STAND. COM. REP. NO.

Honolulu, Hawaii

, 2023

FEB 15 RE: H.B. No. 816 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Labor & Government Operations, to which was referred H.B. No. 816 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT,"

begs leave to report as follows:

The purpose of this measure is to clarify the deadline for submitting written protests that are based on the content of a solicitation.

Your Committee received testimony in support of this measure from Nan, Inc. Your Committee received testimony in opposition to this measure from the General Contractors Association of Hawaii. Your Committee received comments on this measure from the State Procurement Office and Department of Transportation.

Your Committee finds that there is confusion as to when a party is deemed aggrieved in the procurement process, which triggers the period within which a party may protest. Your Committee further finds that procurement protest reviews can be lengthy, causing project delays and increasing project costs that are in turn borne by the State's taxpayers. This measure seeks to clarify the deadline to enhance predictability in the procurement process.

Your Committee has amended this measure by:

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- (1) Adding a preamble to explain its purpose;
- (2) Changing the term "request for information" to "request for additional information relating to the content of the solicitation";
- (3) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 816, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 816, H.D. 1, and be referred to your Committee on Finance.

> Respectfully submitted on behalf of the members of the Committee on Labor & Government Operations,

Z. MATAYOSHI, Chair



State of Hawaii House of Representatives The Thirty-second Legislature



## **Record of Votes of the Committee on Labor & Government Operations**

| Bill/Resolution No.:<br>HB 816 LGC   | $\begin{array}{c c} \text{Referral:} \\ \text{D,}  \neq \pm N \end{array} \qquad \begin{array}{c} \text{Date:}  2/9/23 \end{array}$ |   |  |   |
|--|---|---|--|---|
| The committee is reconsidering its previous decision on the measure.   |   |   |  |   |
| The recommendation is to:  Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) |   |   |  |   |
| LGO Members  | Ayes  | Ayes (WR)   | Nays   | Excused   |
| 1. MATAYOSHI, Scot Z. (C)  | $\checkmark$  |   |  |   |
|  |   |   | 1.<br>   |   |
| 2. GARRETT, Andrew Takuya (VC)   | $\checkmark$  |   |  |   |
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| 3. KAPELA, Jeanne  |   |   |  |   |
| 4. MARTINEZ, Rose  |   |   | <u> Herrichter der Bergelande</u><br>Herrichter der Bergelande   |   |
| 4. MARTINEZ, ROSE  |   |   |  |   |
| 5. SAYAMA, Jackson D.  |   | a to de la construction de la const | ann an ceannta an chuic na thair a' chuir an Annaichtean ann an thair an thair an thair an thair an thair an t | 1 Samani sult versin in man and the film  |
|  |   |   |  |   |
| 6. TAM, Adrian K.  | $\sim$  |   |  |   |
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| 7. ALCOS III, David  | $\checkmark$  |   |  |   |
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| TOTAL (7)  | 7   |   |  |   |
| The recommendation is: Adopted If joint referral, did not support recommendation.  |   |   |  |   |
| Vice Chair's or designee's signature:  |   |   |  |   |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO   |   |   |  |   |

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