



# STATE PROCUREMENT OFFICE EMERGENCY PROCUREMENT REQUEST

1. TO: Chief Procurement Officer  
2. FROM: Agribusiness Development Corporation

Department/Division/Agency

Pursuant to §103D-307, HRS, and Subchapter 10, Chapter 3-122, HAR, the Department requests approval for the following:

|   |   |
|---|---|
| 3. Date   | 4. After the fact <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| 5. Nature of the Emergency<br>Heavy rains from December 10 to 16, 2008 resulted in water overflowing from drainage channels in Kekaha, Kauai, leaving debris on Polihale Road and other areas. On December 12, 2008, Governor Lingle signed a disaster proclamation. Emergency work on Kekaha Agricultural Lands included cleaning and removing debris and silt from drainage channels and embankments (continued on attached separate sheet) |   |

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|--|--------------------------|
| 6. Vendor: Kekaha Agriculture Association<br>Address: P.O. Box 940<br>Waimea, HI 96796 | 7. Price:<br>\$44,317.00 |
|--|--------------------------|

8. Description of goods, services, or construction to be purchased  
From January 5, 2009 to March 13, 2009, excavators were used to clean main channels of debris and silt to restore drainage of flood waters in Kekaha. A small breach in a main channel at Field 121 was repaired.

9. Reason for Vendor Selection  
Under a 20-year Memorandum of Agreement (MOA) dated April 1, 2007 between the Agribusiness Development Corporation (ADC) and the Kekaha Agriculture Association (KAA), the KAA is responsible for operating and maintaining common infrastructure (continued on attached separate sheet)

10. Direct questions to: Lynn Owan Phone: 586-0187

11. I certify that the information provided above is to the best of my knowledge, true and correct.

R. Duane K. Owan 1/8/10  
Department Head Date

**Reserved for SPO Use Only**

12. Chief Procurement Officer's comments:  
  
Pursuant to Procurement Delegation No. 2008-01, emergency procurements less than \$50,000 may be approved by the department head and do not require CPO approval. Emergency procurements \$2,500 or more are required to be posted on the Procurement Reporting System.

13.  
 APPROVED  DISAPPROVED  NO ACTION REQUIRED  
Clara S. Fujita 1/13/2010  
Chief Procurement Officer Date

14. E.P.No. 10-014-B

SPO-02

Agribusiness Development Corporation

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**5. Nature of the Emergency**

to allow safe public access on Polihale Road and to restore drainage of flood waters toward the ocean.

**9. Reason for Vendor Selection**

within about 12,800 acres of Kekaha Agricultural Lands. The KAA contracts out work to on-island vendors who assist with regular maintenance of the infrastructures. The vendors are capable of responding to catastrophic events such as power failure or flooding so that immediate measures may be taken to prevent loss or damage, both to the farms and the adjacent residential homes in Kekaha Town. It should be noted that ADC received approval of SPO-01 (SS No. 08-013-J dated August 16, 2007) to sole source KAA for regular operation and maintenance work under the MOA. When the heavy rains occurred in December 2008, it was prudent and economical to request the same vendors who were already performing the maintenance work and had equipment readily available, to respond to the urgently needed work.

It should be noted that in February 2009, the Federal Emergency Management Agency (FEMA) conducted site visits to determine which storm damage sites in Kekaha were eligible for FEMA assistance. The subject debris-cleaning work was written up in September 2009 in a preliminary FEMA project worksheet, which is under their review to determine eligibility. If eligible, ADC will apply to be reimbursed for 75% of the cost.