

STATE OF HAWAII  
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

STATE PROCUREMENT OFFICE  
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Department of Land and Natural Resources, Division of Boating & Ocean Recreation  
(Department/Division/Agency)

Pursuant to § 103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

Description of goods, services, or construction:  
20 each of the 18"x24" Softlite ionomer foam type 400 white mooring buoys with a 2" reflective blue stripe at the top of the buoy. The galvanized steel hardware on each buoy includes two 1/4"x8" end plates, two 1"x21" through rod and two lifting eyes. Shipping and handling is included in the total price.

Name of Vendor: Gilman Corporation Address: P.O. Box 68 Gilman, CT 06336-0068	Cost: \$10,897.40 ✓
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Term of Contract: From: To: The manufacturer is on the East Coast. We are the only organization that does business with Gilman in Hawaii. They are trying to comply with Act 216. The time difference and the backlog at the Tax Dept. is making the acquisition of the require documents difficult.	Prior Exemption Ref. No. (if applicable)
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Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:  
This is a unique mooring buoy. The DBOR Dive Team has done testing of the buoy with a boat moored to it. The DBOR Dive Team has confirmed that this buoy is the longest lasting of any buoy that is currently in production. The dive team has found that it is the most user-friendly buoy on the market for the boater and the dive team. There are no substitutions on the market that have these characteristics.

Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:  
This is a sole source procurement from the manufacturer.

A description of the agency's internal controls and approval requirements for the exempted procurement:  
 DBOR has done extensive research on the buoys. We have interviewed, by phone, manufacturers and distributors throughout the Continental USA; we have interviewed divers and researched on the internet and the Thomas Register. We have arrived at the conclusion that this buoy is the best available that suits our needs. We have attached a letter from the manufacturer documenting that they are the sole source of this type of buoy.

The buoys need to be ordered so that they can replace existing ones that are in failing and poor condition. The boaters need to have a safe system for securing their boats. The buoys are an integral part of the mooring system. A large part of DBOR's mission is to provide

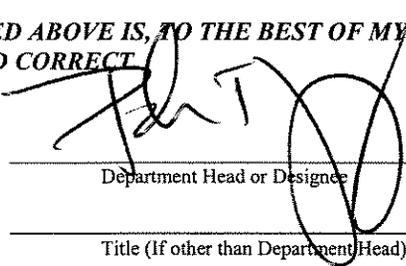
A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract:  
 a safe mooring facility for the boating public.

A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract:  
 Donald Ford, DBOR, Oahu Maintenance and Construction Superintendent

Direct questions to: Donald Ford	Phone Number: (808) 832-0184
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This exemption should be considered for list of exemptions attached to Chapter 3-120, HAR: Yes  No

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS, TO THE BEST OF MY KNOWLEDGE, TRUE AND CORRECT**

  
 Department Head or Designee  
 3/14/05  
 Date  
 Title (If other than Department Head)

Chief Procurement Officer's Comments:  
 Certificates to comply with chapter 103D-310, HRS, should be obtained after-the-fact and placed in the file.

Please ensure adherence to applicable administrative requirements.

APPROVED       DISAPPROVED

  
 Chief Procurement Officer  
 3/24/05  
 Date

cc: Administrator,  
 State Procurement Office