

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

1. TO: Chief Procurement Officer
2. FROM: Agriculture/Animal Industry/Rabies Quarantine 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:

The Hawaii Department of Agriculture (HDOA) desires to contract for services to manage and operate a service that receives, inspects and releases qualified guide and service dogs, of disabled users, entering Hawaii at the Kona International Airport at Keahou, island of Hawaii, Kahului Airport, Island of Maui and Lihue Airport, island of Kauai. The maximum compensation to a vendor will be limited to \$20,000/year. It is anticipated the total combined compensation for all contractors for this service will be less than \$20,000 per year.

4. Name of Vendor: Various program participants with existing MOA
Address: or Contract

5. Price:
\$20,000 maximum each

6. Term of Contract: From: CPO Approval To: undetermined

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
RFPs were previously issued to solicit proposals to receive, inspect and release qualified pet dogs and cats entering Hawaii at the Kona International Airport at Keahole, island of Hawaii, Kahului Airport, Island of Maui and Lihue Airport, island of Kauai. The Kauai Humane Society was awarded the contract for Lihue Airport whereas no proposals were submitted for Kona or Maui. The Department has therefore established Memoranda of Agreement (MOA) with two veterinary facilities in Kona and three in Kahului to provide this service. The State does not pay any of these six contractors. Pet owners are responsible for paying fees to these contractors for this neighbor island pet inspection service. However, HDOA has determined that fees should not be charged to disabled users of qualified guide and service dogs under the ADA. (refer to attached sheet)

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

These services will be negotiated and formalized in writing using a supplemental agreement or contract modification form. The HDOA will negotiate a fair and reasonable fee with all of the contracted vendors.

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

The supplemental agreements will be reviewed by the Division Administrator, Deputy Attorney General and Department Administrative Services Officer. The supplemental agreements must be approved by the Chairperson, Board of Agriculture to become effective.

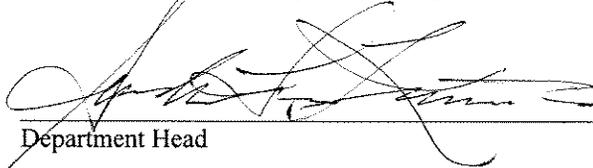
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

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
Isaac Maeda	Program Manager	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
James Foppoli	Administrator	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Elaine Abe	Administrative Services Officer	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Sandra Kunimoto	Chairperson	<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: Agriculture Contact Name: Dr. Isaac Maeda Phone Number: 483-7144 Fax Number: 483-7161
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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

12/10/07

 Date

Reserved for SPO Use Only

15. Date Notice Posted 12/17/07

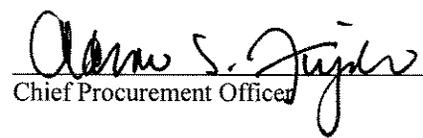
The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer
 State Procurement Office
 P.O. Box 119
 Honolulu, Hawaii 96810-0119

Chief Procurement Officer's comments:

The reasons stated in this request are not justification for a procurement exemption. The department should issue a new solicitation for the subject services. If no offers are received or there are no responsive and responsible offers, refer to HAR section 3-122-35 for the procedures to follow and submit SPO Form-15, Use of Alternative Procurement Method if justified.

16. APPROVED DISAPPROVED NO ACTION REQUIRED



 Chief Procurement Officer Date 12/20/07

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8. Continued

Therefore, HDOA will pay a vendor with a contract or MOA with the HDOA a negotiated amount to receive, inspect, process and release a qualified guide or service dog on the islands of Hawaii, Maui and Kauai. It is not practicable or advantageous to the State to re-issue solicitations since this service is directly related to the existing contracted services for pets and this compensation to the contractors for this service was unforeseen. In addition, it is unlikely that any new vendors will be identified through additional solicitation.