



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

13 FEB 22 A7:45

STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Greg Barbour, Executive Director (Natural Energy Laboratory of Hawaii Auth
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: See attached
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2. Vendor/Contractor/Service Provider:	Healy Tibbitts Builders, Inc.	3. Amount of Request:	\$ 700,000.00
4. Term of Contract From:	17-Jul-12 2/22/13 ba	To:	15-Nov-13
		5. Prior SPO-007, Procurement Exemption (PE):	None

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means: Due to the fact that NELHA presently has a goods and services contract with Healy Tibbitts Builders, Inc. to repair the 40" pipeline, it would be most efficient, timely, and cost effective to have this same contractor perform the work to add buoyancy to the pipeline. Healy Tibbitts is already aware of the work that needs to be performed and can perform the work of adding buoyancy to the 40" pipeline at the same time that they mobilize to perform the repair work to this pipeline. This would dramatically reduce the mobilization costs and expedite the schedule of when all of this work can be accomplished compared procuring services from another contractor through a separate competitive bid process. As mentioned in section 7, Healy Tibbitts was the lowest bidder through a HePS solicitation process (IFB# B201000140) for the 40" pipeline repair work. Healy Tibbitts is currently scheduled to perform the pipeline repair work in May/June 2013. They cannot perform this work until the 40" pipeline is raised further above the bottom with added buoyancy.
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7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider: NELHA presently has a contract with Healy Tibbitts Builders Inc. to repair the 40" pipeline. The contract with Healy Tibbitts is the result of a competitive bid process that was solicited through HePS (IFB#: B2012000140). NELHA is recommending that it be given approval to work out a Change Order with Healy Tibbitts to perform the tasks associated with installing additional buoyancy to the pipeline with the funds requested for this exemption. No Change Order provisions were made in the contract, although additional funds are available within the same CIP appropriation that was obtained to repair the 40" pipeline.
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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
Greg Barbour, Executive Director	NELHA / DBEDT	808-327-9585 (x225)	gb@nelha.org

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

2/20/13

Date

For Chief Procurement Officer Use Only

Date Notice Posted:

2/22/13

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 02/22/13 to 11/15/13 and 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

Chief Procurement Officer Signature

3/19/2013
Date