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

- 1. TO: Chief Procurement Officer
- 2. FROM: DBEDT/Hawaii Community Development Authority

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:
 Landscape maintenance, specifically grass-cutting, within the Kakaako Waterfront Park, Makai Gateway Park and Kewalo Basin Park (total of approximately 41 acres). Work is anticipated to begin on August 30, 2010.

4. Name of Vendor: Paradise Properties, Inc.

5. Price:

\$61,600.00

Address: 45-692 Halemuku Way
Kaneohe, Hawaii 96744

6. Term of Contract: From: 8/30/10

To: 11/28/10

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: HCDA would not have been able to complete a procurement by Invitation for Bids for the above scope of services and issue a Notice to Proceed by August 30, 2010. HCDA was notified last week Thursday (8/19/10) that Malama Landscape Maintenance, HCDA's landscape maintenance contractor, has done the following: 1) filed for bankruptcy; 2) lost its landscaping contractor's license; and 3) no longer maintains liability insurance. HCDA terminated the contract that day (8/19/10). HCDA must now identify a contractor willing and able to start the landscape maintenance in its parks within ten (10) working days to maintain the existing grass cutting schedule. A failure to maintain the existing schedule will produce long grass which has been associated with increased incidences of vectors (e.g. fleas, rats, others).

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

HCDA contacted the Department of Public Safety, Corrections Office, Department of Land and Natural Resources, and Department of Transportation-Harbors Division and was informed that given manpower constraints, that these agencies could not assist the HCDA with landscape maintenance services. HCDA then emailed a request for quotations (HCDA followed the small purchase procurement procedures) to eight (8) landscape contractors on Thursday (8/19/10) with a quotation submittal deadline at 4:00 p.m. on Monday (8/23/10). HCDA followed-up with phone calls to all eight (8) contractors on Monday (8/23/10) to verify their receipt of the request for quotation. HCDA received two (2) bids and Paradise Properties, Inc. is the lowest responsible bidder.

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

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
 HCDA issued a request for quotation utilizing a procurement process similar to the the small purchase procurement process. HCDA will process a purchase order for the landscape maintenance services when it receives SPO approval for this SPO-07. The purchase order with an effective date of August 30, 2010, will allow the contractor to resume the grass cutting schedule in a timely manner. As it typically takes two to three (2-3) months to execute an appropriate contract, a purchase order is be utilized for greatest efficiency.

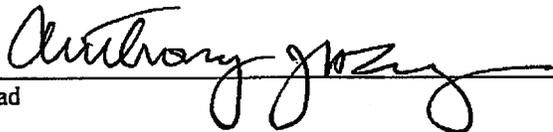
12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:

Name	Position	Involvement in Process	
Craig Uemura	Asset Management Specialist	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Richard Kuitunen	Asset Manager	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Chris Sadayasu	Compliance Assurance Officer	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Chong Gu	Administrative Services Officer	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Anthony Ching	Executive Director	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to:
 Department: DBEDT/HCDA
 Contact Name: Chris Sadayasu
 Phone Number: 594-0343
 Fax Number: 594-0299

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.*


 Department Head _____ Date **AUG 24 2010**

~~Reserved for SPO Use Only~~

15. Date Notice Posted 8/25/10

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:

Chief Procurement Officer
 State Procurement Office
 P.O. Box 119
 Honolulu, Hawaii 96810-0119

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

Chief Procurement Officer's comments:

This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply. Department is reminded that contract awards resulting from this exemption is required to be posted on the Procurement Reporting System.

16.

APPROVED DISAPPROVED NO ACTION REQUIRED

Charles. Taylor 9/2/2010
Chief Procurement Officer Date