

**UNIVERSITY OF HAWAII
NOTICE OF EXEMPTION CHAPTER 103D, HRS**

The President, University of Hawaii, is in the process of reviewing the request from
University of Hawai'i at Hilo, Office of Intercollegiate Athletics (Department/Campus)

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

Exclusive uniform/apparel sponsorship agreement for the University of Hawai'i at Hilo athletic teams for a period of five years.

Vendor: To be determined
(If known)

Address:

Term of Contract: (If known)	From: July 1, 2023	To: June 30, 2028	Cost: \$100,000.00 - \$150,000.00 annually (est.)
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Direct any inquiries to:

Department: University of Hawai'i at Hilo, Office of Intercollegiate Athletics

Contact Name/Title: Patrick Guillen, Director of Athletics, University of Hawaii Hilo

Address: 200 West Kawili Street, 320C-107B
Hilo, Hawai'i 96720-4091

Phone Number:
(808) 932-7170

Fax Number:
(808) 932-7169

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: University of Hawai'i at Hilo, Office of Intercollegiate Athletics
(Department/Program)

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

Description of goods, services, or construction:

The University of Hawai'i at Hilo, Office of Intecollegiate Athletics ("UH Hilo") wishes to enter into an exclusive uniform/apparel sponsorship agreement with a vendor to outfit its designated athletic teams. The agreement may include product allowances, rights fees, percentage discount on uniform/apparel not included in the product allowance, coach incentives, and marketing commissions. In addition, the agreement may require that procurement of any uniform/apparel items for the designated teams that are not included in the allowance would need to be purchased from the sponsoring vendor. Items could include uniforms, shirts, shorts, shoes, accessories, etc. The term of the agreement will be for a period of five years.

Estimated Cost: \$ \$100,000-\$150,000 annually

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

It is impractical to utilize standard procurement procedures for the purpose of soliciting proposals from sports uniform/apparel/equipment manufacturers for college athletic team sponsorship and outfitting programs. Manufacturers do not adhere to a common set of requirements and criteria typical of advertised procurement solicitations for purposes of formulating their proposals for each particular college athletic program. In the sports marketing area, the industry standard to secure a uniform/apparel sponsorship agreement involves approaching manufacturers on an informal, one-on-one basis to solicit proposals. It is highly advantageous to follow the sports uniform/apparel/equipment industry standard method of procurement for college athletic team sponsorship and outfitting programs to secure a competitive uniform/apparel sponsorship agreement that would best serve UH Hilo's athletic program.

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

There are several sports apparel companies that would be able to outfit UH Hilo athletic teams. Adidas, Nike and Under Armour are the vendors that would be explored. Proposals from these different companies will be varied in the amount of product allowances, minimum purchase requirements, percentage discounts on uniform/apparel not included in the product allowance, coach incentives, and readily available product on-island from an authorized servicing dealer. The proposal will be reviewed by the Director of Athletics, Patrick Guillen; the Associate Director of Athletics, Kula Oda; and coaches, as appropriate to determine the proposal that provides UH Hilo with the best value of product allowance, minimum purchase requirement, highest percentage discount on uniform/apparel not included in the allowance, coaches incentive, and the convenience of readily available product on-island. The proposal selected will be subject to the Chancellor's review and approval.

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

Kula Oda, Associate Director of Athletics will review every purchase requisition for uniform/apparel items to be supplied by the sponsoring vendor, but not included in the product allotment provided under the sponsorship agreement. Patrick Guillen, Director of Athletics will review and approve the purchase requisition submitted by Athletics to the Business Management Office.

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

Patrick Guillen, Director of Athletics
Kula Oda, Associate Director of Athletics
Keri-Ann Tomita, Fiscal Specialist
Carrie Masanda, Director of Contracts and Procurement

Direct questions to: Patrick Guillen Phone: 808-932-7170

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

Patrick Guillen, Director of Athletics
Full Name of Principal Investigator, Department Head, or Administrator

Patrick Guillen Digitally signed by Patrick Guillen
Date: 2022.07.26 12:27:13 -10'00'
Signature Date

Carrie Masanda, Director Contracts/Procurement
Full Name of Fiscal Administrator

Carrie P Masanda Digitally signed by Carrie P Masanda
DN: cn=Carrie P Masanda, o=UH Hilo, ou=Business Office, email=cmasanda@hawaii.edu, c=US
Date: 2022.07.28 15:50:54 -10'00'
Signature Date 7/28/2022

APPROVED:

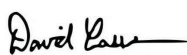
Bonnie Irwin, Chancellor
Full Name of Vice President or Chancellor

Bonnie D Irwin Digitally signed by Bonnie D Irwin
Date: 2022.07.28 12:20:37 -10'00'
Signature Date

FOR OPM USE ONLY

OPM COMMENTS:

APPROVED DENIED

 Digitally signed by David Lassner
Date: 2022.12.06 12:34:22 -10'00'

12/06/2022

PRESIDENT, UNIVERSITY OF HAWAII

DATE