



07 JUL 24 P2 08

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

- 1. TO: Chief Procurement Officer
- 2. FROM: TRANSPORTATION/HIGHWAYS/BRIDGE DESIGN

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:
 Provision of both research materials and research services from Jerome O'Connor, P.E., BridgeComposites, LLC to accomplish the objectives of HI's grant from FHWA for the installation of a corrosion-free advanced composite bridge. The research award from the Innovative Bridge Research and Construction (IBRC) Program will allow HDOT to replace the Honolua Bridge on the island of Maui with a hybrid bridge superstructure made up of lightweight Fiber Reinforced Polymer (FRP) composites and High Performance Concrete (HPC). This procurement will secure the research, materials, specialized technical knowledge, design and construction support, and quality measures (QC/QA) necessary to satisfactorily deliver the proposed bridge replacement project. It will also include developing and executing plans for load testing and long term monitoring as well as development of guidelines for bridge inspection and maintenance.

4. Name of Vendor: BridgeComposites, LLC EIN 16-153 6861 Address: 121 Upper Bennett Street Hornell, NY 14843	5. Price: \$300,000
6. Term of Contract: From: 6/07 ^{upm CFO of} Approval To: 6/09	7. Prior Exemption Ref. No. 07-054-C

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
 Project is research and providing of FRP materials for a bridge superstructure. It is a relatively new use for this technology so no competitive specifications for procurement are practical since almost all previous use is for innovative research projects where the bridges are installed as part of research and vendors are not chosen competitively. Mr. O'Connor initiated similar projects for NY State, and oversaw its construction and subsequent load testing. Since that time, he has been involved with nine additional projects that utilized FRP for the deck or superstructure. Because of his extensive experience in this specialized area of civil engineering, he has been invited to speak both nationally and internationally on the subject and has authored several publications. The technology transfer part of this research/experimental project will provide the much needed information and experience that the DOT needs to determine if FRP use in its bridges is justified.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
 Mr. O'Connor is a recognized expert in this specialized field and his company was specified explicitly in the grant application that was submitted by Hawaii Department of Transportation (HDOT) because of his familiarity with the materials. Per program guidelines at <http://www.fhwa.dot.gov/bridge/ibrc/program.cfm>,
 "a) funds are available for costs of preliminary engineering, repair, rehabilitation, or construction of bridges or other highway structures, and costs of project performance evaluation including instrumentation and performance monitoring of the structure following construction, and b) Proprietary Products – As this is a research and experimental program, it is in the public interest that proprietary and sole source products may be included in the projects, but they must be clearly identified and described."

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
 Contract will be approved by the Director, Deputy Director for Administration, or Contracts Officer. Contract to be administered by the Materials and Testing and Research Branch. Additional contract oversight to be provided by the Federal Highways Administration (FHWA)

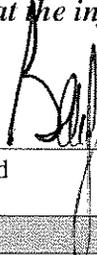
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

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
Steven Ege	Engineer, HWY-LR	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Barry Fukunaga	Director	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Brennon T. Morioka	Deputy Director Highways	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Phillip Russell	Contracts Officer	<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

13. Direct inquiries to: Department: Highways Contact Name: Steven Ege Phone Number: 832-3405 x 225 Fax Number: 832-3407
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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.*


7 23 07

 Department Head Date

Reserved for SPO Use Only

15. Date Notice Posted _____

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 approval is given based on the DOT's representation that their grant application for the bridge replacement project included the use of this technology for testing and research purposes. This approval is also for the solicitation process only, HRS section 103D-310(c), and HAR section 3-122-112, shall apply.

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


8/7/07

 Chief Procurement Officer Date