State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii

July 8, 2011

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

DELEGATION OF AUTHORITY TO THE CHAIRPERSON OF THE BOARD OF LAND AND NATURAL RESOURCES (Board) TO AWARD SERVICE CONTRACTS AT STATE SMALL BOAT HARBOR FACILITIES

REMARKS:

The Division of Boating and Ocean Recreation (DOBOR) uses contracted service providers to perform janitorial services at its comfort stations; electrical repairs; plumbing repairs; refuse removal; and to service and maintain buoys at its small boat harbors and ramps. A list of contracted services, by district is as follows:

Island	Janitorial Service (Note 1)	Electrical Service (Note 2)	Plumbing Service (Note 2)	Refuse Pick-up	Buoy Maintenance (Note 3)
Oahu	X	X	X	X	X
Maui	X			X	X
Kauai	X			X	
Hawaii	X			X	

Note 1: The benefit of this type of contract is that the division can specify how often comfort stations are cleaned and re-stocked. Although all districts have personnel that are able to clean comfort stations, the personnel are also responsible for the repairs and maintenance of the harbors and ramps. The Oahu district contracts for janitorial service at the Ala Wai and Keehi Small Boat Harbor only. All other harbor and ramp facilities are cleaned by existing staff. The Maui and Kauai district uses contracted service providers at all harbor and ramp facilities in their district. The Hawaii district currently does not use a janitorial service, but uses their existing staff. It will be proposing to use a janitorial service only on week-ends and holidays. This will ensure that comfort stations are cleaned and re-stocked every day of the week.

Note 2: The Oahu district uses a requirement contract. The contract specifies a price and services that will be performed. It only pays for the services performed. These types of contracts are necessary because the division does not employ plumbers or electrical workers.

Note 3: The division is responsible for maintaining moorings, buoys, and other navigational aids. Some types of navigational aids are required by the United States Coast Guard (USCG). Failure to repair and replace these types of navigational aids could result in severe monetary penalties. This type of contract will have a service provider set buoys and ensure that they are on station. They will also replace buoys that go missing. Currently, the Oahu district is the only district that has a contract to perform this service. Maui district is in the process of implementing contract for this service. It should be noted that the Oahu and Maui district have implemented specialized teams to address some of the maintenance of the buoys, moorings, and navigational aids. There remains more to maintain and repair than these teams are able to address.

The division uses these services because it either does not have enough staff to effectively perform the service or it does not have staff with the requisite skills to perform the contracted service. All procurement is made in accordance with the State Procurement Code, Chapter 103D, Hawaii Revised Statutes.

The process for implementing a service contract can be time consuming. The division must create contract specifications in order to draft the specifications; place the specifications out to bid; review the submitted bids and determine the most qualified bidder; submit the bidder to the Board of Land and Natural Resources for approval; draft the contract and have it approved as to form by the Office of the Attorney General; have the qualified bidder and the chairperson sign the contract; and submit signed contract to the Department of Accounting and General Services for review and encumbrance of funds. This process may cover three to six months.

Because these service contracts are entered into on a regular basis and the terms remain relatively the same, DOBOR requests that authority to negotiate and approve the service contracts listed above be given to the Chairperson of the Board of Land and Natural resources.

RECOMMENDATION:

1. That the Board of Land and Natural Resources authorize the Chairperson to sign the necessary documents pertaining to the specific contract subject to available funding, release of funds by the Governor, and approval as to form by the Attorney General's office.

2. That the Board authorize the Chairperson, subject to review and approval by the Attorney General, to enter into supplemental contracts to address and sign the necessary documents to implement additional work.

Respectfully Submitted,

Edward R. Underwood
Administrator

APPROVED FOR SUBMITTAL

William J. Aila, Jr.
Chairperson