
A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1 SECTION 1. Section 103D-709, Hawaii Revised Statutes, is
2 amended by amending subsection (e) to read as follows:

3 "(e) The party initiating a proceeding falling within
4 subsection (d) shall pay to the department of commerce and
5 consumer affairs a cash or protest bond in the amount of:

6 (1) \$1,000 for a contract with an estimated value of less
7 than \$500,000;

8 (2) \$2,000 for a contract with an estimated value of
9 \$500,000 or more, but less than \$1,000,000; or

10 (3) [~~One-half~~] _____ per cent of the estimated value
11 of the contract if the estimated value of the contract
12 is \$1,000,000 or more [~~; provided that in no event~~
13 ~~shall the required amount of the cash or protest bond~~
14 ~~be more than \$10,000~~].

15 If the initiating party prevails in the administrative
16 proceeding, the cash or protest bond shall be returned to that
17 party. If the initiating party does not prevail in the



1 administrative proceeding, the cash or protest bond shall be
2 deposited into the general fund."

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 Statutory material to be repealed is bracketed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

5 SECTION 3. This Act shall take effect on January 1, 2050.



Report Title:

Procurement; Cash or Protest Bond

Description:

Amends the cash or protest bond amount that a party protesting the solicitation or award of a competitive sealed bidding contract or competitive sealed proposal contract valued at \$1,000,000 or more must pay to DCCA. Removes the \$10,000 cap on the cash or protest bond amount for contracts valued at \$1,000,000 or more. Takes effect on 1/1/2050. (HD1)

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