
A BILL FOR AN ACT

RELATING TO CONSTRUCTION CONTRACTS.

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

- 1 SECTION 1. (a) The state procurement office, in
2 conjunction with the department of education, the University of
3 Hawaii, the department of transportation, and the department of
4 accounting and general services, shall conduct a comprehensive
5 analysis and review of the Hawaii public procurement code,
6 particularly with regard to the awarding of construction
7 contracts.
- 8 (b) At a minimum, the analysis and review shall include:
- 9 (1) A review of issues and concerns raised by the task
10 force's final report of April 14, 2015, submitted to
11 the legislature during the regular session of 2015,
12 regarding the Hawaii public procurement process;
- 13 (2) A review of federal procurement laws, particularly
14 title 48 Code of Federal Regulations chapter 1,
15 Federal Acquisition Regulation, part 36, regarding
16 Construction and Architect-Engineer Contracts, and a
17 comparison of the similarities and differences between



1 the Hawaii public procurement code and federal
2 construction procurement laws;

3 (3) An analysis of whether closer alignment of the Hawaii
4 public procurement code to federal construction
5 procurement laws would be beneficial to the State;

6 (4) The length of time and the effort required by the
7 State to implement changes to better align the Hawaii
8 public procurement code with federal procurement laws;
9 and

10 (5) Any costs, including personnel costs, to the State if
11 the Hawaii public procurement code is amended to more
12 closely align with federal procurement laws.

13 (c) The state procurement office shall submit a report of
14 its findings and recommendations, including any proposed
15 legislation, to the legislature no later than twenty days prior
16 to the convening of the regular session of 2019.

17 SECTION 2. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so much
19 thereof as may be necessary for fiscal year 2017-2018 and the
20 same sum or so much thereof as may be necessary for fiscal year
21 2018-2019 for a comprehensive review and analysis of the Hawaii



1 public procurement code, particularly with regard to the
2 awarding of construction contracts.

3 The sums appropriated shall be expended by the state
4 procurement office for the purposes of this Act.

5 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Procurement Code; Construction; Federal Requirements; Analysis

Description:

Requires the State Procurement Office, in conjunction with DOE, UH, DOT, and DAGS, to conduct an analysis and review of the Hawaii Public Procurement Code, specifically with regard to the awarding of construction contracts. Appropriates an unspecified amount of funds for the analysis and review. (HB1322 HD2)

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