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## A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1           SECTION 1. Section 103D-303, Hawaii Revised Statutes, is  
2 amended by amending subsection (i) to read as follows:

3           "(i) In addition to any other provisions of this section,  
4 construction projects may be solicited through a request for  
5 proposals to use the design-build method; provided that:

6           (1) A request for proposals is issued to prequalify  
7 offerors to select a short list of no more than three  
8 responsible offerors, prior to the submittal of  
9 proposals; provided that the number of offerors to be  
10 selected for the short list shall be stated in the  
11 request for proposals and prompt notice is given to  
12 all offerors as to which offerors have been short-  
13 listed;

14           (2) A conceptual design fee may be paid to non-selected  
15 offerors that submit a technically responsive  
16 proposal; provided that the cost of the entire project  
17 is greater than \$1,000,000; and provided further that  
18 no protest under section 103D-701 may be filed by any



1           non-selected offerer that accepts a conceptual design  
2           fee from a procurement officer; and

3           (3) The criteria for pre-qualification of offerors, design  
4           requirements, development documents, proposal  
5           evaluation criteria, terms of the payment of a  
6           conceptual design fee, or any other pertinent  
7           information shall be stated in the request for  
8           proposals."

9           SECTION 2. Act 175, Session Laws of Hawaii 2009, as  
10          amended by Act 107, Session Laws of Hawaii 2010, is amended by  
11          amending section 14 to read as follows:

12          "SECTION 14. This Act shall take effect on July 1, 2009;  
13          provided that:

14          (1) [~~Part I~~] Section 1 shall be repealed on July 1, 2012,  
15          and [~~sections~~] section 103D-102 [~~and 103D-305~~], Hawaii  
16          Revised Statutes, shall be reenacted in the form in  
17          which [~~they~~] it read on the day before the effective  
18          date of this Act; and

19          (2) Sections 7, 9, and 10 of this Act shall be repealed on  
20          July 1, 2011, and sections 103D-709, 103D-710(c), and  
21          103D-710(e), Hawaii Revised Statutes, shall be



1           reenacted in the form in which they read on the day  
2           before the effective date of this Act."

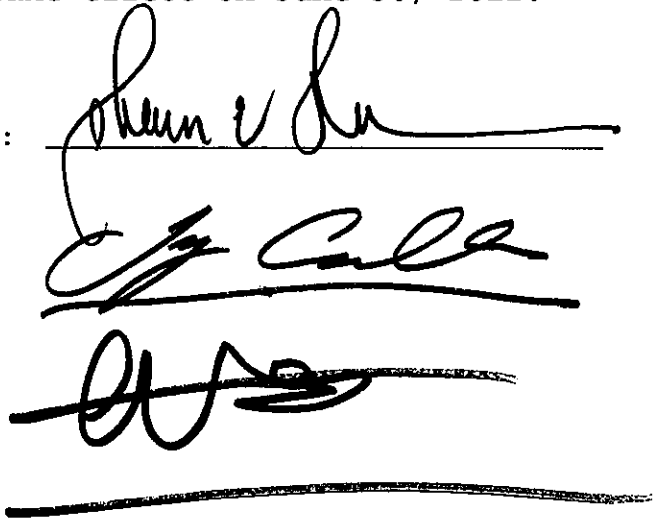
3           SECTION 3. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6           SECTION 4. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8           SECTION 5. This Act shall take effect on June 30, 2012.

9

INTRODUCED BY:

Three handwritten signatures are stacked vertically. The top signature is in cursive and appears to be 'Shawn E. Du'. The middle signature is also in cursive and appears to be 'Clyde Caldwell'. The bottom signature is in cursive and appears to be 'A. S. ...'. Each signature is written over a horizontal line.

JAN 20 2012



# H.B. NO. 2160

**Report Title:**

Procurement; Competitive Sealed Proposals; Small Purchases.

**Description:**

Upon the acceptance of a conceptual design fee from a procurement officer, any non-selected offeror shall agree to waive the right to protest. Makes permanent the increased dollar amounts of small purchases whose procurement is subject to the policy board's rules. Effective June 30, 2012.

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

