
A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1 SECTION 1. The legislature finds that under the State's
2 procurement code, an aggrieved party that submitted a bid for a
3 state project that was not awarded the bid, may protest the bid
4 award. The legislature further finds that procurement protest
5 review can be lengthy, causing project delays, thereby
6 increasing project costs that are borne by taxpayers. Thus, it
7 is imperative that the review process for protests are completed
8 in a timely manner to reduce the cost of state projects.
9 Establishing a deadline for bid protests to be reviewed and
10 resolved would expedite the protest review process and reduce
11 the cost associated with state-awarded projects.

12 The purpose of this Act is to create time limits to resolve
13 protests to the awards of competitive sealed proposal contracts
14 and procurements of professional services.

15 SECTION 2. Section 103D-701, Hawaii Revised Statutes, is
16 amended by amending subsection (c) to read as follows:



1 "(c) The chief procurement officer or a designee shall
2 resolve any protest as expeditiously as possible. If the
3 protest is not resolved by mutual agreement, the chief
4 procurement officer or a designee shall [~~promptly~~] issue a
5 written decision [~~in writing~~] to uphold or deny the protest[-]
6 within seventy-five calendar days of receipt of the protest;
7 unless extenuating circumstances require additional time, which
8 shall not exceed an additional thirty calendar days. The
9 decision shall:

- 10 (1) State the reasons for the action taken; and
- 11 (2) Inform the protestor of the protestor's right to an
12 administrative proceeding as provided in this part, if
13 applicable."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect on May 6, 2137.



Report Title:

Procurement Protest; Resolution; Time Limit

Description:

Creates time limits to resolve protests to the awards of competitive sealed proposal contracts and procurements of professional services. Takes effect 5/6/2137. (SD2)

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