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

1. TO: Chief Procurement Officer  
2. FROM: Kaho'olawe Island Reserve Commission (KIRC)

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:  
KIRC's helicopter transportation contract with Pacific Helicopters was due to expire on 7/31/08. This contract was for passenger, light cargo and heavy cargo. Until the last few days, KIRC thought PacHelo would extend, but they only wanted to extend for heavy cargo since their other aircraft have been sent out-of-state. An extension for heavy cargo only has been executed. For passenger and light cargo, though, KIRC's policy is for the Commission to approve new solicitations and contracts in excess of \$50,000, so a new solicitation will be considered by the Commission at its 8/27/08 meeting and new contracts will be considered at its 9/24/08 meeting. For August and September 2008, KIRC would like to procure occasional passenger and light cargo helicopter services until new contracts are in place. Six vendors are listed because scheduling flights is subject to aircraft and pilot availability.

4. Name of Vendor: Windward Aviation, AlexAir, Blue Hawaiian, Address: Sunshine, Pacific Helo, Air Maui	5. Price: \$20,000
6. Term of Contract: From: date of approval To: 10/01/08	7. Prior Exemption Ref. No. 0

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:  
The PacHelo contract was the result of a Request for Proposals, and a new Invitation for Bids is expected to be posted on 8/28/08, so competitive procurement is advantageous overall. However, for the two months of August and September, KIRC anticipates little need for helicopter service and is willing to use any vendor available until new contracts are in place, effective 10/1/08.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:  
For the two months of August and September, KIRC will first contact any vendor that takes the PCard and has available aircraft suitable for the task (some cannot carry passengers over water, some cannot have the doors removed which is needed for our aerials surveys, some will not carry internal cargo - only passengers). For the solicitation, KIRC will ensure that all helicopter vendors receive the IFB.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:  
Our Access Specialist makes the initial contact with the vendors; she presents options to the Deputy Director as well as the Logistics Specialist and staff who requested the service. Together they determine which vendor/price to use. All purchases are approved by the Executive Director and processed by the Administrative Specialist III.

