



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

1. TO: Chief Procurement Officer
2. FROM: Ronald N. Baird, CEO, NELHA

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:
Professional design engineering services to update a small portion of existing potable water main construction plans and obtain Hawaii County Department of Water Supply (DWS) approval.

4. Name of Vendor: Witcher Engineering LLP
Address: 754-5751 Kuakini Highway, Suite 106
Kailua-Kona, HI 96740

5. Price:
\$9,613.21

6. Term of Contract: Date of Approval *JF*
From: ~~12/31/07~~ To: 12/31/08

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
An exemption was approved for this project on 4/25/07 (no.07-070-C). The project was planned to be completed by December 2007. However, unexpected delays of at least four months (and possibly longer as approvals have not been received as of 4/24/08) have occurred due to delays caused by the County of Hawaii Water Supply Department.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
Contractor has already performed much of the work but cannot complete the project without County of Hawaii Water Supply Department approval.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
Standard DBEDT contract reviews and approval processes have been and will continue to be followed for this project.

