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## A BILL FOR AN ACT

RELATING TO STREAMLINING PROCUREMENT.

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

1           SECTION 1. Senate Concurrent Resolution No. 132, S.D. 1  
2           (2009), established a task force to determine the economic  
3           contributions of the construction industry in Hawaii and to  
4           develop a series of proposals for state actions to preserve and  
5           create new jobs in the local construction industry. This Act  
6           implements one of the task force's proposals in conjunction with  
7           the Abercrombie administration's support for state actions to  
8           create new jobs in Hawaii's construction industry.

9           In addition, in 2010, the senate committee on economic  
10          development and technology and the house committee on economic  
11          revitalization, business, and military affairs convened an  
12          informal small business discussion group to address the most  
13          critical issues facing the small business sectors within  
14          Hawaii's economy. Representatives from the Chamber of Commerce  
15          of Hawaii, construction and trades industries, community  
16          nonprofits, the agricultural sector, food and restaurant  
17          industries, retailing, the science and technology sector, the  
18          commercial transportation industry, and interested stakeholders



1 developed a package of bills that address the most pressing  
2 problems facing Hawaii's small business community.

3 The purpose of this Act is to support the findings of the  
4 small business working group and the recommendations proposed by  
5 the construction industry task force by amending chapter 103D,  
6 Hawaii Revised Statutes, to require certain state agencies to  
7 award public contracts on bid proposals within thirty days of  
8 the bid opening date. In doing so, however, it is also the  
9 purpose of this part to strike a balance between expedited  
10 procedures and necessary accountability and transparency.

11 SECTION 2. Chapter 103D, Hawaii Revised Statutes, is  
12 amended by adding a new section to be appropriately designated  
13 and to read as follows:

14 "§103D- Contract award deadlines. Notwithstanding any  
15 other statute or administrative rule relating to procurement,  
16 contracts for projects of the department of Hawaiian home lands  
17 and department of transportation that are awarded after bidding  
18 shall be awarded within thirty days of the bid opening date;  
19 provided that:

20 (1) An extension, not exceeding fourteen business days,  
21 shall be permitted if it will provide the opportunity  
22 for further negotiations with the lowest responsible



1           bidder relating to considerations that could result in  
2           benefits to the public;

3           (2) Contracts for design professional services furnished  
4           by persons licensed under chapter 464 shall be awarded  
5           within forty-five days of the bid opening date;

6           (3) The award deadline shall not apply if the lowest  
7           responsible bid exceeds available funding; and

8           (4) The award deadline shall not apply to design-build  
9           contracts.

10           For the purposes of this section "design-build" means the  
11 combining of design and construction into a single request for  
12 proposal."

13           SECTION 3. New statutory material is underscored.

14           SECTION 4. This Act shall take effect on July 1, 2011, and  
15 shall be repealed on June 30, 2013.

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INTRODUCED BY: \_\_\_\_\_



JAN 21 2011



**Report Title:**

Construction Task Force (2010); Procurement; 30-Day Contract Award Deadline; Gifts to the State

**Description:**

Requires contracts for DHHL and DOT projects to be awarded within 30 days of the bid opening date, subject to sufficient available funding and an extension for further negotiations to benefit the public; requires DHHL and DOT contracts for design professional services to be awarded within 45 days of the bid opening date; specifies that gifts made to the State shall not constitute or require a procurement contract; sunsets on June 30, 2013.

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

