

STAND. COM. REP. NO. **1943**

Honolulu, Hawaii

APR 04, 2025

RE: S.B. No. 382
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Finance, to which was referred S.B. No. 382
entitled:

"A BILL FOR AN ACT RELATING TO PROCUREMENT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit a procurement officer from disclosing any competing offeror's proposal or evaluation score, except the summary of scores, during a debriefing requested by a non-selected offeror; and
- (2) Authorize the disclosure of a competing offeror's proposal or evaluation score after any protest is resolved and the contract is executed.

Your Committee received testimony in support of this measure from the Department of Transportation and State Procurement Office. Your Committee received testimony in opposition to this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu. Your Committee received comments on this measure from the General Contractors Association of Hawaii.

Your Committee finds that the purpose of a debriefing is to explain a purchasing agency's overall ranking of all proposals and



provide a summary of the rationale for any awards. Public disclosure of competing proposals that contain confidential information prior to final contract execution could foreseeably give an unfair competitive advantage to other offerors. Your Committee further finds that this measure provides clear guidance to purchasing agencies regarding what cannot be disclosed at a debriefing, in order to maintain integrity, confidentiality, and fairness during the procurement process.

Your Committee has amended this measure by changing its effective date to July 1, 3000, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 382, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 382, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Finance,



KYLE T. YAMASHITA, Chair



