



07 MAR -5 P136

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

1. TO: Chief Procurement Officer
2. FROM: Thomas Moriyasu, Fiscal Officer, Department of Defense

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:

<p>3. Description of goods, services or construction: Equipment purchased using Federal Grant Funds for homeland security initiatives. Examples include Tactical Communication devices, Radiation testing devices, Body armor, Search & Rescue Equipment, Specialized law enforcement equipment, and specialized emergency medical equipment. Vendor obtains and certifies Department of Homeland Security approval of the suitability of the equipment for the grant. Equipment is ordered by and delivered to subgrantees who include the State Departments of Public Safety, Agriculture, Land and Natural Resources, Health, and Transportation.</p>	
<p>4. Name of Vendor: Fisher Scientific Address: 4500 Turnberry Drive Hanover park, IL 60133</p>	<p>5. Price: \$Open</p>
<p>6. Term of Contract: From: <i>3/1/07</i> <i>Upon CPO Approval</i> To: 9/30/07</p>	<p>7. Prior Exemption Ref. No.</p>
<p>8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State: The Department of Defense has been awarded multiple grants for the purposes of increasing the State's preparedness for responding to security threats. These grants include amounts for a variety of initiatives, including training, excercises, and the purchase of equipment. The range of equipment that is suitable for the grant is vast. The grants have set time frames for the use of the funds, and the priorities and initiatives undertaken through the use of the grant change to reflect revised threat estimates. The use of the normal procurement process may result in a situation where by the time the vendor is selected, an unforeseen threat has changed the equipment needs of the State to respond to the threat. The recommended vendor is experienced with Homeland Security Grants and constantly changes the products offered to reflect the latest priorities set by the Department of Homeland Security.</p>	
<p>9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable: The National Association of State Procurement Officials (NASPO) organized under the auspices of several lead agencies to solicit and obtain bids for the procurment of approved Homeland Security Equipment at prices that are competitive. The State of Arkansas solicited and obtained bids from three companies to procure equipment. We have contacted the three companies (Fisher Scientific, Orasure, and VWR Technologies) and determined that only Fisher Scientific has supplier arrangements with vendors of Law Enforcement and Security Products. Fisher Scientific has a local office to respond directly to the needs of the requesting agencies. This exemption is temporary and will be replaced with a formal contract that allows for the identification of additional interested parties and the solicitation of their bids.</p>	
<p>10. A description of the agency's internal controls and approval requirements for the exempted procurement: Each purchase is initiated by the responsible individual at the subgrantee and approved in accordance with the subgrantee's procedures. The order is then submitted electronically to the State Civil Defense Homeland Security Coordinator to determine that the purchase is in accordance with the terms and objectives of the Grant. After approval from SCD, the order is transmitted electronically to the Civil Defense Accountant who reviews the order, determines that Grant funds are available for that subgrantee, and assigns a Purchase Order Number. After approval from the SCD Accountant, the order is reviewed by the Fiscal Officer to determine that all steps were followed. The order is submitted to the vendor only after approval by the Fiscal Officer. Orders that are denied are returned to the requesting agency, and not submitted to the Vendor. Purchases made under this procurement will be solely for Homeland Security Initiatives and funded exclusively with Homeland Security Grant Funds.</p>	

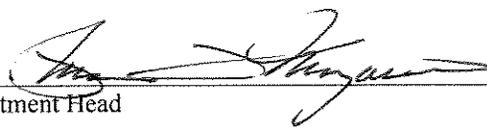
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

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
Thomas Moriyasu	Fiscal Officer	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Dolores Cook	Homeland Security Coordinator	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
William Moore	Accountant	<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: Department of Defense - HIADMF Contact Name: Thomas Moriyasu Phone Number: 733-4259 Fax Number: 733-4237
--------------------------	---

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.*

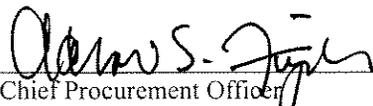

 Department Head

MAR 05 2007

Date

Reserved for SPO Use Only	
15. Date Notice Posted <u>3/6/07</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: <ul style="list-style-type: none"> Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119 	
Chief Procurement Officer's comments: Unless otherwise allowed for by the federal grant funds, purchases that are of a routine nature and do not require urgency for homeland security shall be procured utilizing a source selection method in HRS Chapter 103D as done with other similar federal funds. These federal grant funds are available for a sufficient length of time that permits agencies to follow a procurement process and not allow the purchase from a single vendor when there are other qualified vendors who may be able to provide quotations and supply the items. In addition, the DOD should inform the requesting purchasing agency that the expenditure of these federal funds to their selected vendor are subject to their respective CPO's approval.	
If the DOD determines that there is a real or potential threat and the necessity to follow the procurement code to obtain the equipment will affect homeland security they may utilize the emergency procurement process under HRS Chapter 103D-307.	

16. APPROVED DISAPPROVED NO ACTION REQUIRED


 Chief Procurement Officer Date 3/22/07