

JAN 18 2023

A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1 SECTION 1. Chapter 103D, Hawaii Revised Statutes, is
2 amended by adding a new section to part III to be appropriately
3 designated and to read as follows:

4 "§103D- Definitions. As used in this part,
5 "redevelopment" means the planning, developing, replanning,
6 redesign, clearance, reconstruction or rehabilitation, or any
7 combination of these, in the urban areas of state or county
8 land, or part thereof, and the provision of the residential,
9 commercial, industrial, public, and other structures or spaces
10 as may be appropriate or necessary in the interest of the
11 general welfare, including recreational and other facilities
12 incidental or appurtenant thereto."

13 SECTION 2. Section 103D-302, Hawaii Revised Statutes, is
14 amended by amending subsection (f) to read as follows:

15 "(f) Bids shall be evaluated based on the requirements set
16 forth in the invitation for bids. These requirements may
17 include criteria to determine acceptability such as inspection,



1 testing, quality, workmanship, delivery, and suitability for a
2 particular purpose. Those criteria that will affect the bid
3 price and be considered in evaluation for award shall be as
4 objectively measurable as possible, such as discounts,
5 transportation costs, total or life cycle costs, and the
6 bidder's past performance, if available. The invitation for
7 bids shall set forth the evaluation criteria to be used. No
8 criteria may be used in bid evaluation that are not set forth in
9 the invitation for bids[-]; provided that in evaluating an
10 invitation for bids for the redevelopment of state or county
11 land in urban areas located within a one-half mile radius of
12 mass transit stops or stations, the number of housing units
13 proposed to be developed shall constitute forty per cent of the
14 evaluation score of the bids in determining the award regardless
15 of whether housing units are proposed to be developed."

16 SECTION 3. Section 103D-303, Hawaii Revised Statutes, is
17 amended by amending subsection (g) to read as follows:

18 "(g) Award shall be made to the responsible offeror whose
19 proposal is determined in writing to be the most advantageous,
20 taking into consideration price and the evaluation factors set
21 forth in the request for proposals. No other factors or



1 criteria shall be used in the evaluation[-]; provided that in
2 evaluating requests for proposals for the redevelopment of state
3 or county land in urban areas located within a one-half mile
4 radius of mass transit stops or stations, the number of housing
5 units proposed to be developed shall constitute forty per cent
6 of the evaluation score in determining the award regardless of
7 whether housing units are proposed to be developed. The
8 contract file shall contain the basis on which the award is
9 made."

10 SECTION 4. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 5. This Act shall take effect upon its approval.

13

INTRODUCED BY: 



S.B. NO. 136

Report Title:

Procurement Code; Competitive Sealed Bidding; Competitive Sealed Proposals; Evaluation; State and County Redevelopment; Housing

Description:

Requires that in evaluating and determining the award for redevelopment of state or county lands through competitive sealed bidding or competitive sealed proposals, the number of housing units proposed shall constitute forty per cent of the evaluation score regardless of whether the development of housing is proposed. Applies to the urban areas of state or county land located within a one-half mile radius of mass transit stops or stations.

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