



**STATE PROCUREMENT OFFICE
NOTICE & REQUEST FOR SOLE SOURCE**

12 JUN -5 P3:52

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.
The Division of Forestry and Wildlife wishes to purchase a specialized herbicide for control of invasive plants. HBT-G4U200 with Garlon® 4 Ultra is an Special Local Need herbicide only registered in Hawaii (EPA SLN No. HI-120001) and is specifically designed for treating remote populations of miconia (*Miconia calvenscens*) and strawberry guava (*Psidium guavaja*) with proven effectiveness. It is a critical new tool that can treat remote satellite weed populations that are otherwise untreatable with conventional methods. The order is for a 150,000 unit batch, enough to treat up to 8000 individuals. This custom product can only be manufactured by the Nelson Paint Company (EPA Est. No. 86199-MI-001), who serves as the legal registrant of the product. There are no other encapsulation facilities in the world that are registered to produce and sell this product. This inventory purchase is supported by a USFS grant and will be utilized in collaboration with the University of Hawaii, Maui Invasive Species Committee and Kauai Invasive Species Committee.

2. Vendor/Contractor/Service Provider Name: 1 Nelson Drive, Kingsford, MI 49802; phone:906-774-5566	3. Amount of Request: \$46,500.00
4. Term of contract (shall not exceed 12 months), if applicable: From: _____ To: _____	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.
HBT-G4U200 with Garlon® 4 Ultra is a new EPA registered product (EPA SLN No. HI-120001) that can only be manufactured at the Nelson Paint Company facility (EPA Est. No. 86199-MI-001). There are no other encapsulation facilities in the world that are registered to perform these services. The product is designed specifically to explode and disburse upon contact with target.

b. How the unique features, characteristics or capabilities of the goods, service or construction are essential for the department to accomplish its work.
Having access to this treatment method will allow managers to control invasive plant species located in remote, rugged terrain where treatment is impossible by other means. The tool is being used for eradication projects which rely on eliminating every last individual plant to be successful.

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.

Nelson Paint Copany is the sole registrant of the HBT-G4U200 with Garlon® 4 Ultra product label and is the only legal manufacturer seller of this product in Hawaii.

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 other legal alternate sources to produce and sell this product in Hawaii, nor in the US.

9. Identify the primary individual(s) who is knowledgeable about this request, who will conduct and manage this process, and has 1) appropriate written delegated procurement authority; 2) completed mandatory training; and 3) who SPO may contact for follow up inquiry, if any.

(Type over "example" and delete cells not used.)

Name of Department Personnel	Division/Agency	Phone Number	E-mail Address
Rob Hauff	DLNR/DOFAW	587-4174	Robert.D.Hauff@hawaii.gov
example: John Doe	HPHA		

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

6/5/12

Date

For Chief Procurement Officer Use Only

Date Notice Posted: 6/7/2012

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:

Request is disapproved as vendor is not compliant with HRS §103D-310(c) and HAR §3-122-112 (i.e. vendor must be compliant on the Hawaii Compliance Express [HCE]). Upon verification of vendor compliance, department may attach a memo to this request, along with a copy of compliant HCE certificate requesting CPO approval.

- Approved Disapproved No Action Required

Clara S. Fuji 6/11/2012
Chief Procurement Officer Signature Date