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TESTIMONY
OF
BONNIE KAHAKUI, ACTING ADMINISTRATOR
STATE PROCUREMENT OFFICE

TO THE SENATE COMMITTEE
ON
GOVERNMENT OPERATIONS
February 3, 2022; 3:00 p.m.

SENATE BILL 3270
RELATING TO PUBLIC PROCUREMENT

Chair Moriwaki, Vice Chair Dela Cruz, and members of the committee, thank you for the opportunity to submit testimony on SB3270. The State Procurement Office (SPO) supports the intent of the bill, which will require the procurement officer to determine whether prospective offerors possess the financial ability, resources, skills, capability, and business integrity necessary to perform the work and not limit the decision based solely on prior experience.

The Federal Acquisition Regulation (FAR) provides a Legal Standards and Procedures report that explain how federal procurements meet responsibility by the Offeror/Contractor. Based on the report, "New, current, and former government contractors are equally subject to the requirement for responsibility determinations." The report includes performance standards and collateral requirements. The Hawaii State Procurement Code initially incorporated five of the seven noted criteria under the FAR's General Standards. Act 188, SLH 2021, amended Section 103D-310(b), Hawaii Revised Statutes, to include past performance as a criterion to meet responsibility.

Public procurement's primary objective is to encourage competition and ensure procurement is conducted in a fair and open manner.

Thank you.