



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

13 AUG 20 P2:58

STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: DAGS - Hawaii State Foundation on Culture and the Arts
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:
See attached for description of services needed for seven HSFCA arts education programs.

2. Vendor/Contractor/Service Provider: ARTS FIRST Partners - see attached for list of partners and affiliates	3. Amount of Request: \$ see attached
4. Term of Contract From: 7/1/2013 10/01/2013 To: 6/30/2014 09/30/2014	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:
See attached for explanation.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:
The ARTS FIRST Partnership has been chosen by the HSFCA to provide services because these programs are framed by the Strategic Plan goals of this legislatively mandated partnership and are systematically structured to advance arts education in Hawaii to reach those goals. Common extensive experience combined with shared resources furthers the progress toward these goals efficiently. Specific knowledge of AFP goals, vision, philosophy and trainings are embedded into the content of each program.

Vendors will be chosen from among the six partners and two affiliates on the basis of the availability of their own pertinent resources. Administrative capacity (professional and clerical personnel, efficiency of procurement/purchasing methods, etc.) is key, as is consideration of ability to commit to the entire scope and sequence of each contract. Geographic location, commitment of contributing funds and/or in-kind services or resources, and prior knowledge of program-specific content will be key considerations in choosing which organization best suits the needs of each program.

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
Susan Hogan*	State Foundation on Culture and the Arts	586-9958	susan.m.hogan@hawaii.gov
Vivien Lee	State Foundation on Culture and the Arts	586-0768	vivien.lee@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

8/26/13

Date

For Chief Procurement Officer Use Only

Date Notice Posted: 8/22/13

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:

This request is approved with the understanding that for all subsequent expenditures SFCa shall post a notice annually on the SPO Procurement Notice site and any other website to encourage vendor participation in programs for all islands. Approval is granted for the period 10/01/13 to 09/30/14 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. Copies of the HCE certificate and awards posting are required to be documented in the procurement/contract file.

If there are any questions, please contact Kevin Takaesu at 586-0568, or kevin.s.takaesu@hawaii.gov.

Approved

Disapproved

No Action Required

Chief Procurement Officer Signature

9/25/2013
Date

Request for Exemption from HRS Chapter 103D
ATTACHMENT

1. Describe the goods, services or construction:

- a) **Professional Development for Teaching Artists Program.** Collaborate with HSFCA and other ARTS FIRST Partners to design and plan workshops, institutes, etc. that provide professional development for the teaching artists on the HSFCA's Artistic Teaching Partners Roster. Vendor understanding of the ARTS FIRST teaching artist professionals' needs is paramount, as is understanding of the ARTS FIRST Partners' shared framework and approach to arts education. Because the Roster artists teach in the HSFCA's Artists in the Schools (AITS) Program, vendor must thoroughly understand the AITS Program. Coordinate details as needed, such as:

- arrange for and contract presenters/speakers; help develop the presentations,
- handle publicity, registration, printed materials, supplies, travel, accommodations, hospitality, etc.
- secure location
- pay for expenses not covered by other Partners
- evaluate program

HSFCA funds cover partial program costs through a contract with the vendor. Other ARTS FIRST Partners provide the rest of the funding.

- b) **Professional Development for Classroom Teachers Program.** Collaborate with HSFCA and other ARTS FIRST Partners to plan workshops, courses, etc. that provide professional development in the fine arts for classroom teachers using the framework of ARTS FIRST. Vendor understanding of the fine arts, arts integration, elementary curriculum scope and sequence, and of how teachers learn is required. Coordinate details as needed, such as:

- meet Dept. of Education requirements for Professional Development courses that award credit to classroom teachers
- arrange for presenters; help develop the presentations; monitor quality
- arrange for presenters to conduct demonstration classes in each teacher's class; monitor quality
- handle class registration, printed materials, supplies, travel, hospitality, etc.
- secure class location
- pay for expenses
- evaluate program

HSFCA funds cover partial program costs through a contract with the vendor. The vendor provides the rest of the funding.

- c) **Artists in the Schools Program.** Disburse HSFCA grants (General funds) that are awarded through an application and panel process to the individual teaching artists on the HSFCA's Artistic Teaching Partners Roster who are providing the arts residencies to schools. Contract each teaching artist per the grant application, issue checks for teaching fees and materials reimbursements, issue 1099's, collect final reports from the teaching artists, keep records. Vendor understanding of the Artists in the Schools Program is essential, as is understanding of the ARTS FIRST Partners' shared framework and approach to arts education.

HSFCA

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d) **Art Bento Program.** Collaborate with the Hawai'i State Art Museum Educator to plan and implement HSFCA's outreach museum education program utilizing the Art in Public Places Collection of the HSFCA on view at the HiSAM. Elementary schools, selected through an application and panel process, receive a 4-part experience and free busing. Teaching Artists from the HSFCA's Artistic Teaching Partners Roster provide services both in the museum and in the classrooms. Vendor understanding of the ARTS FIRST Partners' shared framework and approach to arts education is essential. Vendor understanding of the fine arts, arts integration, museum education, elementary curriculum scope and sequence, and of how teachers learn is required. Activities including:

- Conceptualize program theme and strategies
- Assist with application and panel process
- Liaison with granted schools to schedule museum visits
- Liaison with granted schools to schedule teaching artist visits to classrooms
- Conduct pre-visit orientation meetings with principals of granted schools
- Oversee the professional development sessions for teachers of granted schools
- Develop informational and educational materials for the program
- Design and deliver training for teaching artists and museum guides
- Contract with the teaching artists and museum guides for services
- Issue checks for the teaching artists and museum guides; issue 1099's
- Purchase supplies and pay for buses
- Monitor program quality, collaborate with HiSAM Educator to make changes to improve the program
- Monitor that program activities and requirements are being completed
- Conduct program evaluation
- Document program

HSFCA covers all program costs through a contract with the vendor. Vendor processes all payments using contract funds.

e) **ARTS FIRST Summer Institute.** Collaborate with HSFCA and other ARTS FIRST Partners to plan a four-day summer professional development institute on Oahu, framed by the goals and strategies developed by ARTS FIRST, for statewide elementary classroom teachers. Vendor understanding of the fine arts, arts integration, elementary curriculum scope and sequence, and of how teachers learn is required. Coordinate details as needed, such as:

- meet Dept. of Education requirements for Professional Development courses that award credit to classroom teachers
- arrange for presenters; help develop the presentations; monitor quality
- handle class registration, printed materials, supplies, travel, accommodations, hospitality, etc.
- secure class location
- pay for expenses
- evaluate program

HSFCA funds cover partial institute costs through a contract with the vendor. The vendor provides the rest of the funding.

f) **Maui Arts & Cultural Center (MACC) Summer Institute for Educators.** Plan and coordinate a 4-6 day summer professional development institute, framed by the goals and

strategies developed by ARTS FIRST, for Maui County classroom teachers, and held at the MACC. Vendor understanding of the fine arts, arts integration, elementary curriculum scope and sequence, and of how teachers learn is required. MACC coordinates details as needed, such as:

- meet Dept. of Education requirements for Professional Development courses that award credit to classroom teachers
- arrange for presenters; help develop the presentations; monitor quality
- handle class registration, printed materials, supplies, travel, accommodations, hospitality, etc.
- secure institute location
- pay for expenses
- evaluate program

HSFCA funds cover partial institute costs through a contract with the vendor, without any administrative fee. The vendor provides the rest of the funding.

- g) **Collaborative Residencies Program.** This statewide program supports teams of one teaching artist and one classroom teacher, to co-plan and co-provide arts-integrated residencies in the teacher's class. The program is launched during the ARTS FIRST Summer Institute in a track parallel to the one for classroom teachers. Additional professional development may be offered to the teams in the Fall, prior to the final gathering in December to share work. Vendor understanding of the ARTS FIRST Partners' shared framework and approach to arts education is essential. Also essential is vendor's ability to lead the professional development, specifically, to coach the teams on arts integration, collaboration, essential questions, student reflection, and documentation.

HSFCA funds cover the residency costs only (teaching artist's fees, and classroom teacher and teaching artist co-planning time), and pass through the vendor to the teaching artists and classroom teachers, without any administrative fee. The vendor provides the rest of the funding.

2. **Vendor/Contractor/Service Provider:** ARTS FIRST Partners (AFP) and Affiliate Partners—

- Hawaii Dept. of Education
- Hawaii State Foundation on Culture and the Arts
- Hawaii Association of Independent Schools
- Hawaii Arts Alliance
- University of Hawaii at Manoa – College of Education
- University of Hawaii at Manoa – College of Arts and Humanities
- Honolulu Theatre for Youth (affiliate)
- Maui Arts & Cultural Center (affiliate)

The six partners are named in Act 306/01, which established the ARTS FIRST Partners in 2001, and mandated that they create and implement a statewide strategic plan for arts education. Since 2001, the Partners have collaborated, without Legislative funding, to reach the goals of the strategic plan. From FY2002 through FY2013, approximately \$20 million has been spent by the partners in direct services for arts education in Hawaii. AFP is now implementing its third multi-year strategic plan. Affiliate partners are invited to join the work of the Partnership by consensus of the six mandated partners.

Each of the non-profit organizations within the ARTS FIRST Partnership has been, in past contracts, compliant with HCE.

3. Amount of Request: varies depending on services. Approximate contract amounts:

- a) \$24,550
- b) \$23,000
- c) \$208,684
- d) \$179,800
- e) \$10,000
- f) \$10,000
- g) \$30,000

\$ 486,034

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:

As an active ARTS FIRST Partner, the HSFCA has worked with the other partners for twelve years to develop a common philosophy, language, and professional framework for providing in-school arts education. The partnership's approach was initially developed through training with professionals from the Kennedy Center for the Performing Arts in Washington, DC, a national leader in the field of arts education. The ARTS FIRST Partners have since taken a leadership role in arts education in Hawai'i, with specifically trained and qualified personnel employed by each organization. All partners have contributed resources, both direct and in-kind. Each HSFCA program is structured to take advantage of the training, expectations and methods shared by the ARTS FIRST Partners. Sharing responsibility for HSFCA programs with other partners ensures sustainability for both the programs and the legislatively mandated partnership in the event of HSFCA staff shortages or turnover.

The HSFCA's responsibilities for these seven programs are managed by two staff members, each an Arts Program Specialist II and each with other programs and responsibilities in addition to those described above. It is neither practicable nor advantageous to the state for these two staff members to annually solicit and then train new vendors in the programs' philosophy, structure, and needed services. The learning curve for new vendors is very steep. To capitalize on the gains made by the partners working together for over a decade, it is both advantageous and practical for the department to contract with the ARTS FIRST Partners as vendors.