

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

October 12, 2012

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 CONTRACT(S) FOR IMPLEMENTING THE KAHIKINUI WATERSHED RESTORATION PROJECT, PHASE 2, TMKs: (2) 1-9-01:03 and (2) 1-9-01:07, MAUI**

**BACKGROUND**

The Kahikinui Watershed Restoration Project, Phase 2 is intended to improve water quality and groundwater recharge through restoration of the degraded forest and pasture land to a native forest community. The project includes a 9.1 mile long fence line that will exclude managed and feral ungulates from approximately 4,420 acres. This watershed project is located on Department of Hawaiian Home Lands in the Kahikinui region in leeward Haleakala, Maui.

On March 11, 2010 the Board approved expenditure of funds and authorization to negotiate and sign contracts for Phase 1 of the project to be completed by the Landowner Incentive Program, funded by the U.S. Fish and Wildlife Service. This submittal is to select the competitive sealed process, authorize the chairperson to award, execute, and extend a contract for Phase 2 of the project.

**DISCUSSION**

Evaluation criteria for the proposed fencing project include the following:

- Technical capability and approach for meeting performance requirements
- Managerial capability: Previous experience and expertise
- Pricing
- Best value factors: Understanding of project as outlined

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:

Lance DeSilva, Protection Forester, DOFAW

Lisa Ferentinos, Watershed Planner, DOFAW

Bryon Stevens, Natural Area Reserves System Specialist, DOFAW

Luke McLeon, Field Crew Leader, Leeward Haleakala Watershed Restoration Partnership

In order to expedite the contract(s) for this procurement, DOFAW requests that the Board delegate authority to the Chairperson to award, execute and extend contract(s) 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 contract(s) 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 project was declared exempt in accordance with the requirements of Chapter 343, HRS, and Chapter 11-200-8(6), Hawaii Administrative Rules (HAR), the Exemption List for the Department of Land and Natural Resources as reviewed and concurred upon by the Environmental Council on July 13, 2011, the subject project is exempt from the preparation of an environmental assessment pursuant to the following exemption classes:

Exemption Class 3, Number 1 “Fences around or to manage rare, threatened or endangered

plants, covered and open areas for endangered species, game birds and mammals; auxiliary buildings for food storage, equipment storage, incubators and brooders; open-top breeding and release pens, field aviaries, hacking boxes, and for watershed and native forest management and restoration. Fences shall contain step-overs or other features that permit pedestrian access for cultural and recreational use.”

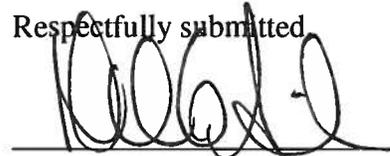
DHHL concurred with the attached exemption memo.

RECOMMENDATIONS:

That the Board:

- 1) Approves the use of:
  - a. A competitive sealed proposal for a solicitation for the Kahikinui Watershed Restoration 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 contract(s) for goods and services, subject to the availability of funds and approval by the Department of the Attorney General.

Respectfully submitted,



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

APPROVED FOR SUBMITTAL:



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

Attachment

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
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February 7, 2012

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI  
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CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENGINEERING  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**DECLARATION OF EXEMPTION**

from the preparation of an environmental assessment under the authority of Chapter 343, HRS  
and Chapter 11-200, HAR

**Project Title:** Kahikinui Watershed Restoration Project

**Project Description:** Watershed Partnership project with Department of Hawaiian Homelands

The proposed project, on TMK 2-1-001:003 and 2-1-9-001:007 in Kahikinui, Maui, is working under funding from the USDA, Natural Resources Conservation Service and private sources. The proposed Kahikinui Watershed Restoration Project is part of the Division of Forestry and Wildlife's (DOFAW) on-going watershed protection efforts under the Leeward Halekala Watershed Restoration Partnership. This project is located on Department of Hawaiian Homelands (DHHL) lands in the Conservation District, Resource subzone. The watershed partnership staff have been working closely with DHHL in the Planning and Land Assets Divisions, in addition to meeting with homestead residents over the past 10 years. The project is adjacent to existing fenced areas at Haleakala National Park, Na Kula Natural Area Reserve and Kahikinui Forest Reserve. It is intended to improve water quality and groundwater recharge through the restoration of the degraded forests to a native forest community. The proposed project will involve the construction of a fence 9.1 miles long and 7 feet tall that will exclude managed and feral ungulates from approximately 4,420 acres. Steppers and/or gates will be constructed at access points. The project will also include invasive species control and outplanting of native vegetation. Restoration efforts will involve a small greenhouse with irrigation, temporary shelters, landing zones for delivery of materials, and monitoring. The project is anticipated to benefit the natural resources of the region. Per Mr. Sam Lemmo at DLNR's Office of Coastal and Conservation Lands, a Conservation District Use Permit is not required on DHHL lands.

**Exemption Class:** DLNR, Division of Forestry and Wildlife, Class 1

**Exempt Item Number:** 8

**Exempt Item Description:** Weed, brush and noxious tree control using hand tools, small motorized equipment (chainsaws and weed eaters), and approved herbicides on DOFAW program areas, campsites, picnic grounds, viewpoints, baseyards, wildlife water units, trails, captive propagation facilities, arboreta, plant nurseries, checking stations, and public use facilities.

**Exemption Class:** Department of Land and Natural Resources Class 3

**Exempt Item Number:** 1

**Exempt Item Description:** Fences around or to manage threatened or endangered plants; covered and open areas for endangered species, game birds and mammals; auxiliary

buildings for food storage, equipment storage, incubators and brooders; open-top breeding and release pens, field aviaries and hacking boxes; and for watershed and native forest management and restoration. Fences shall contain step-overs or other features that permit pedestrian access for cultural and recreational use.

Exemption Class: Department of Land and Natural Resources Class 3

Exempt Item Number: 2

Exempt Item Description: Cabins, resident workers' quarters, warehouse workshops, mobile camping structures, weather stations, checking stations for hunters, hikers, and campers; meat safes, viewing kiosks and platforms, wildlife viewing towers, sanitary facilities, trail shelters, equipment shelters, fire equipment caches, arboreta, and plant nurseries.

Exemption Class: Department of Land and Natural Resources Class 4

Exempt Item Number: 1

Exempt Item Description: Establishment of hellspots.

Exemption Class: Department of Land and Natural Resources Class 4

Exempt Item Number: 7

Exempt Item Description: Establish temporary or permanent vegetative cover including trees, shrubs and grasses for landscaping, reforestation, soil stabilization, and wildlife habitat.

Date of Agency Exemption List: July 18, 2011

*I have considered the potential effects of the above listed project as provided by Chapter 343, HRS and Chapter 11-200 HAR. I declare that this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment under the Division of Forestry and Wildlife Exemption Class 1, Item Number 8 and Department of Land and Natural Resources Exemption Class 3, Item Number 1.*



Paul Conry, Administrator  
DLNR, Division of Forestry and Wildlife

2/7/12  
Date

Original: Agency file  
Copy: Project file