



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

1. TO: Chief Procurement Officer  
2. FROM: DBEDT/Hawaii Housing Finance and Development Corporation

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:  
Real estate consultant services including assessing the physical condition of the property, conducting appraisals, evaluating development options, and performing financial feasibility analyses.

4. Name of Vendor: To be determined.

Address:

5. Price:

\$100,000+/-

6. Term of Contract: From: ~~8/06~~ *Upon CPO Approval* To: 8/31/07

7. Prior Exemption Ref. No.  
0

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State:  
The HHFDC published a RFP for real estate consulting services on 8/3/06. Pursuant to the RFP, proposals are due to the HHFDC on 9/12/06. Via letter dated 8/15/06, the owners of Kukui Gardens have agreed to an 8 week period beginning 8/21/06 for negotiations relating to keeping the 857 units at Kukui Gardens affordable. As time is of the essence, it is not practicable nor advantageous to the State to wait until 9/12/06 (half way through the negotiation period) to select a real estate consultant. We must immediately procure a consultant to perform the services necessary for the State to effectively negotiate with the owner of Kukui Gardens. Pursuant to Act 288, SLH 2006, the Hawaii State Legislature has identified Kukui Gardens as an irreplaceable property that must be preserved as an affordable housing project.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:  
The HHFDC will cancel the outstanding RFP. The HHFDC will contact at least 5 real estate consultants, including any with a copy of the RFP, and request submittal of the Form of Offer and the Standard Qualification Questionnaire for Offerors (SPO Form-21) by August 25, 2006.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:  
Other than the method of contract procurement, the standard contract processing and approval will be followed. An Evaluation Committee will evaluate the submissions and recommend a consultant to the Executive Director. This Evaluation Committee was established on 8/2/06.

**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:

Name	Position	Involvement in Process	
Orlando "Dan" Davidson	Executive Director	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Darren Ueki	Finance Manager	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Janice Takahashi	Chief Planner	<input type="checkbox"/> Approval	<input checked="" 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: DBEDT/HHFDC  
 Contact Name: Orlando "Dan" Davidson  
 Phone Number: 587-0680  
 Fax Number: 587-0600

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

8/17/06  
 Date

**Reserved for SPO Use Only**

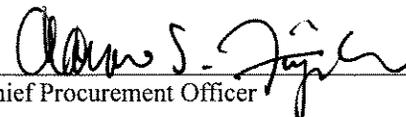
15. Date Notice Posted 8/17/06

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 request is approved based on the negotiation deadline imposed on the HHFD by the owners of Kukui Gardens pursuant to Act 288, SLH 2006. This approval is for the solicitation process only. HRS section 103D-310(c), and HAR section 3-122-112, shall apply.

16.  APPROVED     DISAPPROVED     NO ACTION REQUIRED

  
 Chief Procurement Officer                      Date 8/24/06