



STATE PROCUREMENT OFFICE  
**NOTICE OF REQUEST TO AMEND AN EXEMPTION  
 FROM HRS CHAPTER 103D CONTRACT**

12 MAY -4 A10:45

STATE PROCUREMENT OFFICE  
 STATE OF HAWAII

TO: Chief Procurement Officer  
 FROM: Department of the Attorney General  
 Name of Requesting Department

Pursuant to HRS §103D-102(b)(4) and HAR section 3-120-5(d), the Department requests to amend an exempt contract as follows:

1. SPO-007, Exemption Reference (PE) Number: 12-088K

2. Vendor/Contractor/Service Provider Name: ~~James Kawashima, Esq.~~  
 per email Kawashima Lorusso, LLP 5/18/12

3. Describe the goods, services, or construction:  
 Legal services to represent the State of Hawaii in Brem v. State of Hawaii, et al., Civ. No. 07-1-0176.

4. Explain in detail what is being amended:  
 The contract price is being amended to reflect actual fees and expenses through March 15, 2012.

Original PE request: \$40,000 est.  
 under est. amount: \$16,344.79  
 Total PE amount: \$56,344.79 est

5. Amended contract price for this request: \$56,344.79

6. Explain in detail why the amendment(s) are necessary:  
 At the time that approval of the Notice of Request for Exemption was sought (on or about March 12, 2012), the contractor's fees were estimated at \$40,000 through March 12, 2012. The \$40,000 estimate did not include the following: (1) the contractor's fees for March 13-15, 2012; and (2) the contractor's travel expenses to the mainland for depositions of the State's experts and to Kauai for filing of pretrial documents. The estimate was provided at the request of SPO. There was no means to accurately determine the actual cost of services. Now that the services have been completed, this \$16,344.79 increase is an accurate calculation of the total cost of services and is a one-time request. The contract with Mr. Kawashima will be completed upon the payment for services for March 13-15, 2012.

7. Identify the primary individual(s) who is knowledgeable about this request, who will conduct and manage this process, and has 1) completed mandatory training and 2) who may be contacted for follow up inquiry, if any.

(Type over "example" and delete cells not used.)

Department Personnel Name	Division/Agency	Phone Number	Email address
Russell A. Suzuki	Attorney Gen.	586-1292	Russell.A.Suzuki@hawaii.gov
David T. Moore	Attorney Gen.	586-1289	David.T.Moore@hawaii.gov

**All requirements/approvals and internal controls for this expenditure is the responsibility of the department. I certify that the information provided is to the best of my knowledge, true and correct.**

*Russell A. Suzuki*

Department Head Signature

5-3-2012

Date

**For Chief Procurement Officer Use Only**

Date Notice Posted: 5/4/12

Submit written objection to this notice to issue a sole source contract within seven calendar days or as otherwise allowed from date notice posted to:

state.procurement.office@hawaii.gov

Chief Procurement Officer (CPO) Comments:

This approval is contingent upon vendor being compliant with HRS §103D-310(c) and HAR §3-122-112 and award is required to be posted on the Awards Reporting System. When processing payment to vendor the department shall attach a current compliant HCD compliance certificate with the invoice for payment. If there are any questions, please contact Kevin Takaesu at 586-0568.

Approved     Disapproved     No Action Required

*David T. Moore*  
Chief Procurement Officer

5/16/2012  
Date