

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
Honolulu, Hawaii 96813

September 23, 2011

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

Land Board Members:

SUBJECT: REQUEST APPROVAL FOR SELECTION OF THE COMPETITIVE SEALED PROPOSAL PROCESS AND AUTHORIZE THE CHAIRPERSON TO AWARD, EXECUTE, AND EXTEND CONTRACTS FOR THE WAIANAE KAI FOREST RESERVE FERAL CATTLE REMOVAL PROJECT

AND

REQUEST APPROVAL OF DECLARATION OF EXEMPTION TO CHAPTER 343, HRS ENVIRONMENTAL COMPLIANCE REQUIREMENTS FOR THE WAIANAE KAI FOREST RESERVE FERAL CATTLE REMOVAL PROJECT

This Board Submittal requests approval to issue a Request for Proposals (RFP) under the competitive sealed proposal process, and authorize the Chairperson to award, execute, and extend contracts for the Waianae Kai Forest Reserve Feral Cattle Removal Project. Additionally, the Division requests approval of a Declaration of Exemption to Chapter 343 HRS requirements for this project.

BACKGROUND

Feral cattle are destroying vegetation and water sources in the Waianae Kai Forest Reserve. The Division is in the process of repairing the boundary fence between the Forest Reserve and the adjacent ranch. Additionally, all cattle in the Forest Reserve need to be removed. An RFP will result in finding a cattle removal method that is safe, cost effective and maximizes the utilization of meat.

DISCUSSION

The Scope of Work includes the preparation of a project management plan subject to approval by DLNR – DOFAW before any feral cattle control activities begin. The contractor must repair or create infrastructure (e.g. fences, gates, traps, corrals, loading docks) as necessary and when

needed for capturing and removing cattle; capture and/or dispose of all cattle in a safe, humane, methodical, and timely manner; dispose of captured animals in a fashion agreeable to DLNR – DOFAW; submit monthly reports to DLNR – DOFAW listing the total number of animals captured or otherwise disposed of that month; submit monthly payments to DLNR – DOFAW for purchased DLNR – DOFAW feral cattle, per the agreement.

The Evaluation Criteria for this RFP will include

- Net Project Revenue. Cattle purchase revenues to DLNR – DOFAW shall be maximized as outlined in this RFP. Captured DLNR – DOFAW feral cattle will be counted onsite to determine revenues to DLNR – DOFAW. This proposal’s per animal price will be used for comparison with other proposals. (30 points maximum).
- Project Management Plan. The applicant shall submit a brief project management plan using, at least, the required topics described in the RFP. The successful offeror will be required to provide a cash performance bond of not less than \$5,000 and liability insurance of not less than \$1,000,000. (30 points maximum).
- Qualifications. The applicant shall establish that they have relevant experience in Hawaii, have worked with feral and potentially dangerous cattle, are involved in the local cattle industry, and are able to successfully complete a project of this magnitude on time and as planned. Specific and relevant knowledge should be described (40 points maximum).

Based on the requirements and special conditions of this procurement, DOFAW 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:

- 1) The primary consideration for the determination of the awards for this Request For Proposals is not price.
- 2) Oral or written discussion may need to be conducted with the Applicants concerning technical and price aspects of their proposals.
- 3) Applicants may need to be afforded the opportunity to revise their proposals, including price.
- 4) Awards may need to be based upon a comparative evaluation as stated in the request for proposals of differing price, quality, services and other contractual factors in order to determine the most advantageous offering to the State.

Pursuant to HAR 3-122-43, a determination by the Department procurement officer must be made for the use of the competitive sealed proposal process over the competitive sealed bidding process when the competitive sealed bidding process is neither practicable nor advantageous to the State. Additionally pursuant to HAR § 3-122-45, a determination must be made by the procurement officer that an evaluation committee, selected in writing by the procurement officer, shall evaluate the competitive sealed proposals. The Division recommends the use of an evaluation committee for the selection of the proposals as an evaluation committee will allow for an objective review, evaluation, ranking and selection of the most qualified proposal for the program. Further the evaluation committee must consist of at least three government employees with sufficient qualification in the area of the goods or services to be procured; DOFAW

recommends the following individuals:

David Smith, DOFAW Oahu Branch Manager
Ryan Peralta, DOFAW Oahu Forestry Manager
Lisa Ferentinos, DOFAW Watershed Partnerships Planner

In order to expedite the contracts for this procurement, DOFAW requests that the Board delegate authority to the Chairperson to award, execute and extend contracts 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 including extending contracts as appropriate. Should any of the committee members be unable to serve, alternates with similar knowledge will be substituted and any changes and final make-up of the evaluation committee kept in the contract file.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

The Division also requests that the Board approve a Declaration of Exemption to the Chapter 343, HRS environmental compliance requirements for this project as it falls under DOFAW's Exemption Class 1, No. 17:

“Animal damage control actions, when needed to maintain resource values, in Division of Forestry and Wildlife (DOFAW) program areas, including application of approved rodenticides, and ungulate removal.”

RECOMMENDATIONS:

That the Board:

- 1) Approves the use of:
 - a. A competitive sealed proposal for a solicitation for the Waianae Kai Forest Reserve Feral Cattle Removal project.
 - b. An evaluation committee comprised of the individuals identified above to serve, evaluate and select the competitive sealed proposals.

- 2) Delegates authority to the Chairperson to:
 - a. Award, execute and extend contracts for goods and services, subject to the availability of funds and approval by the Department of the Attorney General.

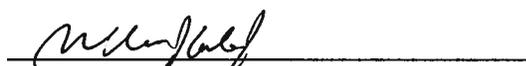
- 3) Approves:
 - a. A Declaration of Exemption to Chapter 343, HRS environmental compliance requirements for the Waianae Kai Forest Reserve Feral Cattle Removal project.

Respectfully submitted,



PAUL J. CONRY,
Administrator

APPROVED FOR SUBMITTAL:



WILLIAM J. AILA, JR., Chairperson
Board of Land and Natural Resources