



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

1. TO: Chief Procurement Officer
2. FROM: Department of Transportation/Highways Division

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:
Construction Inspection Services (CSS) is needed to complete inspection work for the roadway and highway lighting work from Holomoana Street to Kalakaua Avenue on Ala Moana Boulevard.

4. Name of Vendor: Engineers Surveyors Hawaii, Inc. Address: 900 Halekauwila Street Honolulu, Hawaii 96814	5. Price: \$260,000.00
6. Term of Contract: <i>Ho</i> From: Date of Approval To: October 2008	7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
The State Department of Transportation Highways Division (SDOT) initially intended to construct improvements from Holomoana Street to Kalakaua Avenue under the Ala Moana Boulevard and Nimitz Highway Resurfacing project. Due to the Pilot Program Agreement (PPA) that Hilton Hawaiian Village (HHV) has entered into with SDOT, HHV will be constructing the improvements (as shown in the attached PPA and approved Procurement Exemption for HHV), but not furnishing CSS. Engineers Surveyors Hawaii, Inc. (ESH) was hired as the CSS consultant for Phase-1 of the Ala Moana Boulevard and Nimitz Highway project. Due to the overlap of construction schedule between the project Phase 1 and the work done by HHV, the Highways Division now requires CSS by ESH to provide continuity in inspection services. By amending ESH's current CSS Phase-1 contract, we will be able to provide this continuity of services for this project and to avoid inefficiencies.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
The DOT Highways Division will compensate ESH at the same rates in the current contract.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
The Deputy Director or Director will approve the request for contract amendments. The Division's construction section administers the CSS contract.

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
Gerald Dang	Administrative Services Officer	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Glenn Yasui	Highway Administrator	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Brennon Morioka	Acting Director	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Pratt Kinimaka	Engineering Program Manager	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Jamie Ho	Engineering Program Manager	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: Department of Transportation Contact Name: Jamie Ho Phone Number: 587-2185 Fax Number: 587-2340
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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.*



3-6-08

Department Head

Date

Reserved for SPO Use Only
15. Date Notice Posted <u>3/18/08</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"> 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


 3/25/08
 Chief Procurement Officer Date

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
Brennon Morioka	Deputy Director-Highways	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Glenn Yasui	Highway Administrator	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Li Nah Okita	Design Project Manager	<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
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to: Department: Transportation
 Contact Name: Li Nah Okita
 Phone Number: 692-7581
 Fax Number: 692-7590

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

2-1-07
 Date

Reserved for SPO Use Only

15. Date Notice Posted 2/5/07

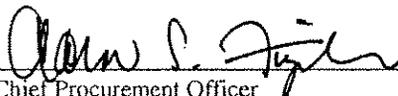
The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to:

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

Chief Procurement Officer's comments:

This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply.

16. APPROVED DISAPPROVED NO ACTION REQUIRED


 Chief Procurement Officer 2/12/07
 Date

PILOT PROGRAM AGREEMENT

BY AND BETWEEN

**THE STATE OF HAWAII,
DEPARTMENT OF TRANSPORTATION**

AND

HILTON HAWAIIAN VILLAGE, LLC

57817

8/7/2006; 8:51:39 AM

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed the day and year first above written.

STATE OF HAWAII

By: Rodney Haraga
Rodney Haraga
Director, Department of Transportation

HILTON HAWAIIAN VILLAGE, LLC

By: _____
Name: _____
Its: _____ next page

APPROVED AS TO FORM:
State of Hawaii, Office of the Attorney General

By: Alan S. Chock
Name: ALAN S. CHOCK
Deputy Attorney General

Date: AUGUST 8, 2006

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed the day and year first above written.

STATE OF HAWAII

By: _____
Rodney Haraga
Director, Department of Transportation

HILTON HAWAIIAN VILLAGE, LLC

By: *Gerhard E Seibert*
Name: GERHARD E SEIBERT
Its: AVP

APPROVED AS TO FORM:
State of Hawaii, Office of the Attorney General

By: _____
Name: _____
Deputy Attorney General

Date: _____

STATE OF HAWAII

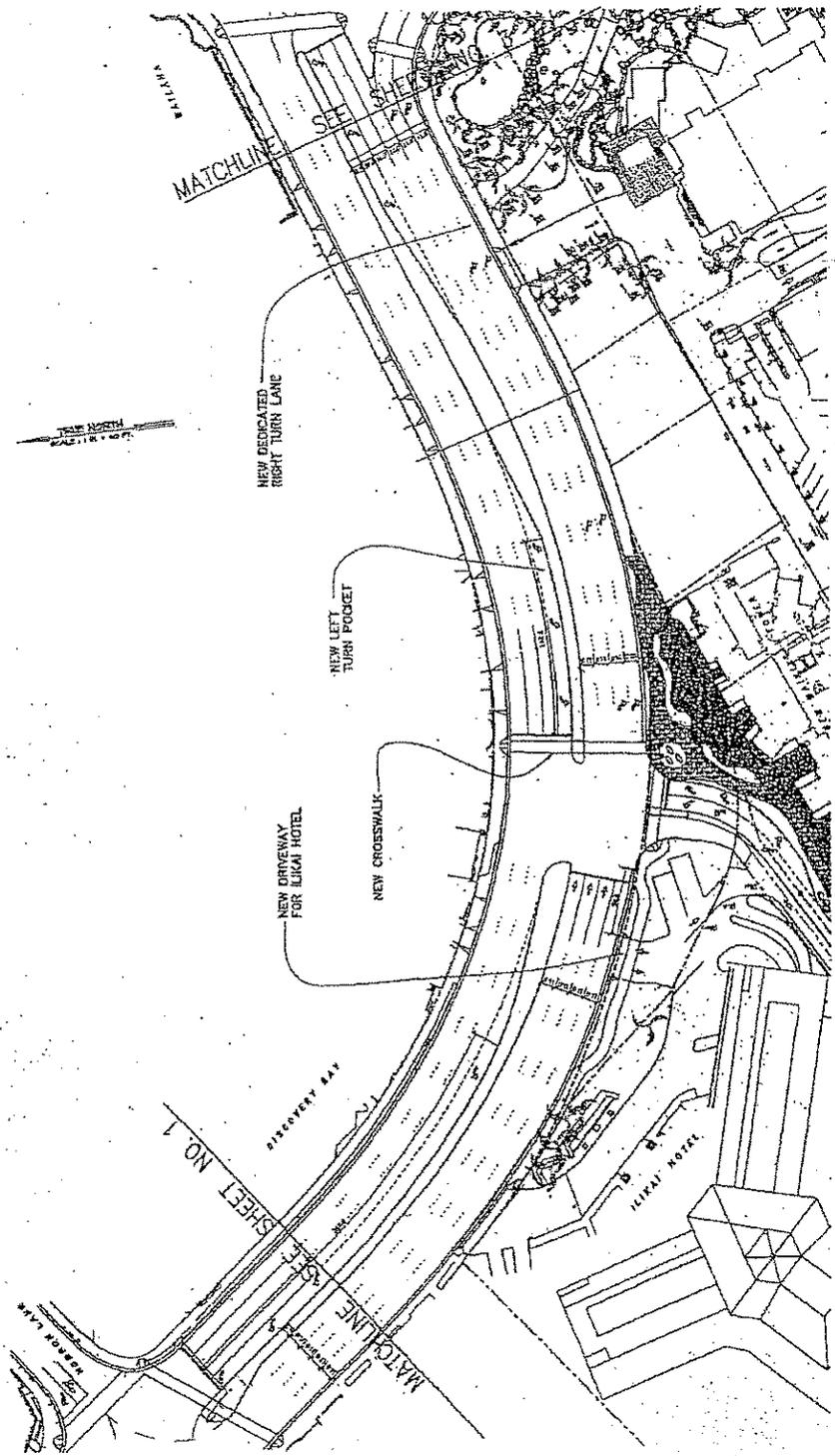
SS:

CITY & COUNTY OF HONOLULU

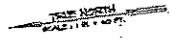
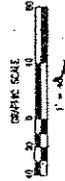
On this 8th day of August 2006, before me personally appeared Gerhard E. Seibert to me personally known, who, being by me duly sworn, did say that he is the AVP of HILTON HAWAIIAN VILLAGE LLC, a Hawaii limited liability company, and that said instrument was signed in behalf of said limited liability company by authority of its Members, and that said Member acknowledged said instrument to be the free act and deed of said limited liability company.

Connie Lee DeGruar
Name: Connie Lee DeGruar
Notary Public, State of Hawaii

My commission expires: 04-24-07

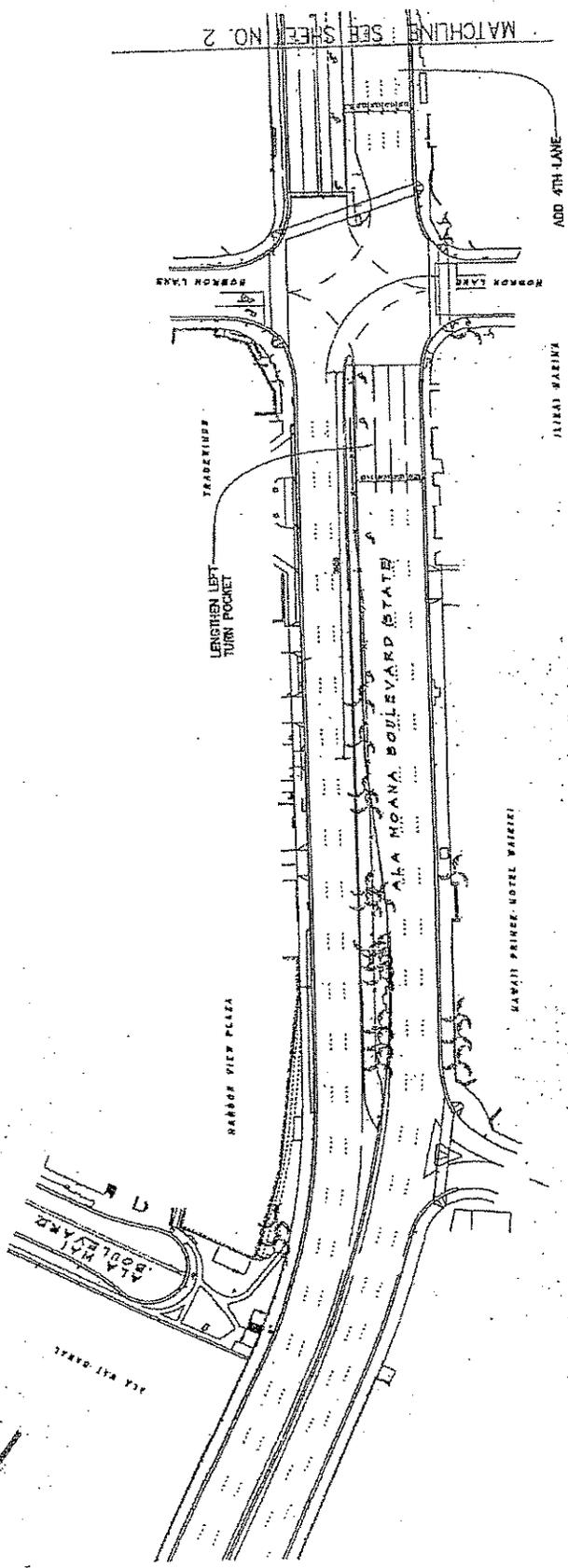


ALA MOANA BLVD. LAYOUT PLAN
SCALE: 1" = 40'



MATCHLINE SEE SHEET NO. 1

MATCHLINE SEE SHEET NO. 1



MATCHLINE SEE SHEET NO. 2

Exhibit 2
Page 1 of 3
SHEET 1

ALA MOANA BLVD. LAYOUT PLAN
SHEET 1 OF 40



THE ENGINEER'S OFFICE
1000 KALANOAU AVENUE
HONOLULU, HAWAII

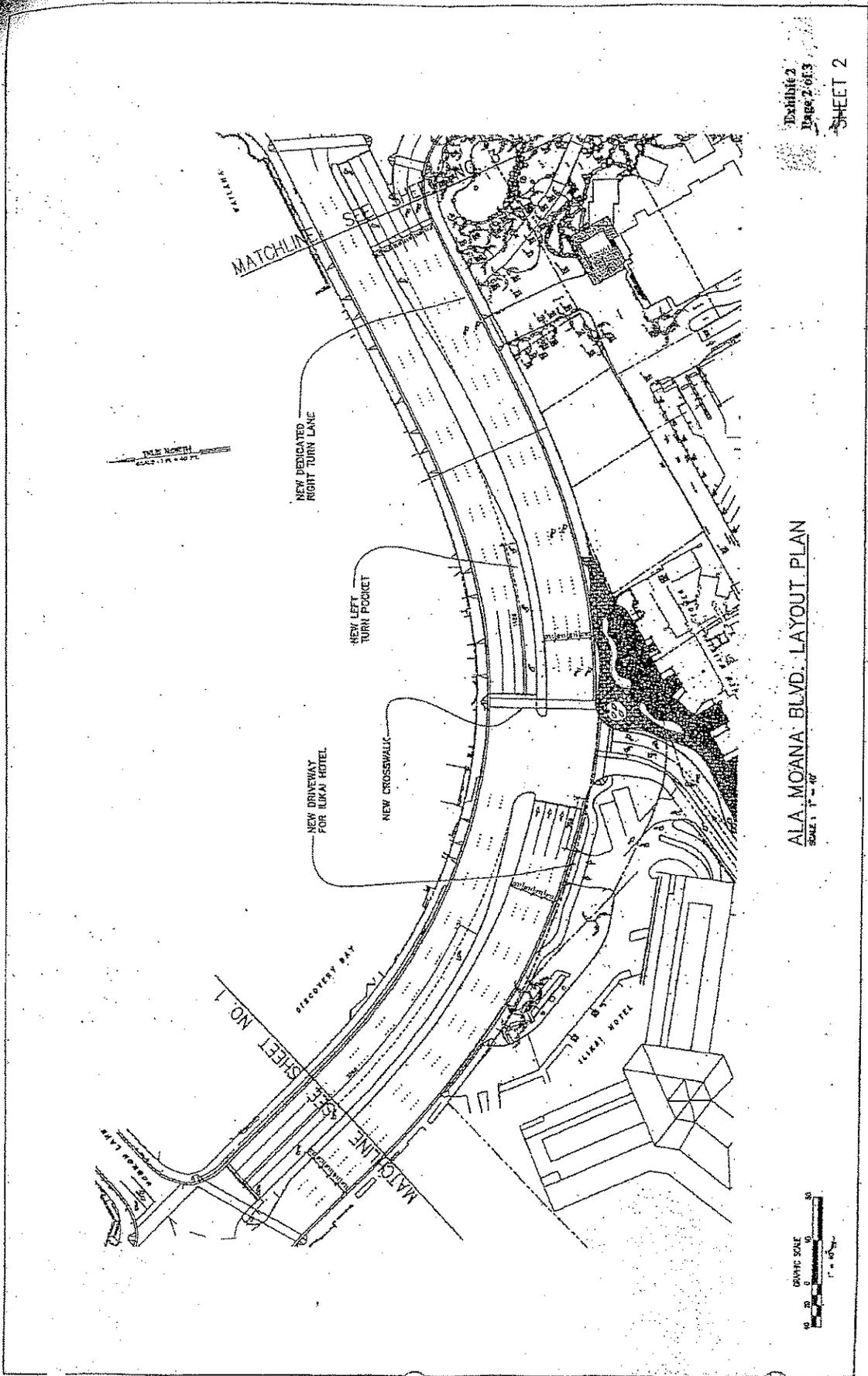
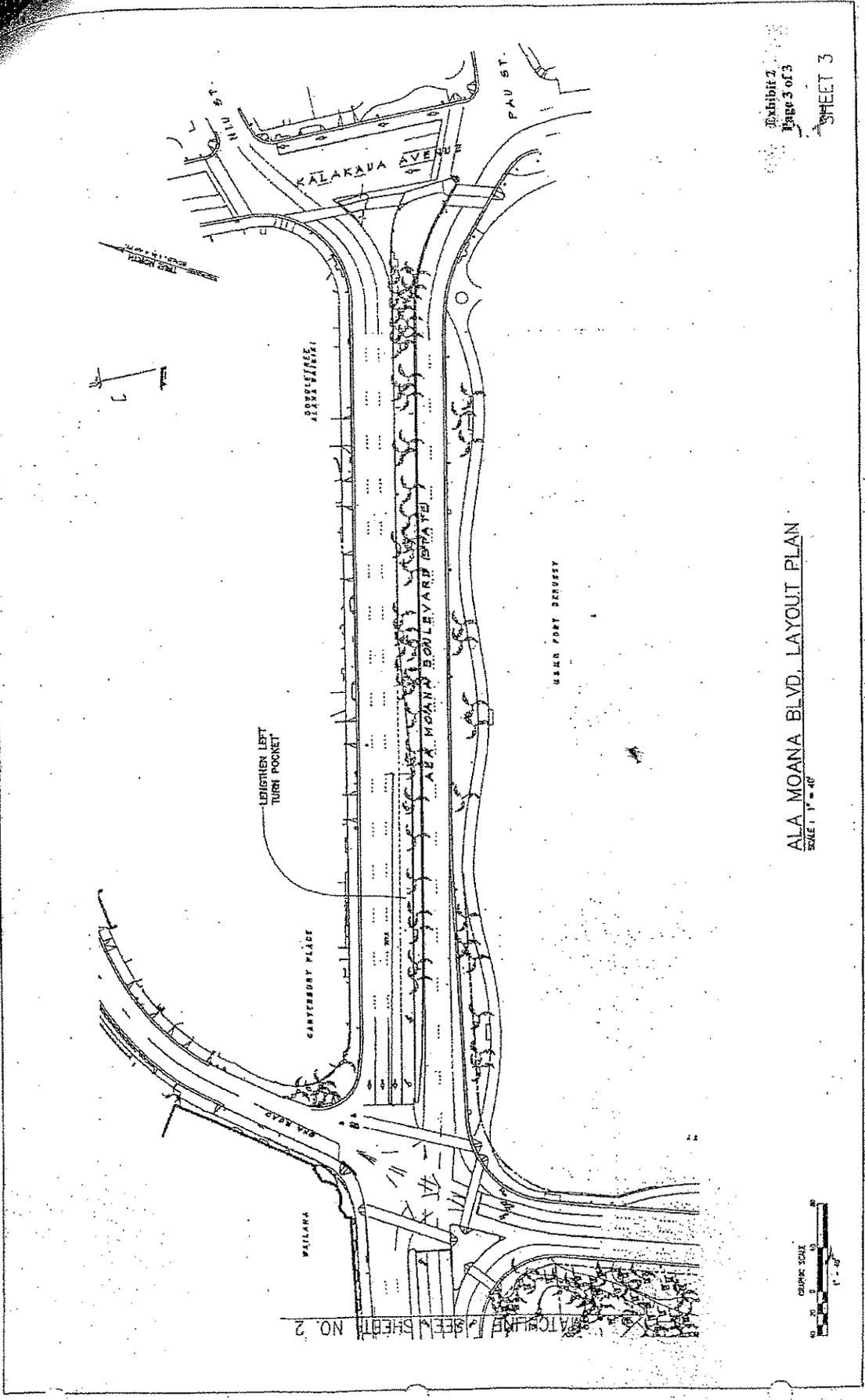


Exhibit 2
 Page 2 of 3
 SHEET 2

ALA MOANA BLVD. LAYOUT PLAN
 SCALE: 1" = 40'



ATTACHMENT SEE SHEET NO. 2

Exhibit 2
Page 3 of 3
SHEET 3

ALA MOANA BLVD. LAYOUT PLAN
SCALE: 1" = 40'

