

CPH deferred S.C.R. No. 6.

House Resolution No. 47 and House Concurrent Resolution No. 85 – Requesting the Auditor to Conduct a Feasibility Study for the Creation of a Structural Licensing Board.

Both resolutions have been referred to IAC/CPC.

The Board believes that the resolutions contain inaccurate statements such as the Board is not set up to specifically address the specialized licensing needs and concerns that involve constructing specialized structures and that the Board members are not well versed in the requirements to construct specialized structures. The Board believes that it does have the expertise to evaluate the experience of applicants in the following classifications and has been licensing contractors in the C-6 Carpentry framing, C-31 Masonry, C-32 Ornamental, guardrail, and fencing, C-35 Pile driving, pile and caisson drilling, and

foundation, C-38 Post tensioning, C-41 Reinforcing steel, C-48 Structural steel, and C-56 Welding classifications for decades. Additionally, the Board noted that the resolutions inaccurately state that a structural engineer must ensure the subcontractors and workers assigned to install and erect specialized structures have sufficient knowledge and experience to ensure a safe work environment for the installation and construction using structural steel. The Board noted that it is not aware of any incidents of structure failures.

The Board opposes creating different licensing requirements for contractor licenses. All contractor license requirements should be the same. The Board already has jurisdiction over these classifications and does not want them transferred to a structural board because it will be confusing to have two boards issuing contractors' licenses.

Recommendation: Oppose these resolutions for the reasons stated above.

After discussion, it was moved by Mr. Konishi, seconded by Mr. Isemoto, and unanimously carried to approve the above legislation committee recommendations.

Committee
Reports:

3. Examination Committee:
Aldon Mochida, Chairperson

- a. The Contractors Examination Summary for February 2017 was distributed to the Board for their information.
- b. Request to Use Interpreter, HAR section 16-77-42

HAR section 16-77-42 permits the Board to limit the number of times a person can be an interpreter in a twelve month period. Currently, the Board does not limit the number of times a person can be an interpreter. The Board of Barbering and Cosmetology is the only other Board that allows the use of interpreters (for tests administered by the same vendor) and it limits an individual to be an interpreter to two times in a calendar year.

After discussion, it was moved by Mr. Kamai, seconded by Mr. Matsuzaki, and unanimously carried to limit an individual to be an interpreter to two times in a calendar year.

4. Recovery/Education Fund Committee:

The Recovery Fund Litigation Report for February 18, 2017 to March 17, 2017 prepared by Ronald Michioka, Esq., the Board's Recovery Fund attorney, was distributed to the Board for their information.

5. Rules Committee:
Tyrus Kagawa, Chairperson

None.
6. Investigation Committee:
Kent Matsuzaki, Chairperson

None.
7. Conditional License Report:
Charlene L.K. Tamanaha, Executive Officer
 - a. Refrigeration Systems Construction and Service Company Inc.
Theodore D. Motes, RME
C-40 Refrigeration

Executive Session:

At 11:23 a.m., it was moved by Mr. Lee, seconded by Mr. Kagawa, 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 Rodney J. Tam, 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 11:33 a.m., it was moved by Mr. Lee, seconded by Mr. Kamai, 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. Lee, seconded by Mr. Kamai, and unanimously carried to approve Refrigeration Systems Construction and Service Company Inc. and Theodore D. Motes as the RME for a conditional license, subject to semi-annual updates on the status of Marci and Michael Thraen's and Theresa and Theodores Motes' financial matters, and providing a \$271,000.00 surety bond.

- c. Stan's Solar & Electrical LLC
Stanley P. Dillon, RME
C-13 Electrical

After discussion, it was moved by Mr. Lee, seconded by Mr. Kamai, and unanimously carried to remove the conditions and convert Mr. Dillon from a conditional to unconditional status as he has complied with all the terms of his conditional license.

8. Applications Committee:
Tyrus Kagawa, Chairperson

It was moved by Mr. Kagawa, seconded by Mr. Konishi, and unanimously carried to approve the license applications in the following categories as attached to the meeting minutes.

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

Applications Committee Report:

Charlene L.K. Tamanaha, Executive Officer

- a. Pacific Perma-Treat & Flooring LLC
Jack T. Shizuru, Jr., RME
C-5 Cabinet, millwork, & carpentry
Remodeling & repairs
C-7 Carpet laying
C-21 Flooring
C-51 Tile

It was moved by Mr. Lee, seconded by Mr. Kamai, and unanimously carried to approve Pacific Perma-Treat & Flooring LLC and Jack T. Shizuru, Jr. as the RME for a conditional license, subject to the submittal of semi-annual reports from his probation officer verifying compliance with the terms of his probation; report any amendment or revocation of his probation within thirty calendar days; and an annual State of Hawaii criminal history record check.

- b. Maui Custom Tile Works LLC
Brandon S. Broadstone, RME
C-51 Tile

After discussion, it was moved by Mr. Lee, seconded by Mr. Kamai, and unanimously carried to approve the applications of Maui Custom Tile Works LLC and Brandon S. Broadstone as the RME for licensure in the C-51 Tile classification.

- c. APC Kona Inc.
David L. Potter, RME
"B" General Building

After discussion, it was moved by Mr. Lee, seconded by Mr. Kamai, and unanimously carried to approve the applications of APC Kona Inc. and David L. Potter as the RME for licensure in the "B" General building classification.

Executive
Session:

At 11:35 a.m., it was moved by Mr. Konishi, seconded by Mr. Kagawa, 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 Rodney J. Tam, 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 11:39 a.m., it was moved by Mr. Mochida, seconded by Mr. Isemoto, and unanimously carried to move out of executive session and to reconvene to the Board's regular order of business.

Owner-Builder Exemption Applications

- a. Jean M. Fernandez
- g. Sally June French (Taylor)

After discussion, it was moved by Mr. Mochida, seconded by Mr. Isemoto, and unanimously carried to deny the owner-builder exemption applications above as the grounds for their request did not constitute an eligible unforeseen hardship.

Public Comment: None.

Next Meeting: Thursday, April 13, 2017

Adjournment: There being no further business to discuss, the meeting was adjourned at 11:45 a.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Candace Ito
Candace Ito
Executive Officer

/s/Faith Nishimura
Faith Nishimura
Secretary

4/11/17

Minutes approved as is.

Minutes approved with changes. See minutes of _____.

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

March 17, 2017

APPLICATIONS COMMITTEE ATTACHMENT

New
Business:

1. **Request for Change in Business Status:**
 - SC-1 Atlantis Pool Plastering Inc.
Dennis M. Watson, RME
Licensed: C-49 Swimming pool
Request: Reactivate
Recommend: Approval
 - SC-2 Bulusan Construction & Excavation LLC
Marvin F. Bulusan, RME
Licensed: "B" General Building
C-17 Excavating, grading, & trenching
Request: Reactivate
Recommend: Approval subject to \$25,000 bond
 - SC-3 Enterprise Roofing LLC
Oliver R. Aglugub, RME
Licensed: "B" General Building
C-42 Roofing
C-55 Waterproofing
Request: Dual status (Green Pacific Construction HI LLC)
Recommend: Deferral
 - SC-4 Nathan A. Kimura, RME
T. Iida Contracting Ltd.
Licensed: "A" General Engineering
"B" General Building
Request: Dual status (Iida Construction LLC)
Recommend: Deferral
 - SC-5 Precision Metal Welding Inc.
Phillip M.J. Acierto, RME
Licensed: C-31 Masonry
C-32 Ornamental guardrail & fencing
C-48 Structural steel
C-56 Welding
Request: Reactivate
Recommend: Deferral

- SC-6 SB Construction, LLC
Steven M. Bayes, RME
Licensed: "B" General Building
Request: Reactivate
Recommend: Approval
- SC-7 Tricon Inc.
Harvey W.S. Chang, RME
Licensed: "B" General Building
Request: Reactivate
Recommend: Approval subject to \$164,000 bond
- SC-8 Ronald K.B. Yee, RME
Wasa Electrical Services Inc.
Licensed: C-13 Electrical
C-62 Pole & line
Request: Dual status (Noresco-Wasa LP)
Recommend: Deferral
- SC-9 Earle Y.C. Young (Individual)
Licensed: C-5 Cabinet, millwork, & carpentry
remodeling & repairs
Request: Reactivate
Recommend: Approval

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

- WB-1 Bon K. Ku (Individual)
Licensed: "B" General Building
Request: Waiver of \$ 125,000 bond
Recommend: Lower to \$31,000 bond
- WB-2 World Wide Technology Inc.
William M. Gibson III, RME
Licensed: C-15 Electronic systems
Request: Waiver of \$10,000 bond
Recommend: Deferral

Applications

A:

Approve applications, subject to all requirements except examinations.

1. A One Electric LLC
Edwin Z.J. Lin, RME
C-13 Electrical
2. Anacleto S. Alcantara, Jr., RME
First Pacific Builders LLC
"A" General Engineering
"B" General Building
C-1 Acoustical & insulation
C-31 Masonry
C-33b Taping
C-36 Plastering

3. Baja Construction Co., Inc.3 Robert J. Hayworth, RME
C-48 Structural steel
4. Brian S. Barretto (Individual)
"B" General Building
Bond: \$17,000
5. Steve Bell Home Improvement LLC
Steven P. Bell, RME
"B" General Building
Bond: \$9,000
6. Berg Builders Incorporated
Daniel W. Berg, RME
"B" General Building
7. D'Ambrosio Construction LLC
Douglas A. D'Ambrosio, RME
"B" General Building
8. Goodnight's Corp.
Michael D. Goodnight, RME (Reactivate)
C-1 Acoustical & insulation
C-12 Drywall
C-36 Plastering
9. David Craig Gramlich (Individual)
C-33 Painting & decorating
10. Hawaii Retail Services LLC (Additional classification)
Theresa M. Schenk, RME
C-13 Electrical
11. KMS Construction LLC (Dual status – S & G
Kenneth M. Sakurai, RME Construction, Inc.)
"B" General Building
Bond: \$5,000
12. MG Custom Flooring LLC
Misael Fabian, RME
C-51 Tile
13. Pacific Perma-Treat & Flooring LLC Conditional
Jack T. Shizuru, Jr., RME
C-5 Cabinet, millwork & carpentry
remodeling & repairs
C-7 Carpet laying
C-21 Flooring
C-51 Tile

14. PC Construction LLC
Collin R. Saxby, RME
"B" General Building
C-27 Landscaping
Bond: \$25,000
15. Patrick E. Soesman, RME
SJ Communications Inc.
C-15 Electronic systems
16. Strategic A/C LLC
Jesse A. Bacon, RME
C-52 Ventilating & air conditioning
17. Unlimited Builders LLC
Brett E. Schmauch, RME
"A" General Engineering
"B" General Building

Applications
B:

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

1. 808 Paving LLC
Chad A. Dias, RME
C-3 Asphalt paving & surfacing
2. 3J's Plumbing Inc.
Joseph A. Emond, RME
C-37 Plumbing
C-61a Solar hot water systems (defer)
3. APC Kona Inc.
David L. Potter, RME
"B" General Building
4. Alexander Pacific Inc.
Ryan A. Ward, RME
"B" General Building
"A" General Engineering (approve 10/16)
C-31 Masonry (approve 10/16)
C-37e Treatment & pumping facilities (approve 10/16)
C-41 Reinforcing steel (approve 10/16)
5. Eric F. Anderson Inc.
Aaron N. Alrich, RME
"B" General Building
6. Randall R. Belmonte, RME
Pacific Industrial Coatings LLC
C-42 Roofing
"B" General Building (defer)

7. Built Construction LLC
Jason V. Young, RME
"B" General Building
Bond: \$25,000
8. CJM Electric LLC
Chadwick J.A. Mano'i, RME
C-13 Electrical
"A" General Engineering (withdraw)
"B" General Building (withdraw)
C-63 High voltage electrical (withdraw)
C-62 Pole & line (defer)
9. Cardinale Cabinet Coatings LLC
Anthony J. Cardinale, RME
C-33c Surface treatment
10. William A. Cedillos (Individual)
C-31b Stone masonry
Bond: \$11,000
C-51 Tile (defer)
11. Daybreak Inc.
Barry R. Huber, RME
C-42 Roofing
12. Diede Construction Inc. (Additional classification)
Steven L. Diede, RME
C-42 Roofing
13. Ewa Electric LLC
Aurrie K. Canianes, RME
C-13 Electrical
14. Wayne R. Fields, RME
RCC Associates Inc.
"B" General Building
15. Joseph E. Fullmer (Individual)
"B" General Building
16. Roberto Garduno (Individual)
C-36 Plastering
17. Craig Greenwood, RME
The Dennis Group Inc.
"B" General Building
18. Hawaiian Solar Dog LLC
Melvyn Gear, RME
C-60 Solar power systems
C-61 Solar energy systems

19. Russell O. Hirayasu (Individual)
C-37 Plumbing
Bond: \$5,000
20. JHT Integrations Inc.
Herbert S. Lato, RME
C-15 Electronic systems
C-68TN Communication tower
21. Taj Martin Johnson (Individual)
C-27b Tree trimming & removal
Bond: \$30,000
22. Hiram D.K. Kawela (Individual)
"B" General Building
23. Level-It Installations Ltd.
Brandon B.S. Imbs Auf Ingabritzin, RME
C-22 Glazing & tinting
24. Maui Custom Tile Works LLC
Brandon S. Broadstone, RME
C-51 Tile
25. McMillen LLC
Bryant P. Martin, RME
"A" General Engineering
26. Kevin T. Morales (Individual)
C-5 Cabinet, millwork, & carpentry
remodeling & repairs
"B" General Building (withdraw)
27. Niche Site Concrete Inc. (Additional classification)
Dennis L. Wheeler, RME
"B" General Building
C-17 Excavating, grading & trenching
C-31 Masonry
Bond: \$28,000
28. Pangilinan Electrical LLC
Clarence M. Pangilinan, RME
C-13 Electrical
Bond: \$6,000
29. Prime Flooring LLC
Tanner L. Halley, RME
C-51 Tile

30. Pure Life Palm Trimmers LLC
Daniel R. Kolp, RME
C-27b Tree trimming & removal
Bond: \$24,000
31. Refrigeration Systems Construction and Service Company Inc. Conditional
Theodore D. Motes, RME
C-40 Refrigeration
Bond: \$271,000
32. Jeffrey A. Reynolds (Individual)
C-51 Tile
Bond: \$8,000
33. Speedy Construction Inc.
Miao Kuan Huang, RME
"B" General Building
34. Serendipity Kona Investments LLC
Karl K. Hollister, RME
C-13 Electrical
35. Robert C. Stough (Individual)
"B" General Building
36. T & S Landscaping LLC
Samuela B. Tatofi, RME
C-27 Landscaping
37. Won J. Yun (Individual)
"B" General Building
38. Christopher A. Zeller (Individual)
C-13 Electrical

Applications

C:

Withdraw applications; previously deferred.

1. CJM Electric LLC
Chadwick J.A. Mano'i, RME
"A" General Engineering
"B" General Building
C-63 High voltage electrical
C-13 Electrical (approve)
C-62 Pole & line (defer)
2. Level-It Installations Ltd.
Jade Dawson, RME
C-22 Glazing & tinting

3. Troy M. Lynch (Individual)
C-5 Cabinet, millwork, & carpentry
remodeling & repairs (withdraw)
“A” General Engineer (withdraw 1/17)
4. Kevin T. Morales (Individual)
“B” General Building
**C-5 Cabinet, millwork, & carpentry
remodeling & repairs (approve)**
5. Prime Flooring LLC
Kristi L. Alberti, RME
C-51 Tile

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. Alstom Power Inc. (Additional classification)
Roy G. Andrade, Jr., RME
C-4 Boiler, hot-water heating, hot
water supply, & steam fitting
2. Alstom Power Inc. (Additional classification)
Michael B. Rossio, RME
C-4 Boiler, hot-water heating, hot
water supply, & steam fitting
3. Ameritech Slope Constructors Inc. (Additional classification)
Roger D. Moore, RME
“A” General Engineering
4. Eric F. Anderson Inc.
Kristin E. Anderson, RME
“B” General Building
5. Birdair Inc.
Michael S. Sparks, RME
C-38 Post tensioning
6. Clem’s Plumbing Inc. (Additional classification)
Clement Y.K. Ching III, RME
C-4 Boiler, hot-water heating, hot
water supply & steam fitting
7. GITC Inc.
Jim D. Campbell, RME
C-27b Tree trimming & removal
8. Ronald D. Lee, RME
Integrated Security Technologies Inc.
C-13 Electrical

9. Melvin L. Pomroy (Individual)
"B" General Building
10. Kimberly Scott Refinishing and Designs LLC
Kimberly V. Edwards Scott, RME
C-5 Cabinet, millwork, & carpentry
remodling, & repairs
11. Tesla Motors Inc.
Glenn R.C. Abel, RME
"A" General Engineering
12. Tesla Motors Inc.
Eric S. Sih, RME
"B" General Building

Applications
E:

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

1. 3J's Plumbing Inc.
Joseph A. Emond, RME
C-61a Solar hot water systems
C-37 Plumbing (approve)
2. 565 Electric LLC
Kevin J. McNamara, RME
C-13 Electrical
3. A G T LLC
Keith K. Kishi, RME
C-22a Glass tinting
4. Ace Construction LLC
William W. Kekauoha, Jr., RME
"A" General Engineering
C-31a Cement concrete (withdraw 2/17)
C-37a Sewer & drain line (withdraw 2/17)
C-17 Excavating, grading, & trenching (approve 1/17)
**C-43 Sewer, sewage disposal, drain, &
pipe laying (approve 1/17)**
5. Aesthetic Stone Designs Inc.
Ryan J. Wheelcok, RME
C-21 Flooring
C-51 Tile

6. Affordable Locksmith & Son LLC
Richard A. Berrios, RME
C-5 Cabinet, millwork, & carpentry remodeling & repairs
C-15a Fire & burglar alarm
C-22 Glazing
C-48a Steel door
C-68 Classified specialist (deny 2/17)
7. Agustin Builders LLC
Robert R. Agustin, RME
C-31 Masonry
C-36 Plastering
"B" General Building (approve 9/16)
C-5 Cabinet, millwork, & carpentry remodeling & repairs (withdraw 9/16)
C-6 Carpentry framing (withdraw 9/16)
C-12 Drywall (withdraw 9/16)
C-32 Ornamental guardrail & fencing (withdraw 9/16)
8. All Island Roofing LLC
Louis Ruisi, RME
C-42 Roofing
9. American Civil Constructors West Coast LLC
Jeffrey C. Foerste, RME
"A" General Engineering
10. Brian M. Armstrong, RME
Western Industrial Contractors Inc.
"A" General Engineering
C-16a Conveyor systems
C-25 Institutional & commercial equipment
11. Barnett Construction Inc. (Additional classification)
Michael J. Barnett, RME
C-12 Drywall
C-33 Painting & decorating
12. Eric J. Basalyga (Individual) (Additional classification)
"B" General Building
13. Randall R. Belmonte, RME
Pacific Industrial Coatings LLC
"B" General Building
C-42 Roofing (approve)
14. Mark A. Bender (Individual)
"B" General Building

15. Blackwood Construction Inc.
Brett Spadi, RME
"B" General Building
16. Blue Ribbon Builders Inc. (Additional classification)
Carl A. Roesner, RME
C-36 Plastering
"B" General Building (approve 11/16)
17. Blue Water Glass Inc. dba
BWG Glass Inc.
Paul F. Daniels, RME
C-22 Glazing & tinting
18. Steven J. Brinkerhoff (Individual)
"B" General Building
**C-5 Cabinet, millwork, & carpentry
remodeling & repairs (qualify)**
19. Harland P. Brown (Individual)
C-37 Plumbing
20. CJM Electric LLC
Chadwick J.A. Mano'i, RME
C-62 Pole & line
"A" General Engineering (withdraw)
"B" General Building (withdraw)
C-13 Electrical (approve)
C-63 High voltage electrical (withdraw)
21. Ian Jay Caliedo, RME
C & S Services Inc.
C-4 Boiler, hot-water heating, hot water
supply, & steam fitting
C-25 Institutional & commercial equipment
C-56 Welding (approve 2/17)
22. Bradley L. Canton (Individual)
C-27 Landscaping
23. Francesca Carey (Individual)
"B" General Building
C-24 Building, moving, & wrecking (qualify)
24. William A. Cedillos (Individual)
C-51 Tile
C-31b Stone masonry (approve subject to \$11,000 bond)
25. Classic Painting & Decorating LLC
Cody J. Galioto, RME
C-33 Painting & decorating

26. Clay's Construction LLC
Clayton K. Arakaki, RME
"B" General Building
27. Clean Energy Fuels Corp.
Shane T. Rees, RME
"A" General Engineering
28. Cooling Hawaii LLC
Benjamin R. Clark, RME
C-52 Ventilating & air conditioning
29. Copper River Energy LLC
Todd B. Zimmerman, RME
"A" General Engineering
30. William A. Curtis Inc. (Additional classification)
William A. Curtis, RME
"B" General Building
31. D A E Construction Inc.
Dale A. Evanger, RME
"B" General Building
32. Delta Railroad Construction Inc.
Linda M. Laurelo-Bambarger, RME
"A" General Engineering
33. Keaholani E.J. DeMello, RME
Emerald Isle Pipe Supply Inc.
C-37 Plumbing
34. Diebold Nixdorf Incorporated
Rodney S. Dicion, RME
C-15 Electronic systems
35. Chad D. Douglas, RME
Eleven Western Builders Inc.
"B" General Building
36. Enterprise Roofing LLC
Oliver R. Aglugub, RME
"B" General Building
C-42 Roofing
C-55 Waterproofing
Dual status (Green Pacific
Construction HI LLC)
37. Envision Design Build LLC
Parker J. Beck, RME
"B" General Building
**C-5 Cabinet, millwork, & carpentry
remodeling & repairs (qualify)**

38. Paul Ferreira (Individual)
C-5 Cabinet, millwork, & carpentry
remodeling & repairs
C-13 Electrical
C-37 Plumbing
“B” General Building (withdraw 5/16)
39. Foth Productions Solutions LLC
Timothy P. Healey, RME
“A” General Engineering
40. Jonathan J. Fox, RME
James Hunt Construction Co., Inc.
“B” General Building
41. GBI Special Projects LLC
Charlotte K. Graham, RME
“B” General Building
42. GP Roadway Solutions Inc. (Additional classification)
David M. Takiguchi, RME
C-48 Structural steel
43. Eric C. Gilchrist (Individual)
C-7 Carpet laying
C-21 Flooring
44. Dean T. Hakikawa (Individual)
C-44a Gutters
45. Travis S. Hall (Individual)
“A” General Engineering
C-9 Cesspool
C-17 Excavating, grading, & trenching
C-43 Sewer, sewage disposal, drain & pipe laying
C-43a Reconditioning & repairing pipelines
46. Hiroshi Denki AC LLC
Eric J. Gallegos, RME
C-52 Ventilating & air conditioning
“B” General Building (approve 2/17)
47. Hue Electric Inc.
Bryan A. Gonzales, RME
C-13 Electrical
48. Iki Contracting Inc.
Uliti Fietonu, RME
C-27 Landscaping

49. ISI Detention Contracting Group Inc.
Michael A. Moran, RME
C-25 Institutional & commercial equipment
(Additional classification)
(Dual status – ISI Controls Ltd)
50. Island Comfort Inc.
Kenneth J. Starr, RME
C-52 Ventilating & air conditioning
51. J5 Asphalt & Excavating Inc.
Jacob L. Medeiros, RME
C-3 Asphalt paving & surfacing
C-9 Cesspool
C-17 Excavating, grading, & trenching
52. JM Finish Carpentry LLC
James M. Murray, RME
C-33 Painting & decorating
C-19 Asbestos (approve 11/16)
C-42 Roofing (approve 2/17)
(Additional classification)
53. Dennis D. Jean, RME
Architectural Glass & Aluminum Co., Inc.
C-22 Glazing & tinting
54. Neil Johnson, RME
Johnston Construction Inc.
“B” General Building
55. Robert B. Johnson, Jr., RME
Pacific Industrial Coatings LLC
C-1 Acoustical & insulation
C-42e Urethane foam (approve 2/17)
C-55 Waterproofing (approve 2/17)
56. K H Masonry Inc.
Keith H. Hanzawa, RME
C-31 Masonry
57. Robin Kameda, RME
Custom Contractors Inc.
C-22 Glazing & tinting
58. John Kim (Individual)
“B” General Building
59. Nathan A. Kimura, RME
T. Iida Contracting Ltd.
“A” General Engineering
“B” General Building
Dual status (Iida Construction LLC)

60. Edwin B. Kipu (Individual)
C-22 Glazing & tinting
61. L & D Service Inc.
Duane K.S. Kau, RME
C-5 Cabinet, millwork, & carpentry
remodeling & repairs
62. Landscape Lighting Specialist LLC
John P. Cambuzzi, RME
C-27 Landscaping
63. Collin Lavoie Construction LLC
Collin J. Lavoie, RME
"B" General Building
64. Nathan P. Leiser, RME
Petrochem Insulation Inc.
C-2 Mechanical Insulation
C-10 Scaffolding
65. Mark A. Linden (Individual)
"B" General Building
66. Gleansner E. Luther (Individual)
C-31a Cement concrete
67. Malama Construction LLC
Hugh B. Showe II, RME
"B" General Building
68. Luisito S. Mamaud, RME
Johnson Controls Inc.
C-13 Electrical
69. Alvin A. Matsumoto, RME
M Construction and Design Inc.
"B" General Building
70. McKeon Door of Nevada Inc.
Kevin R. Sweeney, RME
C-5a Garage door & window shutters
71. Danny E. McSpadden, RME
Hardesty & Associates Inc.
"B" General Building
72. Nick L. Mitchell, RME
Hilo Air A/C Refrigeration LLC
C-40 Refrigeration
C-52 Ventilating & air conditioning

73. James A.K.K. Myers (Individual)
"B" General Building
C-5 Cabinet, millwork, & carpentry
remodeling & repairs
74. Kenneth Y. Nakata (Individual)
"B" General Building
75. The Nakoia Companies Inc. (Additional classification)
Gary M. Lee, RME
C-13 Electrical
76. Patrick D. Nicholson, RME (Reactivate)
Crane Construction Company LLC
"B" General Building
77. Brent H. Nishikawa, RME
Marcus Construction Services LLC
"B" General Building
78. Scott Oostuizen, RME
AVDB Group LC
C-68AL Audiovisual wiring
79. Pacific Island Landscape LLC
Sandro Tassan Toffola, RME
C-27 Landscaping
80. Residential Maintenance Services LLC
John W. McRoberts, RME
C-5 Cabinet, millwork, & carpentry
remodeling & repairs
81. Steven G. Ricci, RME
W Contracting Inc.
C-13 Electrical
82. William N. Rodman (Individual)
"B" General Building
83. SMP Construction & Maintenance Inc.
Mathew Phelps, RME
C-31a Cement concrete
C-34 Soil stabilization
C-55 Waterproofing
C-35 Pile driving & foundation (approve 2/17)
84. Ivan Y. Sakamoto, RME (Additional classification)
We Painting Inc.
C-33 Painting & decorating
C-36 Plastering
C-55 Waterproofing

85. Sandpiper Electric Inc. (Additional classification)
Jeffrey A. Piper, RME
C-52 Ventilating & air conditioning
86. Karl H. Schmidt, RME
HBM Acquisitions LLC
C-52 Ventilating & air conditioning
87. Richard E. Smith, RME
Petrochem Insulation Inc.
C-19 Asbestos
88. So Cal Retail Services Inc.
Jeffery A. Coss, RME
"B" General Building
89. Solid Built Construction Inc.
Alexander O. Allen, RME
"B" General Building
**C-5 Cabinet, millwork, & carpentry
remodeling & repairs (qualify)**
90. Stay At Home Modifications LLC
Christopher G. Chenery, RME
C-5 Cabinet, millwork, & carpentry
remodeling, & repairs
91. Michael W. Stout, RME
Environmental Chemical Corporation
"B" General Building
92. Mario D. Tadeo (Individual)
"B" General Building
93. Arthur W.R. Terry, RME
Culp Construction Company
"B" General Building
94. Tiki Topsoil Legendary Aina LLC
Dwight Matsuyama, RME
"B" General Building
C-17 Excavating, grading, & trenching
C-43 Sewer, sewage disposal, drain,
& pipe laying
95. TLM Petro Labor Force Inc. (Additional classification)
Trinidad Martinez, RME
C-37f Fuel dispensing
96. Philippe F. Tremblay (Individual)
"B" General Building

97. Keith Tse (Individual)
"B" General Building
98. Waialua Plumbing & Mechanical Inc. (Additional classification)
Michael T. Yamada, RME
"A" General Engineering
99. Lee M. Williams (Individual)
C-21 Flooring
C-51 Tile
100. William L. Wilton (Individual)
"A" General Engineering
101. Yamato & Co. Limited Liability Company
Grant K. Yamato, RME
"B" General Building
102. Lee A. Zubrod, RME
Michels Corporation
C-15b Telecommunications