

## 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 November 2, 2018 for 8 weeks, then again from April 12, 2019 for 17 weeks for a total of 25 weeks. The prices include 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, LLC  
(If known)  
**Address:** 9110 East Nichols Avenue, Suite 200  
Centennial, Colorado 90112

<b>Term of Contract:</b> (If known)	From: November 2, 2018	To: August 9, 2019	Cost: \$23,675.00
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<b>Direct any inquiries to:</b> 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
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Date Posted: September 6, 2018

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 theaters starting from 11/2/2018 for 8 weeks, then again from 4/12/2019 for 17 weeks – a total of 25 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: \$ 23,675

(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 remained low as we've received in 2010, 2011, 2012, 2013, 2014, 2015, 2016 and 2017. Theatre cost varies based on location and viewership. We plan to run the in-theatre on-screen advertising in both Consolidated and Regal Theaters based on the demographic profiles of the viewership among young adults to working adults which are both target markets for the community colleges.

(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 AP8.220, 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 AP8.220, 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 [Signature] 7/25/18  
Full Name of Principal Investigator, Department Head, or Administrator Signature Date

Lisa Tshako [Signature] 8/13/18  
Full Name of Fiscal Officer Signature Date

APPROVED:  
John Morton [Signature] 8/14/18  
Full Name of Vice President or Chancellor Signature Date

FOR OPRPM USE ONLY

OPRPM COMMENTS:  
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APPROVED \_\_\_\_\_ DENIED  
[Signature] 9/12/18  
PRESIDENT, UNIVERSITY OF HAWAII DATE