
A BILL FOR AN ACT

RELATING TO JOINT CONTRACTOR OR SUBCONTRACTOR LISTING.

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

1 SECTION 1. The legislature finds that the State's
2 procurement process requires clear legislative direction to
3 award contracts to responsible bidders and to minimize protests
4 on bids due to the subcontractor listing requirement under
5 section 103D-302(b), Hawaii Revised Statutes.

6 The purpose of this Act is to clarify that the listing of
7 joint contractors and subcontractors required for construction
8 bids under the competitive sealed bidding process must include
9 the name and information of the joint contractors or
10 subcontractors who are engaged in the performance of the
11 contract and required to be licensed under chapter 444, Hawaii
12 Revised Statutes.

13 SECTION 2. Section 103D-302, Hawaii Revised Statutes, is
14 amended by amending subsection (b) to read as follows:

15 "(b) An invitation for bids shall be issued, and shall
16 include a purchase description and all contractual terms and
17 conditions applicable to the procurement. If the invitation for



1 bids is for construction, it shall specify that all bids that
2 include the engagement of a joint contractor or subcontractor in
3 the performance of the contract shall include the name of each
4 person or firm to be engaged by the bidder as a joint contractor
5 or subcontractor [~~in the performance of the contract~~] and the
6 nature and scope of the work to be performed by each[-];
7 provided that the name and information of the joint contractor
8 or subcontractor who are not required to be licensed under
9 chapter 444 in the performance of the contract are not to be
10 required to be included in bids. Construction bids that do not
11 comply with this requirement may be accepted if acceptance is in
12 the best interest of the State and the value of the work to be
13 performed by the joint contractor or subcontractor is equal to
14 or less than one per cent of the total bid amount."

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 Statutory material to be repealed is bracketed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

17 SECTION 4. This Act shall take effect on July 1, 2112.



Report Title:

Procurement; Competitive Sealed Bids; Joint Contractor or Subcontractor Listing

Description:

Clarifies that the listing of joint contractors and subcontractors required for construction bids under the competitive sealed bidding process must include the name and information of the joint contractors or subcontractors who are engaged in the performance of the contract and required to be licensed under the contractor license law. Effective 7/1/2112.
(HD1)

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