



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

13 SEP 26 P1:54

STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Department of Land and Natural Resources, Division of Forestry and Wildlife
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 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 landowners technical and financial assistance for the development and implementation of management actions or practices on their land to restore, conserve or promote forest production. As the first step to participating in the program, landowners are invited to develop a long-term Forest Stewardship management plan that details the existing resources on their property, describes the visions for their project, details the management practices to be implemented over the next ten years, and includes a budget and implementation schedule of estimated projects costs. For the development of this Forest Stewardship management plan the program provides 50% cost-share assistance for the landowner's time or use of a consultant in the preparation of the plan, as detailed in Chapter 13-109, HAR.

2. Vendor/Contractor/Service Provider:		Various	3. Amount of Request:	
			\$ Various (max of \$10,000)	
4. Term of Contract	From: 12 months	To:	5. Prior SPO-007, Procurement Exemption (PE): 12-059D	

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

The FSP highly recommends the use of a professional consultant in the development of a Forest Stewardship management plan. However, the landowner is ultimately responsible for selecting the method that they will utilize to develop their plan (either by working through a consultant or on their own), as well as producing the plan. Therefore, the program directly contracts with the landowner for the development of the management plan. As the program does not discriminate, if the landowner is eligible for the program they are invited to participate. The program does request that the landowner submit at least three quotes for the development of their management plan from professional consultants, but since the landowner is responsible for the development of the management plan, they may choose to work with whomever they prefer, which may not be the lowest bidder. Thus, because of these reasons, the program cannot follow the small purchase procedures established under Chapter 103D-305, HAR.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:

The Department is committed to fair and open competition to the extent feasible. A Notice to Communities is posted annually on the SPO website announcing general information on the program (however, we have never been contacted through the SPO website). Also we provide outreach to landowners to encourage enrollment in FSP through a number of different venues throughout the year. Interested landowners are required to submit a project proposal to the Forest Stewardship Advisory Committee (FSAC) and they determine if the project is in line with FSP (i.e. it meets the minimum eligibility requirements of 5 acres in FSP and is a restoration, conservation or forest production project). As part of the project proposal, the landowner is asked to seek out three quotes for the development of their management plan. The FSAC reviews project proposals at their quarterly meetings and recommends a cost-share rate for the project based on the submitted quotes. The FSP contracts directly (through a purchase order) with the landowner who then decide who they prefer to work with on the development of their plan. Once the Forest Stewardship management plans are developed, they are submitted to the FSAC for review and recommendation of approval. The FSAC may approve, deny or recommend modifications to the submitted plans. Upon approval, the landowner is eligible for a reimbursement payment equal to 50% of the cost to develop the management plan, not to exceed the amount initially authorized by the FSAC.

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
Melissa Irene Sprecher*	DLNR/DOFAW	587-4167	melissa.i.sprecher@hawaii.gov
Sheri Mann	DLNR/DOFAW	587-4172	sheris.mann@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

9/25/13
 Date

For Chief Procurement Officer Use Only

Date Notice Posted: 9/27/13

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

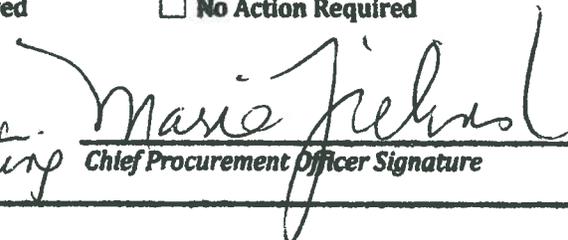
Chief Procurement Officer (CPO) Comments:

Approval is granted for the period 11/1/13 to 06/30/15 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. Copies of the HCE certificate and awards posting are required to be documented in the procurement/contract file. If there are any questions, please contact Kevin Takaesu at 586-0568, or kevin.s.takaesu@hawaii.gov.

Approved

Disapproved

No Action Required

Acting 
 Chief Procurement Officer Signature 11/6/13
 Date