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APR 28 A8:27

PROCUREMENT OFFICE
STATE OF HAWAII

STATE PROCUREMENT OFFICE EMERGENCY PROCUREMENT REQUEST

1. TO: Chief Procurement Officer

2. FROM: DLNR/DOFAW/Wildlife

Department/Division/Agency

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

3. Date 4/25/2011

4. After the fact YES NO

5. Nature of the Emergency

The Pu'uwawa Reservoir water level is critically low. It is necessary for controlling & maintaining water levels in the reservoir. If the water level in the reservoir is critically low it will expose the reservoir liner to the uv rays which will cause damage to the liner. In order to protect the liner & the endangered species in the area(nene) the reservoir will need to be filled with 7million gallons.

6. Vendor: Napuu Water Co
Address: PO BOX 4525
Kailua Kona, HI 96745

7. Price:
\$77,000.00

8. Description of goods, services, or construction to be purchased

Fill reservoir with 7 million gallons of water to protect reservoir liner from UV damage and to protect the habitat of the nene an endangered species on and around the reservoir.

9. Reason for Vendor Selection

The choosen vendor already has a water inlet valve to the reservoir which can easily be turned on to fill the complete reservoir. No other vendor has the ability to pump water to reservoir unless water was trucked to site which would cost thousands of dollars.

10. Direct questions to: Hans Sin

Phone: 808-936-2866 cell

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

[Signature]

4/26/11

Department Head

Date

Reserved for SPO Use Only

12. Chief Procurement Officer's comments:

Request is disapproved as it does not meet the requirements for an emergency procurement, and is not an appropriate use of the emergency procurement provision. 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. It has taken the department over four months after the initial sole source request was disapproved (December 14, 2010) to request for an emergency procurement. The department has historical data and knows at this location, water at the reservoir becomes critically low at times and in the past purchased water using a competitive sealed bid. This is not an emergency situation, but rather a planning and management issue.

As a reminder, individual(s) participating in procurement activities are required to be in compliance with Procurement Delegation No. 2010-01 and Amendment 1, and Procurement Circular No. 2010-05, *Statewide Procurement Training*, as appropriate. Procurement requests submitted to the SPO listing departmental personnel without written delegated procurement authority and the appropriate mandatory procurement training will be returned.

13.

APPROVED DISAPPROVED NO ACTION REQUIRED

[Signature] 5/10/2011
Chief Procurement Officer Date

14. E.P.No. 11-042-K