



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

12 MAY -1 11:16

STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Agriculture
Name of Requesting Department

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:
Inspection of qualified dogs and cats subject to quarantine arriving on islands other than Oahu.

2. Vendor/Contractor/Service Provider: Private Veterinary Facilities	3. Amount of Request: \$ 0
4. Term of Contract From: 1-May-12 To: 30-Apr-12 30 Apr 2014 per 5/10/12	

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:
The Department of Agriculture desires to execute agreements to issue permits to licensed privately owned veterinary care facilities to inspect qualified dogs and cats arriving on direct flights at approved neighbor island ports/airports. The Department is doing this because the Animal Quarantine program only has staff on Oahu. It is neither practicable nor advantageous to procure by competitive means because procurement via competitive bid or proposal would intend to limit the number of facilities that provide this service to the customer. In contrast, the Department prefers to have all such facilities, capable of meeting the operational and physical requirements specified in Chapter 4-29, Hawaii Administrative Rules, provide this service to pet owners rather than a single entity. Each facility will need to establish and collect their fee to provide this service from the pet owner. No money will be paid to these facilities by the state. Having multiple facilities also benefits customers by providing more options and competition. (continued on attachment)

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:
Previously a RFP was conducted to identify a veterinary facility to provide inspection of all qualified dogs and cats arriving at Lihue on the island of Kauai. Only one facility responded; Kauai Humane Society and that contract has expired. There may have been a misunderstanding or miscommunication of the purpose and intent of identifying veterinarians capable of providing this service that resulted in the initial RFP. To expand the number of permitted facilities under this request, all licensed veterinary facilities on the neighbor island (in the region of the approved port or airport) will be notified via mail or e-mail of the opportunity to provide neighbor island inspection with instructions to contact the Animal Quarantine Station. All responding veterinarians will be sent information of the requirements in Chapter 4-29, Hawaii Administrative Rules and a sample agreement to apply for a permit. Applicants will be checked for compliance with Chapter 4-29, HAR; agreements executed; and a permit issued if an applicant facility is deemed compliant. No restriction will be placed on the number of facilities that may receive permits to provide this service.

8. Identify the primary individual(s) who is knowledgeable about this request, who will conduct and manage this process, and has 1) completed mandatory training; and 2) who may contact for follow up inquiry, if any.
 (Type over "example" and delete cells not used.)

Name of Department Personnel	Division/Agency	Phone Number	e-mail address
Isaac Maeda	AI/AQ	483-7144	isaac.m.maeda@hawaii.gov
James Foppoli	AI/AQ	483-7111	James.m.foppoli@hawaii.gov

*All requirements/approvals and internal controls for this expenditure is the responsibility of the department.
 I certify that the information provided above is, to the best of my knowledge, true and correct.*

Russell Kohr

Department Head Signature

4/30/12

Date

For Chief Procurement Officer Use Only

Date Notice Posted:

5/2/2012

Submit written objection to this notice to issue an exempt contract within seven calendar days or as otherwise allowed from date notice posted to:

state.procurement.office@hawaii.gov

Chief Procurement Officer (CPO) Comments:

Approval is granted for the period 05/01/12 to 04/30/14 with the understanding that DOA is required to place a notice on the Procurement Notices System on an annual basis to inform interested veterinary care facilities of the opportunity and requirements to become a certified vendor. This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply (i.e. vendor is required to be compliant on the Hawaii Compliance Express) and award is required to be posted on the Awards Reporting System.

If there are any questions, please contact Bonnie Kahakui at 587-4702, or bonnie.a.kahakui@hawaii.gov.

Approved

Disapproved

No Action Required

David Jay

Chief Procurement Officer Signature

5/8/2012

Date

Attachment

SPO-007 Notice of Request for Exemption from HRS Chapter 1003D

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means.

In this situation the Department would be issuing a permit to private veterinary facilities and regulating their inspection activities rather than procuring services. The customer would be procuring services from any facility that holds a permit to inspect their pet. In other words, the Department is granting authorization to conduct these activities rather than contracting for services.

PE12-098B