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STATE PROCUREMENT OFFICE

NOTICE & REQUEST FOR SOLE SOURCE

STATE PROCUREMENT OFFICE  
STATE OF HAWAII

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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-IMAZ is a Special Local Need herbicide only registered in Hawaii (EPA SLN No. HI-090004) and is specifically designed for treating remote populations of Australian tree fern (Sphaeropteris cooperi), Banana poka (Passiflora mollissima) and Kahili ginger (Hedychium gardenium) 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 15,000 unit batch, enough to treat up to 500-600 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.

2. Vendor/Contractor/Service Provider Name: 1 Nelson Drive, Kingsford, MI 49802; phone: (906) 774-5566 <i>Nelson Paint Company DA 1/7/13</i>	3. Amount of Request: \$8,500.00
4. Term of contract (shall not exceed 12 months), if applicable: From: <i>1/4/2013</i> To: <i>8/05/13 DA 1/7/13</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.  
HBT-IMAZ is a new EPA registered product (EPA SLN No. HI-090004) 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 disperse upon contact with target.  
  
b. How the unique features, characteristics or capabilities of the goods, service or construction are essential for the department  
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 Company is the sole registrant of the HBT-IMAZ 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 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
Lance K. De Silva	DLNR/DOFAW	808-873-3980	<a href="mailto:lance.k.desilva@hawaii.gov">lance.k.desilva@hawaii.gov</a>

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.**

 \_\_\_\_\_ Date 12/27/12

Department Head Signature

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**For Chief Procurement Officer Use Only**Date Notice Posted: 1/7/2013

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](mailto:state.procurement.office@hawaii.gov)

## Chief Procurement Officer (CPO) Comments:

Approval is granted for the period 01/04/13 to 03/05/13 and is based on the department's representation that the herbicide, HBT-IMAZ can only be obtained from the Nelson Paint Company and is the only vendor with EPA registration with this product. 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.

If there are any questions, please contact Bonnie Kahakui at 587-4702, or [bonnie.a.kahakui@hawaii.gov](mailto:bonnie.a.kahakui@hawaii.gov).

 Approved

 Disapproved

 No Action Required

*Bonnie Kahakui*  
Chief Procurement Officer Signature

1/14/2013  
Date