

**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) SEED (Student Equity, Excellence and Diversity) Program for exemption from Chapter 103D, HRS, for the following goods, services, or construction:

Film production services to create two 30-second public service announcements (PSAs) regarding domestic violence to be distributed to and aired on local television stations, the University of Hawaii at Manoa and UH Athletics websites and UH athletic venues such as the Aloha Stadium and Stan Sheriff Center jumbotrons.

Vendor:
(If known)
Address:

Term of Contract: (If known) From: ----- To: ----- Cost: \$24,900 (est.)

Direct any inquiries to:
Department: Student Equity, Excellence & Diversity (SEED) Program
Contact Name/Title: Tracy Orillo-Donovan, Broadcast Manager
Address: 2600 Campus Rd., QLC 413
Honolulu, HI 96822

Phone Number:
956-7520
Fax Number:
956-9240

Date Posted: February 23, 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

RECEIVED
UNIVERSITY OF HAWAII
OPRPM

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

2009 MAR 11 P 3:12

TO: OFFICE OF PROCUREMENT AND REAL PROPERTY MANAGEMENT

FROM: SEED Program

(Department/Program)

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

Description of goods, services, or construction:

[Empty box for description of goods, services, or construction]

Estimated Cost: \$ 24,900

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

see attached

[Empty box for explanation (1)]

(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

[Empty box for details (2)]

(Attach Additional Sheets if Necessary)

(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: Tracy Orillo-Donovan Phone: (808) 956-7520

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

Amy Agbayani
Full Name of Principal Investigator, Department Head, or Administrator

[Signature] Date 2/13/09

Gary Kawachi
Full Name of Fiscal Officer

[Signature] Date 02/13/09

APPROVED:
Virginia S. Hinshaw
Full Name of Vice President or Chancellor

[Signature] Date 2/18/09

FOR OPRPM USE ONLY

OPRPM COMMENTS:

Recommend approval.

APPROVED DENIED

[Signature]
PRESIDENT, UNIVERSITY OF HAWAII

9904 FEB 53 15 5: 00
2/19/09
DATE

Request for exemption from Chapter 103D, HRS

Description of goods, services or construction:

Film production services to create two 30-second public service announcements (PSAs) regarding domestic violence to be distributed to and aired on local television stations, the University of Hawaii at Manoa and UH Athletics websites, and at UH athletic venues such as the Aloha Stadium and the Stan Sheriff Center jumbotrons. Funding for this project is provided by the Department of Health.

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

Because of the artistic and creative elements in film production services, the acquisition of such services through a standard competitive low bid basis is neither practicable nor advantageous to the University of Hawaii. The goal of this film project is to produce PSAs which evoke strong emotions to clearly illustrate the importance of addressing the issue of domestic violence in the community. The effectiveness of the PSAs will greatly depend on the inherently subjective skills of the producer/director using production equipment to stir emotions through use of animation and graphics, lighting, camera angles and movement, and music and sound. When all of these creative attributes are implemented harmoniously, a powerful, effective message is portrayed to the viewer. Informal, yet in-depth interviews and meetings with the prospective film producers, as opposed to a formal competitive procurement process, are needed to better understand how each film producer would approach the project from a creative standpoint.

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

Based on a survey of locally-produced film projects of a similar nature, a minimum of four film producers (made up of either television stations, private production companies and/or independent film makers) who have produced and managed such projects will be asked to make treatment presentations of how they would produce the desired PSAs. A panel made up of the following: 1) UH Manoa broadcast manager; 2) a representative from the UH Manoa SEED Program, the funding recipient; and 3) either a communications representative or a representative from the Department of Health, will evaluate the treatment presentations and make a recommendation to the UHM SEED Program Director, the principal investigator for the project. The evaluation will be based on how well each producer proposes to present a strong, powerful message using a combination of scripting, camera techniques, lighting, graphics, and sound/ music. Upon acceptance of the recommendation by the SEED Director, the broadcast manager will negotiate a contract with the recommended film producer taking funding limitations into consideration.

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

The evaluation panel will consist of the UH Manoa broadcast manager, a representative from the State Department of Health, and a representative from the UHM SEED Program. After a film producer is selected by the panel, a recommendation will be presented to the Director of the UHM SEED Program for final approval.

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

Pua Auyong - Office of the Vice President for Student Affairs, Academic Support (SEED-Student Equity, Excellence and Diversity);
Tracy Orillo-Donovan, Manoa Chancellor's Office, Broadcast Manager; and
Amy Agbayani, Director of SEED Program.