



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

100-103D-5-23-08

1. TO: Chief Procurement Officer

2. FROM: DLNR-DOFAW

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 all necessary labor, material, equipment, personnel and supervision to satisfactorily perform helicopter transportation services on the islands of Maui, Molokai, Lanai, and the islands around Maui, Molokai, and Lanai, exclusive of fire suppression activities, for the DLNR-DOFAW.

4. Name of Vendor: To be determined Address:	5. Price: \$
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6. Term of Contract: From: 3-15-08 To: 9-30-08	7. Prior Exemption Ref. No.
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8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
The current helicopter contract (CF-06-046-M) will expire March 15, 2008. The contract originally bid was awarded on March 15, 2007 and allowed for a twelve month extension. The contractor declined to extend the contract, in part due to rising fuel costs. DLNR-DOFAW requested SPO to handle the new procurement, but due to understaffing and other pending procurements, SPO declined. DLNR-DOFAW will now handle the procurement itself, but anticipate that this will take longer than expected because DOFAW has no procurement specialist and will have to incorporate this procurement into existing workloads, because DOFAW will need to coordinate with the AGs office to develop an appropriate contract form for use with requirements contracts, and because DOFAW wants to ensure there is sufficient time to do the procurement correctly, from modifying the IFB to allow for price adjustments due to fuel cost increases to appropriately reviewing bidder qualifications.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
The existing helicopter vendor has indicated that due to rising fuel costs, the current contract cannot be extended for even 6 months at the existing contract price. There are few vendors that are certified, qualified and familiar with the procedures and scope of services required by the State, and these certifications and qualifications are necessary for safety and complying with established DLNR helicopter policy. DLNR-DOFAW proposes to use small purchase methods, soliciting quotes from the vendors known to possess the required certifications, qualifications and familiarity through previous contracts with DLNR-DOFAW to purchase helicopter time on an as-needed basis.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
The internal controls and approvals will be the same as for the procurement of small purchases. Line staff will solicit quotes from vendors with the certifications, qualifications and familiarity necessary to complete the work. A purchase order for the services would then be routed for processing and approval through the Maui Branch Manager, DLNR-DOFAW Administrator, and the DLNR Fiscal office.

