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and work toward resolution on all issues affecting Hawaii's construction industry. We support the completion of the Honolulu rail project, work with other organizations to address achieving an adequate workforce, increase in-house educational opportunities for GCA members and continue to improve and increase membership benefits to attract and maintain new and current members.

**BIH: Looking back at the 2014 legislative session, what was the GCA's biggest victory?**

**HIGA:** In 2014, GCA focused on a number of initiatives including improvements to public procurement and ensuring proper funding for public works projects, especially overdue repair and maintenance of public buildings. GCA also attempted to address matters related to the general contractor's duty to defend the state or county in matters whereby litigation was initiated by a third party. After much discussion with other industry stakeholders, no agreement as to the language was reached and parties agreed to continue to work at resolving the matter in the future. With 2014 being an election year, the legislative agenda was one of less contentious items of discussion.

**BIH: In the 2015 legislative session, what has been the GCA's focus?**

**HIGA:** Improving efficiency in the procurement of public works projects, defending against unnecessary contractor licensing amendments and ensuring an improving business climate



The GCA raised \$11,080 for the IHS.

for employers. To prepare to identify improvements in procurement for the past two years, GCA, other government agencies and interested stakeholders have been participating in a legislatively created Procurement Task Force to identify amendments that would increase economy, efficiency, effectiveness, and impartiality in the procurement of public works construction projects.

The Task Force identified four construction-related procurement issues of importance: Subcontractor listing, preferences, protests and the elimination of bad contractors. The current subcontractor listing mandate under Hawaii's procurement code requires listing the name and the nature and scope of work to be performed by each, when the value of the work performed is greater than 1 percent of the total bid amount. The rush to fill in and complete these listing requirements has created more chances for bid errors, especially with the more than 100 percent license classifications and sub-classifications. GCA has identified this as an area of procurement that requires a law change.

**BIH: What are some "next steps" to take?**

**HIGA:** GCA has attempted to fix procurement inefficiencies like the subcontractor listing requirement; however, further education and knowledge of the issues at hand are necessary. To further educate legislators and interested stakeholders on procurement and how Hawaii's contractor licensing laws have affected the cost of construction, GCA and other stakeholders held an Educational Symposium for legislators in December 2014 prior to the legislative session titled, "Construction in Hawaii: Contractor Licensing Laws and Judicial Interpretations Affecting Building in Hawaii" by Anna Oshiro and industry representatives and government officials. The symposium focused on how the 2002 Hawaii Supreme Court decision of Okada Trucking continues to reverberate through the construction industry, affecting nearly every project requiring a contractor's license, greatly impacting public construction procurement. GCA commissioned a paper on the topic authored by Oshiro, which provides excellent research and information on how the scope of work for a general contractor underwent a dramatic reduction when the Okada Trucking Decision was decided and its effect on Hawaii's construction industry as a whole.

Anna Oshida's paper for the GCA is available at [www.hawaiiconstructionlaw.com/blog/2015/02/okada-trucking-13-years-later-still-making-waves-in-the-industry.html](http://www.hawaiiconstructionlaw.com/blog/2015/02/okada-trucking-13-years-later-still-making-waves-in-the-industry.html)

**BIH: What other lobbying efforts is GCA doing on behalf of its members?**

**HIGA:** Another one of GCA's legislative priorities this year was to preserve the current law governing an Employer's Medical Examination, commonly referred to as an Independent Medical Examination or IME under Hawaii's Worker's Compensation Law. GCA disagrees with any amendment that would remove an employer and insurance carrier's right to choose their own medical expert to render