

STAND. COM. REP. NO.

2304

Honolulu, Hawaii

FEB 13 2008

RE: S.B. No. 2827
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Tourism and Government Operations, to which was referred S.B. No. 2827 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS,"

begs leave to report as follows:

The purpose of this Act is to require the purchasing agency to supply public contract bidders with the information required to determine if there is a need to investigate filing a protest action, before such a filing becomes untimely.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and the State Procurement Office.

Your Committee finds that bidders in a public contract award are often unaware that there is cause for filing a protest prior to the deadline for filing a protest. It has come to your Committee's attention that unsuccessful bidders may be unaware that the procuring governmental body may have engaged in procedural irregularities that may justify a filing of a protest. Under the State's procurement code, protests to contract awards must be filed within five working days of the award. This timeframe leaves little time for a bidder to review the reasons for not winning a contract. Your Committee believes that public contract bidders should have timely access to bid evaluation and award information in order to exercise their appeal rights under the State's procurement code.



Your Committee has amended this measure by:

- (1) Deleting the purpose section;
- (2) Making clarifying changes in the language on the recommendation of the Comptroller; and
- (3) Making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Tourism and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2827, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2827, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Tourism and
Government Operations,


Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Tourism and Government Operations
TSG

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2827	TSG	2-5-08		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
KIM, Donna Mercado (VC)	✓			
TSUTSUI, Shan S.	✓			
TRIMBLE, Gordon				✓
TOTAL	3			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes