

JAN 26 2022

A BILL FOR AN ACT

RELATING TO PUBLIC PROCUREMENT.

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

1 SECTION 1. Section 103D-701, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) Any actual or prospective bidder, offeror, or
4 contractor who is aggrieved in connection with the solicitation
5 or award of a contract may protest to the chief procurement
6 officer or a designee as specified in the solicitation. [~~Except~~
7 ~~as provided in sections 103D-303 and 103D-304, a~~] A protest
8 shall be submitted in writing within five working days after the
9 aggrieved person knows or should have known of the facts giving
10 rise thereto[~~, provided that a~~], except as provided in sections
11 103D-303 and 103D-304. A protest of an award [or proposed
12 award] shall [in any event] be submitted in writing within five
13 working days after the posting of award of the contract under
14 section 103D-302 or 103D-303, if no request for debriefing has
15 been made, as applicable[~~, provided further that no~~]. A protest
16 based upon the content of the solicitation shall be [considered



S.B. NO. 3373

1 ~~unless it is~~] submitted in writing prior to the date set for the
2 receipt of offers."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: *José Mercado Ki*



S.B. NO. 3373

Report Title:

Government Contracts; Procurement; Protests

Description:

Clarifies the deadline for submitting written protests that are based on the content of a solicitation.

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