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STATE PROCUREMENT OFFICE NOTICE OF AMENDMENT TO EXEMPTION FROM CHAPTER 103D, HRS, CONTRACT

1. TO: Chief Procurement Officer HAR-EE
 2. FROM: Transportation/Harbors *[Signature]* 9835.06
 Department/Division/Agency Date: April 21, 2006
 3. Name of Contractor: Various 4. P.E. Reference No. 05-01-J

5. Description of goods, services, or construction:
See attached.

6. Scope of work for the contract is revised as follows:
No revisions are proposed to the scope of work. Total contract price is undetermined at this time.

Original Contract Price: \$ Amended Contract Price: \$

7. Reason: This / These amendment(s) are necessary because: *
Term of current procurement exemption expires on June 30, 2006. This amendment extends the exemption to June 30, 2008.

** CURRENT EXEMPTION
REQUEST ATTACHED HERETO.*

8. Direct questions to: Randal Leong Phone: 587-1962

Agency shall ensure adherence to applicable administrative and statutory requirements.

9. Pursuant to **§103D-102, HRS, and §3-120-5, HAR**, I certify that the information provided above is, to the best of my knowledge, true and correct

[Signature] 4/26/06
 Department Head Date

Reserved for SPO Use Only

10. Date Posted: 5/4/06

11. Submit written objections to this notice of intent to amend a procurement exemption contract 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:

12. APPROVED DISAPPROVED

[Signature] 5/11/06
 Chief Procurement Officer Date

13. P.E. No. 05-01-J

5. Description of goods, services, or construction:

* Consultant and contractor services required to undertake emergency measures in response to orders issued by the Department of Health to prevent petroleum product migration into the waters of Honolulu Harbor. Additional services are required to study, investigate, plan, remediate, monitor and manage the subsurface petroleum contamination problem in the Iwilei district of Honolulu, in the vicinity of Honolulu Harbor. This effort is expected to take at least another two years of work. These services are funded by means of cost-sharing between the Iwilei District Participating Parties (IDPP) LLC of which the DOT is a member. The LLC has hired an accounting firm to manage its finances. Occasional cash calls are to be issued by the financial manager based on the estimated expenditures that the IDPP LLC is expected to incur. DOT, as a member of the LLC, is required to contribute its share of funds as the need arises, usually on a quarterly basis.

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

TO: Chief Procurement Officer
 THRU: PPB CON
 FROM: TRANSPORTATION/HARBORS
 (Department/Division/Agency)



HAR-EP
 7018.04

May 12, 2004

Pursuant to § 103D-102(b)(5), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

Description of goods, services, or construction:

Consultant and contractor services required to undertake emergency measures in response to orders issued by the Department of Health to prevent petroleum product migration into the waters of Honolulu Harbor. Additional services are required to study, investigate, plan, remediate, monitor and manage the subsurface petroleum contamination problem in the Iwilei district of Honolulu, in the vicinity of Honolulu Harbor. This effort is expected to take at least another two years of work. These services are funded by means of cost-sharing between the Iwilei District Participating Parties (IDPP) LLC of which the DOT is a member. The LLC has hired an accounting firm to manage its finances. Occasional cash calls are to be issued by the financial manager based on the estimated expenditures that the IDPP LLC is expected to incur. DOT, as a member of the LLC, is required to contribute its share of funds as the need arises, usually on a quarterly basis.

Name of Vendor: Oceanit, Unitek, Clayton Group, TRC, CH2MHill, Philips Services, Levine Fricke, LECG, Kagami, Inc., RBZ, URS, EarthTech, Project Navigator, Oceanic Analytical Lab and others	Cost: Undetermined at this time.	Term of Contract: From: Date of Approval To: June 30, 2006
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Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: The DOT along with ten other entities have formed the Iwilei District Participating Parties (IDPP) LLC. Under the administrative oversight of the Department of Health (DOH), six original entities of the IDPP LLC executed a voluntary agreement with the DOH on February 1, 1998. Based on this agreement, emergency response orders were issued by the DOH to address potential violations to the Clean Water Act. Several contractors were selected to carry out these orders. On February 1, 2001, an expanded group of entities executed an Environmental Response Agreement (ERA) with the DOH for the next phase of work that includes studies, investigations, planning, monitoring and remediation. The IDPP LLC was created on July 15, 2002 to meet the objectives outlined in the ERA. Additional contractors and consultants, other than those named above, may be required in the future to complete the requirements of the ERA. Since DOT is only one of eleven parties, it is difficult, if not impossible, for DOT to require that IDPP LLC consultants and contractors be hired in compliance with Chapter 103D procedures. This request updates P.E. Number 03-39-J, approved by the Chief Procurement Officer on November 14, 2002.

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

The IDPP LLC usually selects contractors and consultants based on their qualifications and pricing, and often seeks proposals from several sources before making a selection. In the cases where responses were required to address emergency orders directed by the DOH, the IDPP also selects contractors and consultants based on their ability to meet time constraints.

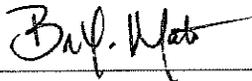
A description of the agency's internal controls and approval requirements for the exempted procurement:
As described in the attached memorandum PPB 12.0451 and CON 5.5984

A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract:
Jamie Ho – Contracts Engineer
Glenn Okimoto – Harbors Administrator
Fred Nunes – Engineering Program Manager

Direct questions to:	Phone Number:
Randal Leong	587-1887
Fred Nunes	587-1862

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.



JUN 29 2004

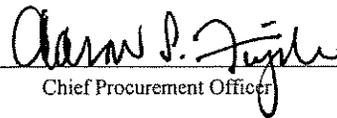
Department/Agency Head

Date

Chief Procurement Officer's Comments:

Please ensure adherence to applicable administrative requirements.

Approved Denied



Chief Procurement Officer

7/13/04

Date

cc: Administrator
State Procurement Office