



**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

February 28, 2023  
10:00 AM  
State Capitol, Room 211

**S.B. 1400 S.D. 1**  
**RELATING TO CAPITAL ADVANCEMENT CONTRACTS**

Senate Committee on Ways and Means

The Department of Transportation (DOT) is in strong **support** of this measure. This bill was included in the Governor's Package at the request of DOT. This measure proposes to increase the current limits on capital advancement contracts.

The existing law authorizes the DOT Harbors Division to enter into capital advancement contracts with private parties for any public improvement to or construction of a state harbor facility when the director determines that a capital advancement contract promotes the best interest of the State. In recent years, this tool has proven effective in expediting project delivery, especially for projects that increase port resilience and operational efficiency.

The current cap of \$2,000,000 per contract or aggregate \$5,000,000 per party limits the scope and type of work and number of projects that can be done under a capital advancement contract. By increasing these caps to \$5,000,000 and \$20,000,000, respectively, DOT can accomplish more in improving harbors facilities through these contracts. DOT anticipates escalating project costs due to inflation and rising costs of materials and labor and the higher limits will facilitate improved project delivery given these factors.

Thank you for the opportunity to provide testimony.

Testimony of the Hawaii Harbor Users Group  
Support of SB1400, SD1  
Before the Committee on Ways and Means  
Tuesday, February 28, 2023

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The Hawaii Harbor Users Group (HHUG) is a non-profit maritime transportation industry group comprised of key commercial harbor users statewide. HHUG supports SB1400, SD1 which increases the limit of the capital advancement contracts to \$5,000,000 per contract with an annual limit of \$20,000,000 total.

As an island state, Hawaii is very dependent upon our commercial harbors to ensure the continued and unimpeded flow of cargo in and out of our State. It is estimated that over 90 percent Hawaii's imported goods pass through our commercial harbors, including consumer goods, motor vehicles, construction materials, and fuel. Given the critical role of our commercial harbors, it is imperative that the State support dependable and efficient cargo transportation and handling to service our residents and businesses.

Capital advancement contracts provide a means for the Department of Transportation to enter into an agreement with a private party to improve a state harbor, commercial harbor, roadstead, or other waterfront improvement belonging to the State when private development is likely to be cheaper than any other type of contract or is needed on a significantly more timely basis; or when public funds are not available on a timely basis. Capital advancement contracts also must ensure that public works and procurement laws are followed. These agreements have been capped at \$2,000,000 per contract for over twenty years. This measure raises the limit to \$5,000,000 per contract, recognizing inflation and escalating costs impacting design and construction materials and labor costs for future capital improvements. Increasing the limit will help also support our harbors by strengthening private-public partnership agreements for federal grant funding.

Thank you for considering our testimony in support.

Testimony of Matson Navigation Company, Inc.  
Support of SB1400  
Before the Committee on Ways and Means  
Tuesday, February 28, 2023

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

Matson Navigation Company, Inc. (Matson) supports SB1400, SD1 which increases the limit of the capital advancement contracts to \$5,000,000 per contract with an annual limit of \$20,000,000 total.

As an island state, Hawaii is very dependent upon our commercial harbors to ensure the continued and unimpeded flow of cargo in and out of our State. It is estimated that over 90 percent Hawaii's imported goods pass through our commercial harbors, including consumer goods, motor vehicles, construction materials, and fuel. Given the critical role of our commercial harbors, it is imperative that the State support dependable and efficient cargo transportation and handling to service our residents and businesses.

Capital advancement contracts provide a means for the Department of Transportation to enter into an agreement with a private party to improve a state harbor, commercial harbor, roadstead, or other waterfront improvement belonging to the State when private development is likely to be cheaper than any other type of contract or is needed on a significantly more timely basis; or when public funds are not available on a timely basis. Capital advancement contracts also must ensure that public works and procurement laws are followed. These agreements have been capped at \$2,000,000 per contract for over twenty years. This measure raises the limit to \$5,000,000 per contract, recognizing inflation and escalating costs impacting design and construction materials and labor costs for future capital improvements. Increasing the limit will help also support our harbors by strengthening private-public partnership agreements for federal grant funding.

Thank you for considering our testimony in support.