
A BILL FOR AN ACT

RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 103D-802, Hawaii Revised Statutes,
2 requires cooperative agreements of public procurement units of
3 the State or counties to be regulated in accordance with
4 administrative rules adopted by the state procurement policy
5 board. The legislature finds that the counties are limited by
6 the provisions of the Hawaii Administrative Rules with respect
7 to cooperative purchasing agreements, notwithstanding compliance
8 with the competitive selection process. As a result, a county
9 may not be able to enter into a competitive contract that is the
10 most cost-efficient choice for taxpayers. A county is in the
11 best position to determine for itself whether a cooperative
12 purchase meets its particular needs, and should therefore be
13 able to enter into such a purchase without the limitations
14 imposed by administrative rule.

15 The purpose of this Act is to repeal the requirement that
16 cooperative purchases be regulated in accordance with



1 administrative rules adopted by the state procurement policy
2 board.

3 SECTION 2. Section 103D-802, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§103D-802 Cooperative purchasing authorized. A public
6 procurement unit may either participate in, sponsor, conduct, or
7 administer a cooperative purchasing agreement for the
8 procurement of goods, services, or construction with one or more
9 public procurement units, external procurement units, or
10 nonprofit private procurement units pursuant to [~~rules adopted~~
11 ~~by the policy board and~~] an agreement entered into between the
12 participants. The cooperative purchasing may include, but shall
13 not be limited to, joint or multi-party contracts between public
14 procurement units, and state public procurement unit
15 requirements contracts which are made available to local public
16 procurement units. Cooperative purchasing agreements may be
17 exempt from preferences pursuant to part X."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken.

20 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

Calvin H. Jay
BY REQUEST
JAN 15 2008



Report Title:

Procurement; Counties; Cooperative Purchasing

Description:

Repeals requirement that county cooperative purchases adhere to administrative rules adopted by the state procurement policy board.

