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STATE PROCUREMENT OFFICE
NOTICE & REQUEST FOR SOLE SOURCE

STATE PROCUREMENT OFFICE
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STATE OF HAWAII

- 1. TO: Chief Procurement Officer
2. FROM: DBEDT/HCDA/Anthony J. H. Ching
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:
Design, schedule, plan, and implement all activities necessary
(1) to create a body of knowledge from He'eia Kupuna (elders) and community members to record and implement sustainable traditional, subsistence, and commercial uses;
(2) to create a policy that promotes public access and appropriate coastal-dependant uses of the He'eia shoreline based on He'eia kupuna knowledge;
(3) to create community capacity to apply kupuna and community assessments for an integrated and place based approach to the management of natural, cultural, and commercial resources;
(4) conduct 2 general community events;
(5) conduct 3 community informational events;
(6) conduct 10 capacity building training/workshops to engage kupuna, cultural practitioners, community, students, businesses, to provide input and support for restoring the capacity of the He'eia meadowlands to sustain agricultural activities and near shore water quality.

4. Vendor Name: Kako'o 'Oiwi
Address: 46-005 Kawa Street, Suite 209
Kaneohe, Hawaii 96744
5. Price: \$96,395.00

6. Term of Contract: From: 06/1/2010 To: 12/31/2010
7. Prior Sole Source Ref No.

8. Feature: The good, service, or construction has the following unique features, characteristics, or capabilities: Restoration, training, and educational activities require specific He'eia kupuna knowledge and participation. He'eia cultural practitioners and the Nature Conservancy expertise is needed for planning and implementation of all activities. Kako'o 'Oiwi is the only contractor that boasts the necessary area specific kupuna knowledge and partnership with the Nature Conservancy to restore the capacity of the He'eia meadowlands to sustain agricultural activities and production as well as restore stream and near shore water quality.

9. Essential features. How the unique features, characteristics, or capabilities are essential for the agency to accomplish its work:
HCDA and Kako'o 'Oiwi applied for and received a Coastal Zone Management Grant from the Office of Planning to further the objectives of the Ocean Resources Management Plan and enhance the near shore water quality at He'eia. Kako'o 'Oiwi developed the Mahuahua Ai o Hoi project as a community-based initiative rooted in the long established Ko'olaupoko Hawaiian Civic Club. Membership includes individuals who grew up and actually worked within the project area and those both young and old who believe that the use of the land should be restored to provide activities that are more reminiscent of its historical background. Kako'o 'Oiwi is the only organization that received support from area legislators, kupuna, cultural practitioners, Board of Water Supply, Department of Education Castle Complex and University of Hawaii at Manoa Hawaiian Studies and School of Ocean and Earth Science and Technology professors which helped to attract other community partners, secure funding and whose objective is to restore agricultural productivity and near shore water quality.

11. Alternate source. The following other possible sources for the good, service, or construction were investigated but do not meet our needs because: There are no other organizations known to have equivalent resources, expertise, kupuna knowledge base, partnerships, and community support to provide the necessary historical and organizational capacity to see the project through to completion.

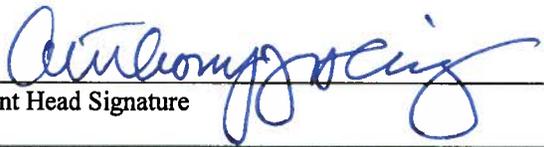
12. Direct any inquiries to:
Department: HCDA
Contact Name/Title: Anthony Ching/Executive Director

13 Phone Number:
594-0307
Fax Number:
594-0299

Expenditure may be processed with a purchase order/pCard: 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.*


Department Head Signature

5/28/10
Date

Reserved for CPO Use Only

15 Date Notice Posted: 6/2/2010

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:

Approval is granted based on the department's explanation that vendor is the only entity that: 1) holds a 38 year lease on the property; 2) received CZM grant to enhance the water quality; and 3) has demonstrated the ability to assemble and coordinate various cultural, business, and civic groups to accomplish the goals and objectives of the project. Department is reminded that this award is required to be posted on the Procurement Reporting System.

17.
 APPROVED DISAPPROVED NO ACTION REQUIRED


Chief Procurement Officer

6/15/2010
Date

Sole Source Justification

Project: Mahuahua Ai o Hoi (He`eia Meadowlands)
TMK: 1-4-6-16:001 & 002
Contract#: 58906
Grant: Coastal Zone Management Section 306 Grant Funds
Forms: SPO-1 Form Needed

The Hawaii Community Development Authority (“HCDA”) received title to the He`eia meadowlands (“He`eia”), consisting of approximately 400 acres on July 2, 1991. The HCDA assumed the buyer’s position in an existing purchase agreement and folded this transaction into an exchange agreement with Kamehameha Schools (“KS”). Besides receiving the He`eia lands, the HCDA received what is now the Makai Gateway Park in Kaka`ako. The KS in turn, received a parcel in Kaka`ako plus \$11,667,917 in public facility credits.

At the time that this purchase and exchange agreement was finalized, it was widely expected by the community that the HCDA would steward the He`eia lands in a manner which would preclude any urban development from occurring at this site. While the HCDA has previously sought for over 15 years to convey the He`eia land to a qualified agency such as the Department of Land and Natural Resources or the Office of Hawaiian Affairs to realize this expectation, governance of the land has not changed hands and the lands have become more and more overgrown.

In May 2009, members of the Ko`olaupoko Hawaiian Civic Club (“KHCC”), a long standing community agency approached HCDA staff and requested an opportunity to assess the issues and opportunities associated with restoring the He`eia lands by eliminating invasive species, establishing an agricultural program and developing a community educational center at the site. As the vision and concepts advanced by the KHCC were inclusive of all elements of the windward community, HCDA staff recommended that the KHCC develop a broad community non-profit entity and pursue a long term lease from the HCDA for the He`eia lands.

To advance its vision and create a broad community based non-profit that HCDA staff had suggested, KHCC leaders established Kako`o `Oiwī (“Kako`o”). Kako`o was organized as a community non-profit agency with its charter devoted to the restoration of the He`eia lands. Kako`o subsequently applied for and was awarded a 38 year lease for the He`eia lands. The members of Kako`o are a cosmopolitan blending of all races and cultures and has received wide spread from area legislators, *kupuna*, cultural practitioners, the Board of Water Supply, the leadership of the Department of Education Castle Complex, the University of Hawaii at Manoa Hawaiian Studies Program, and professors from the University of Hawaii School of Ocean and Earth Science and Technology. The membership of Kako`o includes individuals who grew up

and actually worked within the project area and those both young and old who believe that the land should be restored so as to support agricultural and cultural activities that are more reminiscent of its historic use.

Recently, the HCDA and Kako`o jointly applied for and received a Coastal Zone Management ("CZM") Grant from the Office of Planning to further the objectives of the Ocean Resources Management Plan and enhance the near shore water quality at He`eia. The *Mahuahua Ai o Hoi* project specified in this application will utilize the Kako`o 38 year lease for the He`eia lands as a timetable and mandate to establish sustainable agricultural activities at He`eia and to restore near shore water quality.

9/2009

The diverse membership of Kako`o has helped to attract other community partners, funding and volunteers. Community partners include the Nature Conservancy and the Castle Foundation. Other partners have also expressed interest in participating in or otherwise supporting the *Mahuahua Ai o Hoi* project.

The specific CZM Grant activities that will be conducted by the *Mahuahua Ai o Hoi* project are to schedule, plan, and implement all activities necessary to:

- Receive and preserve knowledge and expertise from He`eia Kupuna (elders) and community members on developing sustainable traditional, subsistence, and commercial uses at He`eia;
- Create policy that promotes public access and appropriate coastal-dependant uses of the He`eia shoreline;
- Develop community capacity to apply kupuna and community assessments for an intergrated and place based approach to the management of natural, cultural, and commercial resources at He`eia;
- Conduct 2 general community events;
- Convene 3 community informational events; and
- Organize and conduct at least 10 capacity building training/workshops to engage kupuna, cultural practitioners, community, students, and businesses support for the *Mahuahua Ai o Hoi* project.

Summary. Given its unique charter and kupuna members, the lack of another entity which enjoys the broad support of the community and the specifications of the HCDA contract with the CZM program, Kako`o clearly satisfies the requirements as a sole source provider for the *Mahuahua Ai o Hoi* project.