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

- 1. TO: Chief Procurement Officer
- 2. FROM: DLNR - Kaho'olawe Island Reserve Commission

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:
 Revise two documents: (1) the 'Aha Pāwalu, A Cultural Protocol for Kanaloa-Kaho'olawe and (2) Ke Kalai Maoli Ola No Kanaloa, the Kaho'olawe Cultural Use Plan; and provide training for the implementation of their protocols.

4. Name of Vendor: Edith Kanaka'ole Foundation
 Address: 1500 Kalaniana'ole Avenue
 Hilo, Hawai'i 96720-4914

5. Price:
 \$75,000

6. Term of Contract: From: January 2007 To: January 2008

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
 The vendor established the cultural protocols for Kaho'olawe and developed the original 'Aha Pāwalu and Ke Kalai Maoli Ola No Kanaloa documents in 1995. Therefore, the vendor has unique and proprietary knowledge of how these were first developed and what revisions are needed today; the continuity and integrity of the cultural protocols and the training must be maintained. Second, the competitive sealed proposals process would likely result in this vendor eventually being chosen, given that the evaluation criteria would include extensive prior experience with or knowledge of Kaho'olawe, the original documents and the established protocols.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
 The requirements of HRS Chapter 103D-102 will be followed.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
 Upon approval and authorization of the Kaho'olawe Island Reserve Commission, the contract will be executed by KIRC's Executive Director, and will be processed by DLNR's Administrative Officer. The project will be administered and managed by KIRC's Resource Manager and Cultural Resources Specialist IV. Approved invoices will be processed by KIRC's Administrative Specialist III.

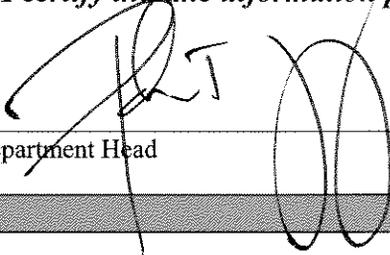
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

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	
KIRC	Commission	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Sol P. Kaho'ohalahala	Executive Director	<input checked="" type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Kathy Ka'ohu	Resource Manager	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Kapono'ai Molitau	Cultural Resources Specialist IV	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
David DeMark	Administrative Specialist III	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to: Department: KIRC
 Contact Name: Kathy Ka'ohu or Michele McLean
 Phone Number: 808-243-5020
 Fax Number: 808-243-5885

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 11/17/06

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 approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply.

16. APPROVED DISAPPROVED NO ACTION REQUIRED


 Chief Procurement Officer Date 11/24/06