

13. 000-1-12-11

**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 Resource, 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:

Remove three(3) trees, namely, one Norfolk pine, one mahogany, one poinciana to three feet above ground level. Haul all branches to an acceptable disposal facility. Vendor is also responsible for coordinating with the utility company and pay for the cost regarding the de-energizing the power line at the location during the work. See attached memo which provide additional information.

4. Name of Vendor: The Davey Tree Surgery Company

Address: 1299 Hart Street, Honolulu, Hawaii 96817
(808) 845-0945

5. Price:

\$71,562.04

6. Term of Contract:

From:

To:

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

Due to the existence of the power line at the location, the work has to be performed by a qualified contractor specialized in working close to a power line. We cannot secure any contractor through HePS. Finally, we invited the contractors currently doing works for the utility company to submit bid for the work.

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

We invited the qualified contractors submit bid for the job. Two out of three qualified contractors submitted bids. See attached bids.

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

Both contractors are qualified to perform the work, and the lower of the two bids is recommended for the work.

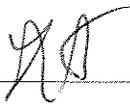
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

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
Morris M. Atta	Land Administrator	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Charlene E. Unoki	Assistant Adminsitrator	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Barry Cheung	Oahu District Land Agent	<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-Land Division Contact Name: Barry Cheung Phone Number: (808) 587-0430 Fax Number: (808) 587-0455
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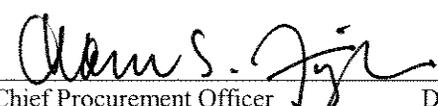
Agency shall ensure adherence to applicable administrative and statutory requirements

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

Department Head  Date 11/28/08

Reserved for SPO Use Only	
15. Date Notice Posted	<u>12/01/08</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"> Based on the information submitted by the DLNR and considering the removal of the trees is required to avoid any injury to the public and property, approval for emergency procurement was granted on EP-09-009-J. For that reason, this request is returned with no action required by the State Procurement Office. </p>	

16. APPROVED DISAPPROVED NO ACTION REQUIRED

 12/2/08
 Chief Procurement Officer Date