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

1. TO: Chief Procurement Officer
2. FROM: State Land Use Commission

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

3. Description of goods, services or construction:
Support the implementation of Act 205 SLH 2005 by establishing community education and outreach regarding the design and administration of State Land Use (SLH) Rural District standards and parameters. Services to be provided by the HRDC includes, but is not limited to:

- Project Coordination – develop community advisory group meeting process and participation;
- Identification of existing advisory groups and potential advisory group participants;
- Providing meeting support and facilitation, phone consultation and face-to-face meetings;
- Conducting at a minimum, two meetings each for Kauai, Maui, East Hawaii and West Hawaii; and
- Submittal of a final report describing the feedback gained from the community advisory group prior to a statewide summit meeting in November 2006.

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| 4. Name of Vendor: Hawaii Rural Development Council (HRDC) Address: 677 Ala Moana Boulevard, Suite 702, Honolulu, Hawaii 96813 | 5. Price: \$ 40,156.16-- |
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| 6. Term of Contract: <i>Upon CFO Approval</i> From: June 29, 2006 To: November 17, 2006 | 7. Prior Exemption Ref. No. |
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8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:
The HRDC is one of 37 state rural development councils that are certified by the United States Department of Agriculture (USDA) through provisions of the 2002 Farm Bill that established the National Rural Development Partnership. The HRDC is the only such council established for the State of Hawaii. The HRDC is uniquely constituted and qualified to assist in enhancing the dialogue and consideration of reform to the SLH Rural District standards and parameters as directed by the Hawaii State Legislature in 2005. As the HRDC is the only such qualified organization established in the State of Hawaii, competition is neither practical or called for.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
As described above, the HRDC is the sole entity in the State of Hawaii which has been certified by the USDA to promote and support the rural-based economic welfare of the State. In addition, the Executive Officer of the State Land Use Commission (at duly constituted public meetings convened by the HRDC) made presentations and discussed the participation by the HRDC in this project pursuant to Act 205 SLH 2005.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
The review of this request for project and contract with the HRDC was conducted by and approved by the Director of the Department of Business, Economic Development and tourism, the Department of Budget and Finance, and the Governor.

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

| 12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract: | | |
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| Name | Position | Involvement in Process |
| Anthony Ching | Executive Officer, Land Use Commission | <input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration |
| Ken Kitamura | Administrative Services Officer, DBEDT | <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration |
| Theodore Liu | Director, DBEDT | <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration |
| | | <input type="checkbox"/> Approval <input type="checkbox"/> Administration |
| | | <input type="checkbox"/> Approval <input type="checkbox"/> Administration |
| | | <input type="checkbox"/> Approval <input type="checkbox"/> Administration |

13. Direct inquiries to: Department: State Land Use Commission
 Contact Name: Anthony Ching
 Phone Number: 587-3826
 Fax Number: 587-3827

Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*


 Department Head

6-30-06
 Date

Reserved for SPO Use Only

15. Date Notice Posted 7/3/06

The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to: Chief Procurement Officer
 State Procurement Office
 P.O. Box 119
 Honolulu, Hawaii 96810-0119

Chief Procurement Officer's comments:
 This approval is based on the State Land Use Commission's representation that this vendor is comprised of the necessary partners and they are qualified to implement Act 205, SLH 2005. This approval is for the solicitation process only, section 103D-310(c), HRS, and section 3-122-112, HAR, shall apply.

16. APPROVED DISAPPROVED


 Chief Procurement Officer 7/10/06
 Date