

STAND. COM. REP. NO. **461**

Honolulu, Hawaii

, 2023

FEB 15

RE: H.B. No. 816

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. 816 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT,"

begs leave to report as follows:

The purpose of this measure is to clarify the deadline for submitting written protests that are based on the content of a solicitation.

Your Committee received testimony in support of this measure from Nan, Inc. Your Committee received testimony in opposition to this measure from the General Contractors Association of Hawaii. Your Committee received comments on this measure from the State Procurement Office and Department of Transportation.

Your Committee finds that there is confusion as to when a party is deemed aggrieved in the procurement process, which triggers the period within which a party may protest. Your Committee further finds that procurement protest reviews can be lengthy, causing project delays and increasing project costs that are in turn borne by the State's taxpayers. This measure seeks to clarify the deadline to enhance predictability in the procurement process.

Your Committee has amended this measure by:

2023-1490 HB816 HD1 HSCR HMSO



- (1) Adding a preamble to explain its purpose;
- (2) Changing the term "request for information" to "request for additional information relating to the content of the solicitation";
- (3) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (4) 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. 816, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 816, 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. MATAYOSHI, Chair



