



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

1. TO: Chief Procurement Officer  
2. FROM: Health/Environmental Management/Safe Drinking Water

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 Nature Center - Maui facility will perform the following tasks and activities:  
(1) Prepare and implement a Source Water/Wellhead Protection Plan for protecting its drinking water source from contamination by pollutants.  
(2) Conduct field based environmental education experiences related to drinking water quality to elementary school classes/students on Maui.  
(3) Conduct Watershed Awareness Camps related to drinking water quality to upper level elementary school classes/students on Maui.  
(4) Conduct Teachers Training Workshop related to drinking water quality.  
These tasks and activities are acceptable for funding under the Wellhead Protection - Financial Assistance Program.

4. Name of Vendor: Hawaii Nature Center Address: 2131 Makiki Heights Drive Honolulu, Hawaii 96822	5. Price: \$50,000.00
6. Term of Contract: <i>Upon CPD Approval</i> From: <i>Notice to Proceed</i> To: June 30, 2009	7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State  
The Safe Drinking Water Branch has developed and implemented a Wellhead Protection - Financial Assistance Program utilizing the Drinking Water State Revolving Fund - 15% set-aside for Wellhead Protection. The Wellhead Protection - Financial Assistance Program is to be used to fund public water systems' efforts in protecting their drinking water source(s) from contamination by pollutants. The primary eligibility requirement(s) for obtaining funding under this program is that the applicant must be a Community and not\_for\_profit, nontransient, noncommunity public water supplies that utilize groundwater as a source of water, exclusive of federally owned public water supplies. The Hawaii Nature Center owns/operates the Hawaii Nature Center - Maui Water System. - - A public water system regulated by the Safe Drinking Water Branch, thereby qualifying for wellhead protection program financial assistance.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:  
Applicants for funding submit a "Proposed Project for Hawaii Wellhead Protection - Financial Assistance Program Funding" application (See attached). The application identifies the project title and description, information related to its status as a public water system, project function and funding requested. The proposed project selected using the "Application, Evaluation, and Selection Process" (See attached).

The Hawaii Nature Center has proposed an acceptable project.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:  
The Safe Drinking Water Branch will oversee the project, conduct periodic review of the project, and ensure completion of the project using the "Project Oversight, Review, and Completion Process" (See attached).

**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
Stuart Yamada	Branch Chief	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Daniel Chang	Environmental Health Specialist	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Melvin Hamano	Engineer	<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: Health Contact Name: Stuart Yamada/Daniel Chang Phone Number: (808) 586-4258 Fax Number: (808) 586-4351
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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.*


JAN 4 2008  
 \_\_\_\_\_  
 Department Head Date

Reserved for SPO Use Only	
	15. Date Notice Posted <u>1/8/08</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: <p>This approval is based on the DOH's representation that there are limited number of entities that would qualify for funding. The DOH will post a notice on the Public Notices Website to inform other potential entities of this program.</p> <p>This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply.</p>	

16.  APPROVED  DISAPPROVED  NO ACTION REQUIRED


1/15/08  
 \_\_\_\_\_  
 Chief Procurement Officer Date

PROPOSED PROJECT FOR HAWAII WELLHEAD PROTECTION  
FINANCIAL ASSISTANCE PROGRAM FUNDING

Project Title: HAWAII NATURE CENTER-MAUI SOURCE WATER PROTECTION & EDUCATION PROJECT  
The Title used here will be used on any potential agreements. Please provide the title for the project as accurately as possible.

Project Description: SEE ATTACHED

Organization/Agency: Hawaii Nature Center

Public Water System No.: 240 Public Water System Name: Hawaii Nature Center

County/Owner: Hawaii Nature Center Total Population Served: 75

Legislative District No.: 2 House: 9 Senate: 84

Census Designated Place (CDP): \_\_\_\_\_

**Project Type:**

- Protection Planning  
 Protection Implementation

**Project Level:**

- Statewide  Water System  
 County/Island-wide  Water Source(s)  
 District/Region/Watershed

**Project Function:**

- Planning (Water Protection, Land Use, Protection Codes/Ordinances, Protection Plan)  
 Implementation (BMPs, Protective Measures, \_\_\_\_\_)  
 Monitoring (Monitoring Waiver, PCA-based Monitoring, Effectiveness Monitoring)  
 Education (Technical Assistance, Public Outreach, Education-Students, \_\_\_\_\_)

Contact Name and Title: GREGORY DUNN, EXECUTIVE DIRECTOR

Phone: 108-955-0100 K.24 Fax: 955-0116

E-mail: HNCED@HAWAII.PR.COM

[Signature]  
Signature of Authorized Representative

4/14/07  
Date

**Estimated Project Schedule:**  
(Provide Estimated dates - mo/yr)

Submittal of WHP - FA Application 12/07  
 Projected Start (Planning) 1/08  
 (Design) 2/08  
 Implement Activities 3/08  
 Activities Completion 10/08  
 Project Report 11/08  
 Projected End 12/08  
 Total Length of Project (mo.) 12 MOS.

**Estimated Project Costs:**  
(Round to nearest \$1,000)

Planning: (Protection Plan) \$ 5,000.00  
 Design: \$ \_\_\_\_\_  
 Activities: \$ 45,000.00  
 Please Specify: Drinking Water Education Programs  
(outdoor classroom, overnight camp,  
and teachers' workshops)  
 Others: \$ \_\_\_\_\_

Estimated WHP - FA Funding Requested: \$ 50,000  
 Date (mo/yr) when funding will be needed: 1/08  
 Applicant Commitment to Project: \$ 50,000

**Other Concerns:** (Check below) Note: All items will be verified.

- | YES                                 | NO                                  |   |
|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Has contamination been detected at the drinking water source(s).  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Does your drinking water source(s) have completed Source Water Assessment Reports.  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Has a Wellhead Protection Plan been submitted. Date submitted: _____  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Has the Wellhead Protection Plan been accepted/approved by the Safe Drinking Water Branch. Date Approved/Accepted: _____<br>(Approved/Accepted Plans are valid for only 3 years from approval date) |

What is the susceptibility analysis ranking for your drinking water sources: \_\_\_\_\_

Provide any additional information to assist our evaluation of the project: THE BEST PROTECTION CAN BE ACHIEVED THROUGH EDUCATION, THIS PROJECT IS ABOUT EDUCATION.

Describe the benefit(s) of this project in protecting drinking water source(s): TAO WELL HEAD AND THE HNC WATER SYSTEM DRAW FROM THE SAME SOURCE. A PROTECTION PLAN WILL BENEFIT THE ENTIRE ISLAND AS A RESULT.

**HAWAII NATURE CENTER - MAUI  
SOURCE WATER PROTECTION AND EDUCATION PROJECT  
WELLHEAD PROTECTION - FINANCIAL ASSISTANCE PROGRAM  
PROPOSED PROJECT DESCRIPTION**

**PHASE 1:** The Hawaii Nature Center will work with the Department of Health Safe Drinking Water Branch, Maui County Department of Water Supply, Wailuku Water Company, State Department of Land and Natural Resources - Division of State Parks and other stakeholders in the community to craft a source water protection plan for the area surrounding the groundwater source tunnel that abuts the Hawaii Nature Center Maui property. A written document will be submitted to the Department of Health Safe Drinking Water Branch outlining the commitments of the stakeholders in the area that will ensure the protection of the source water.

**PHASE 2:** The Hawaii Nature Center will provide field based environmental education experiences to 20 classrooms who will visit the Iao Valley facility on Maui. These 20 classrooms from various Maui County schools will equate to at least 1,000 students. 10 2<sup>nd</sup> grade classes and 10 4<sup>th</sup> grade classes from schools in areas served by public water systems. Participating schools will also be required to engage in a drinking water quality improvement or education project to receive the funding. The Hawaii Nature Center will work with the Department of Health Safe Drinking Water Branch to enhance the Hawaii Nature Center's grade appropriate curriculum to introduce grade appropriate monitoring and observation techniques, exploration of clean drinking water topics and discussion of human impact and ways to minimize harmful introduction of pollutants into the drinking water supply.

Field based environmental education experiences provided by the Hawaii Nature Center are an integral part of the in-class curriculum for elementary students. Students will engage in grade appropriate learning of natural history and cultural vocabulary, conduct in stream explorations, engage in on-site quantitative analysis experiments of the natural environment and explore the results of human impact on our island home. These experiences are necessary to help preserve our environment by shaping attitudes and behaviors at an early age.

**PHASE 3:** The Hawaii Nature Center will develop and deliver two weeks of Watershed Awareness Camps that will be geared towards upper elementary students. The camps will be based in the national Water Warriors model, and focus on higher-level awareness of clean drinking water issues. Students will engage

in field based monitoring and scientific analysis of water in Iao Stream and related waters flowing from the Iao Aquifer. Students will work to evaluate all factors that can negatively impact water quality and then work with staff to identify projects that can be completed on the ground to improve water quality. These camps will be three(3)-day two(2)-night camps that can accommodate up to 25 participants per session for two sessions and will be held at the Hawaii Nature Center's - Maui/Iao Valley Facility. Students will be selected for participation from areas served by public water systems.

**PHASE 4: Teachers' Water Education Workshops.** Provide support and participation in the Hawaii Nature Center's teacher training workshops related to drinking water and groundwater protection. These funds does not qualify as matching funds for other proposed grants and funding requests for the development of the curriculum and the delivery to the teachers.

**PROJECT BUDGET**

PROJECT AREAS	FUNDING	TOTAL FUNDING
PHASE 1:		
Source Water Protection Plan	\$ 5,000.00	
PHASE 2:		
2 <sup>nd</sup> Grade Program, 500 students	\$10,000.00	
4 <sup>th</sup> Grade Program, 500 students	\$10,000.00	
PHASE 3:		
Upper Elementary Water Camp, 50 students	\$10,000.00	
PHASE 4:		
Teachers' Training Workshops	\$15,000.00	
TOTALS		\$50,000.00

**15 % DWSRF SET-ASIDE FUNDS  
Hawaii Wellhead Protection - Financial Assistance Program  
Application, Evaluation, and Selection Process**

<b><u>Qualified Recipient Application Phase</u></b>	
<p>(1) -- DOH requests qualified recipients to submit applications for planning and implementation protection projects.  (2) -- Qualified recipients submit project applications for qualification and consideration.</p>	
<p><b><u>Planning Projects</u></b></p> <p>(1) -- DOH reviews applications for planning projects.  (2) -- Qualified recipients placed on list for receiving planning project funding.  (3) -- DOH ranks planning and implementation projects.</p>	<p><b><u>Implementation Projects</u></b></p> <p>(1) -- DOH reviews applications for implementation projects.  (2) -- Project applicants reviewed for implementation funding qualifications. Qualified recipients and projects placed on list for receiving implementation funding.  (3) -- DOH ranks planning and implementation projects.</p>
<b><u>Application Evaluation Process</u></b>	
<p>(1) -- Projects reviewed by Review Committee  (2) -- Projects ranked by Review Committee  (3) -- Proposed level of funding for each project identified.</p>	
<p><b><u>Planning Projects</u></b></p> <p>(1) -- Project Applicants that qualify for funding are notified of their qualification.</p>	<p><b><u>Implementation Projects</u></b></p> <p>(1) -- Project Applicants that qualify for funding are notified of their qualification.</p>
<b><u>Application Selection Process</u></b>	
<p>(1) -- Projects reviewed by Selection Committee  (2) -- Projects ranked by Selection Committee  (3) -- Level of funding for each project identified.</p>	
<p><b><u>Planning Projects</u></b></p> <p>(1) -- Project Applicants notified of selection for planning project funding and level of funding.  (2) -- Request written commitment to project from Project Applicant.  (3) -- Request Project Applicant to submit project workplan and budget.</p>	<p><b><u>Implementation Projects</u></b></p> <p>(1) -- Project Applicants notified of selection for implementation project funding.  (2) -- Request written commitment to project from Project Applicant.  (3) -- Request Project Applicant to submit project workplan and budget.</p>
<b><u>Project Workplan and Memorandum of Agreement Phase</u></b> <i>(Planning and Implementation Projects)</i>	
<p>(1) -- DOH will use the workplan and budget to prepare a Memorandum of Agreement (MOA) for the project between DOH and the Project Applicant.  (2) -- DOH and the Project Applicant will meet to discuss and reach agreement on the MOA.  (3) -- DOH will process the MOA and other required paperwork through the appropriate processes for approval.  (4) -- Parties (DOH and Project Applicant) will sign the MOA, accepting the agree upon project.</p>	
<b>MOVE TO PROJECT OVERSIGHT, REVIEW, AND COMPLETION PROCESS</b>	

**15 % DWSRF SET-ASIDE FUNDS  
Hawaii Wellhead Protection - Financial Assistance Program  
Project Oversight, Review, and Completion Process**

<b><u>Workplan and Memorandum of Agreement Approval Process</u></b>	
<p>(1) -- Upon DOH signing the MOA, the Project Applicant will be sent a "Notice to Proceed" - indicating that the applicant may begin the project. A signed copy of the MOA will also be sent to the project applicant.</p>	
<b><u>Planning Projects</u></b>	<b><u>Implementation Projects</u></b>
<b><u>Funding Award Process</u></b>	
<p>(1) -- Funding and payments for the project will be based on the "Method of Payment", described in Exhibit "-.-" of the MOA.</p> <p>(2) -- Funds and payment will adhere to the MOA, unless a modification is requested (in writing) and agreed to by both parties. Such modification will not be effective until the MOA has been modified and signed by both parties.</p>	
<b><u>Planning Projects</u></b>	<b><u>Implementation Projects</u></b>
<b><u>Project Oversight Process</u></b>	
<p>(1) Project Meetings (Initially - Monthly --&gt; Quarterly)</p> <p>(2) Project Reports (Quarterly)</p>	
<b><u>Planning Projects</u></b>	<b><u>Implementation Projects</u></b>
<b><u>Project Workplan and Progress Review Phase</u></b>	
<p>(1) -- Workplan Completion Status Report (Quarterly)</p> <p>(2) -- Project Review (Based on workplan outputs and products)</p>	
<b><u>Planning Projects</u></b>	<b><u>Implementation Projects</u></b>
<b><u>Project Completion and Closeout Phase</u></b>	
<p>(1) -- Upon completion of the project, the project applicant will meet with the DOH to present the results, outputs, outcomes, and products of the project. The project applicant will also submit a project report outlining the results, outputs, outcomes, and products of the project</p> <p>(2) -- DOH will review the project report and the project results, outputs, outcomes, and products to ensure that the project applicant has satisfactorily meet the requirements of the agreed upon MOA and scope of work.</p> <p>(3) -- Upon satisfactorily completing the project requirements, final payment for the project will be made and the Project MOA will be closed out and terminated.</p>	
<b>PROJECT COMPLETED</b>	