

STATE OF HAWAII

05 JUN 23 A8:12

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

TO: Chief Procurement Officer

STATE PROCUREMENT OFFICE
STATE OF HAWAII

FROM: Transportation/Highways/Oahu District Office
(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:

To order lunches for prisoners working on various areas within the jurisdiction of the Highways Division. Lunches are provided as an acceptable means in compensating the prisoners for the services.

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DOT-HWY-SF

Name of Vendor: L & L Drive Inn #1, L & L Drive Inn #10, and L & R Drive Inn | Cost: \$45,000.00

Address: L & L Drive Inn #1, 1711 Liliha Street, Honolulu, HI 96817
 L & L Drive Inn #10, 138 Kamehameha Hwy, Wahiawa, HI 96786
 L & R Drive Inn, 45-480 Kaneohe Bay Drive, Kaneohe, HI 96744

Term of Contract: From: ~~April 1, 2005~~ To: ~~March 31, 2006~~ | Prior Exemption Ref. No. (if applicable)
date of approval June 30, 2006 | N/A

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

Highways Oahu District enlists the services of the OCCC prisoners to assist the District in the maintenance of various areas within the jurisdiction of the Highways Division.

When the program initially started, OCCC had only one line of prisoners willing to work with the Highways Division, in maintaining landscape areas mainly in the rural areas. The vendor providing lunches was located in Honolulu. Currently, the program has grown to three (3) lines, that are assigned to three different geographical areas. The three areas are Windward, Wahiawa, and Honolulu.

OCCC requested that we provide vendors in the other geographical areas as well. In requesting for prices, vendors are informed that approximately 10-15 (prisoners) men will be brought to their establishment where they will make their selection up to a set amount (\$6.75+) which includes a drink. Vendors which were contacted, expressed concern about safety of their workers and customers. Others informed the District that they no longer wanted to continue the service.

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

Various vendors by geographical areas have been solicited and the following are willing to provide lunches to the prisoners at a set amount.

L & L Drive Inn #1: \$20,000.00 for Honolulu Area
 L & L Drive Inn #10: \$15,000.00 for Wahiawa to Mokuleia
 L & R Drive Inn: \$10,000.00 for Windward Area to Kailua

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

Vendor provides a daily count on a monthly basis, which can be verified by the area supervisors. Paperwork has to be further verified by District Office and payment approved by District Engineer.

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

- Felix Karatti-Abordo, Act'g. Hwy. Maint. Supervisor (Honolulu)
- William Simpson, Hwy. Maint. Supervisor (Wahiawa)
- Clarence Preston, Hwy. Maint. Supervisor (Windward)
- Colleen Miyano, Business Services Supervisor
- Pratt Kinimaka, Program Manager
- Martin Okabe, Engineering Program Manager
- Glenn Yasui, Highways Administrator

Direct questions to: Pratt M. Kinimaka

Phone Number: 831-6703

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.

Bay. Mats

6/17/05

Department Head or Designee

Date

DEPUTY DIRECTOR

Title (If other than Department Head)

Chief Procurement Officer's Comments:

This approval is given on the condition that the DOT seek adequate and reasonable competition to purchase these lunches under this program from other vendors besides these 3 vendors.

Please ensure adherence to applicable administrative requirements.

APPROVED

DISAPPROVED

[Signature]
Chief Procurement Officer

7/5/05
Date

cc: Administrator,
State Procurement Office