

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

**15 SEP -1 P2:00**

**ADMINISTRATION  
STATE PROCUREMENT OFFICE  
STATE OF HAWAII**

TO: Chief Procurement Officer

FROM: Agriculture (HDOA)  
*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:  
Sponsorship for the National Association of State Departments of Agriculture's (NASDA) 2015 Annual Meeting is requested to procure the goods and services provided through The Feeding Leaf (TFL), the on-island contractor for NASDA, including rental of equipment (tents, tables, port-a-potties), to be deployed at the activity locations to assure that the delegates will be secure from weather impacts and all guests can be accommodated comfortably. Services procured will include the equipping of tour locations and meeting rooms where discussion sessions that intend to increase agricultural production or processing that may lead to reduced importation of food, fodder or feed will be conducted. The Food Safety Modernization Act (FSMA) includes provisions that impacts smaller states, such as Hawaii. TFL is uniquely qualified as an on-island, local contractor, who is familiar with agriculture and can schedule events/tours to highlight these impacts and procure the services/equipment needed (agricultural tours, ground transportation, and facilities) at the tour locations. Greenwell Farms, NELHA, Cyanotech and Big Island Abalone have been selected as tour locations. and Hulihee Palace for the off-site dinner.

2. Vendor/Contractor/Service Provider:	The Feeding Leaf, Contractor to The National Association of State Departments of Agriculture	3. Amount of Request:	\$ 50,000
4. Term of Contract From:	9/8/2015	To:	9/30/2015
		5. Prior SPO-007, Procurement Exemption (PE):	

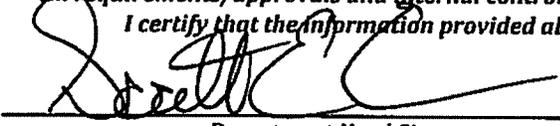
6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:  
It is not practicable or not advantageous for the department to procure these services via competitive means because TFL is the contractor selected by NASDA to provide on-island services, in collaboration with the Hawaii Department of Agriculture. The NASDA Annual Meetings are hosted by the state represented by the President. Scott Enright, Chairperson, Board of Agriculture, currently holds the office of NASDA President. As such, Hawaii has the duty and honor of hosting the 2015 Annual Meeting. It is not practicable or advantageous to procure the goods and services by competitive means as the services are assigned to the Host State as the duty of a member and officer. The services provided by NASDA are unique and cannot be competed. The last NASDA Annual Meeting hosted by Hawaii occurred in 1966, a detail to explain that this is a procurement for the HDOA where the goods and services are specific to membership in NASDA and not expected to recur as a cost to the State. TFL, as the on-island contractor for NASDA, is the practicable selection for the services to be provided.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:  
The Feeding Leaf was selected by NASDA via procurement procedures which reflect applicable state and local laws and regulations and conform to federal laws. NASDA entered into a contract with TFL in February 2015.  
  
NASDA (<http://www.nasda.org/>) selected Hawaii because Scott E. Enright, Chairperson, Board of Agriculture, holds the office of President. Since the NASDA Annual Meeting takes place in the home state of the President and HDOA would be supporting the planning and execution of the 2015 NASDA meeting in Kona, HI, the process utilized in selecting NASDA as the organization HDOA would support as service provider was decided when Hawaii was elected as Secretary-Treasurer in 2012, moved into the position of Second Vice-President in 2013, and Vice-President in 2014, and led to the office of President in 2015.

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
Scott E. Enright	HDOA	(808) 973-9550	scott.enright@hawaii.gov
Sharon K. Hurd*	HDOA	(808) 973-9465	sharon.k.hurd@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

9-1-15  
 Date

**For Chief Procurement Officer Use Only**

Date Notice Posted: 9.3.15

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

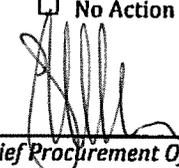
**Chief Procurement Officer (CPO) Comments:**

Approval granted based on the department's determination that procurement by competitive means is not practicable because the National Association of State Departments of Agriculture (NASDA) is the responsible party in complying with its own requirements in selecting a Contractor for the various goods and services required for its annual meeting. The Host state's responsibility is to arrange and coordinate certain pre-planning tasks. Therefore, the department is advised as the Host state to perform contract administration duties, such as verifying invoices to the actual goods/services received.

This approval 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 provide proof of compliance and may use the Hawaii Compliance Express) and award is required to be posted on the Awards Reporting System. Proof of compliance and awards posting are required to be documented in the procurement/contract file.

If there are any questions, please contact Donn Tsuruda-Kashiwabara at 586-0565 or donna.tsuruda-kashiwabara@hawaii.gov.

- Approved       Disapproved       No Action Required

  
 Chief Procurement Officer Signature      9/18/15  
 Date

EVENT	Description	Cost
Hulihee Palace Dinner Off-site on lawn	Equipment, Tables/Chairs, Lighting, Set Up/Breakdown	\$ 9,383.34
Hulihee Palace Dinner Off-site on lawn	Site Fee	\$ 6,093.79
Excursion 100 yr old coffee farm Kona Coffee Processor	Greenwell-Tent Chairs	\$ 3,250.00
Excursion	Greenwell-Lua	\$ 520.00
F2T "Farm to Table" Featuring recipes, local ingredients, chef comment	Recipe Book F2T – describes locally grown ingredients, chef comments regarding sustainability; recipes included; takeaway item	\$ 5,112.00
Excursion Includes spouses and guests optional tours	Transportation	\$15,129.40
Excursion	Admission; Cacao, Hamakua Mushroom, OK Farms, NELHA	\$ 6,643.98
Excursion	Support Equipment; Tent/Chairs, Inclement Weather Contingencies	\$ 3,867.50
		\$50,000.00

PE16-009D