

STATE OF HAWAII  
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

05 NOV 18 P3:15

TO: Chief Procurement Officer  
FROM: Attorney General  
(Department/Division/Agency)

STATE PROCUREMENT OFFICE  
STATE OF HAWAII

Pursuant to § 103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

**Description of goods, services, or construction:**  
Mediation services in contract dispute between the Department of Accounting and General Services and Kronos, Inc., the contractor.

<b>Name of Vendor:</b> Keith Hunter Dispute Prevention and Resolution, Inc.	<b>Cost:</b> NTE \$15,000
<b>Address:</b> 1001 Bishop Street, Pauahi Tower 1155 Honolulu, HI 96813	

<b>Term of Contract:</b> Until completion	<b>From:</b> Date of CPO approval	<b>To:</b>	<b>Prior Exemption Ref. No. (If applicable)</b>
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**Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:**

The parties have agreed to submit their contract dispute to mediation, and after considering seven possible mediators (four proposed by Kronos and three proposed by the Attorney General), Keith Hunter was the only individual who was acceptable to both sides.

**Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:**

The Attorney General has had experience with Keith Hunter as a mediator and has found his fees to be in line with other mediators in Honolulu. Six other potential mediators who are well known in the community were also considered in discussions between the parties, but none were acceptable to both parties.

**A description of the agency's internal controls and approval requirements for the exemption procurement:**

The contract for mediation services will be conducted under the supervision of the Attorney General and subject to his final approval.

**A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract:**

Attorney General

**Direct questions to:**

Mark J. Bennett, Attorney General

**Phone Number:**

(808) 586-1500

This exemption should be considered for list of exemptions attached to Chapter 3-120, HAR: Yes:  No:

*I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS, TO THE BEST OF MY KNOWLEDGE, TRUE AND CORRECT.*

JAN 28 2005

Department Head or Designee

Date

Title (If other than Department Head)

**Chief Procurement Officer's Comments:**

[Empty box for Chief Procurement Officer's Comments]

Please ensure adherence to applicable administrative requirements.

APPROVED  DISAPPROVED

*Adam S. Jahn*  
Chief Procurement Officer

*12/01/05*  
Date

cc: Administrator,  
State Procurement Office

**STATE OF HAWAII  
NOTICE OF EXEMPTION FROM CHAPTER 103D, HRS**

<p>The Chief Procurement Officer is in the process of reviewing the request form the Department of <u>Attorney General</u> for exemption from Chapter 103D, HRS, for the following goods, services, or construction:</p> <p>Mediation services in contract dispute between the Department of Accounting and General Services and Kronos, Inc., the contractor.</p>			
<p><b>Vendor:</b> Keith Hunter Dispute Prevention and Resolution, Inc.</p> <p><b>Address:</b> 1001 Bishop Street, Pauahi Tower 1155 Honolulu, HI 96813</p>			
<p><b>Term of Contract:</b> Until completion</p>	<p><b>From:</b> Date of CPO Approval</p>	<p><b>To:</b></p>	<p><b>Cost:</b> NTE \$15,000</p>
<p><b>Direct any inquiries to:</b></p> <p><b>Department:</b> Attorney General</p> <p><b>Contact Name/Title:</b> John P. Deller Deputy Attorney General</p> <p><b>Address:</b> 425 Queen Street Honolulu, HI 96813</p>		<p><b>Phone Number:</b> (808) 586-0618</p> <p><b>Fax Number:</b> (808) 586-1372</p>	



Date Posted: 11/23/05

A copy of this notice of exemption from Chapter 103D, HRS, shall be posted by the Chief Procurement Officer and the purchasing agency in an area accessible to the public, at least seven (7) calendar days prior to any approval actions.

Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven (7) calendar days from the date posted to:

Chief Procurement Officer  
Office/Agency \_\_\_\_\_  
Address \_\_\_\_\_