

05 APR 25 P1:13



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

- 1. TO: Chief Procurement Officer
2. FROM: Daniel S. Quinn, Administrator, Division of State Parks

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:
Kokee Lodge Building (KLB) Replacement of Roof, Kokee State Park, Waimea Kauai
Roof area is approximately 5,000 square feet
Remove existing metal and replace with 24 gauge zinc aluminum Kynar coated metal roof, sand green color with stainless steel fasteners. Metal roof profile: commercial rib.
Included: Equipment, trash bin, tipping fees, VTR Flashing-Master Flash
20 year material warranty; 1 year workmanship warranty

4. Name of Vendor: AR Construction Services, LLC
Address: P.O.Box 393, Lawai, HI. 96765
5. Price: \$69,500.00

6. Term of Contract: From: May 1, 2006 To: June 1, 2006
7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
As a result of the February and March '06 torrential rains the KLB was subjected to many roof leaks in both public areas (restaurant and retail) kitchen and storage areas. The roof deterioration has accelerated due to the recent intense rains. To go out and secure formal bids now would be a 6 month process taking the roof completion near the end of the lease. The tenant is paying a premium rent and should expect a water tight roof. This request for an exception to the formal procurement process will mitigate any alleged financial damage to the lessee as a result of the roof leaks. Kauai staff recently brought on board a knowledgeable construction person who has contacted 4 roofers whereby only one responded with a written bid of \$69,500 to remove and replace the existing roof.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
The KLB roof replacement (aprox. 5,000 sq. ft.) is the subject of this memorandum. The Lodge building was built circa 1950 and has been modified with an extension. It has a tin roof that has been patched to the point that further patching will be in effective. The roof is approximately 40 years old.
The current lessee began operations July 1, 2004, with a termination date of December 31, 2006, a short tenure. Almost from the start of the lease they have complained about the roof leaking. Parks, due to the lack of man power requested the lessee to spec the roof replacement out and get 3 bids. The current lessee tried but was unable to get the bids. The lessee stated that with the booming construction on the island and remoteness and difficulty getting to and from the KLB that, contractors were not interested in bidding on the job. The tenant kept calling to complain about the roof leaks and Kauai staff was not able to devise any successful interim solution while the project was formally bid out. Attached is the SPO-10 completed April 4, 2006.

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

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
 This process has been reviewed by the following personnel within the Division of State Parks Wayne Souza, Kauai Superintendent; Daniel S. Quinn, Administrator, Division of State Parks. D.L.N.R., Peter T. Young, Chairperson

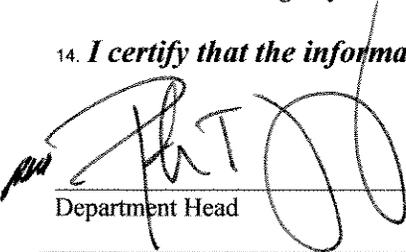
12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:

Name	Position	Involvement in Process	
Peter T. Young	DLNR Chairperson	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Dan Quinn	Administrator	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Steve Thompson	Park Program Manager	<input checked="" type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Wayne Souza	Kauai Parks Superintendent	<input checked="" type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Jarvin Peralta	Const. & Maint. Worker	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to: Department: Division of State Parks
 Contact Name: Steve Thompson
 Phone Number: 587-0303
 Fax Number: 587-0311

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

APR 25 2006

Date

Reserved for SPO Use Only

15. Date Notice Posted 4/28/06

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

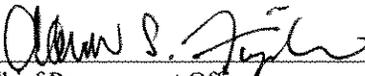
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

Chief Procurement Officer's comments:

Requesting quotes over the phone does not ensure fair and open competition. The justification provided in this request for exemption is not sufficient for approval. SPO has attempted to contact the DLNR to obtain further information without success. On the basis of the information provided on form SPO-7, DLNR shall solicit this request for services using the Invitation for Bids (IFB) procurement process.

16.

APPROVED DISAPPROVED


Chief Procurement Officer

5/9/06
Date