

STAND. COM. REP. NO.

1443

Honolulu, Hawaii

MAR 22 , 2023

RE: S.B. No. 1138
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 S.B. No. 1138 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 a competing offeror's proposal or evaluation score during a debriefing requested by a non-selected offeror; and
- (2) Allow the disclosure of a competing offeror's proposal or evaluation score after a 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 finds that this measure will assist purchasing agencies by providing them with clear guidance on the documents and information that shall not be disclosed during a debriefing and prior to the resolution of a protest.

2023-2758 SB1138 HD1 HSCR HMSO



Your Committee has amended this measure by allowing for the disclosure of a summary of scores during the debriefing of a non-selected offeror to enable the non-selected offeror to have an indication of where the non-selected offeror stands in the overall process.

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 S.B. No. 1138, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1138, 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



