

ACT 263

H.B. NO. 3533

A Bill for an Act Relating to Public Contracts.

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

SECTION 1. Chapter 103, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§103- Substandard work, disqualification of contractors. The director of any department or the chairperson of any board or commission which lets State contracts may issue a written notice to any contractor, banning the contractor from receiving any State contracts for two years following the issuance of the notice if the director or chairperson determines in a hearing that the contractor has performed substandard work, including consistent failure to meet contract completion schedules, that disqualifies the contractor in advance as a responsible bidder for any State contract. The notice shall set forth the reasons for the director’s or chairperson’s decision and shall also inform the contractor that the contractor has a right to appeal the decision to the circuit courts for judicial review under the standard set forth in section 91-14(g) for contested cases. The appeal shall not act as a stay of the director’s or chairperson’s decision.”

SECTION 2. New statutory material is underscored.¹

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

(Approved June 18, 1992.)

Note

1. Edited pursuant to HRS §23G-16.5.