

MAR 01 2007

SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF EDUCATION TO GIVE A PERCENTAGE
PREFERENCE TO CONTRACTORS WHO OFFER EXPERIENTIAL LEARNING
OPPORTUNITIES IN COMPETITIVE SEALED BIDS OR IN REQUEST FOR
PROPOSALS.

1 WHEREAS, the Department of Education is responsible for
2 administering its own capital improvement projects pursuant to
3 Act 51, Session Laws of Hawaii 2004, known as the "Reinventing
4 Education Act of 2004"; and

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6 WHEREAS, chapter 103D, Hawaii Revised Statutes, relating to
7 the Hawaii public procurement code, provides for a competitive
8 sealed bid process under section 103D-302, Hawaii Revised
9 Statutes, and a competitive sealed proposal process under
10 section 302D-303, Hawaii Revised Statutes; and

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12 WHEREAS, the section 103D-302, Hawaii Revised Statutes,
13 process provides for criteria for the award to be set out in the
14 invitation for bids by the government agency making the
15 procurement; and

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17 WHEREAS, the section 103D-303, Hawaii Revised Statutes,
18 process, known as the request for proposals process, provides
19 for the government agency making the procurement to similarly
20 set out the evaluation factors in making the award; and

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22 WHEREAS, "experiential learning opportunity" means any
23 learning opportunity that allows the learner to obtain
24 information and learn practical skills that are necessary to
25 perform in the workplace and provides significant experiences
26 with real outcomes that create measurable learning achievements
27 through participation and reflection; and

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29 WHEREAS, work on public school capital improvement projects
30 provide an excellent forum for providing experiential learning
31 opportunity for students, including students in the construction
32 academies, by the contractor who is awarded the project; and
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1 WHEREAS, the Department of Education should include an
2 experiential learning opportunity requirement in sealed bid
3 criteria and in the evaluation factors for competitive sealed
4 proposals; and

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6 WHEREAS, the Department of Education should give a
7 percentage preference to a bid or proposal that includes a
8 learning opportunity, in the consideration of the entire bid or
9 proposal, including but not limited to, price and quality; and

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11 WHEREAS, although not codified in statute as a preference,
12 the Department of Education currently has the ability under
13 sections 103D-302 and 103D-303, Hawaii Revised Statutes, to
14 award a "preference" or favorable consideration to a bid or
15 proposal; now, therefore,

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17 BE IT RESOLVED by the Senate of the Twenty-fourth
18 Legislature of the State of Hawaii, Regular Session of 2007,
19 that the Department of Education is requested to:

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21 (1) Include an experiential learning opportunity
22 requirement in sealed bid criteria and in the
23 evaluation factors for competitive sealed proposals;
24 and

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26 (2) Give a percentage preference to contractors who offer
27 experiential learning opportunities in competitive
28 sealed bids or in a request for proposals; and

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30 BE IT FURTHER RESOLVED that the Department of Education
31 report on its progress in regard to the request made by this
32 Resolution to the Legislature no later than twenty days before
33 the convening of the Regular Session of 2008; and

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35 BE IT FURTHER RESOLVED that certified copies of this
36 Resolution be transmitted to the Chairperson of the Board of
37 Education and the Superintendent of Education.

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40 OFFERED BY: Clarence K. Mochihara

