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

1. TO: Chief Procurement Officer
2. FROM: DAGS/Stadium Authority

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:

The contractor is providing refuse collections and disposal services for Aloha Stadium and Swap Meet which includes all labor, transportation, equipment and refuse containers necessary to collect and dispose of refuse generated by Stadium operations.

The services were contracted with the assistance of SPO and awarded on IFB-06-051-O, contract no. CF-06-051-O.

4. Name of Vendor: Honolulu Disposal Service, Inc.

Address: 1169 Mikole Street
Honolulu, Hawaii 96819

5. Price:

\$142,215.00

6.

Term of Contract: From: 3/1/07 To: 9/30/07

7. 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 February 28, 2007. The contractor waived his option to extend the contract for another year. This was the first of three available twelve (12) month extension options that was included in the original contract.

The current contractor has provided satisfactory refuse collection and disposal services for the Aloha Stadium. Because of the concern for possible adverse health and sanitation issues to the general public and employees and the need to expedite uninterrupted and continuous refuse collection services, the Stadium Authority believes resoliciting a new bid is neither practical nor advantageous.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

Given the time left on the current contract and because of the current contractor's onsite experience with the Stadium's operating schedule, familiarity with all refuse disposal requirements (size and number of containers) as well as equipment already established at the site, the Stadium Authority shall contact the contractor to arrange for a six (6) month extension period to allow time to award a new contract.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:

The internal controls, approvals and terms and conditions will remain the same as the current contract. The contract administrator (Stadium Manager) will ensure the terms and conditions are enforced and administered per the contract.

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	
Kenneth Tong	Stadium Engineer	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Kenneth T.G. Lum	Acting Stadium Manager	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Russ K. Saito	State Comptroller	<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: Stadium Authority
 Contact Name: Kenneth Tong
 Phone Number: (808) 483-2762
 Fax Number: (808) 483-2823

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.*

Russ K. Saito

2/20/07

Department Head

Date

Reserved for SPO Use Only	
	15. Date Notice Posted <u><i>2/21/07</i></u>
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: <p align="center"> Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119 </p>	
Chief Procurement Officer's comments:	

16. APPROVED DISAPPROVED NO ACTION REQUIRED

Oliver S. Fujita *2/28/07*
 Chief Procurement Officer Date

COMPTROLLER'S OFFICE
DAGS

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ALOHA STADIUM

An Agency of the State of Hawaii

07 FEB 21 AS 26

February 16, 2007

Honorable Russ K. Saito, Comptroller
Department of Accounting and General Services
Kalanimoku Building
1151 Punchbowl Street, Room 412
Honolulu, Hawaii 96813

Dear Mr. Saito:

**RE: ALOHA STADIUM EXEMPTION FROM PROCUREMENT REQUEST
FOR REFUSE COLLECTION AND DISPOSAL**

We respectfully request your review and concurrence regarding the attached State Procurement Office (SPO) request for an exemption from Chapter 103D, Hawaii Revised Statutes (HRS), for refuse collection and disposal service for Aloha Stadium. The existing contract (Contract No. CF-06-051-0) will expire on February 28, 2007. The contractor waived his option to extend the contract for another year. This was the first of three (3) available twelve (12) month extension options that were included in the original contract. The current contractor has provided satisfactory refuse collection and disposal services for the Aloha Stadium. Because the current contract will expire on February 28, 2007, there is concern for possible adverse health and sanitation issues to the general public and employees. The Stadium Authority believes that there is a need to expedite uninterrupted and continuous refuse collection services and that resoliciting a new bid is neither practical nor advantageous at this time.

A contract was not processed sooner due to an oversight while transitioning personnel. Although the Stadium Authority is working with the SPO to develop and award a new contract, solicitation and award will not be made before the end of this month. The stadium estimates that a new contract may not be awarded until September 30, 2007. Therefore we request your concurrence in arranging to have the current contractor, Honolulu Disposal Service, Inc., perform the services for a six (6) month extension period. Given the fact that the current contractor's onsite experience with the Stadium's operating schedule, familiarity with all refuse requirements (size and number of containers) as well as having the equipment already on site, this option is the most advantageous and expeditious alternative.

Honorable Russ K. Saito

February 16, 2007

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We request that the signed copies of the enclosed SPO form 7 be forwarded to the State Procurement Office for further processing. Should you have any questions regarding the above, please contact Stadium Engineer Kenneth Tong at 483-2762.

Your consideration and approval of this request for an exemption from Chapter 103D, HRS, is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth T. G. Lum". The signature is fluid and cursive, with a large initial "K" and "L".

Kenneth T. G. Lum
Acting Stadium Manager

Enclosures

c: Kenneth Tong, Stadium Engineer
Scott Chan, Acting Deputy Stadium Manager