

JAN 21 2022

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 one of the guiding
2 principles of the state procurement code is transparency. The
3 main purpose of transparency is to promote openness in the
4 procurement process so that all the stakeholders have access to
5 information about procurement activities. The legislature
6 further finds that transparency should not be limited to when
7 solicitations are awarded, but also when a solicitation is
8 cancelled. The legislature recognizes that some bids and
9 proposals take considerable resources and that vendors have the
10 right to know why a solicitation has been cancelled.

11 Accordingly, the purpose of this Act is to require
12 departments to publicly post the justification for cancelling an
13 invitation for bid or request for proposal for a minimum of ten
14 business days on an electronic notification system.

15 SECTION 2. Section 103D-308, Hawaii Revised Statutes, is
16 amended to read as follows:



1 "§103D-308 Cancellation of invitations for bids or
2 requests for proposals. An invitation for bids, a request for
3 proposals, or other solicitation may be canceled, or any or all
4 bids or proposals may be rejected in whole or in part as may be
5 specified in the solicitation, when it is in the best interests
6 of the governmental body which issued the invitation, request,
7 or other solicitation, in accordance with rules adopted by the
8 policy board. The reasons therefor shall be made part of the
9 contract file[-] and publicly posted for a minimum of ten
10 business days on an electronic notification system."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14

INTRODUCED BY:



S.B. NO. 2387

Report Title:

Procurement; Cancellation of Invitations For Bids or Requests For Proposals; Public Notice

Description:

Requires departments to publicly post the justification for cancelling an invitation for bid or request for proposal for a minimum of ten business days on an electronic notification system.

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