

**JOSH GREEN, M.D.**  
GOVERNOR  
KE KIA'ĀINA



**BONNIE KAHAKUI**  
ACTING ADMINISTRATOR

**STATE OF HAWAI'I | KA MOKU'ĀINA O HAWAI'I**  
**STATE PROCUREMENT OFFICE**

P.O. Box 119  
Honolulu, Hawaii 96810-0119  
Tel: (808) 586-0554  
email: [state\\_procurement\\_office@hawaii.gov](mailto:state_procurement_office@hawaii.gov)  
<http://spo.hawaii.gov>

TESTIMONY  
OF  
BONNIE KAHAKUI, ACTING ADMINISTRATOR  
STATE PROCUREMENT OFFICE

TO THE SENATE COMMITTEE  
ON  
GOVERNMENT OPERATIONS  
February 9, 2023, 3:00 pm

SENATE BILL 1138  
RELATING TO PROCUREMENT

Chair McKelvey, Vice Chair Gabbard, and members of the committee, thank you for the opportunity to submit testimony on Senate Bill 1138. The State Procurement Office (SPO) supports this bill as it provides clear guidance to purchasing agencies what shall not be disclosed at a debriefing.

Thank you.

JOSH GREEN, M.D.  
GOVERNOR



**TESTIMONY BY:**  
EDWIN H. SNIFFEN  
DIRECTOR

Deputy Directors  
DREANALEE K. KALILI  
TAMMY L. LEE  
ROBIN K. SHISHIDO  
JAMES KUNANE TOKIOKA

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

Thursday, February 9, 2023  
3:00 P.M.  
State Capitol  
VIA VIDEOCONFERENCE  
Conference Room 225



**S.B. 1138**  
**RELATING TO PROCUREMENT**

Senate Committee on Government Operations

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The Department of Transportation (DOT) **supports** the bill amending Section 103D-303, Hawaii Revised Statutes, subsection (h), prohibiting a procurement officer from disclosing a competing offeror's proposal or evaluation score during a debriefing requested by a non-selected offeror; and authorizes the disclosure of a competing offeror's proposal or evaluation score after a protest is resolved and the contract is executed.

The addition of the proposed language amending the statute to explicitly state disclosure of any competing offeror's proposal or evaluation score is prohibited until after any protest is resolved and contract execution will provide clarification and clear understanding as to when it is appropriate for the release of the respective documents, in the event of an informal request or formal request for government record.

Thank you for the opportunity to provide testimony.