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

ADMINISTRATION
STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer
FROM: David G. Smith, DLNR-Division of Forestry and Wildlife Administrator
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 and/or services:
Food provisions for wildfire operations

2. Vendor/Contractor/Service Provider:	Various. See attached list	3. Amount of Request: \$ \$35,000
4. Term of Contract From: <u>8/15/2016</u> <i>or 10/21/16 9/20/2016</i>	To: <u>8/14/2017</u> <i>9/19/2017</i>	5. Prior SPO-007, Procurement Exemption (PE): N/A

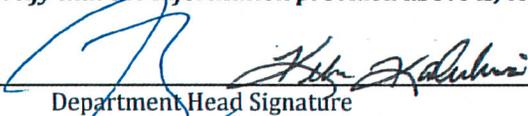
6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:
See attached justification

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:
Vendors are selected first by proximity to fire and availability of desired products and cost competitiveness. Items that can be purchased in bulk are prioritized in order to reduce costs and additional packaging/processing. Purchasing may occur at many different vendors located on Oahu.

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
Ryan K. Peralta	DLNR/DOFAW	808-973-9784	ryan.kperalta@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

 Date

For Chief Procurement Officer Use Only

Date Notice Posted: 9/21/2016

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 is granted for the period from 9/20/2016 to 9/19/2017 and total food provisions will not exceed \$35,000 with the understanding that the department has determined that it is not practical or advantageous to competitively procure the required food provisions for wildfire operations due to the unknown nature of wildfires. 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 the award is required to be posted on the Awards Reporting System. Copies of the compliance and the awards posting are required to be documented in the procurement/contract file.

If there are any questions, please contact Kevin Takaesu at 586-0568 or via email at kevin.s.takaesu@hawaii.gov.

Approved
 Disapproved
 No Action Required



 Chief Procurement Officer Signature

 Date

Attachement 1. SPO-Form 007. Vendor List and Justification

2. Vendor/Contractor/Service Provider:

Times, Foodland, Safeway, Costco, Sam's Club, Kokua Country Market, Down to Earth, Whole Foods, Don Quijote, Target, Kmart, Walmart, Y. Hata & Company, Marukai Wholesale Mart.

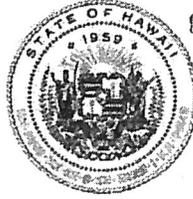
6. Explain in detail, why it is not practical or advantageous for the department to procure by competitive means:

The Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW), is required by HAR Chapt. 185 Land Fire Law to respond to wildfires that occur in Forest Reserves, Game Management Areas, Natural Area Reserves and Seabird Sanctuaries. At times, these fire suppression operations involve 60 DLNR staff at a time. Operational briefings are often at 0600 hours and firefighters may work in the field until 1900 hours. Depending on the location of the fire and proximity to lodging, the firefighters may spend the night on the fire line or may have to drive several hours to get to their hotel or home. In order to keep fire operations going, the firefighters are fed on the fire line, during briefings, in the field or command post in remote locations.

It is not known where the next fire will be, when it will be, how long it will last or how many firefighters will be brought to the fire. In some cases, State DLNR firefighters from other islands are flown in to assist with the suppression. Therefore, it is imperative that a flexible approach with logistics is taken. Ability to purchase from multiple vendors allow for cost effective and flexible options.

Additionally, the wide variety of food items needed is not available from a single vendor. Creating a bid list or request for quote is not practical. The retail market is fairly competitive, with very little overall variance in prices. Creating an itemized list, getting three prices, sorting through the price variability and item availability would not be an efficient means of staff time and cost savings especially during an emergency situation. Food purchasing is planned to ensure needs are filled in a cost effective manner. However, at times, in store determinations must be made to select the healthiest alternative in the various product categories. Diversity of the shopping list, which varies per fire (i.e. firefighters with special diets due to religious observations, health reasons or allergies), necessitates a wide variety of vendors.

DAVID Y. IGE
GOVERNOR OF HAWAII



COMPTROLLER'S OFFICE
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SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
DEPUTY DIRECTOR - WATER

ACQUATIC RESOURCES
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

DIVISION OF FORESTRY AND WILDLIFE
OAHU BRANCH
2135 Makiki Heights Drive
Honolulu, Hawaii 96822

June 13, 2016

To: Honorable Douglas Murdock, Comptroller, Department of Accounting and General Services

Through: David G. Smith Administrator, Division of Forestry and Wildlife *DGS*

From: Jason Misaki, Acting Oahu Branch Manager, Division of Forestry and Wildlife *JM*

Subject: Request to purchase food with P-Card and Purchase Orders

Background:

The Division of Forestry and Wildlife, Oahu Branch manages a number of programs which involve remote field sites, emergency fire response, and use of inmate labor services. Food purchases are necessary to properly support personnel engaging in these resource management activities. The ability to use a P-card to purchase food is critical in the support as described below for the Kure Atoll field camp, emergency fire response, and using inmate labor services.

Kure Atoll, located at the northwestern most portion of the Hawaiian Archipelago, is an extremely isolated atoll. The Kure Atoll State Wildlife Sanctuary falls under the jurisdiction of the DLNR-Division of Forestry and Wildlife, Oahu Branch. Field camps are deployed at the Sanctuary throughout the year to actively restore, manage, and enhance the natural resources, which have been degraded by invasive species, marine debris, and other human caused influences. The only access to Kure is via large vessels; deployments are limited to a few times a year. Camps are set up to be self-contained for up to six months at a time. Logistical efficiency is critical to the field camp personnel, as resources are only available via pre-planned vessel deployments.

The Wildland Fire Program is critical for the protection of our native forests, watersheds and rare and endangered plants and animals. There are very few forces that are as destructive as fire. In a matter of hours, thousands of acres of Hawaii's precious forest resources can irreversibly destroyed. A quick, organized and well supported response is necessary to combat this awesome force of nature. DOFAW needs to be flexible in our

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response capabilities, as we cannot predict when and where the fire will occur, or how many resources it will take to suppress the fire. The ability to purchase fresh ready to eat food with a P-card will greatly aid in our fire fighting endeavors.

DOFAW also uses inmate labor to supplement staff in maintenance operations. The Dept. of Public Safety is able to provide an inmate workline which gives us increased ability to maintain key restoration and public resource areas. In exchange for the workline, we are required to provide food and drinks to the inmates. This is an extremely cost efficient way to maintain a high level of productivity and provide the necessary manpower to maintain sites. The workline is used for various projects, including: controlling vegetation on the Kawainui Marsh Flood Control Levee and maintaining public trails. The levee protects a portion of Kailua from flood waters in the marsh. Vegetation maintenance is a key objective in the management of the levee. The worklines are also used to aid the Na Ala Hele trails and access system, which maintains approximately 100 miles of trails for public use.

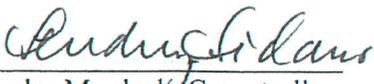
Request for Comptroller's Approval to Purchase Food

To maximize efficiency and ease logistical support needs, DOFAW personnel are seeking approval to purchase food items to support field camps, fire response, and inmate labor work lines on the P-Card system. Many of the vendors we work with are reluctant to or no longer accept Purchase Orders. This limits our options in food purchases, which hampers and may halt operations described above. Our federal grants and state monies which are used to support the program allow for food purchases to support operations.

We will work with the DLNR Fiscal office on proper procedures and policies regarding purchases. This is a renewal of an approved request submitted in 2015. The approved request is attached for your reference.

If you have any questions regarding this request, please call Jason Misaki, Oahu District Wildlife Manager at (808) 973-9786

Approved Disapproved

for 
Douglas Murdock, Comptroller
Department of Accounting and General Services

6/29/16
Date