

JAN 20 2023

A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1 SECTION 1. Section 103D-303, Hawaii Revised Statutes, is
2 amended by amending subsection (h) to read as follows:

3 "(h) In cases of awards made under this section,
4 non-selected offerors may submit a written request for
5 debriefing to the procurement officer within three working days
6 after the posting of the award of the contract. Thereafter, the
7 procurement officer shall provide the non-selected offeror a
8 prompt debriefing[+], but shall not disclose any competing
9 offeror's proposal or evaluation score until after any protest
10 is resolved and the contract is executed. Any protest by the
11 non-selected offeror pursuant to section 103D-701 following
12 debriefing shall be filed in writing with the procurement
13 officer within five working days after the date upon which the
14 debriefing is completed."

15 SECTION 2. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.



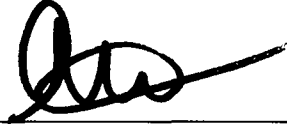
S.B. NO. 1138

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 Statutory material to be repealed is bracketed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

3 SECTION 4. This Act shall take effect upon its approval.

4

INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be 'LW', is written over a horizontal line.

S.B. NO. 1138

Report Title:

Hawaii Public Procurement Code; Protest; Debriefing; Disclosure of Competing Proposals

Description:

Prohibits a procurement officer from disclosing a competing offeror's proposal or evaluation score during a debriefing requested by a non-selected offeror. Authorizes the disclosure of a competing offeror's proposal or evaluation score after a protest is resolved and the contract is executed.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

