

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

The President, University of Hawaii, is in the process of reviewing the request from
Office of the Vice President for Administration _____ (Department/Campus) for exemption
from Chapter 103D, HRS, for the following goods, services, or construction:

Consultant services for a multi-phase climate survey of students on all campuses of the University of Hawaii
regarding sex discrimination and gender-based violence

Vendor: To be determined
(If known)
Address:

| | | | |
|--|------------------------|----------------------|---------------------------|
| Term of Contract: (If known) | From: To be determined | To: To be determined | Cost: \$150,000 (est.) |
|--|------------------------|----------------------|---------------------------|

Direct any inquiries to:
Department: Office of Institutional Equity

Contact Name/Title: Jennifer Solidum Rose
Director

Address:
Bachman Hall, Room 109J
2444 Dole Street
Honolulu, HI 96822

Phone Number:
956-9803

Fax Number:
956-9701

Date Posted: February 9, 2016

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: Office of the Vice President for Administration
(Department/Program)

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

Description of goods, services, or construction:

Consultant services for a multi-phase climate survey of students on all campuses of the University of Hawaii regarding sex discrimination and gender-based violence.

Estimated Cost: \$ Not to exceed \$150,000

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

Please refer to the attached.

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

Please refer to the attached.

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

Please refer to the attached.

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

Please refer to the attached.

Direct questions to: Jennifer Solidum Rose Phone: (808) 956-9803

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

Jennifer Solidum Rose
Full Name of Principal Investigator, Department Head, or Administrator


Signature 2/8/16
Date

Blanche Fountain
Full Name of Fiscal Officer


Signature 2/9/16
Date

APPROVED:

Jan S. Gouveia
Full Name of Vice President or Chancellor


Signature 2/9/16
Date

FOR OPRPM USE ONLY

OPRPM COMMENTS:

APPROVED DENIED



PRESIDENT, UNIVERSITY OF HAWAII

19 Feb 2016

DATE

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS
(Consultant – Multi-Phase Campus Climate Survey of Students)

Description of goods, services, or consultation:

Consultant services are sought for the planning, development, deployment, and data analysis regarding a primarily web-based climate survey of students on all ten of the University of Hawaii's campuses ("University") regarding sex discrimination and gender based violence. Services also encompass preparation of a comprehensive Report to the University including an executive summary, presentation of data, findings, and recommendations.

The student survey will focus primarily, but not exclusively, on the prevalence and incidence of sex assault, domestic and dating violence, stalking, sexual exploitation and sexual and gender-based harassment against students as well as students' perceptions of safety on their campuses, the University's response to reports of such incidents as well as accessibility and effectiveness of resources to support and educate students about their rights and responsibilities, services available on and off campus, and awareness and prevention programs conducted on each campus. The findings of the survey will be used to guide and inform the University's policy, training, and programmatic initiatives with respect to fulfilling the University's obligations under Title IX and VAWA and its mission of providing a safe and discrimination-free learning and working environment.

The Consultant is expected to be generally familiar with student campus climate surveys that have been conducted at the University and other institutions of higher learning across the U.S. as well as willing to work closely with the Climate Survey Advisory Group ("Advisory Group") and the University's Office of Institutional Equity ("Office") during all of the proposed Phases described below. The Office will coordinate work related to the survey and serve as the principal contact for the Consultant and Advisory Group.

Phase I: Planning & Development of Survey

This Phase will encompass (a) assessing the current status of campus climate survey development at the University with respect to sex assault, dating violence, domestic violence, sexual harassment, stalking and other forms of gender based violence, (b) developing a work plan to guide all work by the Consultant, (c) convening of student focus groups to inform survey development, and (d) development of the survey instrument to be administered to students.

PHASE II: Review By The University Institutional Review Board

This Phase will encompass eliciting and incorporating comments on the survey instrument developed by the Consultant by the University's Institutional Review Board before the administration of the survey.

Phase III: Survey "Rollout"

This Phase will encompass planning for and promoting participation by students throughout the University in the survey.

Phase IV: Survey Deployment/Administration

This Phase will encompass administering/deploying the survey to all campuses in a manner that will maximize the rate of student participation in the survey.

Phase V: Data Analysis and Report

This Phase will encompass analyzing the data collected during the administration of the survey, preparing survey findings, and making recommendations based on the survey findings, and preparing a comprehensive Report to the University

Continuation of consultation services between phases shall not be automatic and shall be at the discretion of the University.

- (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 consultant selection process to fulfill performance completion deadlines as follows: Phase I (Planning & Development of Survey), encompassing all work described therein, to begin by May 16, 2016 and be completed by September 30, 2016; Phase II (Review by IRB), encompassing all work described therein, to be completed by November 11, 2016; Phase III (Survey "Rollout") to begin by September 30, 2016 and be completed by December 31, 2016; Phase IV (Survey Deployment/Administration) encompassing all work described therein, to begin by November 14, 2016 and be completed by December 30, 2016; and Phase V (Data Analysis & Report), encompassing all work described therein, to begin January 2, 2017 and be completed by March 30, 2017.

Employing the consultant selection process created by the procurement by standard competitive means will delay the University's ability to meet target completion dates that are in part predicated on the preparation of materials for consideration during the 2016 anticipated negotiation of the U.S. Department of Education Office for Civil Rights ("OCR") Voluntary Resolution Agreement ("VRA")¹ as well as the preparation of materials for consideration during the monitoring period immediately following the anticipated VRA. Delays in the consultant selection process by standard competitive means will also hinder the University's ability to meet deadlines for the University predicated in part on the expectations and any mandates of the State of Hawaii Legislature and the Act 222 Affirmative Consent Task Force.

¹ Although the VRA will be based on findings of the OCR's audit of the University of Hawaii at Manoa, the terms of the VRA will have implications for all of the University's campuses.

As a reasonable competitive alternative, it is proposed that invitations be extended to consultants who are known to have expertise in the subject area and may have interest in providing consultant services to the University. The informal procedure should provide the University, in a timely manner, with proposals from firms or consultants who have the experience necessary to successfully assist the University with all of the work described herein, including the development and deployment of a system wide student campus climate survey, analysis of data from the survey, and preparation of a Report regarding the survey findings and recommendations for the University's Action Plan.

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

Invitations for proposals will be extended to potential consultants who have been identified as having previously conducted projects similar to those described in the above Phases, have a prior record of successful completed projects, and who have consultant service experience with universities. The Advisory Group and Office will review all timely submitted proposals, taking into consideration prior relevant experience, ability to meet the schedule set by the University, the proposed cost of the services to be provided, and the quality of the proposal. The Group, in collaboration with the Office, will identify the three highest evaluated consultants, and provide an overall assessment of the strengths and weaknesses of each proposal to the University's Vice President for Administration. The Vice President for Administration will conduct a comparative evaluation of the potential consultants and their respective proposals, and select the consultant who can best meet the University's needs and objectives with respect to the services to be performed.

- (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 Consultant selected. Expenditures will be subject to review, approval, and processing in conformity with the specifications outlined in the contract and the 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:

Jan S. Gouveia, University of Hawai'i Vice President for Administration

Jennifer Solidum Rose, University of Hawai'i Director of the Office of Institutional Equity