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

RECEIVED
7:14 OCT 22 PM
DOGNL ADMIN
DEPT. OF LAND AND
NATURAL RESOURCES

- 1. TO: Chief Procurement Officer
2. FROM: Tarey W.K. Low, Kauai DLNR-DOCARE Branch Chief
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:
Helicopter Service/Transportation to isolated/remote area in Kilauea, Kauai....

4. Name of Vendor: Jack Harter Helicopters
Address: P.O Box 306
LIHUE, KAUAI HAWAII 96766
5. Price: \$ 875.00 an hour

6. Term of Contract: From: 101606 To: 041607 (6 Months)
7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
1. We needed to get to the alleged violation area in the Kilauea/Moloaa Forest Reserve to investigate report of illegal helicopter landing zone,
2. Procured Kauai Vendor- Smokey Mountain Helicopters are the alleged Suspect company,
3. Immediate investigation required to protect resources, and prepare for Legal challenges for the Department and Community.,
4. Jack Harters has the only capable Vendor with resources that can safely land Officer at alleged scene....

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
1. Jack Harter Helicopter is the only other Kauai based company that has a Hughes 500 Helicopter that is needed/neccessary to safely carry out our request and also ensure Officer safety...

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
1. Ensure that we are in complaince to SPO rules,
2. Review and ensure that slections are fairly done yet also ensures Officers safety is not compromised,
3. Urgency..

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
Gary D. Moniz	Enforcement Administrator	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: Contact Name: Phone Number: Fax Number:
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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.*

[Signature]
Department Head

10-24-06
Date

Reserved for SPO Use Only

15. Date Notice Posted 10/26/06

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:

At the request of the agency, this request is returned as "No Action Required". The requested services were not required.

16. APPROVED DISAPPROVED NO ACTION REQUIRED

[Signature] 3/19/07
Chief Procurement Officer Date