

STAND. COM. REP. NO. 2416

Honolulu, Hawaii

FEB 19 2026

RE: S.B. No. 2927
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Government Operations, to which was referred S.B. No. 2927 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, except the summary of scores, to 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.

Your Committee received testimony in opposition to this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu.

Your Committee received comments on this measure from the General Contractors Association of Hawaii.

Your Committee finds that the purpose of a debriefing within the public procurement process is to explain the purchasing agency's overall ranking of all proposals and to summarize the rationale for any award. Debriefings may be requested by non-selected offerors to better understand how their proposals did not



meet the solicitation criteria. However, your Committee understands that disclosing point-by-point comparisons between competing proposals, or the competing offerors' scores, pricing strategies, or methodology during debriefings could compromise confidentiality, undermine fair competition, and erode any competitive advantage of offerors. This measure will protect the integrity and fairness of the procurement process and the proprietary and sensitive information contained in competitive sealed proposals.

Your Committee acknowledges the concerns raised in testimony by the General Contractors Association of Hawaii that restricting the disclosure of competing offerors' proposals and evaluation scores until after the protest deadline may hamper a non-selected offeror's ability to meaningfully assess scoring and challenge potential unfair treatment within the applicable protest period. Therefore, amendments to this measure are necessary to address this concern.

Your Committee has amended this measure by:

- (1) Inserting language into statutory text to clarify that during the debriefing, procurement officers may identify significant weaknesses or deficiencies in the requester's proposal measured against the solicitation criteria;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of January 1, 2525, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2927, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2927, S.D. 1, and be referred to your Committee on Ways and Means.



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



ANGUS L.K. MCKELVEY, Chair



