



MAY 15 2008

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

1. TO: Chief Procurement Officer
2. FROM: DBEDT, Office of Planning, Coastal Zone Management Program

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:

Conduct a presentation and discussion to the Office of Planning (OP) on the second draft of the Coastal Zone Management Program Document. Make revisions based on feedback and submit a third draft document to OP. Prepare and submit a final program document based on a last round of comments and feedback. Provide information to OP to assist OP in meeting its federal performance measures requirements. Provide proper acknowledgement of OP and the National Oceanic and Atmospheric Administration in final documents.

4. Name of Vendor: John M. Knox & Associates, Inc.

Address: 1001 Bishop St., ASB#1542  
Honolulu, HI 96813

5. Price:

\$15,000.00

6.

Term of Contract: From: March 1, 2008 To: June 30, 2008

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:

A contract to prepare a CZM Program Document was entered into with John M. Knox & Associates, Inc. (JMK & Associates), Contract No. 55632, on March 15, 2007. The contract was extended twice and expired on December 31, 2007. The CZM Program Document is a comprehensive and complex document. During the term of this contract, the contractor's primary staff handling the project unexpectedly departed. Subsequently, the staff member who took over primary responsibility for the project unexpectedly became ill. Substantial work under this contract has been completed. Only the third and final drafts of the CZM Program Document are to be completed. It would be most advantageous to the State to contract with JMK & Associates to complete this work. A copy of a letter from JMK & Associates explaining the staff situation is attached as Exhibit A.

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

This contract, No. 55632, was procured through an open process, pursuant to HRS Section 103D-303, Competitive sealed proposals. (RFP-07-06-OP Hawaii Coastal Zone Management Program Document Update.)

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

This procurement will be reviewed and approved by the DBEDT Director, Administrative Services Officer, Contracts Specialist, OP Planning Program Administrator, CZM Program Manager, and the departmental deputy attorney general to ensure that all departmental and legal requirements are met.

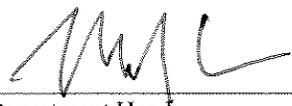
**REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)**

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
Theodore Liu	Director, DBEDT	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Ken Kitamura	Administrative Services Officer	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Eileen Harada	Contracts Specialist	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Mary Lou Kobayashi	Planning Program Administrator,	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Douglas Tom	CZM Program Manager	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: DBEDT Contact Name: Douglas Tom Phone Number: 587-2875 Fax Number: 587-2824
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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.*


2-27-08  
 \_\_\_\_\_  
 Department Head Date

Reserved for SPO Use Only	
	15. Date Notice Posted <u>2/28/08</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 align="center" style="margin-top: 20px;">                     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


3/6/08  
 \_\_\_\_\_  
 Chief Procurement Officer Date