

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

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

The University of Hawaii - West Oahu (UHWO) is seeking the services of a real estate consultant to assist in the planning, development, leasing, sales, and management of the UHWO lands in Kapolei totaling approximately 1,491 acres.

Vendor: To be determined
(If known)
Address:

Term of Contract: (If known)	From: to be determined	To: to be determined	Cost: \$20,000.00 (est.)
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Direct any inquiries to:

Department: Office of the Vice Chancellor for Administration, UH West Oahu

Contact Name/Title: Donna Kiyosaki, Vice Chancellor for Administration

Address:
91-1001 Farrington Highway
Kapolei, HI 96707

Phone Number:
(808) 689-2511

Fax Number:
(808) 689-2501

Date Posted: August 7, 2013

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 Chancellor, University of Hawaii - West Oahu
(Department/Program)

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

Description of goods, services, or construction:

The University of Hawaii - West Oahu (UHWO) is seeking the services of a real estate consultant to assist in the planning, development, leasing, sales, and management of the UHWO lands in Kapolei totaling approximately 1,491 acres.

See the attached "invitation to Submit Proposal" for additional description.

Estimated Cost: \$ 20,000.00

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

Procurement by standard competitive means is neither practicable nor advantageous to UHWO because of the highly subjective nature of the services to be provided and the need to proceed expeditiously. The time required for the preparation and advertising of a formal request for proposals would not allow UHWO to respond to the State of Hawaii's legislative questions regarding the disposition and management of UHWO lands. UHWO is in dire need of the professional services of a real estate consultant/land manager for the sale and/or lease of University property in order to increase resources for the UHWO campus. Without these services, UHWO may not be able to meet its short-term financial obligations.

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

Proposals (see attached "Invitation to Submit Proposal") will be solicited from at least four (4) qualified firms or individuals with the expertise and experience to provide the requested services. A committee of at least three (3) members experienced in real estate and land development will review the proposals received, taking into consideration the following factors: prior experience with a mix (residential, commercial, retail, etc.) of land management and development in Hawaii; prior success with negotiating land sales and leases and coordinating major infrastructure development; familiarity with the local land development market and climate; knowledge of State and City land development, entitlement, and permitting requirements; prior engagements with public institutions and universities; an understanding of the University of Hawaii's procedures and policies; experience in financial structuring of real estate transactions and government financing mechanisms; and proposed costs. The committee will provide an assessment of each firm's strengths and weaknesses to the UHWO Chancellor who will make the final selection.


(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 the contract for services with the selected firm. Expenditures will be subject to administrative review, approval, and processing in conformity with the specifications outlined in the contract and the University's 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:
 Rockne Freitas, Chancellor, UH West Oahu
 Donna Kiyosaki, Vice Chancellor for Administration, UH West Oahu
 Duff Zwald, Director of Procurement and Real Property Management, University System
 Linda Saiki, Fiscal Manager of Business Affairs, UH West Oahu

Direct questions to: Donna Kiyosaki, Vice Chancellor, Adm Phone: (808) 689-2511

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

Donna Kiyosaki
 Full Name of Principal Investigator, Department Head, or Administrator

 8/2/13
 Signature Date

Linda Saiki
 Full Name of Fiscal Officer

 8/2/13
 Signature Date

APPROVED:

Rockne Freitas
 Full Name of Vice President or Chancellor

 8/2/13
 Signature Date

FOR OPRPM USE ONLY

OPRPM COMMENTS:

APPROVED DENIED

 8/21/13
 PRESIDENT, UNIVERSITY OF HAWAII DATE

**UNIVERSITY OF HAWAII
INVITATION TO SUBMIT PROPOSAL TO PROVIDE
REAL ESTATE & LAND MANAGEMENT CONSULTANT SERVICES FOR
THE UNIVERSITY OF HAWAII – WEST OAHU**

BACKGROUND INFORMATION

The University of Hawaii – West Oahu (UHWO) is seeking the services of a real estate consultant to assist in the planning, development, leasing, sales, and management of the UHWO lands in Kapolei totaling approximately 1,491 acres.

The UHWO Lands consist of:

- 991-acre Mauka Property (see Exhibit A)
The Mauka property is situated north of the H-1 Freeway and consists of approximately 991 acres of vacant agricultural-zoned parcels. These lands are identified by TMK: (1) 9-2-002 parcels 3, 6, & 7.

- 500-acre Makai Property (see Exhibit B)
On September 13, 2002, the University of Hawaii, Board of Regents approved that the permanent location for the UHWO campus be sited on a 500-acre property makai of the H-1 Freeway. This Makai property is identified by TMK: (1) 9-1-016 parcels 79, 80, & 81.

SCOPE OF WORK

The consultant shall provide the following services:

1. Assist UH by conducting market studies, an assessment of the current financing environment and the development of a business plan to develop, lease or sell certain UHWO lands based on review of the Long Range Development Plan, prior appraisals, State Land Use Commission land use condition, the Unilateral Agreement and Declaration for Conditional Zoning conditions, tentative subdivision approval conditions, zoning laws and the Urban Design Plan.

2. Assist UH in the development of a comprehensive Declaration of Covenants, Conditions and Restrictions, reciprocal easement agreements and other documents governing shared land use obligations and restrictions.

3. Assist UH in executing the UHWO Long Range Development Plan in the procurement of private parties for the planning, design, construction, financing and management of the UHWO properties. Potential transactions could include a developer design-build concept with government or private financing and ownership, a ground lease with private or tax exempt financing, a developer partnering with UH under a joint venture arrangement or other forms of public-private partnerships.

4. Assist UH in the preparation of comprehensive Request for Proposals (RFP) in accordance with the State of Hawai'i procurement code to solicit competitive development proposals from private parties. The RFP shall include, but not necessarily be limited to: a description of the real property, a clear articulation of the leasing or sale opportunity, identification of due diligence

materials that potential lessees or buyers should review to complete their underwriting and assessment of the property, specific requirements, the evaluation criteria and rating points for the selection of the best offer for the sale or leasing and management of the property and related maps and graphic material.

5. Manage and oversee the RFP process, including participating in the Pre-Proposal Conference, responding to questions from prospective applicants, preparing addendum items as needed or required by UH to clarify, modify or support the information in the RFP, and evaluating the “Best and Final Offers” as required.
6. Undertake analyses of the proposals of developers, tenants and buyers, recommend items for discussion and clarification, participate in discussions with applicants and provide recommendations to UH. Analyze project financial, market feasibility and justification studies provided by the applicants, such as the pro forma, projected development budget and cash flows to demonstrate project feasibility, return on cost, net present value of income streams, etc.
7. Assist the UH in the selection of a qualified buyer, tenant and buyer.
8. Assist UH in the development of a Financial Business Plan that forecasts the timing of land leases and sales revenues and projected expenditures.
9. Assist UH in the development of an infrastructure construction schedule or strategy to ensure the proper phasing, coordination, funding and build-out of roadway, utility, and drainage master plans.

PROPOSALS

Proposals shall include a detailed, comprehensive plan for accomplishing the required tasks as described in the above Scope of Work. The plan shall include a description of the Proposer’s approach and methodology for accomplishing the work, the entity and personnel responsible for accomplishing specific tasks involved in the work, an anticipated timeline for each task, and a comprehensive timeline and schedule for completing the entire Scope of Work. Proposer must also demonstrate the capacity to perform the services in a timely and efficient manner, in accordance with their proposed timeline and schedule.

At a minimum, the proposals should also include the following information:

1. **Firm Profile.** Background information on the firm or individual including the location of the headquarters, contact information, areas of specialization, years of experience, principal owners and officers, and number of employees.
2. **Consulting Team.** Description of the proposed consulting team, including the names and titles of key member together with their background, roles, qualifications, and experience as they relate to the services being provided.

3. **Previous Clients.** List of institutions or agencies that the proposer has provided or is providing services for that are similar to the above scope of work. Proposers should also provide descriptions of recent projects that have been successfully performed, including type and size of project and a brief summary of the outcome.
4. **Pricing.** Proposers should submit:
 - a. A price for assisting UHWO in the development of a business plan, Declaration of Covenants, Conditions and Restrictions, reciprocal easements and other documents governing shared land use obligations and restrictions.
 - b. Separate prices to conduct the general real estate marketing efforts as well as manage the RFP process to develop, lease, or sell the lands under each of the following:
 - o Develop selected properties under a joint venture or public/private partnership arrangement.
 - o Lease selected properties under a ground lease arrangement.
 - o Sell selected properties.
 - c. A price to manage the UHWO real estate assets (lands and improvements, including infrastructure).

SUBMISSION AND EVALUATION OF PROPOSALS

Proposers should submit five (5) hardcopies of their proposal to the Chancellor's Office, University of Hawaii – West Oahu, Attention: Donna Kiyosaki, 91-1001 Farrington Highway, Kapolei, Hawaii 96707 no later than 4:00 pm (Hawaii Standard Time), _____.

Proposals will be evaluated taking into consideration the completeness and quality of the proposer's plan, including the proposed approach and methodology, for accomplishing the Scope of Work. The proposer's background and qualifications will also be considered, including, but not limited to, the following criteria:

- Experience with a mix of land management and development projects in Hawaii;
- Success in negotiating land sales and leases and coordinating major infrastructure development;
- Familiarity with the local land development market and climate;
- Knowledge of State and City land development, entitlement, and permitting requirements;
- Prior engagements with public institutions and universities, including knowledge of the University of Hawaii's procedures and policies;
- Knowledge of government financing mechanisms and financial structuring of real estate transactions; and
- Pricing schedule.

Please note that State law requires certification of compliance through the Hawaii Compliance Express (vendors.ehawaii.gov) prior to formal award of any contract and prior to any payments for services. Further, a second, final tax clearance will be required prior to final payment.

EXHIBIT A

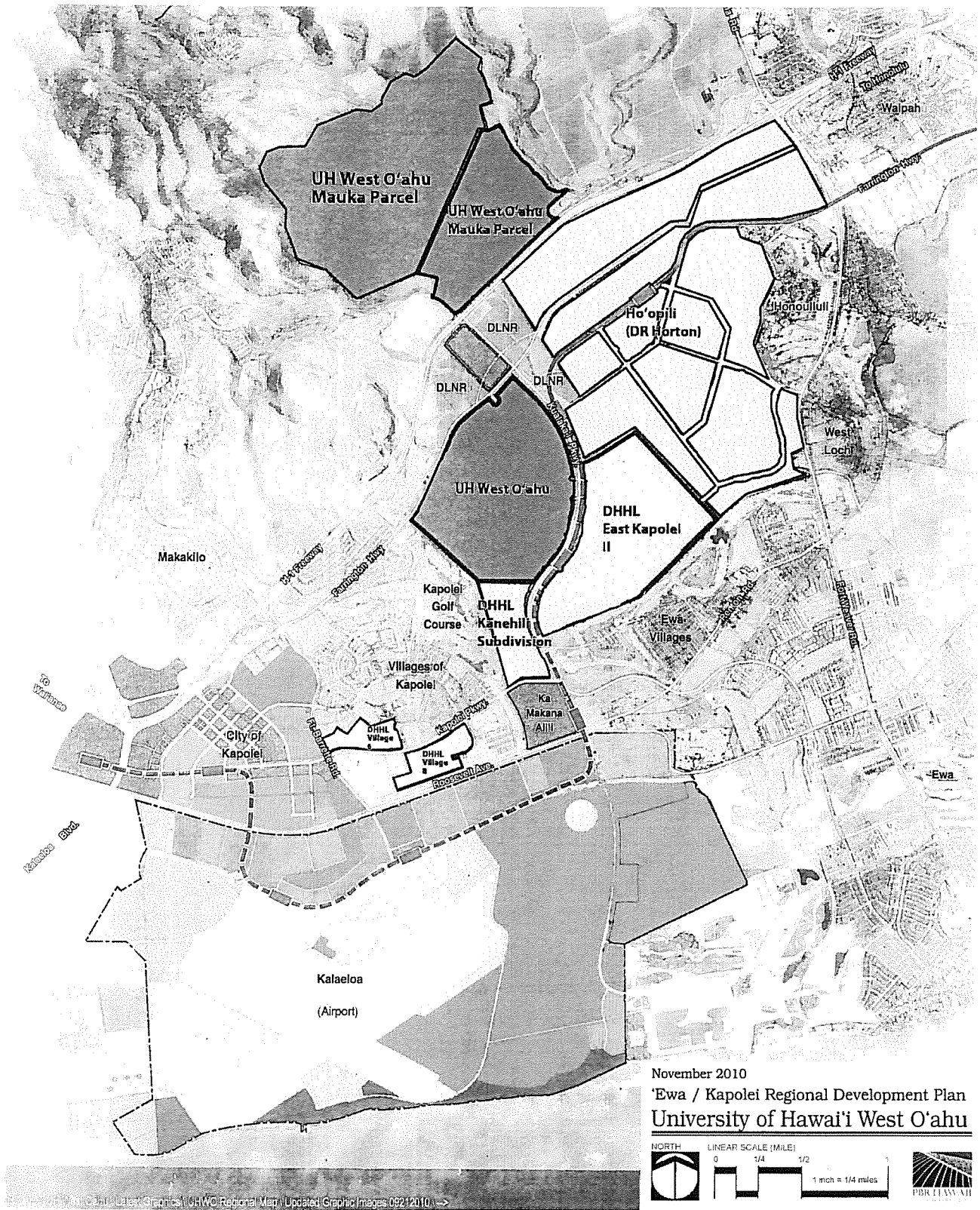


EXHIBIT B

