

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

July 12, 2019

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 IMPLEMENTATION OF WATERSHED MANAGEMENT PLANS AND PROJECTS THAT SUPPORT NATIVE ECOSYSTEM PROTECTION AND MANAGEMENT FOR FISCAL YEARS 2020-2021**

**BACKGROUND**

Since 1991, the State of Hawai‘i has participated in the formation of Watershed Partnerships across the state. These partnerships are voluntary alliances of public and private landowners dedicated to the protection of Hawai‘i’s forested watersheds for water recharge and other ecosystem services through collaborative management. The Division of Forestry and Wildlife’s (DOFAW) Watershed Partnerships Program provides technical assistance and financial resources to the partnerships to help implement watershed management plans and projects that support native ecosystem protection and management.

**DISCUSSION**

Funding, as authorized by the FY20-21 Biennium State Budget (Act 5, House Bill 2), will be provided for management actions that affect areas identified as priority watersheds. Approximately \$2.2 million dollars per year (\$4.4 million total) from the State General Fund will be made available through a competitive request for proposals. Since contracts and awards will span both FY20 and FY21 fiscal years, multi-year contracts may be used.

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 (RFP) 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 Hawaii Administrative Rules (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. DOFAW recommends the use of an evaluation committee for the selection of the proposals which will allow for an objective review, evaluation, ranking and selection of the most qualified proposals for the program. 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:

Katie Ersbak, DOFAW Watershed Partnerships Planner  
Emma Yuen, DOFAW Native Ecosystems Program Manager  
Irene Sprecher, DOFAW Forestry Program Manager  
Representative, Department of Health (DOH) Clean Water Branch  
Chelsea Arnott, Hawaii Invasive Species Council (HISC) Planner  
Robert De Robles, Maui Department of Water Supply, Water Resources 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, HAWAII REVISED STATUTES – ENVIRONMENTAL ASSESSMENT

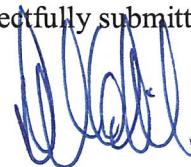
Projects awarded funding through this competitive sealed proposal process will seek Land Board approval for a Declaration of Exemption from the preparation of an environmental assessment under the authority of Chapter 343, HRS and Chapter 11-200-8, HAR. Activities and actions associated with each project are presumed to fall under the Exemption Classes and Descriptions included in the Exemption List for the Department of Land and Natural Resources (approved by the Environmental Council on June 5, 2015). An environmental assessment or impact statement will be prepared if any action does not fall within the exemption list.

**RECOMMENDATION:**

That the Board:

- 1) Approve the use of:
  - a. A competitive sealed proposal for a solicitation for FY 2020-2021 Watershed Partnerships Program Project Proposals (RFP WP20-21).
  - b. An evaluation committee comprised of the individuals identified above (or alternates with similar knowledge) to serve, evaluate and select the competitive sealed proposals.
- 2) Delegate authority to the Chairperson to:
  - a. Award, execute and extend contracts for goods and services, subject to annual availability of funding, annual budget procedures and approvals, and approval as to form by the Department of the Attorney General.

Respectfully submitted,



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DAVID G. SMITH, Administrator  
Division of Forestry and Wildlife

**APPROVED FOR SUBMITTAL:**



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SUZANNE D. CASE, Chairperson  
Board of Land and Natural Resources