



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

1. TO: Chief Procurement Officer
 2. FROM: Department of Land and Natural Resources/DOFAW/Oahu Branch

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:
 To remove hazard trees/branches that originate on State Forest Reserve Lands in the Nuuanu and Tantalus area adjacent to private homes and public access. Due to the excessive heights and brittleness of these trees there is cause for trimming or total removal in which activities for removal should take place before the next winter season. The urgency is that there is a high potential for damage to homes in the area with a high probability of residents being displaced from their homes. Should action lapse and damage does occur, the State will be held accountable and liable for the circumstance(s). Liability has already been pointed out by the residents in the area, it is now our duty to respond. Bids have been taken for the project. Low bidder has been selected - Sherwood Tree Service is the low bidder for the project. If approved, work will be conducted via gas-powered equipment, chippers, bucket trucks, and climbers. All debris will be cut and chipped and dispersed in the adjacent Forest Reserve. Vendor is certified and insured to do this type of work.

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| 4. Name of Vendor: Sherewood Tree Service Address: 350 Ward Ave., Suite 106 Honolulu, HI 06814-4004 | 5. Price: \$26,000 |
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| 6. Term of Contract: From: November '06 To: December '06 | 7. Prior Exemption Ref. No. EP-07-12-A |
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8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
 Not applicable.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
 There is a list of vendors that were chosen based on several conditions; a. Certification to do this type of work, b. insurance, c. availability, d. references.

Five (5) vendors were contacted and given the opportunity to draw bids for the job requested. A date and time was set. Of the five (5), only three (3) vendors attended. Vendors were escorted to the various sites to solicit their bids and were informed to turn in their bids on a given deadline. Bids submitted before or on the deadline were looked at and considered eligible to continue (late bids were not considered). Upon receiving the bids, the lowest bid for each job was selected. Vendors were informed by phone that they were selected and could proceed on their scheduled date. Schedule has been delayed due to the \$25K limit.

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

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
- a. Solicitation of vendors with bids to perform work (-Earl Pawn).
 - b. Request for Exemption if bids are over \$25K and not considered an Emergency status (-Earl Pawn).
 - c. Certification of Department Head and Approvals from Chief Procurement Officer needed to move to next level (-Mr. Peter Young and Mr. Aaron Fujioka).
 - d. Upon approval give notice to selected vendor to proceed (-Earl Pawn).
 - e. Process Purchase Order for Payment with appropriate coding and signatures (-Oahu Branch Office and Earl Pawn).
 - f. Upon receiving a PO number and fiscal approval - submit PO to vendor when job is completed (-Earl Pawn).
 - g. Vendor should receive payment within 2-4 weeks after PO is forwarded/mailed to them.

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 | |
|------------------|---------------------------|--|--|
| Earl K Pawn Jr | Forestry Manager | <input type="checkbox"/> Approval | <input checked="" type="checkbox"/> Administration |
| Peter Young | Department Head | <input type="checkbox"/> Approval | <input checked="" type="checkbox"/> Administration |
| Aaron Fujioka | Chief Procurement Officer | <input checked="" type="checkbox"/> Approval | <input type="checkbox"/> Administration |
| Pat Costales | Branch Manager | <input checked="" type="checkbox"/> Approval | <input type="checkbox"/> Administration |
| Paul Conry | DOFAW Administrator | <input checked="" type="checkbox"/> Approval | <input type="checkbox"/> Administration |
| Juliet Kazanjian | Fiscal Administrator | <input checked="" type="checkbox"/> Approval | <input checked="" type="checkbox"/> Administration |

13. Direct inquiries to: Department: DLNR/DOFAW/Oahu Branch
 Contact Name: Earl Pawn
 Phone Number: 973-9785
 Fax Number: 973-9781

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

Date

Reserved for SPO Use Only

15. Date Notice Posted

11/2/06

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:

16.

APPROVED

DISAPPROVED

NO ACTION REQUIRED

Chief Procurement Officer

Date