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# A BILL FOR AN ACT

RELATING TO PROCUREMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 103D-302, Hawaii Revised Statutes, is  
2 amended by amending subsection (g) to read as follows:

3 "(g) Correction or withdrawal of inadvertently erroneous  
4 bids before or after award, or cancellation of invitations for  
5 bids, awards, or contracts based on such bid mistakes, shall be  
6 permitted in accordance with rules adopted by the policy board.  
7 After bid opening no changes in bid prices or other provisions  
8 of bids prejudicial to the interest of the public or to fair  
9 competition shall be permitted[-]; provided that the chief  
10 procurement officer of head of a purchasing agency may:

11 (1) Allow the scope of work for a listed subcontractor to  
12 be expanded within five working days of bid opening;  
13 provided further that the listed subcontractor  
14 possesses the proper contractor's license to include  
15 the expanded work; and

16 (2) Permit a previously licensed and listed subcontractor  
17 whose license was suspended or forfeited at bid time



1           to have the subcontractor's license reinstated before  
2           the award.

3 Except as otherwise provided by rule, all decisions to permit  
4 the correction or withdrawal of bids, or to cancel awards or  
5 contracts based on bid mistakes, shall be supported by a written  
6 determination made by the chief procurement officer or head of a  
7 purchasing agency."

8           SECTION 2. This Act does not affect rights and duties that  
9 matured, penalties that were incurred, and proceedings that were  
10 begun before its effective date.

11           SECTION 3. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13           SECTION 4. This Act shall take effect on July 1, 2050.



**Report Title:**

Procurement; Joint Contractors and Subcontractors

**Description:**

Allows the chief procurement officer or head of a purchasing agency to expand the scope of work in a bid for a listed subcontractor, with certain conditions, after bid opening. Effective 07/01/50. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

