

JAN 26 2011

A BILL FOR AN ACT

RELATING TO PUBLIC CONTRACTS.

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

1 SECTION 1. Section 103-55.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~§~~103-55.5 ~~§~~ Wages and hours of employees on public
4 works construction contracts. (a) Before any bidder or offeror
5 enters into a contract for construction of a public work project
6 in excess of \$2,000, which is subject to chapter 104, the bidder
7 or offeror shall affirm the bidder's or offeror's intent to
8 comply with the requirements of chapter 104 by certifying that:

9 (1) Individuals engaged in the performance of the contract
10 on the job site shall be paid:

11 (A) Not less than the wages that the director of
12 labor and industrial relations shall have
13 determined to be prevailing for corresponding
14 classes of laborers and mechanics employed on
15 public works projects; and

16 (B) Overtime compensation at one and one-half times
17 the basic hourly rate plus fringe benefits for
18 hours worked on Saturday, Sunday, or a legal



1 holiday of the State or in excess of eight hours
2 on any other day; and

3 (2) All applicable laws of the federal and state
4 governments relating to workers' compensation,
5 unemployment compensation, payment of wages, and
6 safety shall be fully complied with.

7 (b) Whenever a bidder submitting the lowest bid submits a
8 bid that is ten per cent lower than the next lowest bid or ten
9 per cent under the amount projected by the governmental
10 contracting agency, the bid shall be rejected by the
11 governmental contracting agency unless, upon notification by the
12 governmental contracting agency, the bidder provides the
13 governmental contracting agency with a projected breakdown of
14 the hours of the individuals to be engaged in the performance of
15 the contract on the job site employees and furthermore certifies
16 to the governmental contracting agency that the individuals
17 shall be paid not less than the wages specified under subsection
18 (a)(1)(A).

19 ~~[(b)]~~ (c) No contract for construction of any public work
20 project in excess of \$2,000 shall be granted unless all the
21 conditions of this section are met.




1 [~~(e)~~] (d) It shall be the duty of the governmental
2 contracting agency awarding the contract for construction of a
3 public work project in excess of \$2,000 to enforce this
4 section."

5 SECTION 2. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 3. This Act shall take effect upon its approval.

8

INTRODUCED BY: 
By Request



Report Title:

Public Contracts; Bids

Description:

Requires certain low bidders on public works construction contracts to provide the governmental contracting agencies with a projected breakdown of the hours of employees on the contract.

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