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

STATE PROCUREMENT OFFICE  
STATE OF HAWAII  
ADMINISTRATION  
STATE OF HAWAII OFFICE

TO: Chief Procurement Officer

FROM: DBEDT/AFED/Arts and Culture Development Branch

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  
This project is specifically the preplanning phase of a larger process and will help to setup the creation of a Strategic Plan for Hawaii's Creative Economy. It is anticipated that the Strategic Plan for Hawaii's Creative Economy will be a major task involving many groups and industries. This stage of planning will help to insure that the widest and most complete plan can be developed.

Name of Vendor: Culture + Planning Group Address: The Cultural+Planning Group 1318 E. 7 <sup>th</sup> Street, Suite 201 Los Angeles, California 90021	Cost: \$24,950.00

Term of Contract: From: <del>February 1, 2004</del> May 14, 2004 Date of Approval To:	Prior Exemption Ref. No. (if applicable) NA
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Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:  
Going out to bid would not have attracted any qualified companies locally. It was recognized that are few companies in the entire nation that specialize in developing plans and strategies in the Arts and Culture area. Our contacts in Hawaii's Arts & Culture community verified this fact and they were also able to provide us feedback on the vendor that had submitted the proposal.

Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:  
DBEDT was approached by C+PG with this unsolicited proposal. Staff followed-up by researching the background and reputation of this company and looked at other similar vendors. It was our understanding that there are few companies that specialize in developing plans and strategies in the Arts and Culture area otherwise known as the Creative Economy or Creative Industries.  
Four other companies were found, these included the North Group (NY); Wolf, Keens & Allen Assc. (Tx); ArtsMarket (MT) and AMS Planning & Research (CT, MO, CA). C+PG came with high recognition and

recommendations from Hawaii's Arts/Culture community contacts; in addition, they were the only company that had a Hawaii representative. Their proposal fit our need for professional help to develop the Strategic Plan for Hawaii's Creative Economy.

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

A description of the agency's internal controls and approval requirements for the exempted procurement: The proposal was reviewed by the AFED staff and the company's background was verified with the Arts community in Hawaii. DBEDT / AFED will monitor and administer this vendor and project. All projects are initially passed through the branch, division, contracts, accounting and the director's office for approval to proceed.

A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract: Theodore Liu, Director - Department of Business, Economic Development & Tourism (DBEDT) Judy Drosd, Chief Officer - DBEDT / Arts, Film and Entertainment Division (AFED) David Nada, Branch Chief - AFED / Arts and Culture Development Branch

Direct questions to: David Nada Phone Number: 587-2754

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

[Signature] JAN 20 2004 Department Head or Designee Title (If other than Department Head)

Chief Procurement Officer's Comments: Your exemption request is being returned without CPO action because the amount is under \$25,000.00. The agency shall use small purchase procedures for this procurement provided the goods or services are less than \$25,000.00 Per discussions with agency, vendor's representative has contacts with the local Arts and Culture community. The vendor's knowledge of the local community as well as its knowledge in developing plans and strategies in the Arts and Culture area will provide the agency with additional resources in its preliminary development of specifications for a RFP for the creation of a Strategic Plan. The agency has been advised that per Section 103D-405(d), HRS and §3-122-13(e), HAR, a contractor paid for services to develop or prepare specification or work statements shall be precluded from submitting an offer or receiving a contract for that particular solicitation.

Please ensure adherence to applicable administrative requirements.

~~APPROVED~~ ~~DISAPPROVED~~ [Signature] 3/18/04 NO ACTION REQUIRED

cc: Administrator, State Procurement Office

Submit in Duplicate

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

The Chief Procurement Officer is in the process of reviewing the request from the Department of Business, Economic Development and Tourism for exemption from Chapter 103D, HRS, for the following goods, services, or construction:

For services related to a Preliminary Planning Process for the Creation of a Strategic Plan for Hawaii's Creative Economy

**Vendor:** The Cultural+Planning Group

**Address:** 1318 E. 7<sup>th</sup> Street, Suite 201  
Los Angeles, California 90021

<b>Term of Contract:</b> From: February 1, 2004 To: May 14, 2004:	<b>Cost:</b> \$24,950.00
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**Direct any inquiries to:**  
 Department: Department of Business, Economic Development, and Tourism (DBEDT)

Contact Name/Title  
 David Nada, Branch Chief – AFED / Arts and Culture Development Branch

Address: 250 South Hotel Street, No. 1 Capitol District Building, Fifth Floor, Honolulu, Hawaii 96813

Phone Number: 587-2754

Fax Number: 587-3388

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Date Posted: 1/23/04

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 action.

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 \_\_\_\_\_  
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