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

STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: DLNR-DOFAW
(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:
Installation of Perimeter, Unguarded - Proof Fencing
in the Helemano Drainage of the Koolau mtns, Oahu

Name of Vendor: <u>Southwest Fence + Supply</u> Address: <u>18042 Sycamore Ave</u> <u>Paterson CA 95363</u>	Cost: <u>\$90,000</u>
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Term of Contract: <u>SPO Approval</u>	From: <u>SPO Approval</u>	To: <u>12 mo after SPO Approval</u>	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:
The Dept did follow procurement by competitive means (IFB-DOFAW-05-02). Government Bids were opened Feb. 25, 2005, + Southwest was notified it was the lowest qualified bidder in March, 2005. Southwest submitted the OCCA form and DLIR form. The tax clearance application was submitted to the Dept of Taxation March 28, 2005. The tax Dept. has informed southwest that it is behind in processing mailed requests + has given no estimated date for processing. As it is now June 7, 2005, DLNR seeks an exemption to prevent further delay.

Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
The normal IFB procurement process was followed.

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

The IFB process was followed, and this contract was approved by the Board of Land and Natural Resources at its April 22, 2005 regularly scheduled meeting.

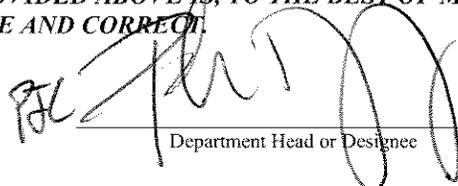
A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Christen Mitchell, DOPAW Planner
 Randy Kennedy, DOPAW Native Resources Program Manager
 Paul Conry, DOPAW Administrator

Direct questions to: Christen Mitchell	Phone Number: 587-0051
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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

6-14-05
 Date

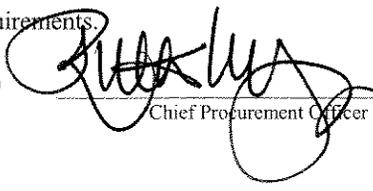
Title (If other than Department Head)

Chief Procurement Officer's Comments: This approval is to exempt providing an approved tax clearance from pursuant to chapter 103D-310, HRS, to enter into a contract to encumber FY 05 funds. It is our understanding that the selected contractor has already obtained the Certificate of Compliance and Certificate of Good Standing. The DLNR shall be required to obtain the approved tax clearance form after-the-fact and insert it into the contract file.

Please ensure adherence to applicable administrative requirements.

APPROVED DISAPPROVED

cc: Administrator, State Procurement Office


 Chief Procurement Officer

6/22/05
 Date