



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

'13 OCT 30 A8:42

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 Conservation Reserve Enhancement Program (CREP) offers payments to landowners enrolled in the program as part of the program implementation in the state. The State of Hawaii, under the terms of the federal program conditions, pays an annual payment and cost-share reimbursement for practices implemented under CREP to landowners that are authorized for the program by the USDA Farm Service Agency (FSA). Management plans for landowners are generated by the USDA Natural Resources Conservation Service (NRCS) and approved for payment under FSA. The State is required to provide a direct cash match (10% of federal funds) payable to landowners as match for the federal funds spent toward the program. As a requirement of the State's direct cash match to landowners, the State has agreed to provide \$17/acre/year for the term of the 14-15 year CREP contracts to landowners to enroll in the program and cost-share reimbursement for the implementation of CREP practices.

Table with 3 columns: Vendor/Contractor/Service Provider (TBD), Amount of Request (\$ 500000/yr), and Term of Contract (From: 1-Oct-13 To: 30-Jun-15). Includes a reference to Prior SPO-007, Procurement Exemption (PE): 10-076-D.

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:
Landowners enrolled and approved by FSA in CREP will be required to enter into a contract agreement with FSA and the State of Hawaii. The planning and approval process on the federal side involves the FSA and NRCS determination of landowner eligibility, land eligibility, project feasibility, and practice need. Once the landowner and land eligibility is determined by FSA and NRCS, a conservation plan is generated by NRCS for the CREP project after which the landowner may review what is required of them under CREP and commit to the program. The landowner is required to follow the NRCS conservation plan for their CREP project and receives assistance in return for following the prescribed practices. As the applicant eligibility and approval of award is determined by USDA (FSA and NRCS). According to our agreement with the USDA the State is required to accept the judgment of USDA's approval mechanism and provide the program match (\$17/acre/year) to landowners. Since the USDA determines eligibility and the enrollment period an IFB, RFP, or other procurement method is not practicable for contract agreements administered under CREP.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:
Landowners are allowed to enroll in CREP on a first come, first serve basis. Now CREP is open for enrollment on all islands eligible under the program. With the initiation of the program, public announcement and press releases on the program and the enrollment process were issued. Staff continually does outreach to local agricultural groups about CREP to encourage enrollment. Additionally, an information website on Hawaii CREP is posted on the DLNR-DOFAW website and federal funding websites. The program will be open to all eligible landowners until the State meets its acreage cap (15,000 acres) or until all allocated funds are spent. Currently, the opportunity for cost-share reimbursements are and will be announced via press release. Three reviewers score each Request for Reimbursement to determine will be awarded. Following award of Requests for Reimbursement and HCIP the Notice of Award is posted on the SPO website.

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*	DOFAW/Admin	587-4167	melissa.i.sprecher@hawaii.gov
Sheri Mann	DOFAW/Admin	587-4172	sheri.s.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

10/28/13

 Date

For Chief Procurement Officer Use Only

Date Notice Posted: 10/31/13

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

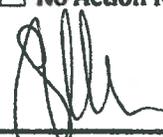
Chief Procurement Officer (CPO) Comments:

This approval is given for the period 11/1/13 to 6/30/15 and is granted for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply and award is required to be posted on the Awards Reporting System. If there are any questions, please contact Kevin Takaesu at 586-0568, or kevin.s.takaesu@hawaii.gov

Approved

Disapproved

No Action Required



 Chief Procurement Officer Signature

12/8/13

 Date