Legislative Federal Economic Stimulus Program Oversight Commission ACT 150, Session Law of Hawaii 2009

Date: 5/24/10

Department/Agency Questionnaire

- 1. For each group/category or program/project for which ARRA funds have been obtained, please provide the following information:
 - (a) A brief summary of the program/project: This program funds three projects.

 1) Flooding and AC Pavement Remediation at Combined Support

 Maintenance Shop (CSMS) #1, Fort Ruger, Honolulu

 2) Heating, Ventilation and Air Conditioning (HVAC) Equipment replacement and Auto Controls at Regional Training Institute (RTI), Bellows AF,

 Waimanalo

 3) Photo Voltaic (PV) Roof on new Engagement Skills Training (EST)

 Building, RTI, Bellows, Waimanalo
 - (b) Whether funds were appropriated for expenditure by a Federal agency, were awarded as a formula/block grant to a State or County agency, or were awarded on a competitive grant basis: Funds were appropriated by the Office of the Secretary of Defense (OSD) through Congress for specific line item projects to be executed by the State of Hawaii using a new Master Cooperative Agreement (MCA) with the Hawaii Department of Defense (HIDoD).
 - (c) Whether matching funds are required, and if so: Matching funds were required, and could be funded through a previously appropriated HIDoD Hawaii Army National Guard (HIARNG) statewide Energy Improvements Capital Improvement Project (CIP).
 - (d) If there are additional requirements to receive funds, what are they: Funds were time, amount and purpose limited. Purpose was approved by specific project, and had to be energy or sustainability projects. Time was award by September 2009, although it was appropriated as two year money. Federal Amount was project 1) \$250,000.00; project 2) \$750,000.00; and project 3) \$750,000.00.
 - (e) The amount of funds involved and the State/Federal year within which the funds must be expended (e.g. SFY 2009-2010 or FFY 2009-2010): *Total funds for NGHI-FMO was \$1,750,000.00 in FFY 2009-2010*.
 - (f) What criteria were used to identify the program/project as a priority and how does the program/project meet them: *Referencing the projects listed above in order, following is the criteria for selection. Energy savings or facility sustainability was the criteria to identify the program/project as a priority.*
 - 1) By demonstrating that remedying the site it improves the life and performance of pavement and rid of potential of flooding and environmental pollution.
 - 2) The RTI has the highest utility bills of all Hawaii Army National Guard facilities. By replacing the failing HVAC system and implementing controls and unoccupied setbacks at the RTI, reductions in monthly

- KWH electrical use is guaranteed. The original HVAC equipment was beginning to fail because it virtually ran full out all of the time. With controls, the HVAC equipment will use at least 50 % less electricity each month, and will last longer.
- 3) To capitalize on the planned reductions in project 2, and to comply with the Governor's directives to construct alternative energy in projects, we are installing a photo voltaic roof system on a new EST structure. The intent here is to further reduce our dependence on the grid, and test the true capability of PV systems at Waimanalo.
- (g) Efforts undertaken to coordinate application for funds and administration of program/project, including expenditure of funds, with other Federal. State, and County agencies: ARRA efforts are coordinated among HIDoD offices of Engineering (HIENG) and Defense Finance Office (DFO;, HI Army National Guard (HIARNG) Facilities Management Office (NGHI-FMO), federal United States Property and Fiscal Office (USPFO-HI) and National Guard Bureau Army Installations (NGB-ARI). Projects were executed through a new MCA via state purchasing procedures administered through the HIENG office. HIENG managed project 1 and provided an in-house design and managed project 3. DFO managed accounting of the MCA. NGHI-FMO provided planning, project approval and project scope and authorizations, Federal reimbursement certification approval, in-house design for project 2, and project management. USPFO-HI represented the Federal property interest. State matching funds were appropriated through a statewide Energy CIP. Federal funding disbursed through NGB-ARI.
- (h) The criteria used to select activities for the program/project: Projects were selected based on potential energy savings, and overall sustainability initiatives. Projects were developed with plans and specification, lowest bid procurement, value of schedule, construction management, request for information, contract change orders, value engineering, daily construction quality report, weekly construction report, certified payroll, and tax clearance. Pre-final inspection, issue of punch list, project acceptance, monthly payments, close out to make sure the project is been conducted by efficient cost and effective schedule. All projects required additional funds than that provided by ARRA project to successfully award. Most funding to award was federal, split between the ARRA MCA and the HIARNG Sustainment MCA. Only \$5,000.00 of energy CIP was required to award project 3, and additional funds are available to support possible change orders. Project 1 and 2 are awarded with 100% federally reimbursable work.
- (i) Effort to provide public notice and seek public comment/input or, if public comment/input was not sought, why: There was not sufficient time in the project identification process in November-December 2008 to solicit public involvement. NGHI-FMO selected projects identified from the approved Minor Construction list. The design of each project involved stakeholders, and public impact was considered using an Environmental Record of Consideration and Checklist. We considered the work at RTI and at the CSMS#1 to benefit the public by less demand on the Waimanalo grid, and by preventing pollution in Diamond Head Crater. Construction mitigation practices (safety, security, and dust and noise mitigation) are standard to

- all projects HIENG and NGHI-FMO supervise. The original project approved in Diamond Head Crater required
- (j) Efforts made during the bidding/award process to ensure that it was transparent and that the funds were awarded based on merit and in prompt, fair, and reasonable manner: Bidding was conducted according to well established State of Hawaii, Department of Defense, HIENG bidding/award procedures.
- (k) Measures employed to: (1) reduce duplication of efforts, (2) ensure that funds were used for authorized purposes; and (3) prevent cost overruns, fraud, waste, error, and abuse: The projects are managed by experienced personnel in the areas of design, project management, procurement, construction inspection, and fiscal accounting. These federal and state offices routinely execute between \$10 and \$14 Million federally reimbursed dollars through the facilities MCA annually.
- (l) Current status of the program/project, including percentage of awarded funds that have been obtained, percentage of awarded funds encumbered and/or expended, and what part(s) of program/project have been completed:
 - 1) Project was awarded December 2009 and 100% awarded funds have been encumbered. 20% has been accomplished and expended. Three areas are moving concurrently: utility trench, vehicle lift deck, and Swale and inlet structure for Basin D.
 - 2) Project involves two separate contracts. Both contracts were awarded mid June 2009. The contract for replacing HVAC equipment is 100% complete. The contract for installing controls is nearing completion, approximately 90% complete.
 - 3) Project was awarded September 2009 and funds are encumbered. Notice to proceed has not been granted pending and Electrical Engineer stamp for the electrical drawings. NTP anticipated by July 2010.
- (m) Actual or anticipated economic impact to the State of the program/project, including the number of jobs saved/created and the long-term public benefits of the program/project: *It is difficult to assess whether jobs are created or saved with projects this size.*
 - 1) The number of jobs possibly saved/created is 5; long-term public benefits of the project are pollution prevention.
 - 2) The number of jobs possibly saved/created is 21; long-term public benefits of the project are energy use reduction. RTI expected to use 50,000 KWH less per month.
 - 3) The number of jobs possibly saved/created is not yet determined; longterm benefits of the project are alternative energy use.
- 2. For other program/projects, if ARRA funds, such as competitive grant, were available for a program/project but were not sough or were denied, please briefly describe why the funds were not sought or why they were denied.

- (a) Projects were competed at an OSD level, and energy/sustainability projects were the priority. Other types of projects proposed were not considered. NGHI-FMO competed for HIARNG projects only, and was not authorized to offer projects for the other state offices under HIDoD through this venue. State Civil Defense (SCD), Office of Vetrans Services (OVS) and Youth Challenge Academy (YCA) did not submit ARRA projects.
- (b) Funding of each project could not exceed \$750,000, and only three projects were approved for NGHI-FMO. Also, with HI state funding limited, only projects that maximized federal reimbursement were considered. Another limiting factor was that 50% of the total federal funding was supposed to be awarded by June 2009, and the remainder was supposed to be executed by September 2009, so projects that required contracted design could not be executed soon enough to be construction ready by the deadlines.

3. Please describe:

- Any legal/operational barrier/constraints encountered in the award, receipt, (a) circumstance, or expenditure of funds, including procurement, late/delayed, federal guidance, and reporting requirements: The lateness of the appropriation (April 2009) and the requirement to create new state accounting for a new MCA also delayed project execution, making it difficult to meet the intent of the ARRA appropriation. Project 1 had to be substituted for the originally selected project, because design complexities and the requirements of State Historic Preservation Office requirements affecting the original project, which is still under design. Project 2 almost was cancelled if NTP could not be provided by August 10, 2009, because of material changes at the factory. Accounting codes had to be hand walked between departments to receive the contract number to award in time. Many individuals had to work extra hours and prioritize these projects over equally important sustainment projects in order to execute the program. The strict reporting caused additional effort not proportional to the project budget amounts and authorities, similar to that required by major Military Construction (MILCON) projects. All additional requirements were expected out of existing staff during periods of downsizing and furloughs in state government. Reporting changes were also problematic. For example, we had to predict when construction would begin. Start of construction is the Notice to Proceed (NTP) per contracting. The definition for start of construction changed for ARRA to be when work actually begins on site. This is a huge difference in reporting, because the contractor orders materials at NTP. The material lead times sometimes are as much as 180 days. ARRA execution goals did not realistically consider contracting time requirements, and while we tried to be proactive at risk to bid projects before we had the new ARRA MCA and funding, we could not sign the contracts on the awarded projects until the MCA was fully signed and accounting codes were set up within the state to execute the contracts.
- (b) The effect of those barrier/constraints: The barriers/constraints described above impacted the workforce negatively. It also caused additional reporting burdens to the contractors that they were not expecting during the bidding process. While grateful for the work, the contractors still have to provide additional reporting such as

- additional jobs actually created or saved. Much of the additional mandated requirements and reporting did not provide value in the end product, but caused an unnecessary burden on all areas of the workforce involved in planning, design, project management, contracting, and accounting.
- (c) If and how they were mitigated: Additional time, sometimes not reimbursed, was spent to meet the requirements to the best of abilities. Key leaders in the different offices carried the burden of the additional requirements themselves. It would create an extreme hardship if we had to report on all MCA programs projects to this level of detail in excess of the current statutory controls in place for construction and repair activities.
- 4. Point of contact is Mr Tom Moriyasu at (808) 733-4260 (DFO), Lieutenant Colonel Marjean Stubbert at (808) 672-1530 (NGHI-FMO), and Lieutenant Colonel Neal Mitsuyoshi at (808) 733-4250 (HIENG).