

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

TO: Chief, Procurement Officer

STATE PROCUREMENT OFFICE

FROM: Health, Environmental Health Services Division, Vector Control Branch  
(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:  
  
Phoenix ULV foggers, Model 800 MD and calibration (3 each)  
Calibration of existing foggers on Maui and Hawaii (4 foggers)  
Phoenix 800, Pro Control, GPS, basic (7 units)  
Phoenix porta-pak fogger sprayers (20 each)

|   |                                     |
|---|-------------------------------------|
| Name of Vendor: B&G Chemical Equipment Company, Inc.<br>Address: 10539 Maybank<br>Dallas, Texas 75220 | Cost:<br><br>\$50,000.00 (lump sum) |
|---|-------------------------------------|

|  |                       |   |
|--|-----------------------|---|
| Term of Contract: From: <del>March 1, 2005</del><br><i>Upon CFO Approval</i> | To: February 28, 2006 | Prior Exemption Ref. No (if applicable) |
|--|-----------------------|---|

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

This one-time, "lump sum" purchase is advantageous to the state because it will allow **standardization of emergency response equipment** used by DOH vector control staff on Oahu, Maui, Kauai, and Hawaii. The timeliness of this purchase is also critical because the equipment is for emergency response to apply pesticides to kill mosquitoes during the mainland mosquito season (March 2005 through August 2005) in order to prevent the introduction of West Nile virus into Hawaii.

It is preferred that each island have the same emergency response equipment because this will **reduce initial costs** of installation of remote cab controls and calibration of ULV foggers that will be done by a company representative who must travel from the mainland to Hawaii and then to each island. Standardized equipment will also **reduce on-going costs** of routine maintenance, repairs and future calibration of equipment. In addition, during an emergency, standardized equipment will allow neighbor island vector control programs to share not only equipment but also staff trained and familiar with the equipment. Also, standardized equipment will facilitate compliance with pesticide label requirements regarding application of pesticides.

Maui and Hawaii each have two Phoenix ULV foggers. These existing foggers will be equipped with remote Phoenix cab controls. Three additional Phoenix foggers and Phoenix cab controls will be provided for Oahu and Kauai. Standardized emergency response equipment on each island, with **installation and calibration provided by the equipment's manufacturer**, is advantageous to the state.

Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

Three companies were contacted to obtain bids for truck-mounted ULV foggers equipped with remote cab control boxes. Bids were obtained from B&G Chemical Equipment Company (Attachment A), London Fog Incorporated (Attachment B), and Clarke Mosquito Control (Attachment C). The bids were as follows:

| Company                 | ULV fogger | remote control box | cost per unit |
|-------------------------|------------|--------------------|---------------|
| B&G Chemical Company*   | \$6,720.00 | \$1,135.00         | \$7,855.00    |
| Clarke Mosquito Control | \$9,200.00 | included           | \$9,200.00    |
| London Fog Incorporated | \$7,545.00 | included           | \$7,545.00    |

\* Phoenix foggers are manufactured by a company owned by B&G Chemical Company.

The lowest bidder was London Fog Incorporated; however, because the difference in cost between B&G Chemical Company (\$7,855.00) and London Fog Incorporated (\$7,545.00) is \$310.00, it was decided that the advantage of standardizing existing emergency response equipment (Maui and Hawaii each have 2 Phoenix foggers) with new equipment purchase (1 Phoenix fogger for Kauai, and 2 Phoenix foggers for Oahu) outweighed this additional cost. Also, a B&G representative agreed to fly to Hawaii to install the remote control boxes on both the existing and the new ULV foggers, plus calibrate all 7 foggers for an additional cost of only \$320.00 to 400.00 per fogger (Attachment D).

Regarding the 20 Phoenix porta-pak fogger sprayers, B&G Chemical Company will affix their label, Phoenix, to these units, and the manufacturer H.D. Hudson Manufacturing Company will ship them directly to Vector Control Branch in Oahu (Attachment E and F). It is advantageous to purchase this model because it can produce droplets as small as 18 microns, which facilitates compliance with pesticide label requirements.

A description of the agency's internal controls and approval requirements for the exempted procurement:

This is a one-time, "lump sum" purchase using HISC funds.

A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Gregory Olmsted, Manager, VCB  
 Robert Lopes, Vector Control Inspector V, VCB  
 Myra Yamane, Secretary, VCB

Direct questions to: Gregory K. Olmsted

Phone: 483-2535

This exemption should be considered for list of exemptions attached to 3-120, HAR: Yes  No .

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

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



APR 11 2005

Department Head of Designee

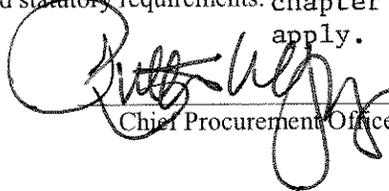
Date

Title (If other than Department Head)

Chief Procurement Officer's Comments: This approval is specifically for the purchase of goods and services related to equipment that are mounted on vehicles (ULV Model 800 MD foggers, calibration of ULV Model 800 foggers, and Model 800 Pro Control GPS basic units). The prota-pak fogger sprayers does not appear to meet the justification for standardization of equipment, therefore, should be competitively bid. This approval is also only for the solicitation process only, Please ensure adherence to applicable administrative and statutory requirements. chapter 103D-310, HRS, shall apply.

APPROVED

DISAPPROVED



Chief Procurement Officer

4/20/05  
Date

Cc: Administrator,  
State Procurement Office