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

1. TO: Chief Procurement Officer
2. FROM: Department of Land and Natural Resources, Land 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:
Soil sampling and testing related to the Phase I and Phase II Environmental Site Assessment (ESA) recently conducted on the 100-acre State-owned site identified as TMK (1) 9-1-31:01. Testing provided shall be pursuant to DOH recommendations and Supplemental Agreement No. 3 between EnviroServices & Training Center, LLC and DBEDT.

4. Name of Vendor: EnviroServices & Training Center, LLC
Address: 505 Ward Avenue, Suite 202
Honolulu, Hawaii 96814

5. Price:
Sup to 15,000

6. Term of Contract: From: ~~4/1/2008~~ ^{4/15/08} To: 6/30/2008

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State: DBEDT contracted EnvironServices & Training Center, LLC (ETC) to perform Phase I & Phase II Environmental Site Assessments (ESA) for certain lands, including the subject, which are eligible for grant awards from the US Environmental Protection Agency, Brownfields grant program, managed by DBEDT Office of Planning. Although the sampling and analysis plans appeared adequate, the HEER office recommended testing for dioxin also be included in the Phase II ESA for a more comprehensive investigation. The work being requested provides for the continuation of the Phase II ESA for the subject site as recommended by HEER. Consequently, it is not advantageous to solicit for services that would otherwise duplicate substantial amounts of work already completed under ETC's contract with DBEDT.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
Prior solicitation for environmental consulting services, as well as awarding of the contract to ETC, was conducted by the EPA Brownfields program manager, DBEDT Office of Planning. DLNR did not participate in the procurement or selection process for the existing contract or subsequent supplemental agreements.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
To comply with HEER's recommendation to include an investigation for the presence of dioxin, DLNR Land Division has agreed to provide up to \$15,000 for the additional investigation. A copy of the approved request is attached.

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	
Abbey Seth Mayer	Ofc of Planning Interim Director	<input checked="" type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Mary Lou Kobayashi	Planning Program Administrator	<input checked="" 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
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to:	Department: DBEDT-OP	DLNR-Land
	Contact Name: Ruby Edwards	Gavin Chun
	Phone Number: 587-2817	587-0385
	Fax Number: 587-2824	587-0455

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.*


4/15/08

 Department Head Date

Reserved for SPO Use Only	
15. Date Notice Posted <u>4/16/08</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 4/23/08