



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

15 MAR 10 12:18

ADMINISTRATION
STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer
FROM: Land and Natural Resources
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 CONTRACTOR shall provide, in a satisfactory and competent manner, the goods and services related to Department of Land and Natural Resources' ("DLNR") supported programs, initiatives, events, activities, and/or expenses related to the hosting of the International Union for Conservation of Nature World Conservation Congress ("WCC") to be held in Honolulu, Hawai'i in September 2016. These are described in the attached Master Funding Agreement and Budget Breakdown.

2. Vendor/Contractor/Service Provider: Center for Cultural and Technical Interchange Between East and West, Inc.; DBA East-West		3. Amount of Request: \$ 1,000,000
4. Term of Contract From: 3/01/15 3/10/15 <i>SPM</i> 3/30/15	To: 12/31/2016	5. Prior SPO-007, Procurement Exemption (PE): PE15-0215

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

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:
DLNR and other entities including the US State Department, HTA, OHA and UH, explored several possible options using the criteria outlined in #6. These included the US offices of IUCN in Washington, D.C., RCUH, Hawaii Conservation Alliance Foundation, as well as the possibility of having the Host Committee handling the fiscal duties directly. It was determined that the cost as well as the time to set up the Host Committee as a 501-C3 would make it an infeasible option.

Upon review of several options described above, it was determined that the EWC's capacity and willingness to deliver, positive past working relationship with partner organizations like OHA and HTA, and excellent overhead price made it the superior option. The IUCN were also involved in the selection process and concurred with Host Committee's assessment.

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
John Vetter*	DOFAW/DLNR	8085874158	John.P.Vetter@hawaii.gov <i>JPV</i>

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.

[Signature]
Department Head Signature

3/6/15
Date

For Chief Procurement Officer Use Only

Date Notice Posted: 3/11/2015

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 with the understanding that the department has determined it is not practicable or advantageous to procure by competitive means to host the 2016 International Union for Conservation of Nature World Conservation Congress to be held in Honolulu.

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 provide proof of compliance and may use 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 Stanton Mato at 586-0566, or email stanton.d.mato@hawaii.gov.

Approved

Disapproved

No Action Required

[Signature]
Chief Procurement Officer Signature

4/1/15
Date

Describe why it is not practical or advantage for the Department to procure by competitive means

The International Union for Conservation of Nature ("IUCN"), the world's oldest and largest global environmental network, has selected the USA/Hawaii as the host site for the 2016 IUCN World Conservation Congress ("WCC"). The WCC is the world's largest and most inclusive nature conservation forum. Held every four years, the WCC encourages member organizations from over 160 countries to improve their management of the natural and cultural environment for human, social, and economic well-being. The WCC hosts 8,000 – 10,000 delegates from around the world, not including support staff and family. The State of Hawaii has officially agreed to host the event, documented by the Governor signing the Host Agreement, which can be viewed by linking to <http://dlnr.hawaii.gov/dofaw/files/2014/11/Hosting-Agreement-MoU-State-of-Hawaii-and-IUCN-2016-World-Conservation-Congress.pdf>

The WCC National Host Committee/Hawai'i 2016 ("Host Committee") has been set up as a collaboration of the US State Department, the State of Hawaii, and other national and local organizations to help organize and run the WCC. State entities represented on the board include: DLNR, Hawai'i Tourism Authority ("HTA"), Office of Hawaiian Affairs ("OHA") and the University of Hawai'i ("UH").

As the WCC is international in scope, it necessitates a primary goods and service provider who meets the following criteria:

- Well known and respected at the local, national and international levels with government entities as well as in the non-profit and charitable foundation arenas.
- Has the capacity to contract and accept/disburse funds at local, national and international levels
- Has the capacity to accept and manage unrestricted and restricted donations at local, national and international levels.
- Has existing infrastructure to oversee an international conference.
- Has demonstrated a strong ability to coordinate, facilitate and execute a similar international conference, such as the 19th APEC Economic Leaders' Meeting held at the Hawai'i Convention Center in November 2011("APEC").
- Has demonstrated past participation in a similar national and local Host Committee conference framework, such as that used in APEC.
- Can effectively assist fund raising to support the effort, presently in the process of securing \$11.5 million from international, federal, state, county, private and NGO sources for the execution of the Congress.
- Has a competitively priced overhead rate.

The Scope of Work in the Goods and Service contract proposes to follow the attached **Proposed Budget Breakdown**. Please note that the EWC have agreed to charge only .05% or \$500 total overhead for this contract. The Host Committee feels this is a great deal for the DLNR and the other sister State entities.

PE15-0425

Board Members of the Host Committee, including several directors of State entities, feel, based on the criteria listed above, that the EWC is the best entity to contract to conduct the WCC. Based on that, they are each signing Master Funding Agreements (MFA). Please see attached executed **DLNR MFA**. Please note that the contracted Staff answers directly to the Host Committee Board and the Board executive has control of expenditures. The Chair of DLNR has voting ex-officio status on the Board.

As shown in the Proposed Budget Breakdown, there are many varying expense categories in this contract. The Department feels that many of these procurements are exempt from Chapter 103D, pursuant to HAR 3-120-4, including exemption # 1, 3,5,8,11,14 and 15.

For the reasons stated above, the Department feels that is not practical or advantageous for the Department to procure by competitive means. We already have a willing contractor in the EWC with staff familiar with IUCN and State Department personnel, experienced in IUCN and international, government and non-profit procedures. Again, their overhead rate is a meager ~~0.5%~~ ~~0.05%~~ totaling \$500. It would also be difficult to procure these services in a timely manner, putting the success of the WCC in jeopardy.

0.5%

\$4,750.00

sum
3/27/15