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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: Department of Land and Natural Resources / Engineering Division
(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:

<p>Description of goods, services, or construction:</p> <p>The scope of work is for construction services to fully renovate comfort station nos. 1, 4, 5 & 6 at the Sand Island State Recreation Area (SRA). The proposed improvements include the replacement of plumbing fixtures (lavatories, water closets, urinals & showers); replacement of ceramic tiling (flooring & walls); painting work (interior & exterior); roofing repair work.</p>

<p>Name of Vendor: Perfecto Engineering & Construction Services, Inc. Address: 94-1050 Paiwa Place Waipahu, Hawaii 96797</p>	<p>Cost: \$246,031.00</p>
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<p>Term of Contract: From: Upon Approval To: 360 Calendar Days from Approval</p>	<p>Prior Exemption Ref. No. (if applicable)</p>
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<p>Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:</p> <p>SEE ATTACHED.</p>

<p>Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:</p> <p>The vendor, Perfecto Engineering and Construction Services, Inc. (PECS) was selected based on the fact that they already have a contract with the Engineering Division, by competitive sealed bids, for the construction of DLNR Job No. J00CF70A, Sand Island SRA ADA Barrier Removal project. The two projects have very similar scopes and both involve work on comfort station nos. 1, 4, 5 & 6 at the Sand Island SRA.</p>
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A description of the agency's internal controls and approval requirements for the exempted procurement:

Based on plans and specifications to fully renovate comfort station nos. 1, 4, 5 & 6, PECS submitted a fee proposal for \$246,031.00. Our design consultant, Sato & Associates, Inc. has reviewed and approved the fee proposal. Internally, we have compared costs for a recent project that fully renovated comfort station nos. 2 & 3 and have determined that the fee is very reasonable and should save the State approximately \$163,000.00 (See Attached Tabulation Sheet).

The vendor will be required to comply with the project plans and specifications. The construction contract will be administered by our Inspection Section. Construction progress will be monitored and inspected for compliance by our Inspection Section.

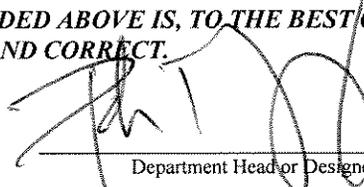
A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Valerie Suzuki, Project Engineer - Design Section, DLNR
 Roger Masuoka, Project Engineer - Design Section, DLNR
 Dickey Lee, Inspection Section Head, Inspection Section, DLNR
 Larry Kitamura, Branch Head - Design, Inspection & Safety Branch, DLNR

Direct questions to: Roger Masuoka	Phone Number: (808) 587-0276
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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

OCT 27 2005

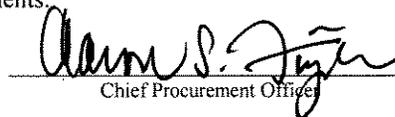
 Date

 Title (If other than Department Head)

Chief Procurement Officer's Comments:

Please ensure adherence to applicable administrative requirements.

APPROVED DISAPPROVED



 Chief Procurement Officer

12/8/05

 Date

cc: Administrator,
State Procurement Office

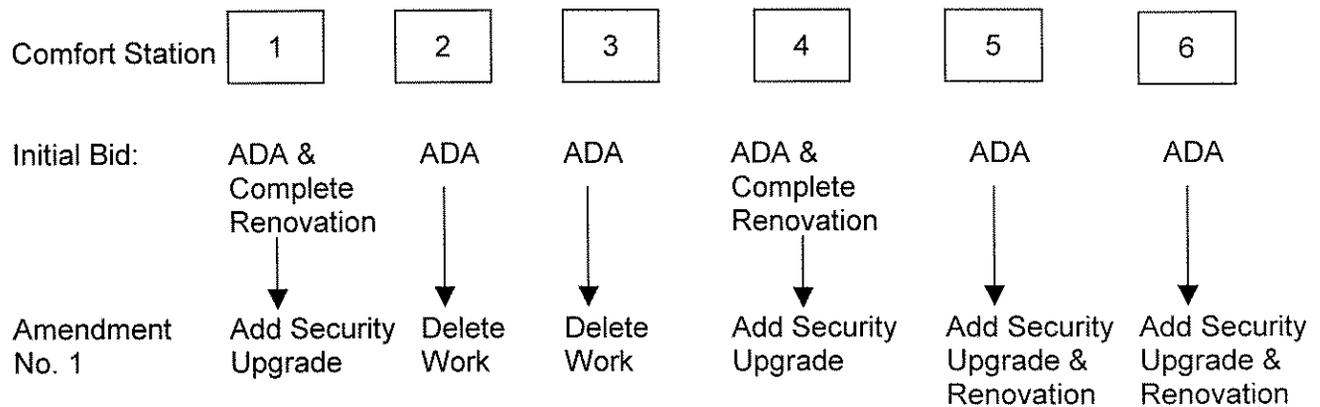
December 7, 2005

Attachment to SPO Form -7 Supplemental Information:

This supplemental information is to clarify the original Attachment to SPO Form-7 for the Sand Island State Recreation Area (SRA) Restroom, ADA & Renovation Project and provide additional information:

1. Clarification on the Chronology of Events:

The Initial contract for Job No. J00CF70A, Sand Island SRA, ADA Barrier Removal project included ADA barrier removal work for Comfort Stations 2, 3, 5 and 6, and completely renovating Comfort Stations 1 and 4. See diagram below:



After the construction contract for Job No. J00CF70A was executed, the Division of State Parks requested to supplement and revise the scope of work to include adding security upgrades to Comfort Stations 1 and 4, completely renovating Comfort Stations 5 and 6 (including ADA barrier removal and security upgrades), and deleting the ADA work at Comfort Stations 2 and 3. This formed the basis for Amendment No. 1. See diagram above.

Security upgrade work includes changing fixtures from standard porcelain to stainless steel and providing security gates at the restroom entrances. Complete renovations include replacing all the fixtures with stainless steel fixtures, new toilet partitions and doors, replacing cracked tile, cleaning and restoring existing ceramic tile, fixing or replacing roof beams, re-roofing, new plumbing, re-painting and electrical improvements.

2. Additional Justification On Why Procurement By Competitive Means for the Amendment No. 1 Work Is Not Practical Or Advantageous To The State:

The State will realize the following cost savings:

a. Eliminating Duplication of Work

Comfort Stations 1 and 4: The work under the original contract requires replacing all the existing fixtures with new porcelain fixtures. Work under Amendment No. 1 requires upgrading the porcelain fixtures to stainless steel. If Amendment No. 1 was bid out as a separate new project, there will be the duplication of work removing the existing fixtures and installing the porcelain fixtures under the original contract by one

contractor and then removing the newly installed fixtures and installing the stainless steel fixtures under the new project by a different contractor.

Comfort Stations 5 and 6: Generally, the work under the original contract includes providing an ADA toilet stall, ADA lavatory, and ADA dressing area. This requires the demolition of two standard stalls to provide space for an ADA stall, installation of an ADA porcelain toilet, porcelain lavatory, and concrete bench, and the replacing and repainting of finishes damaged during the installations. Work under Amendment No. 1 includes upgrading the ADA fixtures to stainless steel and completely renovating the comfort station as previously described. Amendment No. 1 as a separate project would duplicate the removing and installation of the ADA fixtures and replacing and repainting of finishes.

b. Eliminating Redesign Work

Bidding Amendment No. 1 as a separate new project would require that the bid package, plans and specifications would need to be revised and repackaged. This would require additional funds to hire a consultant to undertake this work.

c. Cost Savings Due to Continuity of Work Process

The various disciplines working on the comfort stations would not have to be mobilized twice and would not be restricted to "salvage" existing portions of the restroom. The contractor can completely demolish existing interior, replace new plumbing and electrical, reconstruct, and finish the comfort station in a continuous sequence rather than two sets of each discipline starting and coordinating work between two separate contractors.

d. Reduced Contractor Overhead and Mobilization Costs

The contractor's overhead cost and mobilization costs are doubled if Amendment No. 1 becomes a separate project.