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GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

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February 27, 2012

TO: HONORABLE REPRESENTATIVES MARCUS OSHIRO, CHAIR,
MARILYN B. LEE, VICE CHAIR AND MEMBERS OF THE HOUSE
COMMITTEE ON FINANCE

SUBJECT: **COMMENTS REGARDING H.B. 1894, PROPOSED HD2, RELATING TO
PROCUREMENT.** 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. (HD2 PROPOSED)

HEARING

DATE: Monday, February 27, 2012
TIME: 11:30 AM
PLACE: Conference Room 308

Dear Chair Oshiro, Vice Chair M. Lee and Members of the Committee:

The General Contractors Association (GCA) is an organization comprised of over six hundred (600) general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is celebrating its 80th anniversary; GCA remains the largest construction association in the State of Hawaii. GCA is providing comments to H.B. 1894, PROPOSED HD2, Relating to Procurement.

HB 1894, Proposed HD2 would prohibit judicial reviews under Section 103D-701, Hawaii Revised Statute, for contracts solicitation or awards made from July 1, 2012 until June 30, 2014.

The GCA understands and appreciates the legislature's attempts to spur Hawaii's economy by providing funding for construction projects that can start in FY 2012-2013 and its concern regarding protests that hold up implementation of the much needed capital improvements.

While HB1894, Proposed HD2 is well intended it may deny a legitimate protester's right to seek a judicial remedy.

Two measures before the House Finance Committee, HB 1671, HD2 and HB2044, HD1, offers additional avenues to deal with protests that currently slowdown the procurement process that result in delays and additional cost to the state. These two measures strongly supported by the GCA, will provide the much needed improvements to the state's procurement procedures.

The GCA recommends that the committee pass the above two bills and that HB1894, HD1, be held.

Thank you for your continued support and concern.