



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

12 JUN 19 P 3:24

STATE PROCUREMENT OFFICE  
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Department of Defense  
*Name of Requesting Department*

*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:  
The Johns Hopkins University Applied Physics Laboratory will continue to provide technical engineering analysis that identifies and assesses alternative courses of action for sustaining critical broadband communications capabilities. Contract will be for six (6) years. Subject to funds availability. Funding to be determined by Legislature.

2. Vendor/Contractor/Service Provider	John's Hopkins University, Applied Physics Laboratory (JHU/APL)	3. Amount of Request: \$ Est. \$2,000,000
4. Term of Contract From: 1-Jul-12	To: June 30, 2018 see #1 above	5. Prior SPO-007, Procurement Exemption (PE): N/A

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:  
The Research Corporation of the University of Hawaii (RCUH), for the benefit of the Applied Research Laboratory (ARL) of the University of Hawaii, has an ongoing effort and agreement with the Johns Hopkins University Applied Physics Laboratory (JHU/APL). Due to classification of work products, the oversight of the project needs to be transferred to the State Department of Defense which has top-secret clearance for handling U.S. Department of Homeland Security information. In addition, conducting a solicitation for competitive proposals would not be advantageous to the State because the time required to conduct an RFP will create a break in the current effort which could result in loss of the current team of subject matter experts as team members move on to other projects and the required expertise would need to be re-created. Due to the US Government using JHU/APL for prior phases of this project and their Top Secret clearance, they are the most cost-effective vendor that is capable of completing this portion of the National project.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:

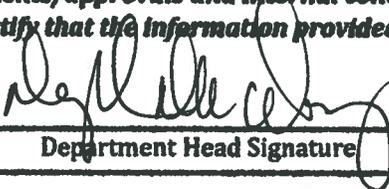
The State Dept. of Defense will assume oversight of the current scope of work and execute a new contract with JHU/APL.

8. 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 contact for follow up inquiry, if any.

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

Name of Department Personnel	Division/Agency	Phone Number	e-mail address
LTC Neal S. Mitsuyoshi	Engineering	733-4250	nmitsuyoshi@dod.hawaii.gov

*All requirements/approvals and internal controls for this expenditure is 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

JUN 18 2012

Date

**For Chief Procurement Officer Use Only**

Date Notice Posted:

6/19/12

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

[state.procurement.office@hawaii.gov](mailto:state.procurement.office@hawaii.gov)

**Chief Procurement Officer (CPO) Comments:**

Approval is granted for the period 07/01/12 to 06/30/13. 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 Kevin Takaesu at 586-0568, or kevin.s.takaesu@hawaii.gov.

Approved

Disapproved

No Action Required

David J. [Signature] 6/25/2012  
Chief Procurement Officer Signature Date