



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

14 SEP -5 P1:35

ADMINISTRATION
STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: TRANSPORTATION/HIGHWAYS
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.

2. Vendor/Contractor/Service Provider: Iwilei District Participating Parties (IDPP) LLC,	3. Amount of Request: \$ 400,000.00/yr (Approx)
4. Term of Contract From: <u>7/1/2014</u> <u>9/5/14</u> To: <u>6/30/2015</u> <u>2016</u>	5. Prior SPO-007, Procurement Exemption (PE): 11-068-B

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:
The DOT Highways and Harbors Divisions along with 10 other entities make up the IDPP LLC. The IDPP hires consultants and contractors to carry out the objectives of the voluntary Environmental Response Agreement (ERA). In addition to the contractors named above, other contractors may be required in the future to complete the requirements of the ERA. DOT is a minority member in the IDPP LLC and Chapter 103D, HRS, is not applicable to IDPP LLC. Therefore, it is not practicable for DOT contributions towards IDPP LLC expenditures to meet the requirements of Chapter 103D. This request updates P.E. No. 11-068-B, approved by the Chief Procurement Officer March 23, 2011. PE 11-068-B expired on June 30, 2014.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:
The IDPP LLC usually selects consultants and contractors based on their qualifications and pricing, and usually seeks proposals from several sources before making a selection. In cases where responses are required to address emergency situations under the direction of DOH, the IDPP also selects contractors and consultants based on their ability to meet time constraints. Selections are made in accordance with the terms agreed to by the LLC members. While DOT provides input into the selection process, it does not have the final say in any selection.

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
Pratt Kinimaka 	Highways/Oahu District	831-6700 ext 126	pratt.kinimaka@hawaii.gov
George Abcede* 	Highways/Oahu District	831-6700 ext 134	george.abcede@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

9.4.14

 Date

For Chief Procurement Officer Use Only

Date Notice Posted: 9/5/2014

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 for the dates of 9/15/2014 to 6/30/2016. This 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 10/7/14
 Date

1. Description of goods, services or construction:

Based on a voluntary Environmental Response Agreement (ERA) between the Department of Health and the Iwilei District Participating Parties (IDPP) LLC, executed on February 1, 2011, consultant and contractor services are required to study, investigate, plan, remediate, monitor, manage, design and construct projects to address the subsurface petroleum contamination problem in the Iwilei district of Honolulu, in the vicinity of Honolulu Harbor. Progress has been made in this effort, particularly in the highly impacted areas, including the successful elimination of potential sources of releases into the ocean by tapping and draining several hundred feet of abandoned oil lines, sealing and capping of these oil lines, replacing old storm drain systems, characterizing the extent of the petroleum contamination, removing product to the extent practicable and developing remediation and management plans. In the upcoming years, additional implementation of remedial plans is expected to take place on well as further planning and investigation activities at remaining areas of the district. This additional work is expected to take at least another four years. In addition, the group is required to implement long term institutional controls to manage the remaining oil in situ. These costs are also shared by the group and will continue for as long as the State owns property (i.e. Nimitz Highway, Honolulu Harbor) in the area. These services are funded by means of cost-sharing between members of the IDPP LLC of which the DOT is a member. The IDPP LLC has hired an accounting firm to manage its finances. Occasional cash calls are issued by the financial manager based on the estimated expenditures that the IDPP LLC is expected to incur. DOT, as a member of the IDPP LLC, is required to contribute its share of funds each calendar year as the need arises.

PE15-011B