

MAR 01 2007

## SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF EDUCATION TO GIVE A PERCENTAGE  
PREFERENCE TO CONTRACTORS WHO OFFER EXPERIENTIAL LEARNING  
OPPORTUNITIES IN COMPETITIVE SEALED BIDS OR IN REQUEST FOR  
PROPOSALS.

1 WHEREAS, the Department of Education is responsible for  
2 administering its own capital improvement projects pursuant to  
3 Act 51, Session Laws of Hawaii 2004, known as the "Reinventing  
4 Education Act of 2004"; and

5  
6 WHEREAS, chapter 103D, Hawaii Revised Statutes, relating to  
7 the Hawaii public procurement code, provides for a competitive  
8 sealed bid process under section 103D-302, Hawaii Revised  
9 Statutes, and a competitive sealed proposal process under  
10 section 302D-303, Hawaii Revised Statutes; and

11  
12 WHEREAS, the section 103D-302, Hawaii Revised Statutes,  
13 process provides for criteria for the award to be set out in the  
14 invitation for bids by the government agency making the  
15 procurement; and

16  
17 WHEREAS, the section 103D-303, Hawaii Revised Statutes,  
18 process, known as the request for proposals process, provides  
19 for the government agency making the procurement to similarly  
20 set out the evaluation factors in making the award; and

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22 WHEREAS, "experiential learning opportunity" means any  
23 learning opportunity that allows the learner to obtain  
24 information and learn practical skills that are necessary to  
25 perform in the workplace and provides significant experiences  
26 with real outcomes that create measurable learning achievements  
27 through participation and reflection; and

28  
29 WHEREAS, work on public school capital improvement projects  
30 provide an excellent forum for providing experiential learning



1 opportunity for students, including students in the construction  
2 academies, by the contractor who is awarded the project; and  
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4 WHEREAS, the Department of Education should include an  
5 experiential learning opportunity requirement in sealed bid  
6 criteria and in the evaluation factors for competitive sealed  
7 proposals; and  
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9 WHEREAS, the Department of Education should give a  
10 percentage preference to a bid or proposal that includes a  
11 learning opportunity, in the consideration of the entire bid or  
12 proposal, including but not limited to, price and quality; and  
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14 WHEREAS, although not codified in statute as a preference,  
15 the Department of Education currently has the ability under  
16 sections 103D-302 and 103D-303, Hawaii Revised Statutes, to  
17 award a "preference" or favorable consideration to a bid or  
18 proposal; now, therefore,  
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20 BE IT RESOLVED by the Senate of the Twenty-fourth  
21 Legislature of the State of Hawaii, Regular Session of 2007, the  
22 House of Representatives concurring, that the Department of  
23 Education is requested to:  
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25 (1) Include an experiential learning opportunity  
26 requirement in sealed bid criteria and in the  
27 evaluation factors for competitive sealed proposals;  
28 and  
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30 (2) Give a percentage preference to contractors who offer  
31 experiential learning opportunities in competitive  
32 sealed bids or in a request for proposals; and  
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34 BE IT FURTHER RESOLVED that the Department of Education  
35 report on its progress in regard to the request made by this  
36 Concurrent Resolution to the Legislature no later than twenty  
37 days before the convening of the Regular Session of 2008; and  
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1 BE IT FURTHER RESOLVED that certified copies of this  
2 Concurrent Resolution be transmitted to the Chairperson of the  
3 Board of Education and the Superintendent of Education.  
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OFFERED BY: Chuan K. Yoshikawa

