
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 regarding the Hawaii
10 public procurement process that were raised by the
11 task force established by the comptroller, pursuant to
12 senate concurrent resolution no. 92, senate draft 2,
13 regular session of 2013, in the task force's final
14 report issued on April 14, 2015, and submitted to the
15 legislature during the regular session of 2015;

16 (2) A review of federal procurement laws, particularly
17 title 48 Code of Federal Regulations chapter 1,



1 Federal Acquisition Regulation, part 36, regarding
2 Construction and Architect-Engineer Contracts, and a
3 comparison of the similarities and differences between
4 the Hawaii public procurement code and federal
5 construction procurement laws;

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

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

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

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

20 SECTION 2. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$ or so much



1 thereof as may be necessary for fiscal year 2017-2018 and the
2 same sum or so much thereof as may be necessary for fiscal year
3 2018-2019 for a comprehensive review and analysis of the Hawaii
4 public procurement code, particularly with regard to the
5 awarding of construction contracts.

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

8 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. Effective 7/1/2050. (SD1)

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