

SB 2917

Requires that contractors and prospective contractors with the State or counties, including those who are exempt from chapter 103D or 103F, HRS, comply with civil rights laws.

NEIL ABERCROMBIE
GOVERNOR



SARAH ALLEN
ADMINISTRATOR

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TESTIMONY
OF
SARAH ALLEN, ADMINISTRATOR
STATE PROCUREMENT OFFICE
TO THE SENATE COMMITTEE
ON
ECONOMIC DEVELOPMENT, GOVERNMENT OPERATIONS, AND HOUSING

February 03, 2014, 3:20 p.m.

SB 2917

RELATING TO PROCUREMENT

Chair Dela Cruz, Vice-Chair Slom, and members of the committee, thank you for the opportunity to submit testimony on SB 2917. The State Procurement Office (SPO) opposes the bill.

The bill is redundant. Procurement Code, HRS §103D-310(c), already addresses Contractor compliance with **all** laws:

“(c) All offerors, upon award of contract, shall comply with all laws governing entities doing business in the State,…”

The Department of the Attorney General’s General Terms and Conditions, which applies to contracts procured pursuant to HRS chapters 103D and 103F, as well as exempt contracts, also addresses required compliance:

“Compliance with Laws. The CONTRACTOR shall comply with all federal, state, and county laws, ordinances, codes, rules, and regulations, as the same may be amended from time to time, that in any way affect the CONTRACTOR’S performance of this Contract.”

Compliance should encompass all federal and state laws and not be limited to only those specified in the bill. Highlighting these laws as opposed to all laws would create confusion and imply that only these laws were to be complied with.

The State Procurement Office recommends that this bill be held.

Thank you.