

STAND. COM. REP. NO.

567

Honolulu, Hawaii

FEB 16 , 2023

RE: H.B. No. 1184
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Labor & Government Operations, to which was referred H.B. No. 1184 entitled:

"A BILL FOR AN ACT RELATING TO PROCUREMENT,"

begs leave to report as follows:

The purpose of this measure is to allow agencies to:

- (1) Rank fewer than three persons for professional services when fewer than three qualified persons respond to the solicitation; or
- (2) Request to use alternative procurement procedures when no qualified person responds to the solicitation.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Department of Accounting and General Services, Department of Transportation, and County of Kaua'i. Your Committee received testimony in opposition to this measure from the American Institute of Architects, Hawaii State Council; and one individual. Your Committee received comments on this measure from the State Procurement Office and American Council of Engineering Companies of Hawaii.

Your Committee finds that when an agency procures professional services and does not receive the requisite number of

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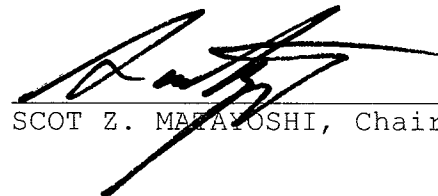
qualified responses, the agency continues to resolicit. The process is time-consuming and can lead to increased costs. This measure provides flexibility in securing professional services when less than three qualified persons respond to an additional solicitation and allows state agencies to fulfill the purpose of solicitation fairly and transparently without an undue expenditure of time and state resources.

Your Committee has amended this measure by:

- (1) Adding a new subsection to section 103D-304, Hawaii Revised Statutes, that further clarifies the process by which agencies may procure professional services when fewer than three qualified persons respond to an additional solicitation, rather than amending existing language in that section;
- (2) Changing the effective date to June 30, 3000, to encourage further discussion; 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 Labor & Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1184, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1184, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Government
Operations,



SCOT Z. MAATANI, Chair



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Record of Votes of the Committee on Labor & Government Operations

Bill/Resolution No.: HB 1184	Committee Referral: LGO, FIN	Date: 2/14/23		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LGO Members	Ayes	Ayes (WR)	Nays	Excused
1. MATAYOSHI, Scot Z. (C)	✓			
2. GARRETT, Andrew Takuya (VC)	✓			
3. KAPELA, Jeanne	✓			
4. MARTINEZ, Rose	✓			
5. SAYAMA, Jackson D.	✓			
6. TAM, Adrian K.	✓			
7. ALCOS III, David	✓			
TOTAL (7)	7			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				