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STATE PROCUREMENT OFFICE
NOTICE & REQUEST FOR SOLE SOURCE

- 1. TO: Chief Procurement Officer
2. FROM: DLNR- Division of Forestry and Wildlife
Department/Division/Agency

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

3. Description of goods, services, or construction:
Conservation management of Kamakou Preserve on the Island of Moloka'i, as outlined in the Kamakou Preserve Long Range Management Plan (LRMP) , as part of the Natural Area Partnership Program. A copy of the LRMP (approved by the BLNR on January 13th, 2012), is attached.

Table with 2 columns: Vendor Name/Address and Price. Vendor: The Nature Conservancy, 923 Nuuanu Avenue, Honolulu, HI 96817. Price: \$1,180,113. Term of Contract: From 07/1/2012 to 06/30/2018. Prior Sole Source Ref No: 95-279-R.

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.

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 land, 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 systems on private lands means the state does not have the extra expense of both buying the land and managing it, itself. The land owned by Moloka'i Ranch in the Kamakou Preserve contains these unique natural features found nowhere else in the state.

11. Alternate source. The following other possible sources for the good, service, or construction were investigated but do not meet our needs because: Only the landowner or their managing partner has the legal right to manage their own land. Additionally, the program is continuously 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.

<p>12. Direct any inquiries to:                  Department: <u>LNR, DOFAW</u>                  Contact Name/Title: <u>Emma Yuen, NARS Enhancement Coordinator</u> <sup>7/5/12</sup>  <u>Lisa Ferentinas, Planner</u></p>	<p>13 Phone Number:  <u>(808) 587-4170</u> <u>587-0917</u>                  Fax Number:  <u>(808) 587-0160</u></p>
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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.*


6/20/12  
 \_\_\_\_\_  
 Department Head Signature Date

Reserved for CPO Use Only	
15 Date Notice Posted: <u>6/26/12</u>	
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: <ul style="list-style-type: none"> <li>Chief Procurement Officer</li> <li>State Procurement Office</li> <li>P.O. Box 119</li> <li>Honolulu, Hawaii 96810-0119</li> </ul>	

16. Chief Procurement Officer's comments:

This approval is based on the department's representation that the Nature Conservancy is the landowner of Kamakou Preserve and the only entity that has the legal right to conservation management activities on the land. Approval is for the period 07/01/12 to 06/30/18. This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply (i.e. vendor is required to be compliant on the Hawaii Compliance Express) and award is required to be posted on the Awards Reporting System.

As a reminder, individual(s) participating in procurement activities are required to be in compliance with Procurement Delegation No. 2010-01 and Amendment 1, and Procurement Circular No. 2010-05, *Statewide Procurement Training*, as appropriate. If there are any questions, please contact Kevin Takaesu at 586-0568, or kevin.s.takaesu@hawaii.gov.

17.  APPROVED     DISAPPROVED     NO ACTION REQUIRED

Kevin S. Takaesu  
Chief Procurement Officer

7/3/2012  
Date