

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

The President, University of Hawaii, is in the process of reviewing the request from UH Mānoa Chancellor's Office _____ (Department/Campus) for exemption from Chapter 103D, HRS, for the following goods, services, or construction:
Executive search firm services to assist the University of Hawaii Cancer Center in the recruitment and selection of the Director for the University of Hawaii Cancer Center.

Vendor: To be determined
(If known)
Address:

Term of Contract: (If known)	From: To be determined	To: To be determined	Cost: \$50,000 (est)
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Direct any inquiries to: Department: UH Mānoa Chancellor's Office Contact Name/Title: Michele Tom Executive Search Coordinator Address: Hawaii Hall 209 University of Hawaii at Manoa	Phone Number: 956-9396 Fax Number: 956-7115
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Date Posted: September 25, 2015

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 and Real Property Management
1400 Lower Campus Road, Room 15
Honolulu, Hawai'i 96822

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

TO: OFFICE OF PROCUREMENT AND REAL PROPERTY MANAGEMENT

FROM: UH Mānoa Chancellor's Office

(Department/Program)

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

Description of goods, services, or construction:

See attached.

Estimated Cost: \$ 50,000

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

See attached.

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

See attached.

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

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

Direct questions to: Michele Tom Phone: 956-9396

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

Robert Bley-Vroman
Full Name of Principal Investigator, Department Head, or Administrator

RB for RBV 9/22/15
Signature Date

Corinne Seymour
Full Name of Fiscal Officer

Corinne Seymour 9/22/15
Signature Date

APPROVED:

Robert Bley-Vroman
Full Name of Vice President or Chancellor

RB for RBV 9/22/15
Signature Date

FOR OPRPM USE ONLY

OPRPM COMMENTS:

APPROVED DENIED

David Coon 10/12/15
PRESIDENT, UNIVERSITY OF HAWAII DATE

Request for Exemption from 103D, HRS
(Executive Search Firm Services for the Position of
Director, University of Hawaii Cancer Center)

Description of goods, services, or construction:

Executive search services are being sought relating to the recruitment and selection of the Director of the University of Hawai'i Cancer Center (UHCC Director). Search services shall include: actively recruit applicants to supplement the pool of candidates, develop an opportunities and challenge profile document by interviewing appropriate parties, and provide competitive market salary data. In addition, the selected search firm will provide general consultation through the completion of the search process, and will report primarily to the University of Hawai'i at Mānoa (UHM) Chancellor and UHM's Executive Search Coordinator (Exec Search Coor).

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

Procurement by standard competitive means involving the preparation and advertising of a formal request for proposals will not permit the completion of the world-wide recruitment and selection process in time to permit UHM to make an offer of appointment by Fall 2016. It is important that the UHM fill this critical leadership vacancy in the UHCC Director position by that time as this appointment is pertinent to the continuation of the UH Cancer Center's (Center) National Cancer Institute (NCI) designation, and to ensure the operations and mission of the Center are not compromised. As a reasonable alternative, it is being proposed that invitations to submit proposals be extended to executive search firms who have been identified through research and discussions with the Center and university administrators and executive search firms, both nationally and in Hawai'i. This competitive but less formal procedure will provide UHM, in a timely manner, with a sufficient number of search firm proposals from businesses who have the experience necessary to successfully assist UHM in its search. The attached "Invitation to Submit Proposals" (Invitation) provides more information about the competitive process that will be utilized.

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

The Chancellor, in consultation with the Exec Search Coor, will oversee and coordinate the selection of the executive search firm. The Invitation to assist in the search will be forwarded to five to ten (5-10) search firms that have been identified and/or have expressed interest in working with UHM. The Chancellor and the Exec Search Coor will review the proposals received, taking into consideration the following factors: (1) the firm's prior experience in executive searchers for similar positions at other higher education institutions, medical centers and/or relevant major corporations; (2) networking and outreach capabilities internationally, nationwide and within Hawai'i; (3) ability to meet the search schedule set by UHM; and (4) the proposed costs of the services to be provided, including willingness to accept the terms outlined in the Invitation. Based on the Chancellor's and the Exec Search Coor's evaluation of the proposals received, at least three firms will be identified and the strengths and weaknesses of each firm will be assessed for final selection. The Chancellor, in consultation with the Exec

Search Coor, will select the search firm that best matches the needs of, and that will be most advantageous to, UHM.

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

The Office of Procurement and Real Property Management will assist in reviewing a contract for services with the search firms selected by the Committee. Expenditures will be subject to administrative review, approval, and processing in conformity with specifications of the Invitation and University expenditure policies and procedures.

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

Chancellor, UHM, Robert Bley-Vroman
Executive Search Coordinator, UHM, Michele Tom

UNIVERSITY OF HAWAII
INVITATION TO SUBMIT PROPOSAL TO PROVIDE
EXECUTIVE SEARCH (RECRUITMENT ASSISTANCE) SERVICES FOR
THE NEXT UNIVERSITY OF HAWAII CANCER CENTER DIRECTOR

BACKGROUND INFORMATION

The University of Hawai'i at Mānoa (UH Mānoa) Chancellor's Office is currently seeking to fill the position of Director of the University of Hawai'i Cancer Center (UHCC Director). The Director is appointed by the Board of Regents and serves as the Chief Executive Officer of the University of Hawai'i Cancer Center (Center) and is responsible for providing academic, research, and administrative leadership and direction.

An executive search firm is being sought to assist UH Mānoa Chancellor with the recruitment process for the UHCC Director. The UHM is issuing this Invitation to Submit Proposals (Invitation) as part of its process to select and retain an executive search firm.

Information on the University of Hawai'i Cancer Center may be found at www.uhcancercenter.org.

STATEMENT OF WORK

The executive search firm shall provide the following services as part of the executive search process for the UHCC Director:

1. **Assistance in Recruitment of Applications** – Encourage and actively recruit applicants, nominees, and referrals (collectively the “candidates”) and refer to UH Mānoa pursuant to application requirements for review and consideration by the Committee and Vice Chancellor/Chancellor.

Supplement Applicant Pool – Ensure that the application and nomination materials which the search firm forwards to UH Mānoa are complete and available to the Committee in compliance with published application process requirements. Actively recruit and refer strong candidates from the field who are not actively seeking new positions and through encouragement and support of qualified candidates obtained through applications and nominations. (Note: Individuals may also submit their applications directly to UH Mānoa. Candidates submitting their application directly will be considered part of the candidate pool, but as they are not part of the search firm's list of referrals, the search firm is not expected to review them).

2. **Provide market data assistance to the Vice Chancellor/Chancellor and the Executive Search Coordinator (Exec Search Coor)** - Provide competitive market data such as lists of recent hires and salaries of university and college Vice Chancellors or similar executive officer positions at higher education institutions, national studies on salaries covering executive at higher education institutions, etc. to the Chancellor or the Exec Search Coor.

EXPECTATIONS OF SEARCH FIRM

1. **Experience.** Persons or entities submitting responses to the Invitation (Offerors) shall have a minimum of five (5) years of executive search experience, and must have demonstrated experience in successfully recruiting executives at the dean/director level or higher at accredited higher education institutions and/or completed equivalent level executive searches in the public or private sector. Experience in recruiting and placing executive level officers (preferably in accredited public universities or public higher education institutions) is especially valuable.
2. **Deadlines.** Offerors shall have a track record of working under and meeting tight deadlines.
3. **Interpersonal and Organizational Skills.** Offerors shall have strong interpersonal and organizational skills.
4. **Network of Candidates.** Offerors shall have an international network of contacts that will enable such Offerors to recruit strong candidates for this position of UHCC Director. Preference will be given to executive search firms that have experience in recruiting deans/directors for academic cancer centers and/or academic biomedical research units.

PROPOSALS

Interested Offerors shall submit a comprehensive proposal that provides, at a minimum, the following information:

1. **Search Firm.** Background information on the firm's lead executive search consultant(s) that will be assigned to the University, including areas of specialization and contact information, and years of experience. The University will expect that the executive search consultant(s) named in the proposal will be the primary individual(s) providing outreach and services for this executive search process for the Offeror and serve as the principal liaison between the Offeror and the University. Provide names and backgrounds of others that will be assigned to the University by the Offeror to provide additional support services, as appropriate.
2. **Previous Clients.** Lists of institutions or government agencies, including public higher education institutions that you are currently employed by or have successfully assisted in the past five (5) years to recruit and hire a dean/director comparable to the UHCC Director position. Provide the location and date of each placement.
3. **Approach to Providing Services.** Furnish an overview of how the Offeror would assist in providing the services described in the Statement of Work. Describe the approach the Offeror would take to supporting the search.
4. **Qualifications to Meet Expectations.** Describe how the Offeror's qualifications will enable the Offeror to meet the Committee's expectations as described in this Invitation.
5. **Fee for Services.** Provide a fee proposal for the scope of executive search consultant services described in the Statement of Work above and this Invitation (collectively the Services). The proposed fee for services may not exceed the following parameters:

A. Executive Search Assistance or Retainer Fee

Offerors shall propose a flat retainer fee to cover the Offeror's provision of the Services during and in connection with the University's search for the UHCC Director (Retainer Fee). Each Offeror shall specify in its proposal any expenses the Offeror anticipates to incur over and above the Retainer Fee and those identified in the subparagraph 5B (Other Costs and Expenses) below. The University will not consider fees based on a percentage of the projected total compensation.

B. Other Costs and Expenses

I. Travel and Per Diem. Given that the search firm's primary service is to assist in the recruitment and supplement the applicant pool by referrals, there may be a need for a maximum of one (1) travel opportunity to Hawai'i to meet and discuss the details of services. Any reimbursement for per diem and transportation expenses that might be due to the Offeror who receives, pursuant to this Invitation, the award of the contract to provide the Services (Contractor) during the Contractor's performance of the Services shall be consistent with the following State of Hawai'i and University guidelines. These guidelines shall also apply to candidate per diem and transportation expense, provided that the University agrees to reimburse candidate's expenses. All expenses for all modes of transportation must be approved in writing by the University prior to travel.

- a. Inter-island and/or Out-of-State travel. Reimbursement for air transportation within Hawai'i and between Hawai'i and out-of-state locations shall not exceed the lesser of actual cost and coach class airfare.
- b. Ground transportation. Reimbursement for ground transportation costs shall not exceed the actual cost of renting an intermediate-sized vehicle.
- c. Subsistence allowance. Unless prior written approval of the University is obtained, reimbursement for subsistence allowance (i.e., hotel and meals, etc.) shall consist of either the federal per diem rate or a mutually agreed upon flat dollar amount not to exceed the federal per diem rate.

II. Administrative and Support Expenses. The University shall reimburse the Contractor for expenses, which are to be invoiced monthly, incurred on the University's behalf in the performance of the Services (Administrative Expenses). The Administrative Expenses may include, but are not limited to, postage, communication charges, photocopying, and research, and shall not exceed nine percent (9%) of the Retainer Fee. Expenses shall be reimbursed on an actual basis upon submission of an invoice and receipts acceptable to the University.

SUBMISSION OF PROPOSALS

Each interested Offeror should submit six (6) hardcopies of its proposal to the Chancellor's Office, University of Hawai'i at Mānoa, Attention: Michele Tom, 2500 Campus Road, Hawai'i Hall 209, Honolulu, Hawai'i 96822, no later than 4:30 p.m. (Hawai'i Standard Time) on [day of week], _____, 2015. For additional information, please contact Michele Tom by telephone at (808) 956-9396 or by email at tomm@hawaii.edu.

CERTIFICATION REQUIREMENTS FOR CONTRACT AWARD AND FINAL PAYMENT

Please note the State of Hawai'i law requires certification of compliance through the Hawai'i Compliance Express (vendors.ehawaii.gov) prior to formal award of any contract. Further, a second, final tax clearance will be required prior to final payment.

1. Tax Clearance for Contracts

In accordance with Sections 103-53 and 103D-328, HRS, and Section 3-122, 112, HAR, the Contractor shall obtain tax clearances from the State of Hawai'i Department of Taxation (DOTAX) and the Internal Revenue Service (IRS) certifying that all tax returns due have been filed, and all taxes, interest, and penalties levied or accrued under the provisions of Title 14 that are administered by the DOTAX and under the Internal Revenue Code against the Offeror have been paid. This shall apply to all contracts, whether with Hawai'i Offerors, out-of-state Offerors, or nonprofit organizations.

This shall not apply to Offerors if the DOTAX certifies that the Offeror is in good standing under a plan in which delinquent taxes are being paid to the DOTAX (and the IRS, if applicable) in installments.

2. Certificate of Compliance, Hawaii State Department of Labor

The Contractor shall obtain a Certificate of Compliance issued by the Hawai'i State Department of Labor and Industrial Relations (DLIR) in accordance with Section 103D-310, HRS, and Section 3-122-112, HAR.

3. Certificate of Good Standing, State of Hawaii Department of Commerce and Consumer Affairs

The Contractor shall obtain a Certificate of Good Standing from the State of Hawai'i Department of Commerce and Consumer Affairs (DCCA) in accordance with Section 103D-310, HRS, and Section 3-122-112, HAR.

4. Hawai'i Compliance Express

To meet the above requirements, the State of Hawai'i has developed an electronic proof of compliance process, Hawai'i Compliance Express, that allows a vendor to obtain the aforementioned certifications by registering on-line at:

<http://vendors.ehawaii.gov/hce/splash/welcome.html>

Vendors shall electronically register with the Hawai'i Compliance Express to obtain a Certificate of Vendor Compliance which is acceptable as proof of compliance for both contracting purposes and final payment.

The above certifications should be applied for by Offerors in a timely manner. The University will inform the successful Offeror in writing as to the exact date and time that the above certifications are due to the University. If the successful Offeror does not submit the certifications by the date and time specified in the University's written notification, the successful Offeror's quotation shall be rejected. Thereafter, the University reserves the right to consider other quotations received for award.

OTHER

The University reserves the right to negotiate a final contract with the selected Offeror including but not be limited to: a detailed scope of work, final timeline for completion of services, final compensation and payment schedule, and terms and conditions.