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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 Division of Forestry and Wildlife

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:  
 Implement obligations of the Landowner Incentive Program (LIP) project under federal grant I-2-1 (expires June 30, 2008): Grow and/or purchase 5,000 native species seedlings; outplant seedlings within Auwahi and Pu'u-o-kali enclosures; control invasive species within enclosures; install and maintain irrigation systems; inspect and maintain enclosure fencelines; host at least 20 educational trips for at least 30 community members per trip; submit annual reports covering period July 1 through June 30 on or before September 1 of each year.

4. Name of Vendor: Tri-Isle Res. Conserv. and Development Council Inc Address: 210 Imi Kala St. Suite 208 Wailuku, HI 96793	5. Price: \$87,000.00
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6. Term of Contract: From: on approval To: 6/30/08	7. Prior Exemption Ref. No.
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8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:  
 This facilitates the pass-through of LIP grant funds awarded by the U.S. Fish and Wildlife Service specifically to implement the proposed project on private land owned by Ulupalakua Ranch. The Ranch has determined that the project be implemented through the efforts of the Leeward Haleakala Watershed Restoration Partnership (of which, the Ranch and DLNR are members). Because the Leeward Haleakala Watershed Restoration Partnership does not have a legal status, it is using the non-profit organization Tri-Isle Resource Conservation and Development Council as their fiscal agent. As the pass-through agent for these federal funds, DLNR does not have the authority to direct Ulupalakua Ranch who to hire to implement the work described in the project proposal on private lands. Further, the Tri-Isle RC&D Council is donating a portion of the in-kind match required by the grant.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:  
 The original Request for Proposals for LIP was posted on the State procurement web site and proposals were ranked according to the established LIP guidelines. The highest ranking projects were submitted to the U.S. Fish and Wildlife Service and they selected which proposals would receive awards after a competitive national process. As the pass-through agent for these federal funds, DLNR does not have the authority to direct Ulupalakua Ranch or the Leeward Haleakala Watershed Restoration Partnership as to the approach they choose to use to implement the work described in the project proposal.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:  
 The project will be coordinated by DOFAW's Conservation Initiatives Coordinator. Funds will be encumbered upon approval of the DLNR Chairperson. Site inspections will be made at least once per year by DOFAW staff to monitor progress in implementing the project. An annual report will be required, detailing accomplishments over the previous year and providing accounting for funds spent and documenting the required match. Approved invoices will be processed by the DLNR Fiscal Office.

**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
William Standley	Conservation Initiatives Coord.	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Paul Conry	Adminstrator, DOFAW	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Peter Young	Chairperon, DLNR	<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

13. Direct inquiries to: Department: DLNR/DOFAW  
 Contact Name: William Standley  
 Phone Number: 587-4171  
 Fax Number: 587-0160

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

*1/12/07*  
 Date

**Reserved for SPO Use Only**

15. Date Notice Posted *1/12/2007*

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 request is approved based on the DLNR's representation that the non-profit vendor will be responsible to implement the original proposer's (Leeward Haleakala Watershed Restoration Partnership) project as submitted through the DLNR to the U.S. Fish and Wildlife Service. The DLNR's request incorrectly identified the procurement process used as a Request for Proposals but should have called it a Request for Interest under HAR Section 3-122-16.30, Source Selection for Federal Grants.

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

16.  APPROVED  DISAPPROVED  NO ACTION REQUIRED

*Adam S. Taylor*  
 Chief Procurement Officer Date *2/6/07*



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Washington, D.C. 20240

FEB 25 2003

ADDRESS ONLY THE DIRECTOR  
FISH AND WILDLIFE SERVICE

In Reply Refer To:  
FWS/AMBS/FA/011430

To: State Fish and Wildlife Agencies  
Secretary, Department of Natural Resources of the Commonwealth of Puerto Rico  
Governor of Guam  
Governor of the U.S. Virgin Islands  
Governor of American Samoa  
Governor of the Commonwealth of the Northern Mariana Islands  
Mayor of the District of Columbia

We are pleased to provide you with the list of successful applicants for this year's Landowner Incentive Program (LIP) competition (see enclosed table). The Service published guidelines for LIP in the October 1, 2002, *Federal Register* and included a 60-day grant proposal submission period which ended on December 2. We received proposals from 47 States which requested over \$60 million. This was an impressive indication of program interest. Unfortunately, because of this impressive response some proposals with considerable merit will not receive funding at this time. Your desire to participate in this new initiative to benefit species at risk on private lands will be shared with OMB and Congress.

After giving full consideration to Service national review team recommendations, we have decided to make grant awards to 39 States under Tier-1, and to 22 States under Tier-2. The Tier-1 grants emphasize program infrastructure building and have a cap of \$180,000. The Tier-2 grants focus on project implementation and in combination with a Tier-1 grant, have a cap of \$1,740,000. We congratulate the successful States and request that these agencies next contact the appropriate Regional Office, Division of Federal Aid, prior to submitting the remaining grant agreement and compliance documentation necessary to obligate funds awarded.

These same Regional Office staffs are anxious to provide feedback and suggestions to those States whose grant proposals were not selected for funding this year in an effort to improve their proposed programs and future competitiveness. In addition, the Regions look forward to assisting those States and Territories who did not submit proposals at this time, but would like to do so following any additional Landowner Incentive Program appropriations.

Sincerely,

DIRECTOR

**U.S. FISH AND WILDLIFE SERVICE  
GRANT AWARDS FOR THE LANDOWNER INCENTIVE PROGRAM  
FEBRUARY 2003**

STATE	TIER 1	TIER 2	TOTAL
ALABAMA			0
ALASKA	\$142,500	\$1,500,000	\$1,642,500
ARIZONA	\$180,000	\$1,560,000	\$1,740,000
ARKANSAS	\$158,512		\$158,512
CALIFORNIA	\$180,000	\$1,560,000	\$1,740,000
COLORADO		\$1,740,000	\$1,740,000
CONNECTICUT	\$180,000		\$180,000
DELAWARE	\$180,000		\$180,000
DISTRICT OF COLUMBIA			0
FLORIDA	\$180,000	\$840,000	\$1,020,000
GEORGIA	\$180,000		\$180,000
HAWAII	\$180,000	\$1,551,750	\$1,731,750
IDAHO	\$180,000		\$180,000
ILLINOIS			0
INDIANA	\$180,000		\$180,000
IOWA	\$180,000	\$900,000	\$1,080,000
KANSAS			0
KENTUCKY	\$180,000	\$1,315,000	\$1,495,000
LOUISIANA			0
MAINE	\$180,000		\$180,000
MARYLAND	\$180,000		\$180,000
MASSACHUSETTS	\$180,000	\$900,000	\$1,080,000
MICHIGAN	\$180,000	\$1,351,718	\$1,531,718
MINNESOTA	\$180,000	\$1,334,542	\$1,514,542
MISSISSIPPI			0
MISSOURI	\$180,000		\$180,000
MONTANA	\$174,639	\$1,315,000	\$1,489,639
NEBRASKA	\$180,000	\$1,560,000	\$1,740,000
NEVADA	\$180,000		\$180,000

NEW HAMPSHIRE	\$180,000		\$180,000
STATE	TIER 1	TIER 2	TOTAL
NEW JERSEY	\$180,000		\$180,000
NEW MEXICO	\$180,000		\$180,000
NEW YORK	\$180,000		\$180,000
NORTH CAROLINA		\$165,000	\$165,000
NORTH DAKOTA	\$180,000	\$710,500	\$890,500
OHIO	\$180,000		\$180,000
OKLAHOMA	\$180,000	\$1,315,000	\$1,495,000
OREGON	\$180,000	\$1,533,900	\$1,713,900
PENNSYLVANIA	\$180,000	\$1,315,000	\$1,495,000
RHODE ISLAND			0
SOUTH CAROLINA	\$75,000	\$900,000	\$975,000
SOUTH DAKOTA			0
TENNESSEE	\$180,000		\$180,000
TEXAS		\$1,465,000	\$1,465,000
UTAH			0
VERMONT	\$180,000		\$180,000
VIRGINIA	\$178,593	\$1,555,500	\$1,734,093
WASHINGTON	\$180,000	\$1,560,000	\$1,740,000
WEST VIRGINIA	\$180,000		\$180,000
WISCONSIN	\$180,000		\$180,000
WYOMING	\$180,000		\$180,000
PUERTO RICO			0
GUAM			0
VIRGIN ISLANDS			0
AMERICAN SAMOA			0
N. MARIANA ISLANDS			0
TOTAL	\$6,849,244	\$27,947,910	\$34,797,154