



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

'13 JAN 15 P1:40

STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Health/Environmental Management/Safe Drinking Water Branch
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:
The Safe Drinking Water Branch (SDWB) is seeking qualified applicants (public Water systems) to apply for Wellhead Protection - Financial Assistance Program (WHP-FAP) funding to conduct wellhead protection planning and implementation activities. Protection planning and implementation activities include, but are not limited to: creating local wellhead protection workgroups; preparing wellhead protection programs and plans; prioritizing land for protection/control; preparing county water and planning documents that incorporate drinking water source protection; educating public officials, businesses, students, and residents; removing leaking underground storage tanks and cesspools/septic systems in protection areas; posting protection signs/marker around protection areas; providing technical assistance to small businesses, industries, and farmers; funding local staff to conduct wellhead protection activities; and other protection activities. Land acquisition, infrastructures, and construction are not eligible for funding under this financial assistance program.

2. Vendor/Contractor/Service Provider: SEE ATTACHED LIST OF QUALIFIED APPLICANTS	3. Amount of Request: \$ 2,500,000
--	---------------------------------------

4. Term of Contract From: Upon CPO approval 1/15/13 To: 12/31/2014	5. Prior SPO-007, Procurement Exemption (PE): 11-005-D
--	--

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:
The SDWB has developed and implemented a WHP-FAP utilizing the Drinking Water State Revolving Fund - 15% set-aside. The WHP-FAP is to be used to fund public water systems' (as defined by drinking water regulations) efforts in protecting their drinking water source(s) from contamination by pollutants. The eligibility requirement for obtaining funding under this program is that the applicant must be a Community or Nontransient, noncommunity public water system which utilizes groundwater as a source of water, including of federally owned public water supplies. Therefore, the list of potential applicants is limited to State of Hawaii public water systems regulated by the Hawaii Department of Health, SDWB (see attached).

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:
Potential applicants will be mailed information and an application on the availability of the WHP-FAP funds for protection planning and implementation activities. Notice to potential applicants (public water systems') will also be given through the SDWB newsletter "The WaterSpot," be placed on the SDWB website, and announced at Source Water Protection training events held throughout the year. Project applicants will submit a "Proposed Project for Hawaii Wellhead Protection - Financial Assistance Program Funding" application (see attached). The application identifies the project title and description, information related to its status as a public water system, project function and funding requested. The proposed projects are selected based on selection criteria using the "Application, Evaluation, and Selection Process" (see attached).

8. Identify the primary responsible staff person(s) conducting and managing this procurement. (Appropriate delegated procurement authority and completion of mandatory training required).

*Point of contact (Place asterisk after name of person to contact for additional information).

Name	Division/Agency	Phone Number	e-mail address
Joanna L. Seto	EMD/SDWB	586-4258	joanna.seto@doh.hawaii.gov
Daniel Chang * 1/16/13	EMD/SDWB	586-4258	daniel.chang@doh.hawaii.gov
Nancy Bartter		586-7567	nancy.e.bartter@doh.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.


Department Head Signature

1/17/13
Date

For Chief Procurement Officer Use Only

Date Notice Posted: 1/16/13

Inquiries about this request shall be directed to the contact named in No. 8. 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 01/15/13 to 12/31/14. 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

 1/29/2013
Chief Procurement Officer Signature Date