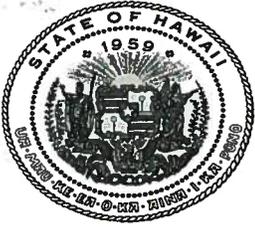


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STATE PROCUREMENT OFFICE
NOTICE OF REQUEST FOR EXEMPTION
FROM HRS CHAPTER 103D

11 DEC 22 P 4 :00

STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer
FROM: Department of Land and Natural Resources, DOFAW
Name of Requesting Department
SUBJECT: Request for Exemption

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

1. Describe the goods, services or construction.
The Hawaii Forest Stewardship Program (FSP) is a landowner assistance grant program established under Chapter 195F, HRS, and further described in Chapter 13-109, HAR. The program offers interested land managers technical and financial assistance, the latter through cost-share reimbursement, for the development and implementation of management actions or practices on their land that restores, conserves, or promotes timber production. Interested land managers must plan and commit to a 10-year management period that is developed with, overseen, and approved by the mandated Forest Stewardship Advisory Committee (FSAC). For this commitment and once their management plan is approved by the FSAC, land managers are eligible to receive 50% reimbursement of their practice costs associated with their detailed management plan, including cost-share funding for the management plan development and implementation of the described management actions/practices.
2. Vendor/Contractor Name : To Be Determined
3. Amount of Request: \$ various (max of \$75,000/yr)
4. Term of Contract: From: 2/10/12 To: 12 mos
5. Prior Exemption Reference No.: 10-086-D
6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:
The required involvement of the FSAC, as established under Chpt 13-109, in the development, review, and ultimate approval of project proposals and management plans makes procurement under Chapter 103D, HRS not practicable. FSP projects are evaluated on the individual merits of the project including applicable of the practice, overall and practice cost, intention project, among others; thus requiring the use of a competitive sealed-proposal (RFP) process for award. However, proposed projects cannot be kept confidential until award. Land managers interested in FSP interact with FSAC multiple times before the ultimate award, including acceptance into the program (through a project proposal form) and generation (with the help/use of the technical expertise of FSAC) and submission of a detailed management plan for review and approval. In many cases, plans are review multiple times by FSAC and the Division before they are approved by the FSAC. Because the FSAC is considered a public board, all actions and items reviewed and discussed are available for public inspection and recorded in the FSAC meeting minutes per Hawaii Sunshine Law, thus project pl
7. In selecting the vendor/contractor, explain in detail, the process the department will utilize to maximize fair and open competition:
FSP announcement and notice is posted on the state procurement website and detailed information about applying for the program is available via DLNR DOFAW statewide offices and website. Program enrollment is continuous and all land managers that meet basic eligibility requirements (listed in all information material) and that are determined to be inline with the FSP purpose (by FSAC) are eligible for technical and financial assistance under the program. All project proposals and management plans are evaluated based on their specific goals, objectives, and applicability of described practices. Guidance is provided to all projects on shortfalls or needed improvement to their plans by the Division and FSAC. All approved management plans are eligible for cost-share reimbursement for costs related to the management plan development. Projects interested in additional cost-share funding for implementation of planned practices under FSP are evaluated, by the FSAC, based on the FSP high priority areas that are described in evaluation criteria. To date FSP has been able to provide cost-share assistance for the development of approved management plans; funding for i

