

STAND. COM. REP. NO.

186

Honolulu, Hawaii

FEB 10 2025

RE: S.B. No. 382

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Government Operations, to which was referred S.B. No. 382 entitled:

"A BILL FOR AN ACT RELATING TO PROCUREMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit a procurement officer from disclosing a competing offeror's proposal or evaluation score during a debriefing with a non-selected offeror until after any protest is resolved and the contract is executed.

Your Committee received testimony in support of this measure from the State Procurement Office and Department of Transportation.

Your Committee finds that the release of offer details before calling for best and final offers breaches confidentiality and the principle of "sealed proposals", which are intended to promote competition and innovation. This measure protects the integrity and fairness of the procurement process by prohibiting the disclosure of any competing offeror's proposal or evaluation score, except a summary of scores, during a debriefing with a non-selected offeror until any protest is resolved and the contract is executed.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this



report, your Committee is in accord with the intent and purpose of S.B. No. 382 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Government
Operations,

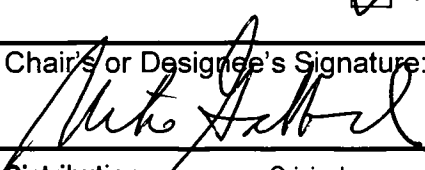


ANGUS L.K. MCKELVEY, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB382</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">GVO, JDC</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">1-30-25</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
MCKELVEY, Angus L.K. (C)	✓			
GABBARD, Mike (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt				✓
TOTAL	4	—	—	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.2em; font-family: cursive; margin-top: 10px;">  </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes