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**BIA-HAWAII**  
BUILDING INDUSTRY ASSOCIATION

**Testimony to Senate Committee on Public Safety, Government Operations, and  
Military Affairs**

Tuesday, March 13, 2012

2:50 p.m.

Capitol Room 224

**RE: H.B. 1671 HD2, Relating to Procurement**

Dear Chair Espero, Vice-Chair Kidani, and members of the Committee:

My name is Gladys Marrone, Government Relations Director for the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, BIA-Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA-Hawaii **strongly supports** H.B. 1671 HD2, relating to procurement.

H.B. 1671 HD2 revives elements of Act 175 (2009) that were intended to expedite the procurement process for construction projects funded by the American Reinvestment and Recovery Act, but sunset on July 1, 2011. In addition, the bill greatly simplifies the current bid protest appeal process. It eliminates the extensive *de novo* review done currently for bid protest appeals heard by hearings officers from the Department of Commerce and Consumer Affairs (DCCA) Office of Administrative Hearings (OAH). In its place is a process that limits the OAH review to the evidence and issues raised in the proceedings before the procuring agency and the record of procuring agency's decision on a bid protest.

The intent of the bill is to discourage *de minimus* and frivolous bid protests and simplify and expedite the procurement appeal process. The bill recognizes the procuring agency's experience and expertise in the procurement process, while preserving the limited right of review of a procuring agency's decision to the DCCA OAH.

BIA-Hawaii **strongly supports** H.B. 1671 HD2.

Thank you for the opportunity to share with you our views.