

LINDA LINGLE  
GOVERNOR



RUSS K. SAITO  
Comptroller  
Barbara Annis  
Deputy Comptroller

STATE OF HAWAII  
DEPARTMENT OF ACCOUNTING  
AND GENERAL SERVICES  
P.O. BOX 119  
HONOLULU, HAWAII 96810-0119

TESTIMONY  
OF  
RUSS K. SAITO, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
SENATE COMMITTEE  
ON  
TOURISM AND GOVERNMENT OPERATIONS  
ON  
October 25, 2007

RELATING TO CONFIRMATION TO THE PROCUREMENT POLICY BOARD,  
GUBERNATORIAL NOMINEE, DARRYL WAYNE BARDUSCH

Chair Nishihara and members of the Committee, thank you for the opportunity to testify before you on the confirmation to the Procurement Policy Board (the Board), gubernatorial nominee, Darryl Wayne Bardusch. The Department of Accounting and General Services recommends that Mr. Bardusch be recommended for confirmation.

HRS Section 103D-201 requires that the Board have a member with significant high level federal procurement experience. Mr. Bardusch has served as a contract attorney at Fort Shafter since 1987 to present. He has also served as an Army Judge Advocate General (JAG) from 1983 to 1987 and continued in the JAG Reserve. From 2005 to 2006, Mr. Bardusch was mobilized with the 332<sup>nd</sup> civil affairs brigade for service in Iraq and received a Bronze Star.

Thank you for the opportunity to testify on this matter.



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CONTRACTING AGENCY ELEMENT, PACIFIC  
REGIONAL CONTRACTING OFFICE, HAWAII  
BUILDING 520, PIERCE STREET  
FORT SHAFTER, HAWAII 96858-5025

October 23, 2007

REPLY TO  
ATTENTION OF

Regional Contracting Office, Hawaii  
Services Division

Senator Clarence K. Nishihara  
18th Senatorial District  
Hawaii State Capitol, Room 213  
415 South Beretania Street  
Honolulu, HI 96813

Senator Nishihara,

I would like to offer my support and recommendation on the nomination of Dr. Darryl Bardusch to the State Procurement Policy Board. I firmly believe that Dr. Bardusch's integrity, ethics and extensive background in the Federal acquisition contracting process and regulations will greatly assist the State of Hawaii in developing a premier procurement code.

As first a Contract Specialist, Contracting Officer and currently Services Division chief, I have known and worked with Dr. Bardusch in his capacity as a Government Contract Law Attorney for nearly 17 years. His vast legal expertise, knowledge of the contracting process, candor and basic fairness for both the interests of the Government and contractors alike are exemplary in content for contractual compliances and legendary for positive results, equitable litigation and resolution of issues and concerns affecting the Army Command in Hawaii.

Dr. Bardusch has provided countless and continuous legal support, review and analysis and recommendations to this agency, Regional Contracting Office, Hawaii, in support of our mission to the U.S. Army Garrison in Hawaii. The State Procurement Policy Board would be remiss in not accepting or utilizing Dr. Bardusch's knowledge and talents in its quest to establish policy, raise standards and improve the State's procurement process.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles O. Jaber".

CHARLES O. JABER  
Chief, Services Division  
Regional Contracting Office, Hawaii

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23 Oct 2007

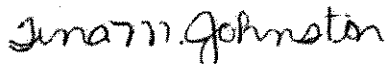
Honorable Senator Clarence K. Nishihara,

I am writing to you regarding Dr. Darryl Bardusch who has been nominated to the State Procurement Policy Board. I am in full support of the nomination. I have worked with Dr. Bardusch since 1992 on various contract actions for the Army here in Hawaii.

Dr. Bardusch is knowledgeable on contract administrative law in a variety of aspects. I have worked directly with him on implementation of procedures for new requirements with no previous history of procurement in our office (e.g., commercial activities studies, energy performance savings contracts, cost plus award fee contracts) which required legal support in order to complete contract actions within legal and regulatory guidelines.

Dr. Bardusch has been instrumental in assisting and advising my office over the years and has made himself available on time sensitive issues to ensure the Army contracting approach is legal and ethical. Based on my knowledge of his work ethic, I believe he will be an asset to the State as a member of the Board.

Very Respectfully,



Tina Johnston  
Contracting Officer  
Regional Contracting Office-Hawaii  
Army Contracting Agency  
Fort Shafter, Hawaii

**Priscilla Kubota**

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**From:** Kim, Sandra E Ms CIV USA USARPAC [sandra.e.kim@us.army.mil]  
**Sent:** Wednesday, October 24, 2007 4:14 PM  
**To:** Sen. Clarence Nishihara  
**Subject:** Confirmation of Dr. Darryl Bardusch by the Hawaii State Senate as a member of the State Procurement Policy Board.  
**Signed By:** There are problems with the signature. Click the signature button for details.  
**Importance:** High

Senator Clarence K. Nishihara

The purpose of this email is to to express my support for the nomination/confirmation of Dr. Darryl Bardusch to the State Procurement Policy Board.

I have worked professionally with Dr. Bardusch for over 20 years and he is a consummate professional. As our legal advisor, Dr. Bardusch has been instrumental in guiding and leading our personnel thru the maze of federal contracting regulations/laws/policies. Dr. Bardusch's professionalism and commitment to ensuring our contracts are legally sound as well as being fair and reasonable to the business community has allowed this organization to meet our customer's various missions in a timely manner.

Dr. Bardusch's expansive knowledge of procurement law will assist the State Procurement Policy Board in developing a premier procurement code that could be used by all the state agencies.

As an acquisition professional, it is my opinion that Dr. Bardusch would be a great asset to the State Procurement Policy Board and recommend his confirmation to this Board.



Thanks, Sandra E. Kim  
Chief, Supply & Construction Division  
Regional Contracting Office-Hawaii  
ACA, Regional Contracting Office-Hawaii  
808-438-6535 x 136 FAX: 808-438-1337 or 6544  
[sandra.e.kim@us.army.mil](mailto:sandra.e.kim@us.army.mil)

Let us know how are we doing? Comments welcome [by clicking here](#)

# TERRY E. THOMASON

44-166 Nanamoana  
Kaneohe, HI 96744

October 24, 2007

Senator Clarence K. Nishihara  
and Committee Members  
Tourism and Government Operations Committee  
Hawaii State Capitol  
415 South Beretania Street, Room 220  
Honolulu, HI 96813

Re: **Letter in Support** - - Confirmation of Darryl Bardusch as  
a Member of the Hawaii State Procurement Policy Board.

Dear Senator Nishihara and Committee Members:

I submit this letter in support of the confirmation of Mr. Darryl Bardusch, as a member of the Hawaii State Procurement Policy Board.

Mr. Bardusch has more than twenty-five years of experience as a federal contracts attorney and is presently the principal contracts counsel for the United States Army Pacific Region Contracting Agency. He also serves as the senior civilian attorney with responsibility for civil law advice and functions in support of Army installations and facilities in Hawaii.

I have known Mr. Bardusch professionally throughout his years of service with the Army. During that time, I learned he is a person of great integrity and willingness to serve the public. Because of Mr. Bardusch's many years of experience in all aspects of procurement law, he is uniquely qualified to serve as a member of the Procurement Policy Board. He is a thoughtful person who will consider all aspects of procurement issues, and he will ensure the Policy Board protects the public's interests in guarding against abuses.

Finally, Mr. Bardusch understands how to work with others to achieve a common purpose. He will be an invaluable addition to the Board. His insights and technical knowledge will help the Board to establish the best possible public contracting system for Hawaii.

I urge the Committee to confirm Mr. Bardusch without delay.

Very truly yours,



Terry E. Thomason