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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: Dept of Land and Natural Resources / Division of Aquatic Resources / HIHWNMS
(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>Whaling to Watching, A National Marine Sanctuary Educational Resource: Administration of funds to be used for the development of a web-based educational resource on whaling history, cultural legacies, transitions to a whaling watching culture, economic impacts of whale watching, whale species in the sanctuaries, whale behaviors, laws and regulations, and contemporary activities/issues. The web-based resource will explore the transition from a whaling culture to a whale-watching culture in Hawaii, the U.S. and elsewhere. Content will be prepared and coordinated by the National Marine Sanctuary Staff. Technical sections will be authored by leading experts in their fields, some of whom will receive monetary compensation from these funds for their contributions. Funds may also be used for web-support and curriculum development.</p>
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<p>Name of Vendor: Garden Island Resource Conservation & Development Address: 3083 Akahi St. Ste. 204 Lihue, HI 96766-1102</p>	<p>Cost: \$ 24,000</p>
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<p>Term of Contract: From: ASAP To: December 31, 2006</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>This project is being administered by DLNR-DAR as a "pass through" project using federal (NOAA-NOS) funds associated with the Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS). DLNR-DAR will only administer the funds, project implementation will be managed by federal HIHWNMS staff. The designated project manager is a federal HIHWNMS employee based on Kauai and HIHWNMS management desires that the contractor implementing the project also be based on Kauai. Several Kauai-based NGO's were asked for quotes, but only one quote was provided by GIRC&D. GIRC&D is a well established NGO with a proven track record implementing environmental conservation projects. We believe the state and federal governments will be well and fairly served by this organization.</p>
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<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>Of the two known vendors on the island of Kauai capable of administering funds for this project, only the GIRC&D was interested in submitting a quote. A quote was also solicited from the Kilauea Point Natural History Association, but they were not interested in submitting a bid.</p>
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A description of the agency's internal controls and approval requirements for the exempted procurement:

Once the 103D exemption is obtained, the purchase order will be prepared for the selected vendor. These POs are reviewed and initialed by the Division Administrator and subsequently reviewed by the DLNR Procurement Officer and DLNR Chairperson prior to approval.

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

Peter T. Young, DLNR Chairperson
Juliet Kazanjian, DLNR Procurement Officer
Francis Oishi, Acting DLNR-DAR Administrator
Jeffrey Walters, Ph.D., Co-Manager, DLNR-DAR-HIHWNMS

Direct questions to:

David Nichols, DLNR - DAR - HIHWNMS

Phone Number:

587-0437

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

Date

Deputy Director
Title (If other than Department Head)

Chief Procurement Officer's Comments:

Please ensure adherence to applicable administrative requirements.

APPROVED

DISAPPROVED

Chief Procurement Officer

Date

cc: Administrator,
State Procurement Office

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 Land and Natural Resources for exemption from Chapter 103D, HRS, for the following goods, services, or construction:

Whaling to Watching, A National Marine Sanctuary Educational Resource:

Administration of funds to be used for the development of a web-based educational resource on whaling history, cultural legacies, transitions to a whaling watching culture, economic impacts of whale watching, whale species in the sanctuaries, whale behaviors, laws and regulations, and contemporary activities/issues. The web-based resource will explore the transition from a whaling culture to a whale-watching culture in Hawaii, the U.S. and elsewhere. Content will be prepared and coordinated by the National Marine Sanctuary Staff. Technical sections will be authored by leading experts in their fields, some of whom will receive monetary compensation from these funds for their contributions. Funds may also be used for web-support and curriculum development.

Vendor: Garden Island Resource Conservation and Development, Inc. (GIRC&D)

Address: 3083 Akahi St. Ste. 204
Lihue, HI 96766-1102

Term of Contract:	From:	To:	Cost:
	ASAP	December 31, 2006	\$24,000

Direct any inquiries to:		
Department:	Dept. Land and Natural Resources-DAR-HIHWNMS	Phone Number:
Contact Name/Title:	David Nichols / Marine Conservation Specialist	(808) 587-0437
Address:	1151 Punchbowl St. Rm 330 Honolulu, HI 96813	Fax Number:
		(808) 587-0115



Date Posted: JUL 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 posted to:

Chief Procurement Officer
Office/Agency _____
Address _____
