

STAND. COM. REP. NO.

1843

Honolulu, Hawaii

APR 09 , 2021

RE: S.B. No. 1329  
S.D. 2  
H.D. 3

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 1329, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PROCUREMENT,"

begs leave to report as follows:

The purpose of this measure is to amend the Hawaii Public Procurement Code to:

- (1) Require the Chief Procurement Officer or designee to address protests as expeditiously as possible;
- (2) Establish time limits to resolve protests to the awards of competitive sealed proposal contracts and procurements of professional services, if the protest is not resolved by mutual agreement, unless extenuating circumstances require additional time; and
- (3) Specify that a protest shall prevail if the protest is not resolved by mutual agreement and the Chief Procurement Officer or designee does not issue a decision within the established time limits.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in

2021-2978 SB1329 HD3 HSCR HMSO



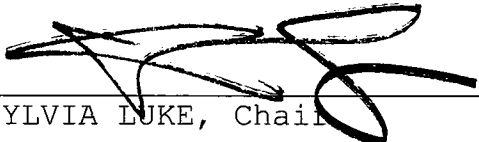
opposition to this measure from the Department of Human Services; CONSOR Engineers; American Council of Engineering Companies of Hawaii; Ronald N.S. Ho & Associates, Inc.; Yogi Kwong Engineers, LLC; Hart Crowser, Inc.; and one individual. Your Committee received comments on this measure from the Department of Accounting and General Services; Department of Transportation; State Procurement Office; Associated Builders and Contractors, Hawaii Chapter; and General Contractors Association of Hawaii.

Your Committee has amended this measure by:

- (1) Deleting language that would have specified that a protest shall prevail if the protest is not resolved by mutual agreement and the Chief Procurement Officer or designee does not issue a decision within the established time limits;
- (2) Inserting the substantive contents of H.B. No. 1054, H.D. 1, a measure that amends the cash or protest bond amount for a party initiating an administrative proceeding for review of a decision on the solicitation or award of a competitive sealed bidding or competitive sealed proposal contract; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1329, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1329, S.D. 2, H.D. 3.

Respectfully submitted on  
behalf of the members of the  
Committee on Finance,

  
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SYLVIA LUKE, Chair



