



**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:

<p>3. Description of goods, services or construction: KIRC received a procurement exemption for passenger and light cargo helicopter transportation service for the months of August and September, until a solicitation could be posted and a new contract executed (P.E. 09-009-J, attached). IFB No. OPS09-HELO01 was posted on August 27, 2008 with a closing date of September 12, 2008. Two qualified bids were received. The lower bidder, Pacific Helicopter Tours, Inc., is completing an out-of-state contract and will not have its passenger and light cargo aircraft back in Hawai'i until November 3, 2008. Therefore, an extension of P.E. 09-009-J is requested for the month of October. (For the months of August and September, only two days of helicopter service were procured, for a total cost of \$5,180.00.)</p>	
<p>4. Name of Vendor: Windward Aviation, AlexAir, Blue Hawaiian, Address: Sunshine, Pacific Helo, Air Maui</p>	<p>5. Price: \$7,500</p>
<p>6. Term of Contract: From: <u>10/27/08</u> ^{10/27/08} _{10/01/08} ^{ca} To: 11/03/08</p>	<p>7. Prior Exemption Ref. No. 9009</p>
<p>8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State: P.E. 09-009-J was granted for two months so that the competitive bidding process could take place. One more month is needed for the lower qualified bidder's contract to be effective, so competitive procurement is advantageous overall but just not for this one additional month. For this month, KIRC anticipates only one day of helicopter service and is willing to use any vendor available.</p>	
<p>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 additional month of October, 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). (KIRC mailed hard copies of the IFB to all Maui helicopter vendors.)</p>	
<p>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.</p>	

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
Keone Laepa'a	Logistics Specialist	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Michele McLean	Deputy Director	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Michael Naho'opi'i	Executive Director	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
David DeMark	Administrative Specialist III	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Tina Keko'olani	Access Specialist	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: KIRC Contact Name: Michele McLean Phone Number: 808-243-5030 Fax Number: 808-243-5885
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Agency shall ensure adherence to applicable administrative and statutory requirements

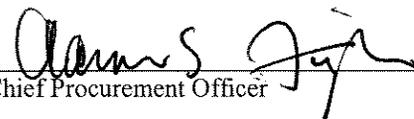
14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*


10/16/08

 Department Head Date

Reserved for SPO Use Only
15. Date Notice Posted <u>10/27/08</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: <p align="center"> Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119 </p>
Chief Procurement Officer's comments: <p align="center">Pursuant to a request by Michelle McLean (KIRC), we are returning this request without CPO action.</p>

16. APPROVED DISAPPROVED NO ACTION REQUIRED


10/27/08

 Chief Procurement Officer Date