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

1. TO: Chief Procurement Officer

2. FROM: DLNR-DOFAW

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:

Provision of all necessary labor, material, equipment, personnel and supervision to satisfactorily perform helicopter transportation services on the islands of Kauai, exclusive of fire suppression activities, for the DLNR-DOFAW.

4. Name of Vendor: To be determined

Address:

5. Price:

\$ 15,000.00  
Est. ct

6. Term of Contract: *Upon CPD Approval ct.* From: ~~7-8-08~~ To: 10-31-08

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:

The helicopter contract (CF-07-054-K) expired on June 30, 2008. The contract originally bid was awarded on July 1, 2007 and allowed for a twelve month extension. DLNR-DOFAW opted not to extend the contract because of the high cost and difficulty in scheduling projects with the contractor. DLNR-DOFAW will be handling the procurement itself, but anticipate that this will take longer than expected because DOFAW has no procurement specialist and will have to incorporate this procurement into existing workloads, because DOFAW will need to coordinate with the AGs office to develop an appropriate contract form for use with requirements of the contract, and because DOFAW wants to ensure there is sufficient time to do the procurement correctly, from modifying the IFB to allow for price adjustments due to fuel cost increases to appropriately reviewing bidder qualifications.

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

There are few vendors that are certified, qualified and familiar with the procedures and scope of services required by the State, and these certifications and qualifications are necessary for safety and complying with established DLNR helicopter policy. DLNR-DOFAW proposes to use small purchase methods, soliciting quotes from the vendors known to possess the required certifications, qualifications and familiarity through previous contracts with DLNR-DOFAW to purchase helicopter time on an as-needed basis.

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

The internal controls and approvals will be the same as for the procurement of small purchases. Line staff will solicit quotes from vendors with the certifications, qualifications and familiarity necessary to complete the work. A purchase order for the services would then be routed for processing and approval through the Kauai Branch Manager, DLNR-DOFAW Administrator, and the DLNR Fiscal office.

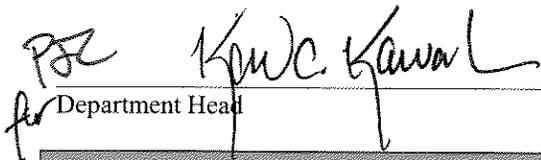
**REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)**

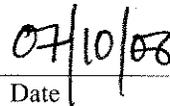
12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:		
Name	Position	Involvement in Process
Paul J. Conry	DOFAW Administrator	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Alvin M. Kyono	DOFAW Kauai Branch Manager	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
	DOFAW field staff	<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 DOFAW Contact Name: Alvin Kyono Phone Number: 274-3436 Fax Number: 274-3438
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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.*

  
 Department Head

  
 Date

Reserved for SPO Use Only	
15. Date Notice Posted <u>7/15/08</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