

**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 Community Colleges _____ (Department/Campus) for exemption from Chapter 103D, HRS, for the following goods, services, or construction:
In-theater on-screen advertising in select Regal Theatres in Hawai'i to advertise the benefits and programs of UH Community Colleges. The 30-second spots will run prior to each movie in selected theaters starting from October 28, 2016 for 12 weeks through January 19, 2017 and March 24, 2017 for 20 weeks through August 10, 2017. The prices include 32 weeks of advertising on 83 movie screens in selected Regal Theatres on O'ahu, Maui and Hawai'i islands, plus production/handling costs of the 30-second spots.

Vendor: National Cinemedia
(If known)
Address: 9110 East Nichols Avenue
Suite 200
Centennial, CO 90112

Term of Contract: (If known)	From: October 28, 2016	To: August 10, 2017	Cost: \$27,508.00
--	------------------------	---------------------	-----------------------------

Direct any inquiries to: Department: UH Community College Marketing and Communications Contact Name/Title: Susan A. Lee, Director of Marketing and Communications Address: 2327 Dole Street Honolulu, Hawaii 96822	Phone Number: (808) 956-5852 Fax Number: (808) 956-3763
---	--

Date Posted: October 12, 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 Community Colleges

(Department/Program)

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

Description of goods, services, or construction:

In-theatre on-screen advertising in select Regal Theatres in Hawai'i to advertise the benefits and programs of UH Community Colleges. The 30-second spots will run prior to each movie in selected theatres starting from 10/28/2016 for 12 weeks, then again from 3/24/2017 for 20 weeks—a total of 32 weeks. The price includes advertising on 83 movie screens in select Regal Theatres on O'ahu, Maui and Hawai'i islands, plus production/handling costs of the 30-second spots.

Estimated Cost: \$ 27508

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

Since the vendor, National CineMedia, is the sole contracted company by Regal Theatres to offer on-screen advertising in Hawaii, it would not be practicable to request superquote bids. National CineMedia is the only company that sells advertising in the Regal Theatres in Hawaii, there is no other supplier that provides 30-second commercial advertising in Consolidated Theatres. The only other provider of in-theatre advertising is Screenvision Direct, which only represents Consolidated Theatres in Hawaii.

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

Quotes were requested and received from both National CineMedia, sole provider of advertising in Regal Theatres, and Screenvision Direct, the sole provider of advertising in Consolidated Theatres. The prices were fair and very comparable to each other. The price for advertising in Regal Theatres for a 32-week term remained low as we've received in 2010, 2011, 2012, 2013, 2014 and 2015.

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

For previous purchases of in-theatre advertising in 2010 and 2011, we used an exemption from the standard methods and source selection pursuant to APM section A8.2210, No. 31, described as as any "radio, television airtime, print or other media when selection is to be made by current audience/reader demographics." In-theatre, onscreen advertising is considered "other media" that was selected on the basis of audience demographics. We used exempted procurement approval in 2010 and 2011 for the purchase of advertising; however, as of July 1, 2012, the procurement requirements reverted back to the State of Hawai'i and "other media" is not included in A8.2210, No. 31. Only radio, TV and print are included as exempted purchase for advertising.

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

John Morton, Vice President for Community Colleges
Michael Unebasami, Associate Vice President for Administrative Affairs
Lisa Tshako, Administrative Officer, Budget Specialist
Susan Lee, Director of Marketing and Communications

Direct questions to: Lisa Tshako Phone: 808-956-3861

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

Susan A. Lee
Full Name of Principal Investigator, Department Head, or Administrator

[Signature] 9/19/2016
Signature Date

Lisa Tshako
Full Name of Fiscal Officer

[Signature] 9/20/16
Signature Date

APPROVED:

John Morton
Full Name of Vice President or Chancellor

[Signature] SEP 26 2016
Signature Date

FOR OPRPM USE ONLY

OPRPM COMMENTS:

APPROVED DENIED

[Signature] 10/26/16
PRESIDENT, UNIVERSITY OF HAWAII DATE