

STAND. COM. REP. NO. 441

Honolulu, Hawaii
Feb 18, 2011

RE: H.B. No. 985
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Economic Revitalization & Business, to which was referred H.B. No. 985 entitled:

"A BILL FOR AN ACT RELATING TO PROCUREMENT,"

begs leave to report as follows:

The purpose of this bill is to preserve creativity and competition in the construction contract procurement process by establishing and incorporating the design-build process as an alternative procurement method into the Hawaii Public Procurement Code, to be employed at the discretion of the procurement officer. The two-tiered process requires offerors to submit a statement of qualification, from which no more than five will be selected to submit proposals for the contract. At the onset of the request for proposals a fee will be determined to reimburse those offerors with responsive designs.

Kennedy/Jenks Consultants; Fukunaga & Associates; ECS, Inc.; Gray, Hong, Nojima & Associates, Inc.; Coalition of Hawaii Engineering and Architectural Professionals; American Society of Civil Engineers; American Council of Engineering Companies; Consulting Structural Hawaii, Inc.; Engineering Concepts, Inc.; Okahara & Associates, Inc.; Ronald N.S. Ho & Associates, Inc.; and The Limtiaco Consulting Group testified in support of this measure. The State Procurement Office supported the intent of this bill.

HB985 HD1 HSCR ERB HMS 2011-2029

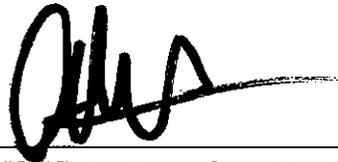


Your Committee has amended this bill by:

- (1) Defining "design-build" to apply to the Hawaii Public Procurement Code;
- (2) Deleting unnecessary language regarding rulemaking provisions for procurement procedures;
- (3) Changing the process for design-build procurement to conform to the 2000 Model Procurement Code for State and Local Governments, as issued by the American Bar Association as a nondiscretionary process; and
- (4) Changing the effective date to July 1, 2112, to promote further discussions.

As affirmed by the record of votes of the members of your Committee on Economic Revitalization & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 985, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 985, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Economic
Revitalization & Business,



ANGUS L.K. MCKELVEY, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 441

Record of Votes of the Committee on Economic Revitalization & Business

Bill/Resolution No.: HB 985	Committee Referral: ERB, FIN	Date: 2/8/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
ERB Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	/			
2. CHOY, Isaac W. (VC)	/			
3. AWANA, Karen L.	/			
4. BROWER, Tom	/			
5. EVANS, Cindy	/			
6. HASHEM, Mark J.	/			
7. NISHIMOTO, Scott Y.	/			
8. TOKIOKA, James Kunane	/			
9. TSUJI, Clift	/			
10. MARUMOTO, Barbara C.	/			
11. PINE, Kymberly Marcos	/			
TOTAL (11)	11	8	0	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
Vice Chair's or designee's signature: Isaac W. Choy				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				