

LINDA LINGLE
GOVERNOR



BRENNON T. MORIOKA
DIRECTOR

Deputy Directors
MICHAEL D. FORMBY
FRANCIS PAUL KEENO
BRIAN H. SEKIGUCHI

LATE TESTIMONY

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

April 9, 2008

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION
HOUSE CONCURRENT RESOLUTION NO. 27, PROPOSED HD1
COMMITTEE ON TRANSPORTATION

The Department of Transportation does not support this Resolution.

It appears that the impetus for this Resolution is the Legislature's concern that the new contractor for the Wiki Wiki Shuttle service contract did not hire all of the employees of the former contractor. We have been informed that the new contractor, Roberts Hawaii, hired 23 employees of the former contractor, and has decided to not hire 28 employees of the former contractor. This decision by Roberts Hawaii as to who to hire and not hire from the former contractor is a business decision that is solely up to Roberts Hawaii to make. The Department of Transportation does not get involved with the new contractor on this issue. Therefore, asking the Department of Transportation to find out why the new contractor did not hire all of the employees of the former contractor, is not within our purview. The Legislature should be directing its inquiry to Roberts Hawaii. For this reason, the Department of Transportation does not support this Resolution.

Thank you for the opportunity to testify on this matter.

Ken H. Takayama
Acting Director

Research (808) 587-0666
Revisor (808) 587-0670
Fax (808) 587-0681

LATE TESTIMONY



LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol
Honolulu, Hawaii 96813

COMMENTS ON HCR27, HD1 PROPOSED REQUESTING THE PROCUREMENT OFFICER OF THE DEPARTMENT OF TRANSPORTATION TO PREPARE A REPORT EXPLAINING THE PROCUREMENT PROCESS USED TO AWARD THE HONOLULU WIKI WIKI SERVICE CONTRACT.

Comments by the Legislative Reference Bureau
Ken H. Takayama, Acting Director

Presented to the House Committee on Transportation

Wednesday, April 9, 2008, 9:00 a.m.
Conference Room 309

Chair Souki and Members of the Committee:

Thank you for this opportunity to testify on H.C.R. No. 27, Proposed H.D. 1. The Bureau takes no position for or against the measure but offers the following comments.

- The Resolution requests the Bureau to prepare a report "on the changes that need to be made to existing statutes that requires a successor contractor to employ the employees of the former contractor when a state contract is awarded."
- The report must be submitted within 30 days after the adoption of the concurrent resolution.
- It appears that the language of the requirements of the study should instead read "changes that need to be made to existing statutes [that requires] in order to require ...".
- As presently worded, it appears that existing statutes already require the hiring of employees of the former contractor.

Assuming the foregoing observations are correct, we would respectfully recommend that clarification.

Thank you very much for this opportunity to testify.