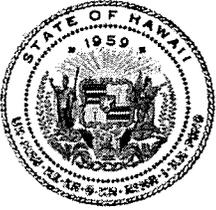


15 NOV -5 A10:35



STATE PROCUREMENT OFFICE
NOTICE & REQUEST FOR SOLE SOURCE

ADMINISTRATION
STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer
FROM: Department of Land and Natural Resources
Name of Requesting Department

Pursuant to HRS §103D-306 and HAR chapter 3-122, Subchapter 9, the Department requests sole source approval to purchase the following:

1. Describe the goods, services, or construction to be procured.
Please see attached item 1.

| | |
|---|---|
| 2. Vendor/Contractor/Service Provider Name: Cascadia Research Collective | 3. Amount of Request: \$199,492.00 |
| 4. Term of contract (shall not exceed 12 months), if applicable: <i>Date indicated on the Notice to Proceed</i> From: 1-Oct-15 <i>div 12/14/2015</i> To: 30-Sep-18 <i>12-months thereafter</i> <i>div 12/14/2015</i> | 5. Prior SPO-001, Sole Source (SS) No.: |

6. Describe in detail the following:
a. The unique features, characteristics, or capabilities of the goods, service or construction.
Please see attached see item 6 attached, pg. 1-3.

b. How the unique features, characteristics or capabilities of the goods, service or construction are essential for the department
Please see attached see item 6 attached, pg. 1-3.

7. Describe the efforts and results in determining that this is the only vendor/contractor/service provider who can provide the goods, services or construction.

Dr. Robin Baird was instrumental in developing the objectives and methods in the grant proposal and was listed as a Co-Investigator on the grant. Additionally, consultation with scientific and policy experts at NOAA Fisheries (grant awarding agency) regarding data gaps and agency needs with respect to false killer whales helped DLNR determine that Cascadia Research Collective (and Dr. Robin Baird) was the only contractor qualified to provide the necessary services. Lastly, a review of active permits issued by NOAA Fisheries (<https://apps.nmfs.noaa.gov/search/search.cfm>) shows that Cascadia Research Colletive is the only entity authorized to deploy the tags ("Instrument, dart/barb tag") necessary to complete the project.

8. Alternate source. Describe the other possible sources for the goods, services, or construction that were investigated but did not meet the department's needs.

There are no alternative sources for the services because of the unique combination of expertise, experience, and authorizations required.

9. Identify the primary responsible staff person(s) conducting and managing this procurement. (Appropriate delegated procurement authority and completion of mandatory training required.)

*Point of contact (Place asterisk after name of person to contact for additional information).

| Name | Division/Agency | Phone Number | E-mail Address |
|--------------|-----------------|--------------|---------------------------|
| Ray Uchimura | DAR/DLNR | 808-587-0096 | Ray.K.Uchimura@hawaii.gov |
| Elia Herman* | DLNR | 808-587-0106 | Elia.Y.Herman@hawaii.gov |

Department shall ensure adherence to applicable administrative and statutory requirements, including HAR chapter 3-122, Subchapter 15, Cost or Pricing Data if required.

**All requirements/approvals and internal controls for this expenditure is the responsibility of the department.
I certify that the information provided is to the best of my knowledge, true and correct.**



Department Head Signature

10/22/15
Date

For Chief Procurement Officer Use Only

Date Notice Posted: 11/5/15 11/6/15

Submit written objection to this notice to issue a sole source contract within seven calendar days or as otherwise allowed from date notice posted to:

state.procurement.office@hawaii.gov

Chief Procurement Officer (CPO) Comments:

Approval is granted for the period from the date indicated on the Notice to Proceed to 12-months thereafter and is based on the Department's representation that Cascadia Research Collective is the only Hawaii-wide entity with an active permits issued by NOAA Fisheries to deploy the tags to support the recovery of the Main Hawaiian Islands (MHI) population of false killer whales. This approval is for the solicitation process only. Pursuant to HRS §103D-310(c) and HAR §3-122-112, the procuring officer shall verify compliance (i.e. vendor is required to provide proof of compliance and may use the Hawaii Compliance Express) for all contracts awarded, and award is required to be posted on the Awards Reporting System. Copies of the HCE certificate and awards posting are required to be documented in the procurement/contract file.

Department is also reminded that sole source contracts in excess of \$100,000 require certified cost or pricing data and analysis of such data pursuant to HAR chapter 3-122, subchapter 15. Certified cost and pricing data and analysis are required to be maintained in the procurement/contract file.

If there are any questions, please contact Kevin Takaesu at 586-0568, or kevin.s.takaesu@hawaii.gov.

Approved Disapproved No Action Required

 12/16/15
Chief Procurement Officer Signature Date

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

1. Describe the goods, services or construction to be procured

In 2012, the Main Hawaiian Islands (MHI) population of false killer whales was listed as endangered under the Endangered Species Act (ESA). To support the recovery of this local species, on November 6, 2014, the Department of Land and Natural Resources, Division of Aquatic Resources, submitted an application to the National Oceanic and Atmospheric Administration National Marine Fisheries Service (NOAA Fisheries) Species Recovery Grants to States (Funding Opportunity Number: NOAA-NMFS-PRPO-2015-2004175) entitled "Cooperative Conservation and Long-Term Management of False Killer Whales and Other Endangered Cetaceans in Hawaii." Listed as leads on the grant were: Elia Herman, DLNR (Co-Principal Investigator), Alton Miyasaka, DLNR (Co-Principal Investigator), Dr. Robin Baird, Cascadia Research Collective (Co-Investigator), and Dr. Kristi West, Hawaii Pacific University (Co-Investigator).

The grant was awarded to DLNR, for a total of \$1,168,676 in federal dollars over three years (October 1, 2015 to September 30, 2018). The grant is extremely competitive and award receipt was dependent on the combined expertise of all parties, each of whom played a critical role in developing the grant proposal.

The Section 6 grant has four main objectives. Two of the four objectives that need to come completed cannot be conducted without the expertise, qualifications, and authorizations held by Cascadia Research Collective (CRC). These are: (1) to fill in data gaps in the spatial use patterns of false killer whales around the main Hawaiian Islands (MHI), including satellite tagging, obtaining mouth-line photos to assess fisheries-related injuries, photo-identification, and collection of biopsy samples; and (2) to assess the spatial and temporal overlap between insular false killer whales and state fisheries effort. In addition, the work that CRC has already been doing in Hawai'i will greatly inform and is critical to the success of Objective 4. This objective is: (4) to target outreach and awareness to specific fishers, boaters, and tour operators to effectively mitigate or reduce interactions with false killer whales, identify species to compliment research, and increase public reporting of strandings.

6. Describe in detail the following:

a. The unique features, characteristics, or capabilities of the goods, services or construction.

Cascadia Research Collective (CRC) and Dr. Robin Baird have the unique features, characteristics, and capabilities required for DLNR to meet Objectives (1) and (2) of the grant. These are described below:

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- 1) CRC has the only comprehensive Hawaii-wide photo-identification catalog of false killer whales from Hawaiian waters, which includes mouthline photos for many individuals. This catalog includes 192 distinctive individuals from the endangered MHI population with over 1,300 identifications, as well as individuals from the Northwestern Hawaiian Islands (NWHI) and pelagic populations. This data set will be used to help interpret tag, photographic and biopsy data obtained as part of objective 1, allowing data to be used in analyses for objective 2, as well as combined with some of the data obtained in objective 1 (mouth-line photos, photo-identification) to meet secondary objectives of this grant.
- 2) CRC has previously satellite tagged 45 false killer whales in Hawaiian waters including 35 tag deployments on MHI false killer whales. This includes tag location data from nine different years, with tags deployed on MHI individuals off Kaua'i, O'ahu, and Hawai'i Island, including all three social clusters, for a combined span of 1,827 days of movements. This is the only satellite tag data set for MHI false killer whales. This data set is a necessary and integral part of the analyses to meet objective (2), which requires data obtained over multiple years, from all social groups, and with tag deployments off multiple islands.
- 3) Dr. Baird has more peer-reviewed publications on false killer whales than any other individual. He is the senior author on six peer-reviewed publications on false killer whales in Hawaiian waters and has co-authored an additional five peer-reviewed publications on false killer whales in Hawaiian waters, as well as authored or co-authored additional reports on false killer whales for NOAA Fisheries. These publications have included analyses of satellite tag data to examine spatial use, assessment of injuries in relation to fisheries interactions, and assessment of abundance using mark-recapture methods.
- 4) Dr. Baird is the Principal Investigator on two current grants from NOAA Fisheries from the Bycatch Reduction Engineering Research program entitled "False killer whale movements in relation to longline fishing activity: assessment of interactions using satellite tag and fisheries data to develop best practices to reduce bycatch" and "False killer whales and longline fishery interactions: Assessing movements of satellite-tagged individuals in relation to longline fishing activity and facilitating studies of interactions with gear." These grants involve similar analyses to those required under the Section 6 grant, but are focused on pelagic false killer whales and longline data.
- 5) Dr. Baird is a member of the False Killer Whale Take Reduction Team.
- 6) The activities required to meet objective (1) (e.g., satellite tagging, mouth-line photos, photo-identification, and biopsy sampling) can only be conducted with authorization by the National Oceanic and Atmospheric Administration (NOAA), which requires permits for scientific research of marine mammals listed as endangered under the ESA (ESA Section 10(a)(1)(A)). These permits require significant review, including a 30-day public comment period, National Environmental Policy Act (NEPA) analysis, and review by experts from NOAA Fisheries, the Marine Mammal Commission, and other Federal agencies as appropriate, and require a minimum of one year review and processing time. Dr. Baird

already holds a NOAA Fisheries scientific research permit (#15330, valid until Aug 1, 2016 with an extension for up to 1 year while a new permit application is being processed) that includes satellite tagging and photo-identification of false killer whales. This permit allows for up to 35 satellite tag deployments per year. Cascadia Research Collective is the only entity currently authorized to deploy these tags on the Hawaii insular population of false killer whales. Dr. Baird is also listed as a co-investigator for biopsy sampling on NMFS permit 15240 (issued to Pacific Islands Fisheries Science Center, valid until May 31, 2017) and 14097 (issued to Southwest Fisheries Science Center, valid until June 30, 2016). Baird and CRC have previously collected 142 biopsy samples of false killer whales in Hawaiian waters. Objective (1) of the proposal could not be met without these permits in place.

CRC and Dr. Baird also have the unique features, characteristics, and capabilities needed to assist DLNR in meeting objective (4) of the grant. These are described below:

- 1) CRC has already developed a variety of education and outreach materials related to false killer whales that target fishermen, boaters and tour operators. These include production and distribution of "blackfish" identification guides for fishermen (available at <http://www.cascadiaresearch.org/Hawaii/CRCHawaiiBlackfishComparison.pdf>) and individual identification guides for tour operators.
- 2) CRC administers the False Killer Whale Hawai'i Facebook page (over 1,200 followers), the only of its kind: https://www.facebook.com/False-Killer-Whales-Hawaii-342365899233834/info/?tab=page_info
- 3) Over more than a decade of work on false killer whales, Dr. Baird has already developed relationships with fishermen, boaters, and tour operators in Hawai'i that will allow for greater success in the implementation of Objective 4.
- 4) Dr. Baird has given numerous public presentations on false killer whales in Hawaiian waters and has regularly worked with the media in Hawai'i regarding false killer whales.
- 5) Cascadia Research Collective (CRC) proposes to meet and deliver the grant scope of work for the total \$199,492.00.

b. How the unique features, characteristics, or capabilities of the goods, services or construction or essential to the Department.

The unique features, characteristics and capabilities of CRC and Dr. Baird described above are essential to fulfilling DLNR's obligations of the grant award and to support the recovery of Hawaii's endangered, local population of false killer whales.

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