

ACT 158

H.B. NO. 281

A Bill for an Act Relating to the Expenditure of Public Money and Public Contracts.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 103-32, Hawaii Revised Statutes, is amended to read:

“Sec. 103-32 Contracts to be in writing; lowest responsible bidder. All contracts shall be in writing and shall be executed in the name of the State, county, or the board, bureau, or commission thereof authorized to let contracts in its own name, as the case may be, by the officer letting the contracts, and shall be made with the lowest responsible bidder, except as provided for in section 103-43 and section 103-53.5, if the bidder qualifies by providing the security required by sections 103-34 to 103-37. If the lowest bid or any other bid is rejected, or if the bidder to whom the contract was awarded fails to enter into the contract and furnish satisfactory security, the officer may, in his discretion, award the contract to the lowest remaining responsible bidder or may publish another call for tenders as provided in section 103-26; provided that at his discretion the officer, after determining the lowest responsible bidder, may negotiate with such bidder to reduce the scope of work and to award the contract at a price which reflects the reduction in the scope of work, or may, in the case of only one bidder and when the bid exceeds available funds for the contract, negotiate with such bidder to reduce the price and award the contract at the reduced price.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.*

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

(Approved June 4, 1979.)

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.