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STATE PROCUREMENT OFFICE
NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103D, HRS

STATE OF HAWAII

- 1. TO: Chief Procurement Officer
2. FROM: Hawaii Housing Finance and Development Corporation

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:
Collect water samples from the Ewa Caprock aquifer for a water quality analysis involving temperature, salinity, water pumpage volume, and well drawdown for groundwater monitoring of two nonpotable caprock wells in compliance with Commission on Water Resource Management requirements. Submit a graphical presentation of the data on a monthly basis. The duration of the services is 24 months, with an option to extend for additional 12 months.

4. Name of Vendor: Water Resource Associates
Address: 1188 Bishop Street, Suite 1708
Honolulu, Hawaii 96813

5. Price:
\$25,874.00

6. Term of Contract: From: 9/1/2010 To: 8/31/2013

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: HHFDC seeks exemption from the Hawaii Electronic Procurement System (HEPS). HHFDC solicited bids for professional services under the small purchase option (Section 103D-305,HRS) as allowed under Section 103D-304, HRS. The work contemplated does not require licensing under Chapter 464, HRS, as it is for groundwater reporting purposes for compliance with State Commission on Water Resource Management requirements. HEPS is not generally utilized by the professional communities and therefore should not be mandatory for this type of services. Not all qualified professional firms are registered under HEPS as the firms are generally selected through the professional services procurement method. Also, the work contemplated does not merit a full blown professional services process, due to the limited scope and minimal cost.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
Four qualified professional firms experienced in groundwater and environmental sciences were selected to submit bids for the preparation of compliance reports under the Small Purchase option for Professional Services. The four firms selected were chosen from a prior listing of qualifications for professional services and past participation in submitting proposals for this type of work. Only two firms submitted bids. The work contemplated does not require licensing under Chapter 464, HRS, as it is for groundwater reporting purposes for compliance with State Commission on Water Resource Management requirements.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
The solicitation is made pursuant to applicable procurement methods. Purchase approvals are granted in-house and funding is made available from agency funds. All required forms are filled out and approvals obtained prior to award of purchase order. This procurement exemption is sought from SPO in order to ensure that payments for invoices for this work will be made by the Dept. of Accounting and General Services from agency funds.

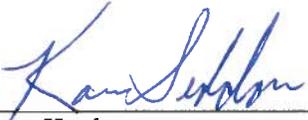
**REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)**

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:		
Name	Position	Involvement in Process
Leo Domingo	Project Coordinator	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Richard Prahler	Development Branch Chief	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Galen Lee	Business Manager	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Karen Seddon	Executive Director	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: DBEDT/HHFDC Contact Name: Leo Domingo Phone Number: 587-3170 Fax Number: 587-0600
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Agency shall ensure adherence to applicable administrative and statutory requirements

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


07/21/10  
 \_\_\_\_\_  
 Department Head Date

Reserved for SPO Use Only
15. Date Notice Posted <u>7/27/2010</u>
The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to: <p align="center">                     Chief Procurement Officer                      State Procurement Office                      P.O. Box 119                      Honolulu, Hawaii 96810-0119                 </p>
Chief Procurement Officer's comments:  Request is disapproved as partially utilizing HAR Chapter 3-122, subchapter 8, small purchase or subchapter 7, professional services does not qualify for an exemption. HHFDC shall cancel the quotes received and re-solicit using one of the appropriate source selection methods in HRS Chapter 103D.

16.  APPROVED  DISAPPROVED  NO ACTION REQUIRED

 8/3/2010  
 \_\_\_\_\_  
 Chief Procurement Officer Date



STATE PROCUREMENT OFFICE

RECORD OF PROCUREMENT

1. Agency: Hawaii Housing Finance and Development Corporation
2. PO/pCard No.
3. Date: 7/21/2010
4. Project/Requisition/Work Order No.

- 5. This form is for: [X] Small Purchase procurements pursuant to HRS §103D-305, \$5,000 to less than \$15,000
[ ] Small Purchase procurements pursuant to HRS §103F-405, less than \$25,000
[ ] \*Sole Source Procurements pursuant to HRS §103D-306, less than \$50,000
[ ] \*Emergency Procurements pursuant to HRS §103D-307, less than \$50,000
\*Awards shall be posted in accordance with Procurement Circular 2006-01, or as amended.

6. PART A. Description of good/service/construction:
Collect water samples from the Ewa Caprock aquifer for a water quality analysis involving temperature, salinity, water pumpage volume, and well drawdown for groundwater monitoring of two nonpotable caprock wells in compliance with Commission on Water Resource Management requirements. Submit a graphical presentation of the data on a monthly basis. The duration of the services is 24 months, with an option to extend for additional 12 months.

7. PART B. QUOTATIONS SOLICITED:
Table with 6 columns: SELECTION (Check Box), Vendor Name, Representative, Phone No, Date of Quote, Amount Quoted.
Row 1: [ ] 1. AMEC Earth & Environmental, Inc. Dr. Russell Okoji 0
Row 2: [ ] 2. Element Environmental LLC Steven Spengler 637-1200 06/29/2010 27057.58
Row 3: [ ] 3. Enviroservices & Training Center, LLC Michael Yee 0
Row 4: [X] 4. Water Resource Associates Daniel Lum 528-0074 06/29/2010 25874.00
Row 5: [ ] 5.

13. PART C. Justification for inability to obtain minimum three quotations, if applicable:
Four qualified professional firms experienced in groundwater and environmental sciences were selected to submit bids for the preparation of compliance reports under the Small Purchase option for Professional Services. Only two firms submitted bids. The work contemplated does not require licensing under Chapter 464, HRS, as it is for groundwater reporting purposes for compliance with Water Commission Requirements.

14. PART D. Justification for award made to other than lowest responsive, responsible vendor:
Not Applicable.

15. Signature [Signature] 7/20/10 date
Employee soliciting quotations
16. Signature [Signature] 07/21/10 date
Procurement Officer approval

FILE A COPY AS SUPPORTING DOCUMENTATION IN THE PROCUREMENT FILE.

**STATE OF HAWAII  
SMALL PURCHASE WRITTEN QUOTATIONS**

RECEIVED  
HAWAII HOUSING FINANCE  
DEVELOPMENT CORP

1. Date: June 29, 2010  
 2. Company: Water Resource Associates 3. Phone/fax No. 528-0074 /             
 4. Address: 1188 Bishop St., Suite 1708 5. City/State/Zip: Honolulu, HI 96813  
 6. Vendor Representative: Daniel Lum

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**7. PROVIDE A QUOTATION for the following good/service/construction (Describe or  see attached specifications):**  
 1. Monthly Sampling and Report

Collect water samples from the groundwater wells (Ewa Caprock Aquifer) for water quality analysis involving temperature, salinity well drawdown and water pumpage volume, for groundwater monitoring of two nonpotable caprock wells in compliance with the Commission on Water Resource Management (CWRM) requirements. A monthly sampling analysis, graphical representation and monitoring report of the data collected shall be provided to CWRM and HHFDC. An annual summary report data shall be submitted annually to CWRM and HHFDC.

Price quotation shall include all applicable taxes including the State General Excise Tax.

Subject to termination for convenience upon 30 days written notice by HHFDC.

8. QUOTATION REQUESTED BY ( mail  e-mail  fax this 6/30/2010 2:00 PM to the following:  
 quotation by (date) (time)

9. Dept/Agency Hawaii Housing Finance and Development Corporation

10. Address 677 Queen Street, Suite 300 11. City/State/Zip Code: Honolulu, Hawaii 96813

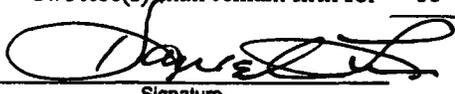
12. Contact Person Leo Domingo 13. Phone/fax No 587-3170 / 587-0600

13A. e-mail           

===== VENDOR TO COMPLETE ITEMS 14 THROUGH 25 BELOW =====

14. Item No.	15. Description of Item	16. QTY	17. UNIT PRICE	18. TOTAL PRICE
1	Monthly Sampling and Report	24	660.00	\$15,840.00
2	Additional Monthly Sampling and Report	12	660.00	\$ 7,920.00
3	Related Groundwater Monitoring Services Allowance	1	\$1,000.00	\$1,000.00
19. Additional information or terms (i.e. delivery time, warranty period, etc.):				20. Shipping/ Handline
				21. State Tax \$ 1114.00
				22. TOTAL SUM PRICE \$25,874.00

23. Quote No. 1 24. Price(s) shall remain firm for 60 days.

25. Vendor Representative:  June 29, 2010  
 Signature Date

Title: Owner

STATE OF HAWAII  
SMALL PURCHASE WRITTEN QUOTATIONS

2010 JUN 30 A 10:04

1. Date: June 29, 2010  
 2. Company: Element Environmental LLC  
 3. Phone/fax No. 488-1200 / 488-1300  
 4. Address: 98-030 Hekaha St., Unit 9  
 5. City/State/Zip: Aiea, HI 96701  
 6. Vendor Representative: Steven Spengler

7. PROVIDE A QUOTATION for the following good/service/construction (Describe or  see attached specifications):  
 1. Monthly Sampling and Report

Collect water samples from the groundwater wells (Ewa Caprock Aquifer) for water quality analysis involving temperature, salinity well drawdown and water pumpage volume, for groundwater monitoring of two nonpotable caprock wells in compliance with the Commission on Water Resource Management (CWRM) requirements. A monthly sampling analysis, graphical representation and monitoring report of the data collected shall be provided to CWRM and HHFDC. An annual summary report data shall be submitted annually to CWRM and HHFDC.

Price quotation shall include all applicable taxes including the State General Excise Tax.

Subject to termination for convenience upon 30 days written notice by HHFDC.

8. QUOTATION REQUESTED BY ( mail  e-mail  fax this 6/30/2010 2:00 PM to the following):  
 quotation by (date) (time)

9. Dept/Agency Hawaii Housing Finance and Development Corporation

10. Address 677 Queen Street, Suite 300 11. City/State/Zip Code: Honolulu, Hawaii 96813

12. Contact Person Leo Domingo 13. Phone/fax No 587-3170 / 587-0600

13A. e-mail \_\_\_\_\_

===== VENDOR TO COMPLETE ITEMS 14 THROUGH 25 BELOW =====

14. Item No.	15. Description of Item	16. QTY	17. UNIT PRICE	18. TOTAL PRICE
1	Monthly Sampling and Report	24	\$ 685	\$ 16,440
2	Additional Monthly Sampling and Report	12	\$ 700	\$ 8,400
3	Related Groundwater Monitoring Services Allowance	1	\$1,000.00	\$1,000.00

19. Additional information or terms (i.e. delivery time, warranty period, etc.):

20. Shipping/ Handling	\$ 1,217.58
21. State Tax	<del>23,500.00</del> ATC
22. TOTAL SUM PRICE	\$ 27,057.58

23. Quote No. \_\_\_\_\_ 24. Price(s) shall remain firm for 60 days.

25. Vendor Representative: \_\_\_\_\_

[Signature]  
Signature

6/29/2010  
Date

Title: \_\_\_\_\_

VICE PRESIDENT, Element Environmental

subchapter:

"Adequate and reasonable competition" means the amount of vendors solicited based upon the number of vendors available and the value or price of the goods, service, or construction. Because of variations in circumstances, it is not possible to define what is adequate and reasonable competition for every small procurement. However, in general, the more vendors there are that can meet the needs of the agency, or the higher the price of the goods, services, or construction, then a greater number of vendors should be solicited. [Eff 12/15/95; comp 11/17/97; comp MAR 21 2008 ] (Auth: HRS §§103D-202, 103D-305) (Imp: HRS §§103D-104, 103D-305)

§3-122-74 General provisions. (a) Small purchases shall be subject to section 103D-305, HRS, and do not require public notice or public bid openings.

(b) Small purchase contracts for professional services may be procured pursuant to this subchapter or section 103D-304(j), HRS; provided that small purchase of design professional services furnished by licensees under chapter 464, HRS, shall be procured in accordance with section 103D-304, HRS.

(c) Unless otherwise exempt, purchasing agencies delegated small purchase authority shall comply with state procurement office price or vendor lists, price schedules, or other chief procurement officer lists and schedules, where applicable.

(d) Purchases shall not be parceled by dividing the purchase of same, like, or related items of goods, services, or construction into several purchases of smaller quantities, so as to evade the statutory competitive bidding requirements. For additional details, refer to chapter 3-131.

(e) Preferences pursuant to part X, chapter 103D, HRS, shall not apply to small purchases. [Eff 12/15/95; am and comp 11/17/97; am and comp MAR 21 2008 ] (Auth: HRS §§103D-202, 103D-305) (Imp: HRS §103D-305)

§3-122-75 Goods, services, and construction. (a) Based on specifications and with adequate and reasonable competition:

(1) No less than three quotes shall be solicited