

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

May 27, 2022

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 “ENHANCING HAWAII’S FORESTS FOR CLIMATE RESILIENCE” PROJECTS

BACKGROUND

The Division of Forestry and Wildlife (DOFAW) has received a Federal grant from the U.S. Department of Agriculture’s Natural Resources Conservation Service (NRCS) entitled “Enhancing Hawaii’s Forests for Climate Resilience.” This grant was provided under the Regional Conservation Partnerships Program’s “Alternative Funding Arrangement” category, where NRCS funds are disbursed, administered, and matched by DOFAW. Funding will be provided for invasive plant removal and native plantings. Private entities are eligible to apply for these funds. DOFAW will award approximately \$4.5 million in this solicitation. Multiple awards and/or multi-year contracts may be used under this request for proposals.

The funding is intended to support the planting of 210,000 native trees, in sites that have the highest carbon uptake potential. It also will remove priority invasive plants from 1,650 acres – many of which are highly flammable and intensify wildfires. Priority areas include: 1) upper elevation native forests that receive the most rainfall and are critical to recharging fresh water supplies; 2) lands with the highest potential carbon sequestration if reforested; and 3) sites that are part of a landscape-scale watershed management strategy to lessen the impacts from climate change, reduce flooding and erosion into coral reefs, and protect biological diversity.

DISCUSSION

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 Roth, Commission on Water Resources Management Hydrological Branch Chief

Emma Yuen, DOFAW Native Ecosystems Program Manager

Tanya Rubenstein, DOFAW Cooperative Management Forester

Representative, USDA Natural Resources Conservation Service

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

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 November 10, 2020) in the *de minimis* category. 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 the Enhancing Hawaii's Forests for Climate Resilience Project (RFP RCPP AFA).
 - 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,

for 
DAVID G. SMITH, Administrator
Division of Forestry and Wildlife

APPROVED FOR SUBMITTAL:


Suzanne D. Case
Board of Land and Natural Resources