

JAN 21 2011

A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1 SECTION 1. Section 103D-302, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) An invitation for bids shall be issued, and shall
4 include a purchase description and all contractual terms and
5 conditions applicable to the procurement. If the invitation for
6 bids is for construction, it shall specify that all bids include
7 the name of each person or firm to be engaged by the bidder as a
8 joint contractor or subcontractor in the performance of the
9 contract and the nature and scope of the work to be performed by
10 each[-]; provided that the naming of subcontractors shall not be
11 required if the bid amount is less than \$1,000,000; and provided
12 further that the naming of subcontractors shall be required only
13 if the value of the work performed by each named subcontractor
14 is equal to five per cent or more of the total amount of the
15 bid. Construction bids that do not comply with this requirement
16 may be accepted if acceptance is in the best interest of the
17 State and the value of the work to be performed by the joint



1 contractor or subcontractor is equal to or less than one per
2 cent of the total bid amount."

3 SECTION 2. 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 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

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

9

INTRODUCED BY: Clarence K. Rushkover



Report Title:

Public Procurement; Competitive Sealed Bidding

Description:

Clarifies that bidders must list subcontractors in sealed bids only if the amount of the bid is \$1,000,000 or more, and only if a subcontractor's value of work comprises five per cent or more of total bid amount.

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