

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

December 8, 2023

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

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 Hawaii's forested watersheds for water recharge and other ecosystem services through collaborative management. The Division of Forestry and Wildlife's (Division) 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 FY24-25 Biennium State Budget, will be provided for management actions that affect areas identified as important watersheds. Approximately \$2,000,000 per year (\$4,000,000 total) from the State General Fund in addition to Fiscal Year 22-25 Capital Improvement Project Funds, and grant funds from various sources, will be made available through a competitive request for proposals. Some grant sources are recurring grants that are greater than two years in length. Since contracts and awards will span multiple years, multi-year contracts may be used based on funding availability.

Based on the requirements and special conditions of this procurement, the Division

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. The Division 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 qualifications in the goods or services to be procured. The Division recommends the following individuals:

Emma Yuen, Division Native Ecosystems Program Manager
Jon Brito, Division Watershed Planner
Jennifer Grimm, Division Forestry Program Manager
Chelsea Arnott, Hawaii Invasive Species Council (HISC) Planner
Robert De Robles, Maui Department of Water Supply, Water Resources Planner

To expedite the contracts for this procurement, the Division 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 expected to be declared exempt under the Exemption Classes and Descriptions included in the Exemption List for the Department of Land and Natural Resources (concurring by the Environmental Council on November 10, 2020). 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 2024-2025 Watershed Partnerships Program Project Proposals (RFP WP24-25).
 - 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,



DAVID G. SMITH, Administrator
Division of Forestry and Wildlife

APPROVED FOR SUBMITTAL:



DAWN N.S. CHANG, Chairperson
Board of Land and Natural Resources