

HOUSE OF REPRESENTATIVES
THE TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2012

COMMITTEE ON FINANCE

Rep. Marcus R. Oshiro, Chair
Rep. Marilyn B. Lee, Vice Chair

| | |
|--------------------------|---------------------------|
| Rep. Isaac W. Choy | Rep. Chris Lee |
| Rep. Ty Cullen | Rep. Dee Morikawa |
| Rep. Sharon E. Har | Rep. James Kunane Tokioka |
| Rep. Mark J. Hashem | Rep. Kyle T. Yamashita |
| Rep. Linda Ichiyama | Rep. Barbara C. Marumoto |
| Rep. Jo Jordan | Rep. Gil Riviere |
| Rep. Derek S.K. Kawakami | Rep. Gene Ward |

NOTICE OF HEARING

DATE: Monday, February 27, 2012
TIME: 11:30 A.M.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

A G E N D A # 2

Copies of the **PROPOSED DRAFT** are available in room 306 and on the Legislature's website:
<http://www.capitol.hawaii.gov>

| | | |
|--|---|----------|
| HB 1768, HD1 (HSCR96-12) Status | RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE. Amends section 103D-707, Hawaii Revised Statutes (HRS), to permit an additional post-award remedy through rescission of the award and application of remedies provided for in section 103D-706, HRS, including contract reevaluation and award to the next lowest responsive and responsible bidder. | ERB, FIN |
| HB 2044, HD1 (HSCR429-12) Status | RELATING TO PROCUREMENT. Limits the hearing officer's review to the record of the procuring agencies below. Limits the review to a review of the written record of the procuring agency's protest proceedings for evidence of decisions that may be arbitrary, capricious, fraudulent, or clearly erroneous. Effective July 1, 2112. | ERB, FIN |
| HB 1671, HD1 (HSCR53-12) Status | RELATING TO PROCUREMENT. PROPOSED HD2: Impose time limits on rendering administrative and judicial review decisions; limits protests to those that are a minimum percentage of the contract value; requires posting of a protest bond, to be forfeited if the protesting party does not prevail. Effective July 1, 2112. | ERB, FIN |



[HB 2122, HD1](#)
[\(HSCR430-12\)](#)
[Status](#)

RELATING TO THE PROCUREMENT CODE.

ERB, FIN

PROPOSED HD2: Temporarily authorizes the governor or a county mayor to exempt a construction or design-build procurement from protest concerning the procurement and administrative review of a nonresponsible offeror determination. Requires, as a condition of the exemption, that all bids and proposals, including amendments or revisions, evaluations, and ratings, but not trade secrets or other proprietary data, be released for public inspection. Requires the posting of the information on the state or county website.

[HB 1894, HD1](#)
[\(HSCR167-12\)](#)
[Status](#)

RELATING TO PROCUREMENT.

ERB, FIN

PROPOSED HD2: Prohibits judicial review under section 103D-710, Hawaii Revised Statutes, for contract solicitations or awards for which the solicitation was issued between 07/01/2012, and 06/30/2014.

[HB 2265, HD1](#)
[\(HSCR26-12\)](#)
[Status](#)

RELATING TO THE STATE PROCUREMENT CODE.

ERB, FIN

Makes permanent the amendments made to section 103D-305, Hawaii Revised Statutes, by Act 175, Session Laws of Hawaii 2009, that increase the limits on procurements qualifying for certain small purchase procedures to \$100,000 for goods or services and \$250,000 for construction; require procurements greater than \$50,000 for construction to require performance bonds, and require procurements of \$25,000 to less than \$100,000 to be made in accordance with small purchase procedures. Removes the requirement from section 103D-305 that procurements of \$25,000 to less than \$100,000 be processed through an electronic system. Effective July 1, 2012.

**Copies of the PROPOSED DRAFT are available in room 306 and on the Legislature's website:
<http://www.capitol.hawaii.gov>**

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing with a transmittal cover indicating:

- Testifier's name with position/title and organization;
- The Committee the comments are directed to;
- The date and time of the hearing;
- Measure number; and
- The number of copies the Committee is requesting.

While every effort will be made to copy, organize, and collate all testimony received, materials received on the day of the hearing or improperly identified or directed to the incorrect office, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: **2 copies** to Room 306, in the State Capitol;

FAX: For comments less than 5 pages in length, transmit to 586-6001 (Oahu) or 1-800-535-3859 (for Neighbor Islanders without a computer to submit testimony through e-mail or the Web); or

WEB: For comments less than 4MB in size, transmit from the Web page at

<http://www.capitol.hawaii.gov/submittestimony.aspx>.

Testimony submitted will be placed on the Legislative Web site after the hearing adjourns. This public posting of testimony on the Web site should be considered when including personal information in your testimony.

If you require special assistance or auxiliary aids and/or services to participate in the House public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the Committee Clerk at 586-6200 or email your

HEARING_FIN_02-27-12_2_.htm



request for an interpreter to HouseInterpreter@Capitol.hawaii.gov at least 24 hours prior to the hearing for arrangements. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.

Selected meetings are broadcast live. Check the current legislative broadcast schedule on the "Capitol TV" Web site at www.capitoltv.org OR call 536-2100.

Rep. Marcus R. Oshiro
Chair

