



**STATE PROCUREMENT OFFICE
NOTICE OF REQUEST FOR EXEMPTION
FROM HRS CHAPTER 103D**

12 MAR 20 P1:38

STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: DBEDT/Creative Industries Division
Name of Requesting Department

SUBJECT: Request for Exemption

Pursuant to HRS §103D-102(b)(4) and HAR Chapter 3-120, the Department requests a procurement exemption for the following:

1. Describe the goods, services or construction. For services related to coordinating CID/State of Hawaii's participation in the American Society of Composers Authors and Publishers (ASCAP) "I Create Music" Expo (EXPO) on April 19-21, 2012 Los Angeles, California. CID will coordinate with Westchester Media Inc. (WMI) to sponsor a panel consisting of music industry professionals and to present music showcases which demonstrate the cultural heritage and range of Hawaii's music at the EXPO. WMI is the sole entity responsible for securing and coordinating sponsorships, related programs and corporate participation in the EXPO. This program is an essential part of DBEDT/CID's mission to accelerate the economic viability and visibility of the arts and culture sectors of Hawaii's creative economy. CID's participation in mainstream events such as the EXPO is a venue and platform for CID and Hawaii's artists to form strategic partnerships with the national and international music industry.	
2. Vendor/Contractor Name : <i>3/21/12 Westchester Media Inc. 20 MAR 31 MAR 3/21/12</i>	3. Amount of Request: \$ 6,500.00
4. Term of Contract: From: <i>3/12/2012</i> To: <i>5/1/2012</i>	5. Prior Exemption Reference No.: Not Applicable
6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means: Westchester Media INC. (WMI) is the sole entity responsible for securing and coordinating sponsorships, related programs & corporate participation in the EXPO. CID's participation in related events (e.g. panels & showcases) at the EXPO are coordinated solely through communication & coordination with a representative from WMI. ASCAP is the leading performing rights association for nearly 400,000 U.S. composers, songwriters, lyricists, & music publishers. ASCAP also represents hundreds of thousands of music creators worldwide and is the only Los Angeles based national conference dedicated to the art of songwriting & composing. Programming at the EXPO includes master classes, songwriting/composing workshops, publisher/business panels, one-on-one sessions, showcases/performances, feedback panels, technology demos & exhibition space. The EXPO is a key component of CID's strategic plan to accelerate the growth of Hawaii's music industry & educate industry decision makers about the diversity of Hawaii's music genres. The event helps to provide exposure to the most successful music creators, industry experts & technology innovators. It is for these reasons that CID is requesting an exemption for WMI for sponsorship of the ASCAP EXPO under Chapter 103D.	
7. In selecting the vendor/contractor, explain in detail, the process the department will utilize to maximize fair and open competition: As noted in item #6, WMI is the sole entity responsible for securing and coordinating sponsorships and corporate participation in the EXPO. Because this event is scheduled to take place in April 2012, there is a short time frame for committing to sponsorship of this event, as well as planning panel sessions and artist performances. It is for these reasons that CID is requesting an exemption for this program under Chapter 103D. CID will be issuing a biennial RFP covering future sponsorship events of this nature. The anticipated timeline for issuing the RFP is as follows: 1) May/June 2012: CID staff to draft/finalize RFP 2) June/July 2012: Issue RFP 3) July./August 2012 - Committee evaluation of proposals 4) September/October 2012 - Vendors selected and awards are made	

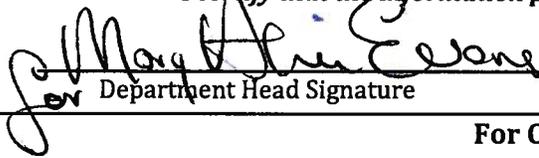
PE12-089D

8. Identify the primary individual(s) who is knowledgeable about this request, who will conduct and manage this process and has completed mandatory training. (Type over "example" and delete cells not used)

Name of Department Personnel	Division/Agency	Phone Number	e-mail address
David Nada	DBEDT/CID	587-2754	dnada@dbedt.hawaii.gov

9. The department shall ensure adherence to applicable administrative and statutory requirements, and all requirements, approvals, and internal controls for this request are the responsibility of the department.

I certify that the information provided above is, to the best of my knowledge, true and correct.


 Department Head Signature

3-19-12
 Date

For Chief Procurement Officer Use Only

Date Notice Posted 3-20-12

Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from date notice posted to:

Chief Procurement Officer
 State Procurement Office P.O.
 Box 119 Honolulu, Hawaii
 96810-0119

10. Chief Procurement Officer (CPO) Comments:

Department submitted Notice of Request for Exemption, PE 12-067K on 01/23/12 for vendor, American Society of Composer's Authors & Publishers. PE 12-067K was disapproved as vendor was not compliant on Hawaii Compliance Express. Subsequently, department submitted PE 12-089D on 03/20/12 for vendor, Westchester Media, Inc. The department has confirmed that Westchester Media, Inc. is the conference coordinator and not American Society of Composer's Authors & Publishers.

Due to time constraints, this one time approval is granted. All future awards/sponsorships are to be issued via a public solicitation. The department shall issue annually or as appropriate a solicitation pursuant to HRS section 103D-303, competitive sealed proposals/request for proposals (RFP). The RFP shall disclose the department's intention for seeking proposals, including a description of the performance or benefit required, scope or parameters of the service/activity, terms and conditions, requirements of such sponsorships, estimated funding, criteria/evaluation factors, etc.

This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply (i.e. vendor is required to be compliant on the Hawaii Compliance Express) and award is required to be posted on the Awards Reporting System.

If there are any questions, please contact Donn Tsuruda-Kashiwabara at 586-0565 or donna.tsuruda-kashiwabara@hawaii.gov.

Approved Disapproved No Action Required


 Chief Procurement Officer Signature 3/27/2012
 Date

PE12-089D