

STATE OF HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
Honolulu, Hawai'i 96813

May 27, 2011

Chairperson and Members
Board of Land and Natural Resources
State of Hawai'i
Honolulu, Hawai'i

Land Board Members:

SUBJECT: REQUEST APPROVAL TO INITIATE THE COMPETITIVE SEALED PROPOSAL PROCESS AND AUTHORIZE THE CHAIRPERSON TO ISSUE A REQUEST FOR PROPOSALS AND AWARD AND EXECUTE A MULTI-YEAR CONTRACT FOR THE PURCHASE OF NATIVE PLANTS FOR RESTORATION OF STATE LANDS

This Board Submittal requests approval to issue a Request for Proposals (RFP) under the competitive sealed proposal process and authorizes the Chairperson to issue the RFP and award and execute a multi-year contract for the purchase of native plants for restoration of state lands.

BACKGROUND

Non-native ungulates, fire, and alien plants have severely degraded many high elevation areas that historically provided habitat for native birds. If restored, many of these areas would provide important habitat for Hawai'i's endangered birds and plants and several areas are U.S. Fish and Wildlife designated Recovery Habitat. Restoring high-elevation forests will become more important as climate change increases the distribution of mosquitoes and the avian diseases they transmit. Currently, cool temperatures limit mosquitoes, and the diseases they carry, to areas below 5,000 feet in elevation. Temperature increases will result in mosquitoes moving upslope into forests that are now disease-free refuges.

To meet this challenge, the Division of Forestry and Wildlife is conducting a growing number of large restoration projects on state lands throughout the main Hawaiian Islands. These projects require tens of thousands of high-quality, native seedlings annually and the increasing need for seedlings has exceeded the production capacity of state run nurseries. An alternative source of seedlings will ensure that restoration efforts can continue to expand.

DISCUSSION

The successful bidder must demonstrate past experience and ability to provide approximately 120,000 seedlings annually statewide on request. Most of these seedlings will be a'ali'i, koa, māmane, 'ōhi'a, and pilo, but also will include 60 additional species that Division staff has

determined to be important for restoration. Based on a careful review of the requirements under chapter 103D, Hawaii Revised Statutes (HRS), DOFAW has determined that a competitive sealed bidding process is neither practicable nor advantageous to the State. DOFAW therefore recommends that a competitive sealed proposal process be used for source selection. Such an approach will be the most advantageous procurement process for the solicitation because the primary consideration for the determination of the awards for this RFP is quality and reliability of service to provide a high volume of plants. These factors will be evaluated through a ranking process based on the bidder's previous experience. Pursuant to §3-122-45, Hawaii Administrative Rules (HAR), the Division will use an evaluation committee to ensure objective review, evaluation, and ranking of proposals and allow for the selection of the most qualified vendor.

The bids requested will be on a per seedling basis with purchasing to be done incrementally through the issuance of a purchase requisition. A two-year multi-year contract is being requested because of the infrastructure (e.g., growing medium, seedling racks, and germination tables) that the vendor will have to invest in and the time required to grow seedlings, and a provision for a two-year extension will be included.

To expedite a contract for this procurement, DOFAW requests that the Board delegate authority to the Chairperson to appoint an evaluation committee for the RFP and award and execute the contract for goods and services based on the recommendations of the evaluation committee and other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State. Additionally, should any of the committee members above be unable to participate, DOFAW requests that the Board delegate authority to the Chairperson to appoint alternates or recommend that the committee be reduced by one member should the need arise.

HRS CHAPTER 343

In accordance with the "Exemption List for the Division of Forestry and Wildlife of the Department of Land and Natural Resources, reviewed and concurred upon by the Environmental Council on June 12, 2008," the proposed activities are exempt from the preparation of an environmental assessment. Specifically, the proposed activities fall under Exemption Class 4, "Minor alteration in the conditions of land, water, or vegetation." Sub-Class No. 7, "Establish temporary or permanent vegetative cover including trees, shrubs and grasses for landscaping, reforestation, soil stabilization, and wildlife habitat, provided, however, that this exemption shall not apply to tree plantings for which harvesting is planned or is reasonably foreseeable."

RECOMMENDATIONS:

That the Board:

- 1) Declare that, after considering the potential effects of the proposed contract and project activities, as provided by chapter 343, HRS, and chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
- 2) Approves the use of:

- a. A competitive sealed proposal process for a solicitation for the selection of a vendor to provide native plants for restoration.
 - b. An evaluation committee comprised of the individuals appointed by the Chairperson to evaluate and select the competitive sealed proposal that is most advantageous to the state.
- 3) Delegate authority to the Chairperson to:
- a. Appoint evaluation committee and any alternates, or recommend that the committee be reduced by one member should the need arise.
 - b. Issue the RFP.
 - c. Award and execute a contract for goods and services, subject to the availability of funds, and review and approval by the Department of the Attorney General.

Respectfully submitted,



PAUL J. CONRY,
Administrator

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson
Board of Land and Natural Resources