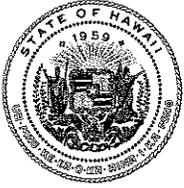


07 APR 11 AM 11:53



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

- 1. TO: Chief Procurement Officer
- 2. FROM: DLNR, Division of Aquatic Resources

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 Bishop Museum will conduct a research project titled "Nine Stream Aquatic Invertebrate Assessment on North Oahu: Surveys, Identification, Data Management, and Standardized Reporting." This research will include the collection and identification of native and introduced arthropods occurring along and near the selected streams, accompanied by detailed sampling site descriptions including photographs, measurements of physical habitat characteristics, and GPS-based geospatial data points plus associated metadata. A management component will be integrated via a Geographic Information System (GIS) so that all data collected during the study may be included by the Division of Aquatic Resources (DAR) into its existing stream biota database system.

4. Name of Vendor: Bishop Museum Address: 1525 Bernice Street Honolulu, HI 96817	5. Price: \$\$141,500
6. Term of Contract: <i>Upon LPO Approval of</i> From: <i>05/01/07</i> To: 06/30/08	7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
 This vendor was the only one selected because of its 15-year record of research on Hawaiian streams, with unduplicated geographic and taxonomic coverage. In addition, Bishop Museum has been designated by the Hawaii State Legislature as the Hawaii Biological Survey, and is therefore the State's lead organization in terms of conducting such research. The staff of the Bishop Museum possesses unparalleled and locally unduplicated expertise in all groups of aquatic organisms occurring in the Hawaiian Islands, with particular strength in invertebrate zoology and aquatic entomology; in particular, they have unique expertise in regard to native Hawaiian damselflies, several of which are proposed for listing under the Endangered Species Act and are a particular focus of this project. Because of their previous collaborations with the State, the staff of the Bishop Museum are very knowledgeable regarding the State's preferred protocols for aquatic faunal surveys, thus (see next page)

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
 No other vendor, other than Bishop Museum, was solicited because it is the only entity able to fulfill the investigative and research needs of DAR in regard to this particular project. There are no other known institutions that have all combined capabilities (specialized taxonomic knowledge, familiarity with State preferred sampling protocols, and collection storage and management facilities) to produce the required deliverables, which are extremely unique, in that the research requires professional training and very specific scientific expertise. The University of Hawaii does not have the same caliber of staff and knowledge possessed by the Bishop Museum in this subject area, nor do they have an adequate specimen collection for reference and comparison purposes germane to this project. (Continuation on next page)

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

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
 The DLNR's Fiscal Officer oversees and regulates DAR spending involving Federal and State funds. Approval for obtaining services will be obtained by DAR from the Governor's Office via Budget and Finance, DLNR Board, and Departmental Chairperson. Tracking of costs is monitored by the Fiscal Office as well as the DAR Administrator, Program Manager/Project Leader, and Budget Analyst. Contractual services and grant management is handled by the Administrative Assistant.

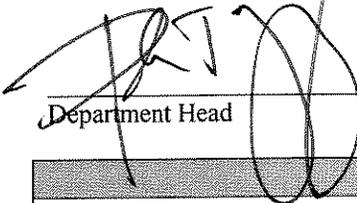
12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:

Name	Position	Involvement in Process	
Peter Young	DLNR Chairperson	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Juliet Kazanjian	DLNR Fiscal Officer	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Dan Polhemus	DAR Administrator	<input checked="" type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Robert Nishimoto	Acting Prgm Mgr/Project Leader	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Brian Kanenaka	Aquatic Biologist/Budget Analyst	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Katharine Hind	Administrative Assistant	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration

13. Direct inquiries to: Department: DLNR, Aquatic Resources
 Contact Name: Dan Polhemus
 Phone Number: 587-0110
 Fax Number: 587-0115

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

4-10-07

Date

Reserved for SPO Use Only

15. Date Notice Posted 4/27/07

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

Continuation

#8

ensuring that their research products will be compatible with an easily integrated into the State's existing faunal database system. Finally, the Bishop Museum's collection management and storage facilities are unique within Hawaii, thereby allowing their researchers to sort, preserve, and voucher the collections resulting from this project for long term reference; this latter function is vital given that changes in species classifications over time can necessitate inspection of the original voucher specimens to determine validity of past identifications. In sum, there is no other organization in Hawaii that possess similar capacity for collections management and storage, or whose staff possess the intimate knowledge of past and current specimen data, particularly for invertebrate groups, in order to solicit bids.

This project is being funded primarily by a federal grant (on a 3-to-1 Federal-State basis) that will expire June 30, 2008. Funding will not be available thereafter, so time is of the essence in getting necessary duties completed. It is not advantageous to the State to seek formal bids as this will severely delay initiation of the project, and will in turn affect the outcome of the scope of services.

Hawaii's scientific community is relatively small, and as a result all members are fully aware of strengths and limitations of each other. Bishop Museum is the only organization with expertise in invertebrate zoology/entomology that can provide a crew to conduct the insect surveys. Although the UH may have scientific knowledge, it does not possess the staffing and support capabilities needed for this project. Therefore, DAR knows that the bidding process will not yield any other suitable bidders who could perform/complete the necessary deliverables and complete them within the allowable set timeframe.

#9

~~An exemption under 103D-102(4)(C) allows for procurement of research and reference materials.~~ 8812

The research to be conducted by Bishop Museum is necessary for use by the DAR in order to assess potential impacts of the Striker Brigade deployment to upland Oahu streams, to assess the current status and trends of federal ESA candidate species, and to generate overall stream biotic data that will fill a key geographic gap in the State's aquatic biota database and GIS systems.

P.E.No. 07-096-C