



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

1. TO: Chief Procurement Officer
2. FROM: DLNR-BOR-H

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:
Furnish MARSEC trained gate guard services for parking control and security for the Kailua-Kona Pier for the Department of Land and Natural Resources, Boating and Ocean Recreation, Hawaii District. Services will be for a 3-month period commencing on April 1, 2008.

4. Name of Vendor: American Guard Services
Address: 677 Ala Moana Boulevard, Suite 725
Honolulu, Hawaii 96813

5. Price:
\$18.25 per hour
Est. 20,000 hr

6. Term of Contract: From: 04/01/08 To: 06/30/08

7. Prior Exemption Ref. No.
0

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
The current contract expires March 31, 2008. The division has been in discussions with the current contractor since Decemeber 2007 to extend their service as provided in the contract. On March 3, 2008, the contractor informed the division that they were not interested in extending their term of service.
Since the contract expires on March 31, 2008, the division is seeking service until a new vendor and contract can be found and arranged.
In the interim, beginning April 1, 2008, American Guard Services is prepared to begin gate guard services. They meet all the MARSEC Facility Security Plan requirements and can begin work immediately. Guard service is necessary in order for the State to continue to receive the visiting cruise ships.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
Between now and June 30, 2008, paperwork will be prepared and submitted for solicitation for gate guard service estimated to begin July 1, 2008 in accordance with all Procurement laws.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
The Division of Boating and Ocean Recreation is now responsible for procurement procedures since the State Procurment Office is no longer handling contracts for Boating. The Division of Boating and Ocean Recreation will follow all guidelines and procedures established by the State Procurement Office. In addition, procedures have been put in place by the Boating Administrator ensuring Boating's employees will following procedures set in place on March 3, 2008.

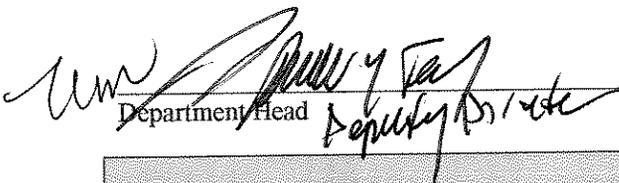
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

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
Nancy Murphy	Recreational Harbor Mgr.	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Kevin H. Yim	Boating Staff Officer	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Pat Ryan	Harbor Agent	<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: DLNR-BOR-H
 Contact Name: Nancy Murphy
 Phone Number: (808) 329-4997
 Fax Number: (808) 326-7896

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

3/19/08
 Date

Reserved for SPO Use Only
15. Date Notice Posted <u>3/20/08</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: This approval is based on DLNR's representation that the decision by the current contractor to not extend the contract beyond March 31, 2008 was unanticipated. 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 3/27/08
 Date