



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

12 OCT 12 P2:24

STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Hawaii State Civil 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:
Provide a written report to Hawaii State Civil Defense of initial findings on the potential for great (Mw>9+) earthquakes in the Aleutian Islands to produce tsunamis in Hawaii significantly larger than recent historical events. Initial findings are generated by NOAA tsunami codes (SIFT/SIM) made available in collaboration with the Pacific Tsunami Warning Center (PTWC), based upon published seismological research.

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|--|---|-----------------------|
| 2. Vendor/Contractor/Service Provider: | Rhett G. Butler, PH.D. | 3. Amount of Request: |
| | | \$ 75,000.00 |
| 4. Term of Contract From: 1-Nov-12 To: 30-Jul-13 | 5. Prior SPO-007, Procurement Exemption (PE): PE13-015B | |

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:
The preliminary tsunami modeling done by Dr. Butler is his proprietary intellectual property and was not developed using government funding. Sole source selection of Dr. Butler is needed to gain access to this information. Without the sole source selection, a new contractor would need to start research from scratch, delaying the project timetable and making it more costly.

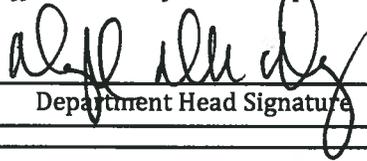
7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:
Dr. Butler showed the results of his research to a University of Hawaii Professor that is currently doing contract work for State Civil Defense. That professor, Dr. Kwok Fai Cheung, verified the quality of Dr. Butler's research and its potential value to the Tsunami Mitigation Program. Dr. Cheung then recommended that it was in the best interest of SCD to contract with Dr. Butler.

8. Identify the primary responsible staff person(s) conducting and managing this procurement. (Appropriate delegated procurement authority and completion of mandatory training required).

*Point of contact (Place asterisk after name of person to contact for additional information).

| Name | Division/Agency | Phone Number | e-mail address |
|------------------|-----------------|-------------------|------------------------|
| Evelyn Kobayashi | DoD/ SCD | 733-4301 ext. 510 | evelynk@scd.hawaii.gov |
| Glen Badua* | DoD/ SCD | 733-4301 ext. 585 | gbadua@scd.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

10/11/12

 Date

For Chief Procurement Officer Use Only

Date Notice Posted: 10/15/2012

Inquiries about this request shall be directed to the contact named in No. 8. 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

Chief Procurement Officer (CPO) Comments:

Approval is granted for the period 11/01/12 to 07/30/13 and 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.

It is noted that Mr. Glen Badua is a participant in this solicitation. Department is reminded that individual(s) participating in procurement activities must be in compliance with Procurement Delegation No. 2010-01 and Amendment 1, and Procurement Circular No. 2010-05, *Statewide Procurement Training*, as appropriate. If there are any questions, please contact Bonnie Kahakui at 587-4702, or bonnie.a.kahakui@hawaii.gov.

Approved

Disapproved

No Action Required



 Chief Procurement Officer Signature

11/5/2012

 Date