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# 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 stakeholders have access to  
5 information about procurement activities. The legislature  
6 further finds that transparency should not be limited to the  
7 award of a contract but should also apply to the cancellation of  
8 a contract solicitation. The legislature recognizes that bids  
9 and proposals may require considerable resources to prepare and  
10 submit, and that vendors have the right to know the reason that  
11 a solicitation was cancelled.

12       Accordingly, the purpose of this Act is to require agencies  
13 to publicly post the justification for cancelling an invitation  
14 for bids or request for proposals; provided that the posting  
15 shall be for a minimum of ten business days on a purchasing  
16 agency's website or a provider's website and by any other method



1 the procurement officer deems effective for publicizing the  
2 cancellation notice.

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

5 **"§103D-308 Cancellation of invitations for bids or**  
6 **requests for proposals.** An invitation for bids, a request for  
7 proposals, or other solicitation may be canceled, or any or all  
8 bids or proposals may be rejected in whole or in part as may be  
9 specified in the solicitation, when it is in the best interests  
10 of the governmental body [~~which~~] that issued the invitation,  
11 request, or other solicitation, in accordance with rules adopted  
12 by the policy board. The reasons therefor shall be made part of  
13 the contract file[+] and be publicly posted, for a minimum of  
14 ten business days, on a purchasing agency's website or a  
15 provider's website and by any other method the procurement  
16 officer deems effective for publicizing the cancellation  
17 notice."

18 SECTION 3. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20 SECTION 4. This Act shall take effect on July 1, 2050.



S.B. NO. 2387  
S.D. 1  
H.D. 1

**Report Title:**

Procurement; Cancellation of Invitations for Bids or Requests  
for Proposals; Justification; Public Notice

**Description:**

Requires agencies to publicly post the justification for  
cancelling an invitation for bids or request for proposals for a  
minimum of ten days on a purchasing agency's or provider's  
website and by any other method the procurement officer deems  
effective. Effective 7/1/2050. (HD1)

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not legislation or evidence of legislative intent.*

