

UNIVERSITY OF HAWAII NOTICE OF EXEMPTION CHAPTER 103D, HRS

The President, University of Hawaii, is in the process of reviewing the request from
Office of the Vice President for Community College (Department/Campus)

for exemption from Chapter 103D, HRS, for the following goods and services:

Confidential advocacy support and services by individuals qualified as victim-counselors under Hawaii law, including short and long term case management consisting of crisis counseling, risk assessments, ongoing safety planning, information and referrals to campus and community resources, and provision of off-campus services (such as, but not limited to, medical, housing, and legal accompaniments and support) for individuals assessed as victims/survivors of sexual assault and/or individuals assessed as victims/survivors of domestic/dating violence. Advocacy support services shall be provided for the University of Hawaii Community College Campuses. The services also include education and training for members of the Community College system.

Vendor: To be determined.
(If known)

Address:

Term of Contract: (If known)	From: To be determined	To: To be determined	Cost: \$300,000.00 per year x 3 years = \$900,000.00
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Direct any inquiries to:

Department: Office of the Vice President for Community Colleges

Contact Name/Title: Christine Chun, Director of Compliance, EEO/AA & Title IX,
Office of the Vice President for Community Colleges

Address: 2327 Dole Street #1
Honolulu, Hawaii 96822

Phone Number:
(808) 956-4564

Fax Number:
(808) 956-3763

Date Posted: October 18, 2022

Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven (7) calendar days from the date posted to:

Office of Procurement Management
1400 Lower Campus Road, Room 15
Honolulu, Hawai'i 96822
email: OPM@hawaii.edu

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

TO: OFFICE OF PROCUREMENT MANAGEMENT

FROM: Michael Unebasami
(Department/Program)

Pursuant to APM Section A8.220, the Department requests a procurement exemption to purchase the following:

Description of goods, services, or construction:

Confidential advocacy support and services by individuals qualified as victim-counselors under Hawaii law, including short and long term case management consisting of crisis counseling, risk assessments, ongoing safety planning, information and referrals to campus and community resources, and provision of off-campus services (such as, but not limited to, medical, housing, and legal accompaniments and support) for individuals assessed as victims/survivors of sexual assault and/or individuals assessed as victims/survivors of domestic/dating violence. Advocacy support services shall be provided for the University of Hawaii Community College Campuses. The services also include education and training for members of the Community College system. \$300,000.00 per year x 3 years = \$900,000.00

Estimated Cost: \$ 900,000.00

(1) Explanation describing how procurement by standard competitive means is either not practicable or not advantageous to the University;

The process of procuring such services by standard competitive means will not allow the University to secure the services described above in a timely fashion. The University is required by Hawaii law, enacted in July 2016, to provide such services to students on all of its campuses and timely compliance with this law is necessary. Additionally, the mandates of the State law are specific in the areas in which advocacy must be provided. There are a limited number of sources who are able to meet these standards, and a limited number of sources that provide services that qualify for the "victim-counselor" privilege under Hawaii law. The University campuses has built relationships with specific community agencies that have been providing services in these areas to its student populations. Given the specific and unique nature of the services, and the need for trust between the campuses and the agencies providing assistance in the areas of sexual assault and intimate partner violence, a standard competitive procurement process is not practicable or advantageous.

(2) Details of the process or procedures to be followed in selecting the vendor to ensure as fair and open competition as practicable;

Potential vendors who meet the qualifications under the law and who have the requisite expertise to provide the services needed will be identified by a Committee comprised of members of the Title IX teams of the relevant Community College campus, the System Office of Institutional Equity and the Community College System Office of Compliance, EEO/AA, and Title IX. All community agencies who specialize in advocacy services in the areas of sexual assault and/or domestic violence and who currently provide services to each island's students will be considered. The Committee will select from among the agencies that meet qualifications and who are interested in providing services based on the agencies' prior experience and expertise, proposed costs of the services, the relationship with the campus and its community. The estimated number of contracts to be awarded are: 1 Contract to an Agency that specializes in victim/counselor services on Kauai, 1 to an Agency that specializes in victim/counselor services on Maui, and 1 or 2 Contracts to an Agency that specializes in victim/counselor services on the Island of Hawaii. The Contracts will be for a one-year period, annually renewable for three years.

(3) A description of the Department's internal controls and approval requirements for the exempted procurement; and

Organizations will be selected based on their ability to meet the requirements of Act 208 and ability to meet the standards of providing confidential advocacy services that fall under the "victim-counselor" privilege as provided by Rule 505.5 under Chapter 626 of the Hawaii Revised Statutes. An agreement will be developed that outlines the scope of services of the community service organization. Expenditures will be subject to review, approval, and processing in accordance with UH policy and procedures and conformance with the agreement.

(4) A list of Department personnel, by position title, who will be involved in the approval process and administration of the contract:

Christine Chun – Director of the Community College System Office of Compliance, EEO/AA, and Title IX
Jennifer Solidum Rose – Director of the University of Hawaii Office of Institutional Equity
Michael Unebasami – Associate VP for Administrative Affairs, OVPCC
Lisa Tsuhako – Fiscal Administrator, OVPCC
Bryson Ho - Fiscal Specialist, OVPCC

Direct questions to: Christine Chun Phone: (808) 956-4564

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TO THE BEST OF MY KNOWLEDGE, TRUE AND CORRECT.

Michael Unebasami
Full Name of Principal Investigator, Department Head, or Administrator


Signature AUG 4 2022
Date

Lisa Tsuhako
Full Name of Fiscal Administrator

Lisa Tsuhako Digitally signed by Lisa Tsuhako
Date: 2022.08.04 09:24:48 -10'00'
Signature 8/4/2022
Date

APPROVED:

Erika Lacro
Full Name of Vice President or Chancellor


Signature 8/5/22
Date

FOR OPM USE ONLY

OPM COMMENTS:

APPROVED DENIED

 Digitally signed by David Lassner
Date: 2022.12.04 22:21:11 -10'00'

PRESIDENT, UNIVERSITY OF HAWAII

12/04/2022

DATE