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

- 1. TO: Chief Procurement Officer
- 2. FROM: Department of Hawaiian Home Lands

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:
 A final inspection and final report of the individual wastewater system (IWS) is needed for the IWS that is installed on a Department of Hawaiian Home Lands (DHHL) residential lot #5 in Anahola, Kauai, TMK (4) 4-9-08:042.

4. Name of Vendor: Kodani & Associates, Inc. Address: 3126 Akahi St. Lihue, HI 96766	5. Price: \$3,500
6. Term of Contract: From: June 1, 2009 To: May 31, 2010	7. Prior Exemption Ref. No.

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

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
 The Department of Hawaiian Home Lands will hire Kometani & Associates, Inc. to perform the work..

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

1. Exemption procurement approved by the Chief Procurement Officer.
2. Contract awarded to ~~Kometani~~ **Kodani** *dkr*
3. Contract is drafted and reviewed by the AG.
4. Contract signed by Contractor.
5. Contract is approved by the AG
6. Contract signed by DHHL Chair.

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	
Kamuela Cobb-Adams	Project Manager, Land Developmen	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Larry Sumida	Administrator, Land Development	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Kamanao Mills	Special Assistant	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Kaulana Park	Deputy to the Chairman, HHC	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Micah A. Kane	Chariman, HHC	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to:	Department: Hawaiian Home Lands Contact Name: Kamuela Cobb-Adams Phone Number: 808-620-9273 Fax Number: 808-620-9299
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Agency shall ensure adherence to applicable administrative and statutory requirements

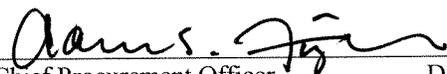
14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*


5/13/09

 Department Head Date

Reserved for SPO Use Only	
	15. Date Notice Posted <u>5/19/09</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: 	

16. **APPROVED** **DISAPPROVED** **NO ACTION REQUIRED**



 Chief Procurement Officer Date 8/3/09

Attachment to: SPO-7

Section 8: Explanation

Kodani & Associates, Inc. (Kodani) was secured under Contract #44068 with DHHL to design, inspect and acquire the necessary government approvals for 9 Individual Wastewater Systems (IWS) that DHHL was having installed in a project known as Anahola Scattered Lots on the island of Kaua'i. Contract #44068 expired in 2006.

Under the Contract #44068, Kodani completed the following:

1. Design for and initial approvals from the Department of Health for all 9 IWS.
2. Completed initial installation inspections for all 9 IWS.
3. Completed the final inspection and final report for 8 of the 9 IWS.

The final inspection and final report for lot #5 was not done by Kodani because the house the IWS was to connect to was not built. The house was not built because the potential lessees for the home did not transpire. DHHL has now secured a lessee for lot #5 and house construction has commenced. In order to receive the final approvals for use of the IWS, a final inspection and final report must be submitted to DOH. As the designer and initial inspector of the IWS system, Kodani is needed to complete the final inspection and final report for the IWS.