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

1. TO: Chief Procurement Officer
2. FROM: Laura H. Thielen, Chairperson, Board of Land and Natural Res

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:

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| 3. Description of goods, services or construction: Act 212, SLH 2007, provides for the Governor to appoint eight individuals to serve on an aha kiole advisory committee whose task it will be to: identify models that an aha moku or regional council system could be based; develop a system of best practices for natural resources management based upon native Hawaiian traditional knowledge and practices; obtain feedback from moku statewide on the development of an aha moku council system and a commission to oversee the system; develop an administrative structure for this system, establish eligibility criteria for aha kiole members and an executive director; conduct strategic planning relative to a commission's goals and objectives; and to establish an operational budget for the commission. The vendor will provide the necessary services (coordination between committee members, organize, schedule, and support travel for district, island, statewide meetings, analysis of public input and related information, report writing, etc.) to the committee to fulfill the Act's identified tasks (stipulated above). | |
| 4. Name of Vendor: Leimana DaMate Address: 92-8926 Hibiscus Drive Captain Cook, HI 96704 | 5. Price: \$220,000 |
| 6. Term of Contract: From: 1/11/08 November 2007 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 activities leading up to the enactment of Act 212, SLH 2007 involved primarily native Hawaiians. Conferences or puwalu were held in the previous year by native Hawaiians, their organizations, and affiliates, to set the groundwork for S.B. 1853 (later to become the Act 212). The specified vendor had participated and in fact played a key role in these conferences' organization, participated in them, and has been a key organizing party to the entire process. The specified vendor has unique knowledge of the background for the aha kiole advisory committee's tasks, has participated in the formulation of those tasks, and has been nominated by the aha kiole advisory committee to coordinate this group's work. Knowledge of the Hawaiian language, culture and practices, key participation in the puwalu conferences, and liasion with the key stakeholder groups qualify this vendor over others and adds value to ensuring a successful completion of the Act's provisions. | |
| 9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable: Vendor selection is already determined with the support of the aha kiole advisory committee; please see Section 8 for the explanation. | |
| 10. A description of the agency's internal controls and approval requirements for the exempted procurement: Requesting agency will use existing internal controls for monitoring compliance with existing expenditure guidelines and authorized personnel for approvals. Progress will be monitored through the use of regular meetings with the vendor and to document this progress through submittal of interim activity and expenditure reports. | |

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: | | |
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| Name | Position | Involvement in Process |
| Laura H. Thielen | Chairperson, Board of LNR | <input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration |
| Dan A. Polhemus | Administrator, Division of AR | <input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration |
| Francis G. Oishi | Program Manager, DAR | <input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration |
| Brian K. Kanenaka | Biologist V, DAR | <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 |

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| 13. Direct inquiries to: | Department: Land and Natural Resources Contact Name: Francis G. Oishi Phone Number: 587-0094 Fax Number: 587-0550 |
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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 

Date 1/9/08

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| 15. Date Notice Posted <u>1/11/08</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: | |
| Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119 | |
| Chief Procurement Officer's comments: | |
| | |

16. APPROVED DISAPPROVED NO ACTION REQUIRED

Chief Procurement Officer

Date