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STATE PROCUREMENT OFFICE
NOTICE & REQUEST FOR SOLE SOURCE

STATE PROCUREMENT OFFICE
STATE OF HAWAII

1. TO: Chief Procurement Officer

2. FROM: DLNR- Division of Forestry and Wildlife
Department/Division/Agency

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

3. Description of goods, services, or construction:
Conservation management of Pelekunu Preserve on the Island of Molokai, as outlined in the Pelekunu Preserve Long Range Management Plan (LRMP) , as part of the Natural Area Parntesrhip Program. A copy of the LRMP (approved by the BLNR on March 27, 2009), is available on-line as an attachment to the Board submittal at http://hawaii.gov/dlnr/chair/meeting/submittals/090327/C-FW-Submittals-C3.pdf

4. Vendor Name: The Nature Conservancy Address: 923 Nuuanu Ave Honolulu, HI 96814	5. Price: $686,234
6. Term of Contract: (mm/dd/yyyy) From: ~~07/01/2009~~ 9/1/09 or 9/1/09 To: 6/30/2015	7. Prior Sole Source Ref No. 95283

8. Feature: The good, service, or construction has the following unique features, characteristics, or capabilities:
The Natural Area Partnership Program was established in 1991 and provides matching funds ($2 State to $1 private) for the management of qualified private lands that have been permanently dedication to conservation (Hawaii Revised Statutes HRS § 195.6.5). Existing State administrative rules (HAR 13-210) outline the process for inclusion in this program. In short, a private landowner must submit a proposal to manage land that is of natural area reserve quality, prepare a long-term management plan for approval by the Board of Land and Natural Resources, and agree to transfer a conservation easement over the property to the State or an appropriate non-profit. The long-term management plan details the planned conservation actions, identifies who will be doing the conservation actions, and provides the cost associated with the actions. Once approved by the Board, the Department is to enter into a contract with the appropriate managing entity (identified in the plan). In addition, previous to this step, Division staff and the Natural Area Reserves Commission review a draft management plan and provide comments regarding the scope and adequacy of planned management based on their expertise, knowledge, or experience in managing or conducting research on similar lands. Finally, the long-range management plan must go through the environmental review process (see HRS Chapter 343 and HAR 13-210), which includes a public comment period before final submission to the Board. This step provides an extra measure of transparency and public accountability before committing State dollars for conservation of the proposed land.

REQUEST FOR SOLE SOURCE (Cont.) *Submit in Triplicate*

9. Essential features. How the unique features, characteristics, or capabilities are essential for the agency to accomplish its work: DLNR/DOFAW has a mandate to protect the rare native species and native ecosystems found in Hawaii. These endemic species are often found on private land, or if found on both public and private may be better protected on the private land. Protection of species and ecosystems has to occur where they are naturally found. Often there is no other place in the state or world where these protection efforts can occur because they are one of a kind. Protection of these unique system on private lands means the state does not have the extra expense of both buying the land and managing it, itself.

11. Alternate source. The following other possible sources for the good, service, or construction were investigated but do not meet our needs because: The program is continously open to applications - any private landowner wishing to participate in the NAPP program may submit an application and begin the process at any time. The administrative rules (HAR 13-210) outline the criteria by which the Depart. (and Board) review the long-term management plan, so that all proposals go through the same process. In the past, the Department has sought (and received) sole-source approvals for the managing entity to implement the approved long-term management plan (see e.g., SS # 04-73-M). Once the plan was approved and accepted, only the landowner or their managing partner has the legal right to manage their own land.

12. **Direct any inquiries to:** Department: LNR, DOFAW Contact Name/Title: Emma Yuen, NARS Enhancement Coordinator	13 Phone Number: (808) 587-4170 Fax Number: (808) 587-0160
Expenditure may be processed with a purchase order/p-Card: ☐ Yes ☒ No If no, a contract must be executed and funds certified.	
Agency shall ensure adherence to applicable administrative and statutory requirements, including HAR Chapter 3-122, Subchapter 15, Cost or Pricing Data, if required.	

14. ***I certify that the information provided above is to the best of my knowledge, true, correct and that the goods, services, or construction are available through only one source.***

PBZ

Department Head Signature

9/9/09
Date

Reserved for SPO Use Only

15 Date Notice Posted: 9/11/09

Submit written objections to this notice to issue a sole source contract within seven calendar days or as otherwise allowed from the above posted date to: Chief Procurement Officer
State Procurement Office
P.O. Box 119
Honolulu, Hawaii 96810-0119

16. Chief Procurement Officer's comments:

This approval is based on DLNR's representation that the Nature Conservancy is the landowner of the Pelekunu Preserve and the only entity that has the legal right to conservation management activities on the land. This approval is for the period 9/11/09 to 6/30/2015. Department is reminded that procurements $2,500 or more are required to be posted on the Procurement Reporting System.

17.

☒ **APPROVED** ☐ **DISAPPROVED** ☐ **NO ACTION REQUIRED** _____ 9/18/09

Chief Procurement Officer Date