

**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) Board of Regents for exemption from Chapter 103D, HRS, for the following goods, services, or construction:

Executive search services for the recruitment and selection of the President for the University of Hawaii.

Vendor:
(If known)
Address:

Term of Contract: (If known) From: ----- To: ----- Cost: \$150,000-\$200,000

Direct any inquiries to: Department: Board of Regents Contact Name/Title: Presley Pang / Executive Administrator/Secretary, BOR Address: Bachman, 209 2444 Dole Street Honolulu, HI 96822	 Phone Number: 956-8213 Fax Number: 956-5156
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Date Posted: November 13, 2008

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: 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:

Executive search services relating to the recruitment and selection of the President for the University of Hawaii. Search services shall include assistance in advertising; development of a challenge/opportunities document; identification, recruitment, research and vetting of qualified candidates; providing market data; and coordinating and monitoring of the search process and the screening of candidates. In addition, the Consultant will provide general advice through completion of the search process, and will report primarily to the Advisory Presidential Selection Committee. This Committee was constituted by the Chair of the Board and represents a cross-section of interest. Upon approval by the University, the Consultant may hire subconsultants as necessary and appropriate.

Estimated Cost: \$ \$150,000 - \$200,000 for fees, plus expenses

(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 recruitment and selection process by the target date of Spring 2009. Use of the competitive proposal process set forth in the State Procurement Code, structured for the procurement of traditional types of goods and services routinely required by state agencies, is not the most efficient method to obtain services of university president recruitment consultants whose experience is nationwide, whose home and branch offices are on the mainland, and whose experience in Hawaii is infrequent. Given the limited time available to complete the search, the Advisory Presidential Selection Committee desires to spend as much time as possible on the selection of the President rather than on the selection of a Consultant.

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

A subcommittee of the Advisory Presidential Selection Committee (Subcommittee) will be constituted to oversee and coordinate the selection of the Consultant. A directory of search firms is contained in the Association of Governing Board (AGB) "Presidential Search: Guidelines and Directions" (March 2008). To be included in this publication, each firm must have completed a minimum of five comprehensive searches for academic presidents in the past three years. This listing will be considered qualified for the purposes of this solicitation. Other firms may be considered, including potential consultants that were considered for or participated in the 2005 Presidential search. The Subcommittee will review the qualified list and with advice and consultation from the Advisory Committee and others as appropriate, identify 3-5 firms from which to solicit formal proposals. (see attached for continuation)

(Attach Additional Sheets if Necessary)

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

The proposals shall include the firm's experience and conceptual approach to conducting the Presidential search for the University, a proposed fee and cost arrangement, and other information deemed pertinent by the Subcommittee.

The Advisory Committee will rely substantially on the guidelines set forth in the March 2008 AGB publication. The AGB, founded in 1921, is the only national association that serves the interests and needs of academic governing boards on issues related to higher education. AGB serves more than 34,000 individuals including trustees and regents, university foundations, and senior level administrators, and has more than 1,200 member institutions. The March 2008 edition is the fifth edition of AGB's Guidelines and sets forth current "best practices" for evaluating and selecting consultants to advise on presidential searches.

The Subcommittee may require that the proposing firms interview in person in Hawaii before some or all members of the Advisory Committee. To the extent practical, the Committee members evaluating prospective consultants and conducting the interviews shall be the same individuals to ensure consistency and uniformity in the evaluation process. The Advisory Committee shall establish evaluation criteria which may include prior experience, networking and search capabilities, fee structure, and level of personnel committed to the project. The Advisory Committee shall submit its findings to the Chair of the Board of Regents in such format as requested by the Chair, which may include, if requested, a ranked list of prospective consultants.

The Chair of the Regents shall rank the firms and direct that the Advisory Committee or his designee, with the assistance of appropriate units of the University, negotiate a contract with the first-ranked consulting firm. If a contract cannot be successfully negotiated, the Advisory Committee or the Chair's designee may negotiate a contract with the second-ranked consulting firm. This process is to be repeated with consulting firms in sequential order (according to their ranking) until a contract is successfully negotiated.

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

The Office of Procurement and Real Property Management will assist in reviewing a contract for services with the firm determined by the Chair, with confirmation of the Board of Regents, to best match the needs of and that will be most advantageous to the University. Expenditures will be subject to review, approval, and processing in conformity with specifications of the request for proposals 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:

Board of Regents, through its Chair and Vice Chair
Presley Pang, Secretary of the Board of Regents
Duff Zwald, Director of Procurement
Blanche Fountain, Administrative Officer

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.

Presley W. Pang
Full Name of Principal Investigator, Department Head, or Administrator


Signature

Nov 7, 2008
Date

Blanche Fountain
Full Name of Fiscal Officer


Signature

11/10/08
Date

FOR OPRPM USE ONLY

OPRPM COMMENTS:

Recommend Approval.

APPROVED DENIED


PRESIDENT, UNIVERSITY OF HAWAII

11/24/08
DATE