



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

Received by
State Procurement Office
10/25/2016

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 and/or services:
Based on a voluntary Environmental Response Agreement (ERA) between the Department of Health and the Iwilei District Participating Parties (IDPP), LLC, executed on 2/1/11, 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. While substantial progress has been made, there remains at least another 2 years of remediation plans implementation as well as further planning and investigative activities in the remaining areas of the district. The group is also required to implement long term institutional controls to manage the remaining petroleum contamination in situ. These costs are shared by members of the group and will continue for as long as the State owns property (i.e. Nimitz Highway and Honolulu Harbor) in the area. IDPP, LLC has hired a consultant and accounting firm to manage its activities and finances. Cash calls are issued by the financial manager based on estimated expenditures approved by the group. DOT, as a member, is required to contribute its share each calendar year as required.

2. Vendor/Contractor/Service Provider	Iwilei District Participating Parties (IDPP), LLC	3. Amount of Request:	
		\$ 400,000/yr (approximate)	
4. Term of Contract From:	11/1/2016	To:	6/30/2018
		5. Prior SPO-007, Procurement Exemption (PE):	15-011B

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). 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. 15-011B, approved by the Chief Procurement Officer on October 7, 2014. PE 15-011B expired on June 30, 2016.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:

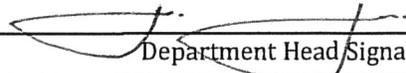
The IDPP, LLC usually selects consultants and contractors based on their qualifications and pricing, and usually seeks proposals from several sources before making a selection. In cases where responses are required to address emergency situations under the direction of DOH, the IDPP also selects contractors and consultants based on their ability to meet time constraints. Selections are made in accordance with the terms agreed to by the IDPP, LLC members. While the 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.


10-24-16
 Department Head Signature Date

For Chief Procurement Officer Use Only

Date Notice Posted: 10/26/2016

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:

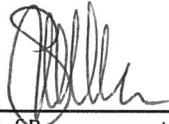
Approval is granted for the dates 11/1/2016 to 6/30/2018. This award is required to be posted on the Awards Reporting System.

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

11/4/16

Date