



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

13 FEB 13 A9:30

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 section 3-120-5(d), the Department requests to amend an exempt contract as follows:

1. SPO-007, Exemption Reference (PE) Number: PE# 12-126K  
 2. Vendor/Contractor/Service Provider Name: Johns Hopkins University, Applied Physics Laboratory (JHU/APL)

3. Describe the goods, services, or construction:  
 The John's Hopkins University Applied Physics Laboratory will provide technical engineering analysis that identifies and assesses alternative courses of action for sustaining critical broadband communications capabilities. Contract will need to have five (5) options to extend for one year periods each past the initial one year. Subject to funds availability.

4. Explain in detail what is being amended:  
 It is in the States best interest to enter into a Cost Plus Fixed Fee contract (CPFF). It is standard practice for universities and academic institutions (such as JHU/APL as well as the University of Hawaii) to initially enter into this type of contract for research and development projects where there is a large amount of complex uncertainty that must be investigated. We are requesting approval to enter this type of contract. We are also requesting the amendment of the contract period from July 1, 2012 through June 30, ~~2018~~ to June 1, 2013 through May 31, ~~2019~~.  
 2013 KT  
 2014 KT per Cathy Sin email, 4/22/13

5. Amended contract price for this request: \$ \$0.00

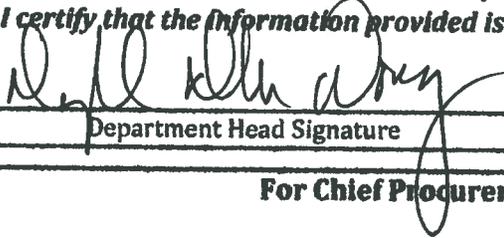
6. Explain in detail why the amendment(s) are necessary:  
 Given the uncertainties of research and development efforts it is industry standard to negotiate a Cost-Plus-Fixed-Fee contract. We are requesting approval to enter this type of contract in the best interest of the State to only pay for services that rendered with respect to what is discovered during JHU research, development and investigation in clearly defining a scope and way ahead for the State with respect to trans Pacific connectivity and broadband opportunities. The initial portion of the contract will be research to determine what the basic scope of work will be for the remainder of the contract. Depending on additional unknown information that is received and discovered we will increase or decrease the deliverables of the project. The change in the term of the contract is needed because we are still in negotiations for the original contract. Pending the completion of negotiations and creation of contract forms we estimate the actual start of the contract will be June 2013. Term of contract will then be from June 1, 2013 through May 31, ~~2019~~.  
 2014 KT per Cathy Sin email, 4/22/13



7. 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	Email 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 is to the best of my knowledge, true and correct.**



Department Head Signature

2-12-13

Date

**For Chief Procurement Officer Use Only**

Date Notice Posted: 2/13/13

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

Chief Procurement Officer (CPO) Comments:

Approval is granted for the period 06/01/13 to 05/31/14 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.

If there are any questions, please contact Kevin Takaesu at 586-0568, or [kevin.s.takaesu@hawaii.gov](mailto:kevin.s.takaesu@hawaii.gov).

Approved     Disapproved     No Action Required



4/22/2013

Chief Procurement Officer

Date