

Honolulu, Hawaii

Feb 15, 2008

RE: H.B. No. 2267  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Legislative Management, to which was referred H.B. No. 2267, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROCUREMENT,"

begs leave to report as follows:

The purpose of this bill is to ensure fairness, competition, transparency, and public confidence in the Hawaii Public Procurement Code by incorporating meaningful protest procedures.

This bill:

- (1) Transfers to the Office of the Ombudsman (Ombudsman) the responsibilities of the Office of Administrative Hearings under the Department of Commerce and Consumer Affairs (DCCA) to review procurement determinations;
- (2) Prohibits the Chief Procurement Officer from delegating authority to resolve protested awards; and
- (3) Allows parties to recover attorney's fees if their protests are sustained.

The Hawaii Procurement Institute testified in support of this bill. The Department of Accounting and General Services supported the intent of this measure. The Ombudsman could not support the bill in part. The State Procurement Office and the County of Hawaii Office of the Corporation Counsel opposed this bill.



As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2267, H.D. 1, and recommends that it be referred to the Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committee on Legislative  
Management,

  
MICHAEL Y. MAGAOAY, Chair



