

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS DEC -1 A8:25

TO: Chief Procurement Officer

STATE PROCUREMENT OFFICE
STATE OF HAWAII

FROM: Dept. of Health/Adult Mental Health Division/Kauai Community Mental Health Center *ay*
(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:

Provision of the following services at the Kauai Community Mental Health Center's (CMHC) Friendship House facility located at 4-1751 Kuhio Highway, Kapaa, Kauai: 1) cleaning of the drainage channel at the rear of the Friendship House; 2) cleaning the sediment basin fronting Friendship House; 3) flushing of the underground drain pipe from the rear drainage channel to the front sediment basis; and 4) restoring grass and landscape as necessary.

Name of Vendor:	Aina Site Construction, Inc.	Cost: \$38,498.52
Address:	3175 Elua Street, Suite B Lihue, Hawaii 96766	

Term of Contract:	From: 12/01/05	To: 12/31/05	Prior Exemption Ref. No. (if applicable)
	<i>Upon CPD Approval</i>		

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

Written quotations were requested of five vendors. Only two vendors responded, with one vendor indicating "No Bid." The only company providing a quotation was Aina Site Construction, Inc. Due to the lack of the submission of more than one quotation, it is neither practicable nor advantageous to procure this service by competitive means.

With the rainy season just around the corner, it is imperative that the drainage channels be cleared to prevent water runoff from flooding directly into the facility. The Friendship House facility is just below a bare hillside that has been difficult to vegetate and prevent soil erosion and runoff. Already partially filled with dirt, the rear drainage channel was specifically designed as a catch for any soil runoff. The underground drain pipe is already clogged with soil runoff. Clearing of the channels and sediment basis will be an ongoing maintenance routine.

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

Written quotations were requested of five vendors. Only two vendors responded, with one vendor indicating "No Bid." The only company providing a quotation was Aina Site Construction, Inc.

STATE OF HAWAII NOTICE OF EXEMPTION FROM CHAPTER 103D, HRS

The Chief Procurement Officer is in the process of reviewing the request from the Department of Health, Adult Mental Health Division, Kauai CMHC for exemption from Chapter 103D, HRS, for the following goods, services, or construction:

Provision of the following services at the Kauai Community Mental Health Center's (CMHC) Friendship House facility located at 4-1751 Kuhio Highway, Kapaa, Kauai: 1) cleaning of the drainage channel at the rear of the Friendship House; 2) cleaning the sediment basin fronting Friendship House; 3) flushing of the underground drain pipe from the rear drainage channel to the front sediment basis; and 4) restoring grass and landscape as necessary.

Vendor: Aina Site Construction, Inc.

Address: 3175 Elua Street, Suite B
Lihue, Hawaii 96766

Term of Contract: From: ~~12/01/05~~ To: 12/31/05 **Cost:** \$38,498.52
wpm CPO Approval

Direct any inquiries to:
Department: Health Phone Number:
Contact Name/Title: Samuel Tumbaga, Public Health Administrative Officer
Address: 3-3212 Kuhio Highway Fax Number:
Lihue, Hawaii 96766

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Date Notice Posted: 12/1/05

A copy of this notice of exemption from Chapter 103D, HRS, shall be posted by the Chief Procurement Officer and the purchasing agency in an area accessible to the public, at least seven (7) calendar days prior to any approval action.

Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven (7) calendar days from the date this notice was posted to:

Chief Procurement Officer
Office/Agency State Procurement Office
Address 1151 Punchbowl Street, Room 230-A
Honolulu, Hawaii 96813

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

The Adult Mental Health Division's (AMHD) Public Health Administrative Officer has reviewed the process used to obtain quotations. The procurement will also be reviewed by the Department's Administrative Services Office when the purchase order is submitted for approval.

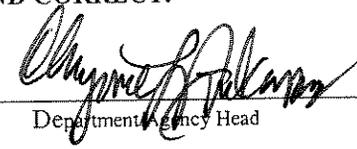
A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Samuel Tumbaga, Kauai CMHC Public Health Administrative Officer
 Amy Yamaguchi, AMHD Public Health Administrative Officer
 Ann Kinningham, Chief, Administrative Services Office

Direct questions to: Samuel Tumbaga	Phone Number: 274-3190
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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.

 NOV 30 2005
 Department Agency Head Date

 Title (If other than Department Head)

Chief Procurement Officer's Comments:

This approval is given based on the DOH's representation that disapproval of this request may result in ocean pollution under certain conditions. However, the DOH must realize that proper scheduled maintenance for this facility should have been performed in a more timely manner, thereby ensuring competition for these needed services. Hereafter, the DOH shall competitively solicit and execute a contract for these services.

Please ensure adherence to applicable administrative requirements.

APPROVED DISAPPROVED  12/22/05
 Chief Procurement Officer Date

cc: Administrator
 State Procurement Office