

**UNIVERSITY OF HAWAI'I  
NOTICE OF EXEMPTION FROM CHAPTER 103D, HRS**

The President, University of Hawai'i, is in the process of reviewing the request from (Department/Campus)  
University Board of Regents for  
exemption from Chapter 103D, HRS, for the following goods, services, or construction:

Consultant services to advise Board of Regents on internal procedures and best practices employed by governing boards of public university systems.

**Vendor:**  
(If known)  
**Address:**

**Term of Contract:** (If known) From: ----- To: ----- Cost: \$30,000 (est.)

<b>Direct any inquiries to:</b> Department: University Board of Regents Contact Name/Title: Exec. Admin. & Secretary BOR, SBCTE, SPEC & Certifying Officer WICHE Address: 2444 Dole Street, Bachman 209 Honolulu, HI 96822	Phone Number: 956-8213 Fax Number: 956-5156
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Date Posted: October 8, 2009

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

OPRPM Form 138  
(Rev.01/2009)

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

TO: OFFICE OF PROCUREMENT AND REAL PROPERTY MANAGEMENT

FROM: Presley Pang, Interim Secretary, University Board of Regents  
(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 is the sole system of public higher education in Hawaii. The university is headed by a Board of Regents. As part of its periodic self evaluation process, the Board of Regents intends to conduct a single day strategic retreat. The Board seeks the services of a consultant with national perspective to advise the Board on its internal procedures and to share the best practices employed by governing boards of similar public university systems. It is anticipated that the services will include private interviews with individual regents to gain the regent's perspective, a presentation of the survey results to the Board at the Board retreat, a facilitation of the Regents' discussion, and delivery of a summary report.

Estimated Cost: \$ 30,000

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

There are very few organizations or professionals that can supply the services sought by the Board of Regents. The University requires the services of a person with national perspective and experience working with a range of public universities. These professionals are generally associated with mainland-based organizations because the clients they advise are mainland public universities. In addition, these are highly specialized services and are not routinely procured. Given the relatively small amount budgeted for the expected contract, the modest scope of engagement, and the comparatively large amount of administrative costs and time that would be incurred to conduct a primarily mainland solicitation from Hawaii, it is not practicable or advantageous to the University to procure these services via the Procurement Code.

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

At least two potential service providers who have national reputations, who are prominent in this unique field, and who have been actively providing these services will be identified. Interviews via telephone conferences will be conducted with each vendor. By consensus, the interviewers will select the provider deemed most responsive to the needs of the Board taking into consideration availability, experience and price. A service agreement will be privately negotiated with the selected vendor.

(Attach Additional Sheets if Necessary)

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

The list of potential vendors will be vetted by a steering group to include the President and others as may be appropriate. The costs of the contract will be funded from private sources set aside to support the President or the Board. Applicable procedures governing the use of private funds to support University purposes will be observed.

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

Howard K. Karr, Chair of the Board of Regents  
 Dennis Hirota, Vice-Chair of the Board of Regents  
 Presley Pang, Interim Secretary, Board of Regents

Direct questions to: Presley Pang Phone: 956-8213

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

Sav Presley Pang, Interim Secretary of the Board of Regents

Full Name of Principal Investigator, Department Head, or Administrator

*Lois M. ...*  
Signature

10/8/09  
Date

Blanche Fountain

Full Name of Fiscal Officer

*Blanche Fountain*  
Signature

10/8/09  
Date

APPROVED:

Full Name of Vice President or Chancellor

*Howard K. Karr*

Signature

Date

FOR OPRPM USE ONLY

OPRPM COMMENTS:

Recommend Approval.

APPROVED  DENIED

*J. H. ...*  
PRESIDENT, UNIVERSITY OF HAWAII

OCT 20 2009

DATE