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STATE PROCUREMENT OFFICE
EMERGENCY PROCUREMENT REQUEST

STATE PROCUREMENT OFFICE
STATE OF HAWAII

'11 JAN 27 P12:29

STATE PROCUREMENT OFFICE OF FILE
STATE OF HAWAII

1. TO: Chief Procurement Officer
2. FROM: DOT/HARBORS/OAHU DISTRICT

Department/Division/Agency

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

HARBORS FISCAL

3. Date 12/16/2010	4. After the fact <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. Nature of the Emergency IMPOUNDED FISHING VESSEL JUDY K WAS TAKING ON WATER AND WAS IN DANGER OF SINKING ALONGSIDE THE PIER WITH A POTENTIAL RELEASE OF POLLUTANTS AND PUBLIC SAFETY AND HEALTH ISSUES.	

6. Vendor: MARINE SURVEYORS & CONSULTANTS Address: 720 SOUTH STREET, #181 HONOLULU, HI 96813	7. Price: \$2,010.47
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8. Description of goods, services, or construction to be purchased
PUMP SIX (6) FEET OF WATER FROM ENGINE ROOM BILGE AND REPAIR LEAKING HULL VALVE

9. Reason for Vendor Selection
VENDOR WAS PREVIOUSLY CONTRACTED FOR CUSTODIAL CARE AND WAS FAMILIAR WITH VESSEL. IMMEDIACY OF THE ISSUE PRECLUDED SOLICITING ADDITIONAL BIDS.

10. Direct questions to: BILL DAVIS ^{d27lu} Phone: 587-2057

3/17/11
Kline
3/17/11

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

[Signature] Department Head Date MAR 29 2011

Reserved for SPO Use Only

12. Chief Procurement Officer's comments:

SEE CPO COMMENTS ATTACHED AS PAGE 2.

13. APPROVED DISAPPROVED NO ACTION REQUIRED
[Signature] Chief Procurement Officer Date 4/7/2011

14. E.P.No. 11-026-D

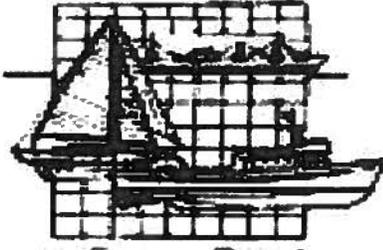
CPO COMMENTS:

Request is disapproved as it does not meet the requirements of an emergency procurement and is not an appropriate use of the emergency procurement provision. The department impounded the vessel in 2006, was under custodial care by contract until February 2010 at which time the department decided not to continue the contract. This situation is the consequence of poor management and oversight. The emergency procurement process is not to be used to rectify a situation that was preventable. Emergency procurement is to address unanticipated serious situations that require immediate action by a governmental agency that may affect the health and safety of the general public.

Mr. Bill Davis the contact person is responsible for this procurement. He does not have written delegated procurement authority nor has he taken the appropriate required mandatory procurement training even after being reminded and as a condition of the approval in the CPO Comments for PV 09-065-C/D dated 12/02/09 which states, “. . .approved with the understanding that Messrs. Davis . . . shall not conduct or participate in any procurement activities until they have attended the required procurement training workshops.” When written delegation of procurement authority is granted, it is understood that the personnel involved in procurement activities are responsible and accountable for their action. Additionally, applicable procurement training ensures that personnel receive appropriate training to fulfill their responsibilities when conducting/participating in procurement.

Even though the prior procurement violation stipulated Mr. Davis “shall not conduct or participate in any procurement activities” he continued and conducted an inappropriate procurement. This is a procurement violation and the department shall submit form SPO-016 and a final reminder that Mr. Davis shall not conduct or participate in any procurement activities until the requirements of Procurement Delegation No. 2010-01 and Procurement Circular No. 2010-05 as appropriate, have been met.

The department is reminded that when a procurement violation has occurred, the department head shall determine whether any corrective action is necessary to remedy the situation or prevent its recurrence. In addition, to any civil or criminal penalty allowed by law, the CPO may impose a decision, such as reduction or rescission of delegated procurement authority or an administrative fine.



Marine Surveyors and Consultants, Ltd.
720 South St #181
Honolulu, Hawaii 96813
Office 808 545-1333
Fax 808 531-7772
Marsurv808@gmail.com

INVOICE

December 16, 2010
Invoice No: 11350

To: Mr. Bill Davis
Dept. of Transportation, Harbors Division
Pier 11, Gallery
700 Fort Street Mall
Honolulu, Hawaii 96813-4808

Mr. Davis,
On December 16, 2010 at 9:00am, Marine Surveyors and Consultants notified Harbors Division that vessel "Judy K" was taking on water at Pier 40 in Honolulu Harbor. Marine Surveyors and Consultants was instructed to pump out water and secure leak.

Location: Pier 40 Honolulu Harbor

Services:

9:30 am: Mobilize pumps and equipment at pier 40
10:00 am: Start pumping vessel "Judy K". Continue to pump
2:00 pm: Monitor pumps and clean out clogs from debris floating in hull
3:00 pm: Identify broken valve, portside, amidships
4:00 pm: Send diver overboard to clean bottom around thru hull fittings. Temporary repair by pounding in damage control plug from under water.
5:30 pm: Pumping and temporary repair complete. Secure pumps.

Labor Charges: \$1920.00
Tax: \$ 90.47
Total: \$2010.47

Note: Charges waived for pumps and damage control plug.

Terms: Please forward payment within 15 days.
Interest rate at 1% per months on all accounts over 30 days.

Payment Received: