

JAN 22 2010

A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1 SECTION 1. The legislature finds that in this period of
2 high economic turmoil, procedural changes are necessary to
3 enable the State to achieve a quick recovery and to provide
4 effective economic stimulation.

5 The legislature further finds that certain provisions of
6 Hawaii's public procurement process are inefficient and
7 antiquated. Procedures require protracted periods of time
8 between each procurement step. Currently, the awarding of a
9 contract is subject to prolonged review, thereby preventing
10 government projects from proceeding in a timely manner. The
11 legislature finds that this Act is necessary to promote and
12 expedite construction projects that are subject to an overly
13 long review schedule.

14 Senate Concurrent Resolution No. 132 S.D. 1 (2009)
15 established a task force to determine the economic contributions
16 of the construction industry in Hawaii. As directed in the
17 concurrent resolution, the task force has developed a series of
18 proposals for state actions to preserve and create new jobs in



1 the local construction industry. The intent of this Act is to
2 implement one of the task force's proposals.

3 Accordingly, the purpose of this Act is to amend chapter
4 103D, Hawaii Revised Statutes, to require all state agencies to
5 finalize contract certification with the department of
6 accounting and general services within sixty days.

7 SECTION 2. Section 103D-318, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "[+]§103D-318[+] **Finality of determinations[-];**

10 **certification of contracts.** (a) The determinations required by
11 sections 103D-302(g), 103D-303(a), 103D-303(g), 103D-306, 103D-
12 307, 103D-310, 103D-312(c), 103D-313, and 103D-314 shall be
13 final and conclusive unless they are clearly erroneous,
14 arbitrary, capricious, or contrary to law.

15 (b) Notwithstanding any other statute relating to
16 procurement or Hawaii administrative rule, all state agencies
17 shall finalize and certify contracts with the department of
18 accounting and general services within sixty days of a contract
19 being awarded."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

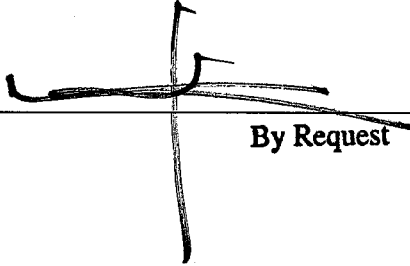
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1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:


By Request



Report Title:

Construction Task Force; Procurement

Description:

Imposes sixty day period in which to certify contracts after award of contract of procurement.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

