Honolulu, Hawaii

April 26

, 2013

RE:

H.B. No. 1374

H.D. 1

S.D. 1

C.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1374, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROCUREMENT,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to improve the expenditure of taxpayer dollars by revising the public procurement code to permit the past performance of bidders to be considered when awarding contracts by:

- (1) Providing that the evaluation factors for competitive sealed bidding include applicable past performance on projects of similar scope for public agencies; and
- (2) For competitive sealed proposals, allowing for the consideration of offerors' applicable past performance on projects of similar scope for public agencies.

Your Committee on Conference has amended this measure by:

- (1) Removing provisions that explicitly permit past performance to be factored into the awarding of contracts;
- (2) Providing that the use of competitive sealed bids is just one of several different methods of source selection, rather than the default method;
- (3) Changing its effective date to July 1, 2013; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1374, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1374, H.D. 1, S.D. 1, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

DONOVAN M. DELA CRUZ, Chair

RONALD D. KOUCHI, Co-Chair

ON THE PART OF THE HOUSE

CLIFT TSUJI, Cb-Chair

SCOTT Y. NISHIMOTO, Co-Chair

## Hawaii State Legislature

## CCR 175

## Record of Votes of a Conference Committee

HB 1374, HD 1, SD 1					Date/Time: 4/26/13 / 304 pm				
The recommendation of the House	and S	Senate	mana	gers	is to pass with amendments (CD).	<del>\</del>			
The Committee is reconsidering its									•
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	Α	WR	N	Е	House Managers	A	WR	N	Е
DELA CRUZ, Donovan M., Chr.	~				TSUJI, Clift, Co-Chr.				†
KOUCHI, Ronald D., Co-Chr.	V				NISHIMOTO, Scott Y., Co-Chr.				
BAKER, Rosalyn H.	V				BROWER, Tom	1			
ENGLISH, J. Kalani	V				JOHANSON, Aaron Ling		_		1
SLOM, Sam	•		Ţ,	N					
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Senate Recommendation is:	,	-	_	dilon	House Recommendation is:	- Exci	1500	—	
Adopted					Adopted  Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
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