

### REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

TO: OFFICE OF PROCUREMENT AND REAL PROPERTY 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. Advocacy support services shall be provided for the University of Hawaii Community College Oahu Campuses. The services also include education and training for members of the Community College system.

Estimated Cost: \$ 95,0000 per year x 3 years = \$285,000

**(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 is 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 area of sexual assault, 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 and Title IX. All Oahu-based community agencies who specialize in advocacy services in the area of sexual assault 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 Contract 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 and Title IX J  
 Michael Unebasami - Associate VP for Administrative Affairs, OVPCC  
 Lisa Tsuhako - Fiscal Administrator, 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

*Michael Unebasami*  
 Signature

\_\_\_\_\_  
 Date

Lisa Tsuhako  
 Full Name of Fiscal Officer

*Lisa Tsuhako*  
 Signature

Digitally signed by Lisa Tsuhako  
 Date: 2020.04.16 13:01:51 -10'00'

\_\_\_\_\_  
 Date

APPROVED:  
Erika Lacro  
 Full Name of Vice President or Chancellor

*Erika Lacro*  
 Signature

Digitally signed by Erika Lacro  
 DN: cn=Erika Lacro, o, ou,  
 email=lacro@hawaii.edu, c=US  
 Date: 2020.04.23 14:19:13 -10'00'

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 Date

FOR OPRPM USE ONLY

OPRPM COMMENTS:  
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APPROVED       DENIED

*David Lassner*  
 Digitally signed by David Lassner  
 Date: 2020.06.04 17:21:28

6/4/2020  
 PRESIDENT, UNIVERSITY OF HAWAII      DATE