

07 FEB 12 P1:30



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

1. TO: Chief Procurement Officer
2. FROM: DLNR/Forestry and Wildlife/Hawaii 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:
Contractor shall provide all necessary labor, material, equipment, personnel and supervision to satisfactorily perform helicopter transportation services on the Island of Hawaii and islets around Hawaii where bird sanctuaries are established, exclusive of fire suppression activities for the Division of Forestry and Wildlife, Department of land and Natural Resources. This is for IFB-05-35-H, contract CF-05-035-H

Table with 2 columns: Vendor information (Name, Address) and Price/Prior Exemption Ref. No. (Price: \$, Prior Exemption Ref. No.)

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
The current contract will expire on 2/28/07. The contract originally bid awarded March 1, 2005 with two (2) twelve month extensions. The contractor declined to extend the contract for second extension period due to increasing fuel costs over the past two year contract period. The rising fuel costs will always be a concern for contractors when asked to extend the helicopter contracts in the future. With this concern, we worked on modifying the new contract to address fuel cost increases via contract price adjustment clause to avoid this reoccurrence in the new contract. This process is taking longer than expected to establish the method and terms of this price adjustment, making it necessary to file this SPO-07 form.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
Will have current contractor extend for 6 months or until the new helicopter services contract is awarded. The current contract provisions will be followed using the current price and contractor during this extension period. Given the time left on the current contract, it would be difficult to find another vendor that is certified, qualified and familiar with the procedures and scope of services as specified in this contract. The certifications, qualifications and procedures are necessary for safety and complying with established agency helicopter policy.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
The internal controls and approvals will be the same as the current contract for the exempted procurement for the exempted time period only until a new contract is awarded. The contract administrator will be as stated in the current contract as the Hawaii Branch Manager of the Division of Forestry and Wildlife. The contract administrator will ensure the terms and conditions for the helicopter services are met.

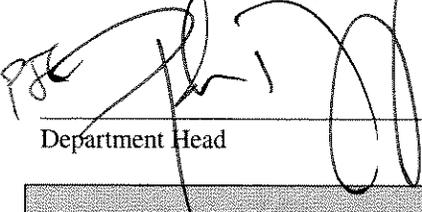
**REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)**

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
Peter T. Young	DLNR Chairperson	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Paul J. Conry	DOFAW Administrator	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Roger H. Imoto	DOFAW Hawaii Branch Manager	<input type="checkbox"/> Approval <input checked="" 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: Land and Natural Resources Contact Name: Roger H. Imoto Phone Number: 808-974-4221 Fax Number: 808-974-4226
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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.*



Department Head

Date

**Reserved for SPO Use Only**

15. Date Notice Posted

2/12/07

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:

16.  **APPROVED**     **DISAPPROVED**     **NO ACTION REQUIRED**

  
 Chief Procurement Officer

2/20/07  
 Date