



**STATE PROCUREMENT OFFICE  
NOTICE OF AND REQUEST FOR EXEMPTION  
FROM CHAPTER 103D, HRS**

- 1. TO: Chief Procurement Officer
- 2. FROM: Adjutant General/Director of Civil Defense

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:

3. Description of goods, services or construction:  
Provide and install 4 each 40 foot class 2 utility poles with termimesh sock. Each pole will include a concrete collar with a 3 foot diameter and 6.5 feet depth, with ground rod and solid copper wire routed up through PVC conduit strapped to the pole up to 4 feet above the ground. Installation locations: 1) Kamiloiki Elementary School/Water Tank (Hawaii Kai), 2) Waimanalo Beach Park, 3) Kokohead, and 4) Waipahu High School, all on Oahu. The job will include removal of the old pole and footing to a depth of one foot below grade. The contractor will have 90 calendar days from the date of purchase order to complete all for pole installations..

4. Name of Vendor: Ted's Wiring Service, Ltd. Address: 500 Alakawa Street, Ste 222, Honolulu, HI 96817	5. Price: <p align="center">\$45,130</p>
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6. Term of Contract: From: _____ To: _____	7. Prior Exemption Ref. No. <p align="center">0</p>
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8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:  
This is an emergency requirement, which is affecting the siren warning system functionality in each of these 4 areas. The lack of siren warning in these 4 areas increases the risk of loss of property or life for residents who live in the normal range of these warning sirens. The population of an estimated 10,000 residents in 2,500 dwellings are affected by these four siren outages. The increased risk of loss of property and injury or death as a result of the warning system failure is unacceptable, and this situation needs to be rectified as soon as possible. The job is expected to take 3 months once awarded, including the time awaiting delivery of the utility poles. This exemption will allow the contractor to start work as soon as the department is notified that exemption has been approved, and to complete the installation of the four poles. The time of exposure will be reduced by 90 days.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:  
Quotes were solicited from 3 vendors to determine whether the work could be done quickly, using small purchase procedures. When the lowest quote came in over \$25,000 it was clear that the small purchase threshold had been exceeded. We have solicited quotes from the vendors who routinely are contracted with for installation of siren poles in CIP contracts. Under the urgent circumstances outlined above, the maximum degree of fair and open competitiveness possible has been attained.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:  
1. The requirements to execute the mission is identified by the operating division and approved for content and relativity. 2. The Contracting Officer certifies the appropriateness of the request. 3. The Fiscal Officer certifies the method of funding and the availability of funds. 4. The Adjutant General approves the request to start the contracting process. 5. The Contracting Officer negotiates and prepares the contract documents. 6. The contract is reviewed by department's Deputy Attorney General. 7. The contract is reviewed and signed by the vendor. 8. The contract funds are certified by the Fiscal Officer to DAGS and the contract is forwarded to DAGS to encumber along with the appropriate clearance documents. 9. The Deputy Adjutant General signs the contract and the Contracting Officer makes the distribution.

**REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)**

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:		
Name	Position	Involvement in Process
MG Robert G. F Lee	Adjutant General	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
BG Gary M. Ishikawa	Deputy Adjutant General	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Thomas T. Moriyasu	Departmental Fiscal Officer	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Major Neal S. Mitsuyoshi	Contract and Engineering Officer	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Michael S. Vincent	Deputy Attorney General	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Edward T. Teixeira	Vice Director	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration

13. Direct inquiries to:	Department: Defense Contact Name: Thomas T. Moriyasu Phone Number: 733-4259 Fax Number: 733-4237
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Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*

  
 Department Head

FEB 21 2006  
 Date

**Reserved for SPO Use Only**

15. Date Notice Posted 3/10/06

The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer  
 State Procurement Office  
 P.O. Box 119  
 Honolulu, Hawaii 96810-0119

Chief Procurement Officer's comments:

This request is returned with no action taken. We were informed on 3/10/2006 that this procurement was handled as an emergency. Please remember to submit SPO Form-02 Request for Emergency Procurement.

16.  APPROVED  DISAPPROVED

Chief Procurement Officer

Date